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Pendroy School District

FLEXIBILITY AND EFFICIENCY 1005FE

Proficiency-Based ANB

It is the policy of the District to increase the flexibility and efficiency of the District's resources by utilizing the provision of law allowing proficiency-based ANB.

The school district has a definition of proficiency within the meaning of that term as used in 20-9-311(4)(d). The definition must not require seat time as a condition or other element of determining proficiency. The definition must be incorporated in the district's policies and must be used for purposes of determining content and course mastery and other progress, promotion from grade to grade, grades, and graduation for pupils enrolled in the district's transformational learning program.

Definition of Proficiency
For purposes of this policy, the term "proficiency" means a degree of mastery of the underlying content for a course that is reflective of a final grade, in the professional opinion of the teacher of record, of not less than a "B". The determination of proficiency by a teacher must not require seat time as a condition or other element of determining proficiency.

The determination of proficiency for a pupil enrolled in a course shall be made no earlier than the deadline for submitting the final grade for the course. The determination of proficiency for a pupil not enrolled in a course shall be based on the pupil's mastery of the underlying content of the course, demonstrated through completion of a final exam designed by the teacher of record for the applicable course with a minimum grade of a "B".

Teachers of record have full professional discretion in determining proficiency of pupils in courses taught. Teachers of record are encouraged to integrate trial and error into the learning process and to incorporate continued opportunity for practice and revision of assignments until a pupil reaches a performance level that demonstrates to the teacher's satisfaction that mastery of learning expectations has been attained.

The District may include in its calculation of ANB a pupil who is enrolled in a program providing fewer than the required aggregate hours of pupil instruction required under Montana law if the pupil has demonstrated proficiency in the content ordinarily covered by the instruction as determined by the school board using district assessments. The ANB of a pupil who demonstrates proficiency in any content/subject matter will be converted to an hourly equivalent based on the hours of instruction ordinarily provided for the content over which the student has demonstrated proficiency.

The District may, on a case-by-case basis, provide fractional credit for partial completion of a course for a student who is unable to attend class for the required amount of time.

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The District may waive specific course requirements based on individual student needs and performance levels. Waiver requests shall also be considered with respect to age, maturity, interest, and aspirations of the students and shall be in consultation with the parents or guardians.

At the discretion of the District, a student may be given credit for a course satisfactorily completed in a period of time shorter or longer than normally required and, provided that the course meets the District's curriculum and assessment requirements, which are aligned with the content standards stated in the education program. Examples of acceptable course work include, but are not necessarily limited to, those delivered through correspondence, extension, and distance learning courses, adult education, summer school, work study, specially designed courses, and challenges to current courses.

Legal Reference:	20-1-301, MCA	School fiscal year
	20-9-311(4)(a)(b)(d), MCA	Calculation of average number belonging (ANB) – 3-year averaging
	20-3-324, MCA	Powers and duties
	10.55.906 ARM	High School Credit
	Chapter 402 (2019)	Transformational Learning Incentives

Policy History:
Adopted on: 3/27/2020
Reviewed on:
Revised on:

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Legal Status, Organization and Operation

The legal name of this District is Pendroy School District No. 61 County, State of Montana. The District is classified as a Third Class District and is operated according to the laws and regulations pertaining to elementary school districts of the State of Montana and the United States of America.

The Board of Trustees of the Pendroy Elementary School District # 61 is the governmental entity established by the State of Montana to plan and direct all aspects of the District's operations to the end that students shall have ample opportunity to achieve their individual and collective learning needs.

In order to achieve its primary goal of providing each child with the necessary skills and attitudes to become an effective citizen, the Board shall exercise the full authority granted to it by the laws of the state. Its legal powers, duties and responsibilities are derived from the Montana Constitution and state statutes and regulations. Sources such as the school laws of Montana, and the administrative rules of the Board of Public Education and the Office of Superintendent of Public Instruction delineate the legal powers, duties and responsibilities of the Board.

The policies of the Board define the organization of the Board and the manner of conducting its official business. The Board's operating policies are those that the Board adopts from time to time to facilitate the performance of its responsibilities.

The Pendroy Elementary School District # 61 maintains the Pendroy Elementary ahd Rockport Colony School.

Legal References:	§ 20-3-323, MCA	District policy and record of acts
	§ 20-3-324, MCA	Powers and duties
	§20-6-101, MCA	Definition of elementary and high school districts
	§20-6-201, MCA	Elementary district classification

Policy History
Adopted on:
Revised on:

THE BOARD OF TRUSTEES **1105**
Membership, Election and Resignation

Membership
Elementary School District No.61 is a third class district and, as such, has three Board Members. Each Board Member serves a three year term. Terms are staggered according to law. Trustees are elected at the annual school election.

Election
Board elections shall be held on the first Tuesday after the first Monday of May of each year. A person who is a qualified voter of the District is legally qualified to become a trustee. Any five third-class qualified electors may nominate as many trustee candidates, as there are trustee positions subject to election at the ensuing election. The name of each person nominated for candidacy shall be submitted to the Clerk of the District not less than forty (40) days before the regular school election day at which he/she is to be a candidate. If there are different terms to be filled, the term for which each candidate is nominated shall also be indicated. If there are no contested seats, the trustees may declare the trustee election by acclamation, and if there is no other reason for the election, the district may cancel it. If there is a trustee election and there is a tie, the trustees must appoint one of the candidates who tied to fill the office. For procedures for the election, the Pendroy School District will follow the latest version of the *School Election Handbook.*

Taking Office
A newly-elected trustee shall take office as soon as the election results have been certified and the newly-elected trustee has taken and subscribed to an oath that he/she will faithfully and impartially discharge the duties of the office to the best of his/her ability. Such oath shall be filed with the County Superintendent within fifteen (15) days after the receipt of the certificate of election.

Resignation
Resignation of a trustee, for whatever reason, must be submitted in writing to the Clerk of the District. A resignation is effective 72 hours after its submission unless withdrawn during that period by the resigner through written notification of withdrawal made to the district clerk. The Board shall then accept the resignation by formal action and proceed to fill the vacancy as provided by statute and Board policy. Trustees retiring from the Board will be recognized for their service to the District by presentation of a service plaque or other appropriate activities.

Legal Reference:	§ 2-16-502, MCA	Resignations
	§20-1-202, MCA	Oath of Office
	§20-3-301, MCA	Election and term of office
	§20-3-302, MCA	Legislative intent to elect less than majority of trustees
	§20-3-305, MCA	Candidates and Qualifications
	§20-3-307, MCA	Qualifications and Oath
	§20-3-324(4), MCA	Powers and duties
	§20-3-341, MCA	Number of trustee positions in elementary school districts
	§20-3-376, MCA	Conduct of Election
	§20-7-344, MCA	Nominating of Candidates
	§20-20-301, MCA	Qualifications of elector
	§Title 20, Chapter 20, MCA	School Elections

Policy History
Adopted on:
Revised on: 11/08/2016

Elections

Elections conducted by the District are nonpartisan and are governed by applicable election laws as found in Titles 13 & 20 of the Montana Code Annotated. The ballot at such elections may include candidates for trustee positions, various public policy propositions, and advisor questions.

Board elections shall take place on the first (1st) Tuesday after the first (1st) Monday in May of each year. Any person who is a qualified voter of the District is legally qualified to become a trustee. A declaration of intent to be a candidate must be submitted to the District Clerk at least forty (40) days before the regular school election day. If different terms are to be filled, the term for the position for which the candidate is filing must also be indicated. Any person seeking to become a write-in candidate for a trustee position shall file a declaration of intent no later than 5:00 p.m. on the day before the ballot certification deadline in 20-20-401. Any person seeking to become a write-in candidate in a mail ballot election or for a trustee position in a school board election shall file a declaration of intent no later than 5:00 p.m. on the twenty-sixth (26th) day before the election. If the number of candidates filing for vacant positions or filing a declaration of intent to be a write-in candidate is equal to or less than the number of positions to be elected, the trustees may give notice no later than thirty (30) days before the election that a trustee election will not take place. If a trustee election is not held, the trustees shall declare the candidates elected by acclamation and shall issue a “certificate of election” to each candidate.

A candidate intending to withdraw from the election shall send a statement of withdrawal to the clerk of the district containing all information necessary to identify the candidate and the office for which the candidate filed. The statement of withdrawal must be acknowledged by the clerk of the district. A candidate may not withdraw after 5:00 p.m. the day before the ballot certification deadline in 20-20-401.

In the event of an unforeseen emergency occurring on the date scheduled for the funding election, the district will be allowed to reschedule the election for a different day of the calendar year.

In years when the Legislature meets in regular session or in a special session that affects school funding, the trustees may order the election on a date other than the regular school election day in order for the electors to consider a proposition requesting additional funding under § 20-9-353, MCA.

Legal Reference:	§ 13-10-211, MCA	Declaration of intent for write-in candidates
	§ 20-3-304, MCA	Annual election
	§ 20-3-305, MCA	Candidate qualification, nomination and withdrawal
	§ 20-3-313, MCA	Election by acclamation – notice
	§ 20-3-322, MCA	Meetings and quorum
	§ 20-3-322(5), MCA	Meetings and quorum (unforeseen emergency definition)
	§ 20-3-324(4), MCA	Powers and duties
	§ 20-3-344, MCA	Nomination of candidates by petition in first-class elementary district
	§ 20-9-353, MCA	Additional financing for general fund – election for authorization to impose
	§ 20-20-105, MCA	Regular school election day and special school elections – limitation – exception
	§ 20-20-204, MCA	Election Notice
	§ 20-20-301, MCA	Qualifications of elector

Any elected trustee position shall be vacant whenever the incumbent:

1. Dies;
2. Resigns;
3. Moves his/her residence from the applicable District;
4. Is no longer a registered elector of the District under the provisions of □20-20-301, MCA;
5. Is absent from the District for sixty (60) consecutive days;
6. Fails to attend three (3) consecutive meetings of the trustees without a good excuse;
7. Has been removed under the provisions of □20-3-310, MCA; or
8. Ceases to have the capacity to hold office under any other provision of the law.

A trustee position also shall be vacant when an elected candidate fails to qualify.

In the case of a trustee vacancy, the remaining Trustees shall fill such vacancy by appointment. The Board will receive applications from any qualified persons seeking to fill the position after suitable public notice. The Board will appoint one (1) candidate to serve until the next regularly scheduled election. Should the Board fail to fill a vacancy within sixty (60) - days from the creation of such vacancy, the County Superintendent shall appoint, in writing, a competent person to fill such vacancy. An appointee shall meet the requirements provided by law and shall serve until the next regularly scheduled school election and his/her successor has qualified.

Cross Reference: 1240 Duties of Individual Trustees

Legal Reference: §□20-3-308, MCA Vacancy of trustee position
§20-3-309, MCA Filling vacated trustee position

Policy History
Adopted on:
Revised on:

THE BOARD OF TRUSTEES **1120**

Annual Organization Meeting

After the issuance of the election certificates to the newly elected trustees in May and on or before the third Saturday in May, the Board shall elect from among its members a Chairperson to serve a one (1) year term. If a Board Member is unable to continue to serve as an officer, a replacement shall be elected immediately. In the absence of the Chair, the Board shall elect a Chairperson pro tempore who shall perform the functions of the Chair during the latter's absence. The Clerk shall act as Board secretary.

The normal order of business shall be modified for the annual organizational meeting by considering the following matters after the approval of the minutes of the previous meeting:

1. Welcome and introduction of newly-elected Board Members by the current Chair.

2. Swearing in of newly elected Trustees.

3. Call for nominations for Chair to serve during the ensuing year.

4. Election of a Chair.

5. Assumption of office by the new Chair.

6. Appointment of a Clerk.

Policies and By-Laws shall continue from year to year until and unless the Board changes them.

Legal Reference:	§ 20-3-321, MCA	Organization and officers
	§20-3-322(a), MCA	Meetings and Quorum

Policy History:
Adopted on:
Revised on:

Officers:

Chair

The Chair shall preside at all Board Meetings and sign all papers and documents as required by law and as authorized by the action of the Board. The Chair shall conduct the meeting in the manner prescribed by the Board's policies, provided that the Chair shall have the full right to participate in debate without relinquishing the Chair and shall have the right to vote on all matters put to a vote. The Chair may close a meeting during the time the discussion relates to a matter of individual privacy and then if and only if the Chair determines that the demands of individual privacy clearly exceed the merits of public disclosure. The Chair may also close a meeting to discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position of the district. The Chair will strive to keep all trustees informed regarding correspondence and issues that are brought to his/her attention.

Clerk

The Clerk of the Board shall attend all meetings of the Board unless excused by the Board Chair, and keep an accurate journal of its proceedings. The Clerk shall have custody of the records, books, and documents of the Board. In the absence or inability of the Clerk to attend a Board meeting, the Board will designate a person to serve as clerk for the meeting. The Clerk will keep accurate and detailed accounts of all receipts and disbursements made by the District. The Clerk shall draw and countersign all warrants for expenditures that have been approved by the Board. The Clerk shall prepare and submit to the Board a financial report of receipts and disbursements of all school funds on an annual basis. The Clerk will make the preparations legally required for the notice and conduct of all District elections. The Clerk shall perform other duties as prescribed by state law or as directed by the Board.

Legal references:	§ 2-3-203, MCA	Meetings of public agencies to be open to the public - exceptions
	§ 20-3-321, MCA	Organization and officers
	§ 20-3-325, MCA	Clerk of the district
	§ 20-9-133, MCA	Adoption and expenditure limitations of final budget
	§ 20-9-165, MCA	Emergency budget limitation, preparation, and adoption procedures
	§ 20-9-221, MCA	Procedure for issuance of warrants
	§ 20-20-401, MCA	Trustees' election duties

Policy History:
Adopted on:
Revised on:

Duties of Individual Trustees

The authority of individual Trustees is limited to participating in actions taken by the Board as a whole when legally in session. Trustees shall not assume responsibilities of administrators or other staff members. The Board or staff shall not be bound by an action taken or statement made by an individual Trustee except when such statement or action is pursuant to specific instructions and official action taken by the Board.

Each Trustee shall review the agenda and any study materials distributed prior to the meeting and be prepared to participate in the discussion and decision-making for each agenda item. Each Trustee shall visit each school not less than once per year to examine its management, conditions and needs.

Each member is obligated to attend Board meetings regularly. Whenever possible, each Trustee shall give advance notice to the Chair of his/her inability to attend a Board meeting. A majority of the Board may excuse a Trustee's absence from a meeting if requested to do so. The Board shall declare a position vacant after three (3) consecutive unexcused absences from regular Board meetings or if the Trustee has been absent from the District for sixty (60) consecutive days.

Official action by Board members must occur at a duly called and legally conducted meeting. "Meeting" is defined as the convening of a quorum of the constituent membership of the Board, whether in person or by means of electronic equipment, to hear, discuss, or act upon a matter over which the Board has supervision, control, jurisdiction, or advisory power.

School board members, as individuals, have no authority over school affairs, except as provided by law or as authorized by the Board, and trustees are individually immune from suit for damages when acting in their official capacity at a regular or special meeting of the board or a committee of the board.

Cross Reference: 1113 Vacancies
1455 Absences of Board Members
Appendix A-1 Code of Ethics for School Board Members

Legal References:		
	§20-3-301, MCA	Election and term of office
	§20-3-308, MCA	Vacancy of trustee position
	§20-3-324(21), MCA	Powers and duties
	§20-3-332, MCA	Personal liability of trustees.

Policy History:
Adopted on:
Revised on: 11/08/2016

Duties of the Board

All duties of the Board are prescribed by law and include the following:

a. To employ and dismiss all certified and non-certified personnel of the district

b. To administer the attendance and tuition provisions and otherwise govern the pupils of the District in accordance with the provisions in Montana law;

c. To call, conduct and certify the elections of the District in accordance with Montana law;

d. To participate in the teachers' retirement system of Montana;

e. To participate in District boundary change actions in accordance with Montana law.

f. To organize, open, close or acquire isolation status for the schools of the District in accordance with Montana law;

g. To adopt and administer the annual budget or a budget amendment of the District in accordance with Montana law;

h. To conduct the fiscal business of the District in accordance with Montana law;

i. To establish the ANB, BASE budget levy, over-BASE budget levy, additional levy, operating reserve, and state impact aid amounts for the general fund of the District in accordance with Montana law;

j. To issue, refund, sell, budget and redeem the bonds of the District in accordance with Montana law;

k. When applicable, to establish, financially administer and budget for the tuition fund, retirement fund, building reserve fund, adult education fund, non-operating fund, miscellaneous federal programs, impact aid fund and inter-local cooperative agreement fund in accordance with Montana law;

l. When applicable, to administer any inter-local cooperative agreement, gifts, legacies or devises in accordance with Montana law;

m. To hold in trust, acquire and dispose of real and personal property of the District in accordance with Montana law;

n. To operate the schools of the District in accordance with Montana law;

o. To establish and maintain the instructional services of the schools of the District in accordance with Montana law;

p. To make reports from time to time as the County Superintendent, Superintendent of Public Instruction and the Board of Public Education may require;

q. To retain, when considered advisable, a physician or registered nurse to inspect the sanitary conditions of the school or the general health conditions of each pupil, and, upon request, to make available to any parent or guardian any medical reports or health records maintained by the District pertaining to the child;

r. For each member of the Board, to visit each school of the District not less than once each school fiscal year to examine its management, conditions, and needs;

s. To procure and display an American flag, outside (4' x 6') and in the classroom (12' x 18");

t. To adopt and administer a District policy on assessment for placement of any child who enrolls in the District from non-accredited, non-public schools;

u. To provide transportation for school children and to assign a board member to the county transportation committee as requested by the County Superintendent;

v. To meet in regular open meetings to handle the business of the school; and

w. To perform any other duties and enforce any other requirement for the government of the schools as set forth in law or administrative rule.

Legal Reference: § 20-3-324, MCA Powers and Duties

Policy History:
Adopted on:
Revised on:

Pendroy School District **R**

THE BOARD OF TRUSTEES 1310

District Policy and Procedures

Adoption and Amendment of Policies

Proposed new policies and proposed changes to existing policies shall be presented in writing for reading and discussion at a regular or special Board meeting. Interested parties may submit views, present data or arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement by a person, relative to a proposed policy or amendment, should be directed to the District Clerk prior to the final reading. The final vote for adoption shall take place not earlier than at the second (2nd) reading of the particular policy. New or revised policies that are required, or have required language changes based on State or Federal law, or are required changes by administrative rule, may be adopted after the first (1st) reading if sufficient notice has been given through the board agenda.

All new or amended policies shall become effective on adoption; unless a specific effective date is stated in the motion for adoption.

Policies, as adopted or amended, shall be made a part of the minutes of the meeting at which action was taken and also shall be included in the District's policy manual. Policies of the District shall be reviewed on a regular basis.

Policy Manuals

The Superintendent shall develop and maintain a current policy manual which includes all policies of the District. Every administrator, as well as staff, students, and other residents, shall have ready access to District policies.

Suspension of Policies

Under circumstances that require waiver of a policy, the policy may be suspended by a majority vote of the trustees present. To suspend a policy, however, all trustees must have received written notice of the meeting, which includes the proposal to suspend a policy and an explanation of the purpose of such proposed suspension.

Administrative Procedures

The Superintendent shall develop such administrative procedures as are necessary to ensure consistent implementation of policies adopted by the Board.

When a written procedure is developed, the Superintendent shall submit it to the Board as an information item.

Legal References:	§ 20-3-323, MCA	District policy and record of acts
	10.55.701, ARM	Board of Trustees

Policy History:
Adopted on:
Reviewed on:
Revised on: 10/12/2015

Meetings

Regular Meetings

Regular meetings will usually be held on the second Tuesday of every month at 4:00 p.m. in the classroom of the School, or at any other times and places determined by a majority vote. However, the Board of Trustees of Pendroy School District may hold quarterly meeting rather than monthly meetings. Except for an unforeseen emergency, meetings must be held in a school building or in a publicly owned building located within the District. If regular meetings are to be held at places other than the place stated above or are adjourned to times other than the regular meeting time, notice of the meeting shall be made in the same manner as provided for special meetings. When a meeting date falls on a legal holiday, the meeting shall be held on the next business day**.**

Meetings outside School District Boundaries

The school trustees of Pendroy School District may meet outside the boundaries of the school district for collaboration or cooperation on education issues with other school boards, educational agencies, or cooperatives. Adequate notice of the meeting as well as an agenda must be provided to the public in advance. Decision making may only occur at a properly noticed meeting held within the school district's boundaries.

Special Meetings

Special meetings may be called by the Board Chair or by any two (2) members of the Trustees. A written notice of a special meeting, stating the purpose of the meeting, shall be delivered to each trustee not less than forty-eight (48) hours prior to the time of the meeting. Such written notice shall be posted conspicuously within the District in a manner that will receive public attention. Written notice shall also be sent not less than twenty-four (24) hours prior to the meeting to each newspaper and radio or television station that has filed a written request for such notices. Business transacted at a special meeting will be limited to that stated in the notice of the meeting.

Budget Meetings

On or before August 15, on a date, time and place stated in public notice, the Trustees of Pendroy School District shall meet to consider all budget information and any attachments required by law. The Trustees may continue the meeting from day to day but shall adopt the final budget and determine the amounts to be raised by tax levies not later than the fourth Monday in August and before the fixing of the tax levies for each district. The notice of the final budget meeting must be published between July 1 and August 4. At any time during these meetings a taxpayer may be heard on any matter of the budget. Upon approval, the Trustees shall deliver the adopted budget, including the amounts to be raised by taxes, to the County Superintendent of schools within five days of passage.

Emergency Meetings

In the event of an emergency involving possible personal injury or property damage, the Board may meet immediately and take official action without prior notification.

Executive Sessions

Under Montana law, the Board may hold closed or executive sessions for the following purposes:

1. To consider matters of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy exceed the matter of public disclosure.
2. To discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position of the District. This exception does not apply if the litigation involves only public bodies or associations as parties.

Prior to closing a meeting for this purpose, it is recommended that the District obtain legal advice on the appropriateness of this action. No formal action shall take place during executive session.

All meetings shall be open to the public with the exception of executive sessions authorized by law. Any final action will be taken at an open meeting.

Legal Reference: § 2-3-103, MCA Public parties portion
§2-3-104, MCA Requirements with compliance with notice provisions
§2-3-105, MCA Supplemental notice by radio or television
§2-3-201, MCA Legislative intent
§2-3-203, MCA Meetings of public agencies open to public - exceptions
§20-3-322, MCA Meeting and quorum
§20-9-131, MCA Final budget meeting
10.55.701, ARM Board of Trustees
Article II, Sections 9 and 10 of the Montana Constitution, Right to Know, Right to Privacy

Policy History:
Adopted on:
Revised on: 11/08/2016

THE BOARD OF TRUSTEES **1420**

Meeting Procedure, Agenda, Quorum and Conduct

Agenda

The preparation of the Board meeting agenda for regular and special meetings is the responsibility of the Board Chair with assistance from the Clerk. The agenda for regular Board meetings will be prepared and distributed to the Trustees at least three days prior to the day of the Board of Trustees' meeting. An agenda for other types of Board meetings will be prepared if the circumstance necessitates an agenda.

I. Call to Order
II. Roll Call
III. Pledge of Allegiance
IV. Presiding Trustee's explanation of procedures
V. Approval of previous meeting's minutes
VI. Recognition of visitors and awards
VII. Supervising Teacher's or Principal's (whoever is the senior professional in the District) Report
VIII. Board of Trustees' items
IX. Action items
X. Discussions and Reports
XI. Adjournment

The Board may go into Executive Session whenever applicable.

Suggested items for consideration of the Board of Trustees from all sources should be submitted in writing to the District Clerk. Such items must be submitted at least six days prior to the applicable Board meeting, unless of immediate importance. Anyone wishing to be placed on a Pendroy School Board Meeting agenda must call the Clerk by 4:00 p.m. on the fifth (5th) work day preceding the day of the meeting, makes a request to be placed on the agenda, and state the reason for appearance. In addition, if the reason for the appearance is a complaint against any School District personnel, that complaint must be in writing, signed by the complainant, and presented to the Supervising Teacher/Principal (the senior professional) at least five (5) work days prior to the Trustees' meeting. School personnel are required to follow the complaint procedure established specifically for their use. District citizens wishing to make brief comments about school programs or procedures or items on the agenda need not request placement on the agenda and may attend the meeting and ask recognition by the Chair at the appropriate time (See Policy #1441). No employee or citizen complaint shall be acted upon at a Board meeting unless the employee or citizen has first pursued the matter through the appropriate grievance/complaint procedure.

Quorum

No business shall be transacted at any meeting of the Board of Trustees unless a quorum of the members is present. A quorum for any meeting shall be a majority of the members of the Board of Trustees. A majority of the quorum may pass a resolution except as provided by □20-4-203(1), MCA.

Meeting Conduct,

All Board meetings will be conducted in an orderly and business-like manner, using *Roberts Rules of Order* as a guide except when such rules are superseded by Board policies. The order of business will be indicated in the agenda. Any additions or changes in the prepared agenda may be requested by the Trustees and must be approved by majority vote of the Trustees present. The Board shall establish its regular order of business, but may elect to change the order by a majority vote of the members. The minutes shall reflect the voting record of each Trustee.

Cross Reference: Appendix A-2 Parliamentary Procedure Quick Guide

Legal Reference: §20-3-322, MCA Meetings and quorum□
§20-3-323, MCA District policy and record of facts

Policy History:
Adopted on:
Revised on: 11/08/2016

Audience Participation

The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. The Board also recognizes the public's statutory and constitutional right to participate in governmental operations. In order to permit fair and orderly expression of such comment, the Board will provide appropriate times and places in the agenda for public comment. If an item is placed on the agenda for action, public comment must be allowed before the Board takes action. The Chair may control such comment to insure an orderly progression of the meeting and allow for public comment.

The Board will also allow individuals to express an opinion prior to Board action on agenda items. The Chair shall first recognize individuals wishing to be heard by the Board. Individuals, after identifying themselves, will proceed to make comments as briefly as the subject permits. Any representative of a firm eligible to bid on materials or services solicited by the Board shall also be entitled to express an opinion. The Chair may interrupt or terminate an individual's statements when appropriate including when statements are out of order, too lengthy, personally directed, abusive, obscene or irrelevant. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings. If the subject matter of the agenda item involves a matter of individual privacy that clearly exceeds the merits of public disclosure, the Board Chair shall receive comments from individuals in executive session.

Legal Reference: Article II, Section 8, Montana Constitution
Article II, Section 10, Right of Privacy
§2-3-101, et seq., MCA, Right of Participation

Policy History:
Adopted on:
Revised on:

Minutes and Records

The Clerk of the Board shall record the minutes of all open Board meetings. Minutes become official after approval by the Board and shall be retained as a permanent record of the District. When issues are discussed that may require detailed record, the Board may direct the Clerk to record the discussion verbatim. Any verbatim records of a meeting may be destroyed after the minutes have been approved pursuant to □ 20-1-212, MCA. Minutes shall be comprehensive and shall show:

1. The date, time and place of the meeting
2. The presiding officer
3. Members in attendance
4. Items discussed during the meeting, wording of motions and the voting record of each Trustee present
5. A detailed statement of all expenditures (name of business or person and services rendered or goods furnished)
6. Purpose of recessing to executive session
7. Time of adjournment

Unofficial minutes shall be delivered to Board members in advance of the next regularly scheduled meeting of the Board and may also be available to other interested citizens. Minutes need not be read publicly, provided that members have had an opportunity to review them before adoption.

A file of permanent minutes of all Board meetings will be maintained in the office of the Clerk to be made available for inspection upon the request of any interested citizen. A written copy shall be available within five (5) working days following approval by the Trustees at a cost not to exceed 15¢ a page. A copy to the press shall be furnished at no cost.

Records Management

The Board recognizes the importance of public records as the record of the acts of the district and the repository of such information. The public has the right under law to inspect and procure copies of such records with certain exceptions. (Those records restricted by state and federal law.) The public records of the District shall mean any account, voucher or contract dealing with the receipt or disbursement of funds; with acquisition, use or disposal of services or of supplies, materials, equipment or other property; or with any minutes, orders or decisions fixing the personal or property rights, privileges, immunities, duties or obligations of any person or group. The District Clerk shall serve as the District records officer.

Legal Reference:	§2-3-212, MCA	Minutes of meetings
	§20-1-212, MCA	Destruction of old records by an officer
	§20-3-323(2), MCA	District policy and record of acts
	§20-6-101, et. seq., MCA	Public Records
	§20-9-215, MCA	Records Destruction

Policy History:
Adopted on:
Revised on:

Conflict of Interest

A Trustee may not:

1. Engage in a substantial financial transaction for his/her private business purpose with a person whom he/she inspects or supervises in the course of his/her official duties.

2. Perform an official act directly and substantially affecting to its economic benefit, a business or other undertaking in which he/she either has a substantial financial interest or is engaged as counsel, consultant, representative or agent;

3. Act as an agent or solicitor in the sale or supply of goods or services to a district.

4. Have a pecuniary interest, directly or indirectly, in any contract made by the Board of Trustees when the Trustee has more than a ten percent (10%) interest in the corporation. A contract does not include: 1.) merchandise sold to the highest bidder at public auctions; 2.) investments or deposits in financial institutions which are in the business of loaning or receiving money when such investments or deposits are made on a rotating or ratable basis among financial institutions in the community or when there is only one financial institution in the community; or 3.) contracts for professional services other than salaried services or for maintenance or repair services or supplies when the services or supplies are not reasonably available from other sources if the interest of any Board member and a determination of such lack of availability are entered in the minutes of the Board meeting at which the contract is considered.

5. Be employed in any capacity by the District.

6. Appoint to a position of trust or emolument any person related or connected by consanguinity within the fourth degree or by affinity within the second degree.

   a. This prohibition does not apply to the issuance of an employment contract of a person as a substitute teacher who is not employed as a substitute teacher for more than 30 consecutive school days.
   b. This prohibition does not apply to the renewal of an employment contract of a person who was initially hired before the Board member to whom he/she is related assumed the position.
   c. This prohibition does not apply if the Trustees comply with the following requirements: 1.) All Trustees, except the Trustee related to the person to be employed or appointed, vote to employ the related person; 2.) The Trustee related to the person to be employed abstains from voting; and 3.) The Trustees give fifteen days written notice of the time and place of their intended action in a newspaper of general circulation in the county where the school is located.

Exception to Conflict of Interest

A school trustee may be employed by the trustee's own school district for the purpose of officiating at athletic competitions under the auspices of the Montana Officials Association without violating conflict of interests.

Legal Reference:	§ 2-2-125, MCA	Rules of conduct for local government officers
	§ 2-2-201, MCA	Public officers, employees and former employees not to have interest in contracts
	§ 2-2-302, MCA	Appointment of relative to office of trust - employment unlawful
	§ 2-2-303, MCA	Agreement to appoint relative to office unlawful
	§ 20-1-201, MCA	School officers not to act as agent
	§ 20-9-204, MCA	Conflicts of interest, letting contracts and calling for bids

Policy History:
Adopted on:
Revised on: 11/08/2016

Management Rights

The Board of Trustees retains the right to operate and manage its affairs in such areas as but not limited to:

1. Direct employees,
2. Employ, dismiss, promote, transfer, assign, and retain employees,
3. Relieve employees from duties because of lack of work or funds under conditions where continuation of such work would be inefficient and non-productive,
4. Maintain the efficiency of District operations,
5. Determine the methods, means, job classifications, and personnel by which District operations are to be conducted,
6. Take whatever actions may be necessary to carry out the missions of the District in situations of emergency,
7. Establish the methods and processes by which work is performed;
8. The Board reserves all other rights, statutory and inherent, as provided by state law; the Board also reserves the right to delegate authority to the County Superintendent or Principal (whichever is appropriate for the district based on its administrative structure), for the on-going direction of District programs.

Legal Reference:	§20-3-207, MCA	Assist Trustees with school supervision
	§20-3-324, MCA	Powers and duties
	§39-31-303, MCA	Management rights of public employers

Policy History:
Adopted on:
Revised on:

District Goals and Philosophy

The Board of Trustees is guided by the conviction that all students are capable of achieving high standards and that they have a right to the best education this community can provide. Responsibility for this rests with all citizens, parents, school staff and students, with the ultimate responsibility for direction and decision-making assumed by the Board of Trustees.

The Board will exert leadership in creating, maintaining and improving the school for the children's educational needs. The focal point of concern in our school system is the student. Organization, staffing, programming, teaching, and funding should all be developed to enhance appropriate opportunities for students to learn and develop—personally, academically and socially. The District's Strategic Plan will be current and sequential curriculum will be aligned to the state standards regularly.

Legal Reference: 10.55.701 ARM Board of Trustees

Policy History:
Adopted on:
Revised by: 11/08/2016

Board/Staff Communications

Every reasonable means of communication is encouraged throughout the education community. Nevertheless, an organization must maintain some order and structure to promote efficient and effective communications.

Staff Communications to the Board

All *official* communications regarding complaints and grievances to the Board from principals, supervisors, teachers, or other staff members shall be submitted through the Superintendent or Principal *if one is employed, otherwise the county superintendent or designee*. This shall not deny any staff member's right to appeal an administrative decision to the Board.

Board Communications to Staff

All *official* communications, policies and directives of staff interest and concern will be communicated to staff members through the Superintendent or Principal *if one is employed, otherwise the county superintendent*. The Superintendent or Principal *if one is employed, otherwise the county superintendent* will employ all such media as are appropriate to keep staff fully informed of the Board's concerns and actions.

Visits to Schools

In accordance with Montana statutes, each trustee shall visit each school of the District not less than once each school fiscal year to examine its condition and needs. Individual Board members interested in visiting schools should, out of courtesy, make arrangements for visitations through the principals of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes.

Social Interaction

Staff and Board members share a keen interest in the schools and education. When they meet at social affairs and other functions, informal discussion on such matters as educational trends, issues, and innovations and general District problems can be anticipated. **Discussions of personalities or staff grievances are not appropriate.**

Legal Reference: § 20-3-324(21), MCA Powers and duties

Policy History:
Adopted on:
Revised on:

Trustee Insurance

The District shall maintain sufficient insurance to protect the Board and its individual members against liability arising from actions of the Board or its individual members while each is acting on behalf of the District and within his/her authority as a Trustee.

Legal Reference:	§20-3-331, MCA	Purchase of liability insurance
	§20-3-332, MCA	Personal immunity and liability of Trustees

Policy History:
Adopted on:
Revised on:

Pendroy School District

COVID-19 Emergency Policies 1900

Introduction

The board of trustees and its staff are operating under unusual, even unprecedented circumstances by virtue of the declaration of a statewide emergency by the Governor and the executive orders related to school closure to address concerns from the COVID-19 Virus. As part of its own concurrent declaration of an unforeseen emergency (community disaster), the board of trustees has found it necessary to adopt temporary policies related to emergency school closure. To ensure clarity and transparency, the board has organized all emergency school closure policies into a temporary chapter. The board has also included this introductory section as a heading for each policy to ensure understanding of the purpose and duration of each policy adopted pursuant to this chapter.

Purpose(s) of Policies

1. Addressing barriers to learning presented by distance.
2. Improvement of instruction in offsite setting during school closure.
3. Ensuring equity in services provided, including special education for exceptional children pursuant to Title 20, Chapter 7, Part 4.
4. Mitigation of digital divides that could otherwise create barriers to effective learning.
5. Ensuring adequate nutrition for students relying on the district's nutrition programs.
6. Ensuring continuity of employment of school district staff and/or continuity of services provided by contract transportation providers.
7. Ensuring accountability to families with children.

Term of COVID-19 Emergency Measures Policies

The term of School District Policies Numbered 1900-1999 shall run concurrent with any emergency related to COVID-19 declared by the President, Congress, Montana Legislature, Governor, Montana Department of Public Health and Human Services, county health department or the board of trustees. This policy shall terminate, unless further extended, on the earlier of June 30, 2020 or the date upon which all emergency declarations related to COVID-19 that apply to the district have lawfully expired or have been dissolved.

Cross Reference: Policy 2221 – 2221P – School Closure
Policy 1400 – Board Meetings
Policy 1310 – Policy and Procedure
Policy 1420 – Meeting Procedure

Legal Reference: Executive Orders – 2-2020 and 3-2020 – Office of the Governor and accompanying Directives
Section 20-9-801-806, MCA – Emergency School Closure
Section 50-1-202-204, MCA – Public Health Laws

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Section 10-3-104, MCA – General Authority of Governor

Policy History:
Adopted on: 3/27/2020
Reviewed on:
Revised on:
Terminated on:

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Pendroy School District

COVID-19 Emergency Measures 1901

Use of Transportation Funds During Periods of School Closure

Pursuant to guidance issued from the Office of Public Instruction, the board of trustees authorizes the following expenditures of its FY20 budgeted transportation funds that are in addition to traditionally authorized expenditures. The expenditures below are, as noted in OPI guidance, transportation services which provide instructional services to students.

- Providing accessibility to student services for remote learning.
- Providing instructional materials to students, including but not limited to internet service adequate to allow students to effectively access curriculum during periods of school closure.
- Cost of instructional materials, supplies, and software licenses.
- Costs of technological equipment needed for offsite instruction/correspondence study purchased by the school district and loaned to students without such equipment.
- Cost of correspondence study.
- Costs of providing services to students with an IEP or a plan adopted pursuant to section 504 of the 1973 Rehabilitation Act.
- Costs of time off or repurposed time for staff normally paid from the transportation fund.
- Costs to contractors of transportation services.

Cost Guidelines

The board of trustees authorizes the Superintendent to exercise his/her professional judgment and discretion as to the necessity, quality and amount of all expenses referenced below. Aggregate costs of items below are to remain within the budget limits adopted by the board of trustees for the FY20 transportation budget, including any budget amendments adopted by the board of trustees prior to the completion of FY20.

- Any costs consistent with costs under normal operation, including costs referenced in any contract to which the district is a party.
- Actual costs of delivering meals to students at locations authorized by any and all waivers of regular rules for school nutrition programs that have been adopted by the United States Department of Agriculture or the Office of Public Instruction.
- Any costs consistent with and necessary to comply with an IEP or section 504 plan.
- Actual costs of equipment, software and service necessary to bridge digital divides or provide a quality learning environment for students, including:

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- Equipment necessary to provide wi-fi in a student's home, including any equipment qualifying for discount under the federal E-Rate program;
- Equipment necessary to allow students to effectively participate in offsite instruction with an emphasis on ensuring opportunities for real time interactions, collaboration, and effective engagement in the learning process by students.
    - Equipment purchased under this section may include any combination deemed necessary and appropriate by the Superintendent, including but not limited to mobile devices, tablets and laptops.
    - Equipment purchased under this section shall become and remain the property of the district and shall be provided to students through a loan/checkout service developed by the Superintendent.
- Software to ensure a safe and appropriate online learning experience by students of the district.
- Internet service at an adequate bandwidth to ensure full and effective use of instruction delivery and interaction methods employed by the district as part of its offsite learning program.
    - If there are multiple internet service providers in the community, the board authorizes the superintendent to choose either a single provider or to allocate/rotate selection from among all providers in the community meeting minimum bandwidth and other safety and quality standards deemed necessary and appropriate by the superintendent.

Cross Reference: Policy 3612 – District-Provided Access to Electronic Information, Services, and Networks
Policy 3612P - District-Provided Access to Electronic Information, Services, and Networks Procedure
Policy 3612F – Internet Access Agreement
Policy 3650 – Montana Pupil Online Personal Information Protection Act
Policy 3650F – Montana Model Data Privacy Agreement
Policy 2168.- Distance Learning
Policy 2170 – Montana Digital Academy
Policy 2170P – Montana Digital Academy Procedures

Legal Reference: Section 20-10-101(5), MCA – Transportation

<u>Policy History:</u>
Adopted on: 3/27/2020
Reviewed on:
Revised on:
Terminated on:

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APPENDIX A-1

Code of Ethics for School Board Members

AS A MEMBER OF MY LOCAL BOARD OF TRUSTEES, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION, AND TO THAT END I WILL:

Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;

Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings;

Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;

Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;

Work with other Board members to establish effective Board policies and to delegate authority for the administration to the Superintendent;

Recognize and respect the responsibilities that properly are delegated to the Superintendent;

Communicate to the Superintendent expression of public reaction to Board policies, school programs, or staff;

Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the Montana and National School Boards Associations;

Support the employment of those persons best qualified to serve as school staff, and insist on regular and impartial evaluation of staff;

Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain;

Avoid compromising the Board or administration by inappropriate individual action or comments, and respect the confidentiality of information that is privileged under applicable law;

Remember always that my first and greatest concern must be the educational welfare of the students attending public schools.

APPENDIX A - 2

Parliamentary Procedure Quick Guide*

Fundamentals of Parliamentary Procedure

1. Justice and courtesy for all.
2. Do only one thing at a time.
3. The majority rules.
4. The minority must be heard.
5. Each Proposition is entitled to a full and free debate.
6. The desires of the individual must be merged into the larger unit --the organization or board.
7. The purpose is to facilitate action, not to obstruct it.

Motions and Purposes:

1. A **Privileged Motion** is a main motion that is so important that it must be dealt with immediately.
   a. To set time & place of next meeting
   b. To adjourn
   c. To recess
   d. To rise to a Question of Privilege
2. An **Incidental Motion** rises incidentally out of the business and is, in general, concerned with rights and privileges of members.
   a. To rise to a Point of Order
   b. To rise to a Parliamentary Inquiry
   c. To appeal from the decision of the Chair
   d. To suspend the rules
   e. To withdraw the motion
   f. To call for a Division of the question (Decided by the Chair)
   g. To object to the Consideration of the Motion -- two-thirds vote
3. A **Subsidiary Motion** is a method of modifying, changing or disposing of the main motion.
   a. To lay on the table
   b. To close debate or limit debate (call for the Previous Question) -- two-thirds
   c. To postpone to a certain day
   d. To refer
   e. To amend
   f. To postpone indefinitely
4. A **Main Motion** brings a question before the board for consideration
   a. General Main Motions
   b. Specific Main Motions
      1. To reconsider
      2. To rescind -- two-thirds
      3. To take from the table
      4. To accept, modify or reject committee reports, recommendations or resolutions.

The motions in the above list are arranged in the order of the precedence or rank. Setting of time and place of the next meeting has the highest rank, while a main motion has the lowest rank.
Incidental motions have no order of precedence among themselves. No two Main Motions may be pending at the same time. Two-thirds refers to the vote required: all others must have a majority.

Seven Steps in Dealing with a Motion

1. A member makes a motion.
2. Another member seconds the motion. (If a Main or Subsidiary Motion or an Incidental Motion to suspend the rules or a privileged motion to set the time & place of the next meeting, to adjourn or to recess.)
3. The Board Chair states the motion
4. The Board debates the motion. (If a Main Motion or a Subsidiary Motion to refer, to amend or to postpone indefinitely, or a privileged motion to set the time & place of the next meeting, or to adjourn.)
5. The Board Chair restates the motion before the vote
6. The Board votes on the motion and the Clerk records the vote.
7. The Board Chair announces the results of the voting.

***For more complete information refer to: *Roberts Rules of Order*.**

Goals

The District shall provide an equal opportunity for all students to receive an education that will enable each to fulfill their optimum role in society, commensurate with individual ability, in compliance with legal requirements and reflecting the desires of the people.

The instructional programs, methods and resources shall meet the needs of each individual student, regardless of race, color, creed, sex or level of ability. The District recognizes that equal opportunity education does not imply uniformity and that each student's unique characteristics must be acknowledged.

The instructional programs, methods and materials shall not imply, teach or encourage any beliefs or practices reflecting bias or discrimination toward other individuals or groups and shall not deny others their basic human rights.

To help students transform their potential into actuality, their basic, quality education should enable them to:

1. Find joy in learning;
2. Communicate ideas, knowledge, thoughts, and feelings in a variety of formats and through a variety of media;
3. Reason critically and creatively;
4. Develop personal responsibility;
5. Assume social responsibility;
6. Be effective in a changing world;
7. Learn who they are becoming.

This goal statement and the philosophy found in policy #1514 shall be publicized and be made available to interested citizens. This statement shall be reviewed annually and revised as deemed necessary.

The staff is responsible for apprising the Board of the educational program's current and future status. They should consider the following:

1. Review and Evaluation of present curriculum;
2. Future curriculum and resource needs;
3. Elimination of any sexual, cultural, ethnic, or religious bias that may be present;
4. Implementation of new or revised instructional programs; and
5. Review of present and future facility needs.

Legal Reference10.55.701. ARM, Board of Trustees

Policy History:
Adopted on: 6/11/14
Revised on:

Time for School

School Calendar

The Board shall adopt a school calendar annually based upon instructional needs. The calendar will include:

1. The opening and closing classes dates;
2. Teacher professional development dates;
3. Vacation dates; and
4. Legal school holidays.

The school calendar may have seven (7) pupil-instruction-related days may be scheduled for the purpose of:

1. Pre-school staff orientation (not to exceed two (2) days);
2. Staff professional development;
3. Parent-teacher conferences.

School Fiscal Year

The school district shall conduct a minimum aggregate hours in the school fiscal year at the following rate:

1. 360 aggregate hours for kindergarten;
2. 720 aggregate hours for grades 1 through 3; and
3. 1,080 aggregate hours for grades 4 through 8.

Commemorative Holidays

The teachers and students shall devote a portion of the day on each commemorative holiday designated in § 20-1-306, MCA, to study and honor the commemorated person or occasion. The Board may, from time to time, designate a regular school day as a commemorative holiday.

School Closure

The Supervising Teacher or the Principal in cooperation with the Board Chair may order the closure of Pendroy School in the event of extreme weather or other emergency, in compliance with established procedures for notifying parents, students and staff. The trustees may order the emergency closure of school for one school day each year without the need to reschedule the lost pupil instruction time when the closure is the result of an emergency.

Legal References:	§ 20-1-301, MCA	School fiscal year
	§ 20-1-304, MCA	Pupil-instruction-related day
	§ 20-1-306, MCA	Commemorative exercises on certain days
	§ 20-9-801-803, MCA	Emergency school closure
	§ 20-9-806, MCA	Emergency school closure declaration
	10.55.701, ARM	Board of trustees
	10.55.1003 ARM	Program Foundation Standards
	10.65.101-03, ARM	Pupil-instruction-related days

Policy History:
Adopted on: 6/11/14
Revised on:

Accreditation Standards and Curriculum Development

Accreditation Standards

The Board of Trustees will review the state accreditation standards annually, utilizing them as a guide for their education program and provide in each school at least one copy of the standards for staff and public review.

Curriculum Development

The Board is responsible for establishing a process which ensures: incorporating all required state student content standards into the District's curriculum; defining and organizing the program area standards into specific curricula and for extending them to help students meet the challenges of the future; introducing the standards when appropriate; implementing them sequentially and developmentally; and building upon previous goals. Student assessment shall be used to examine the program and ensure its effectiveness.

In all program areas and at all levels, the District shall establish curriculum and assessment development processes as a cooperative effort of personnel certified in the program area and trustees, administrators, other teachers, students, specialists, parents, community and, when appropriate, state resource people.

The District will develop written sequential curricula for each subject area. The curricula shall address state student standards as defined below and District education goals.

The District will establish a curriculum review cycle and timelines for curriculum development and evaluations.

The District will select materials and resources to include supplies, books, technology, other materials and equipment necessary for development and implementation of the curriculum and assessment that are consistent with the goals of the education program. These materials shall be reviewed at least every five years.

Student content standards are the attitudes, concepts, skills, and knowledge that students are to be given the opportunity to acquire during their K-12 schooling. They are to be developed progressively through three checkpoints. The first is completion of the primary level (at the end of grade 4). The second is completion of the intermediate level (at the end of grade 8). And the third is upon graduation (at the end of the twelfth grade).

Legal Reference:	§ 20-3-324, MCA	Powers and duties
	§ 20-7-602, MCA	Textbook selection and adoption
	10.55.603, ARM	Curriculum Development and Assessment
	10.55.701, ARM, et.seq.	Standards for Accreditation of Montana Schools

Policy History:
Adopted on: 7/9/14
Revised on:

Unit Plan

To insure proper planning and continuity of instruction, the Board requires that each teacher prepare unit plans for instruction. To facilitate more effective instruction, unit plans must be prepared at least ___ days in advance of the actual class presentation. The format for the unit plan should include:

1. Benchmarks from the state student content standards to be met in specific program areas;

2. Materials and outside resources required;

3. Specific methods and procedures with estimated length of time (class periods, days, etc.)

4. Assessment measures to be utilized to determine success of unit.

The Principal, the County Superintendent or the Board may review these unit plans at any time, and must be readily available and clearly marked as to where the teacher is in the unit and expectations of what is to be taught when a substitute teacher is needed.

Policy History:
Adopted on:
Revised on:

District Assessment

In all program areas and at all levels, the District shall assess student progress toward meeting state student performance standards including: the content and data; the accomplishment of appropriate skills; the development of critical thinking and reasoning; and attitude. The District will use assessment results to improve the education program and use effective and appropriate tools for assessing both student and program progress. This may include but is not limited to: standardized norm and criterion-referenced tests; teacher-made tests; on-going classroom evaluation; actual communication assessments such as writing, speaking, and listening assessments; samples of student work and/or narrative reports passed from grade to grade; samples of students' creative and/or performance work; and surveys of carryover skills to other program areas and outside of school.

Program Evaluation and Diagnostic Tests

The Board strives to achieve efficiency and effectiveness in all facets of its operations. In order to achieve this goal, the Board shall strive to set forth:

1. A clear statement of expectations and purposes for the District's instructional program;
2. A provision for staff, resources and support to achieve the stated expectations and purposes; and,
3. A plan for evaluating instructional programs and services to determine how well expectations and purposes are being met.

Parents who wish to examine any assessment materials may do so by contacting the Supervising Teacher or the Principal. Parent approval is necessary before administering an individual intelligence test or a diagnostic personality test. No tests or measurement devices containing any questions about a student's or his/her family's personal beliefs and practices in family life, morality and religion shall be administered unless the parent or guardian gives written permission for the student to take such test, questionnaire or examination.

District-Wide Standardized Testing Program

While standardized norm-referenced tests have limitations, they also have some potential to improve the quality of the instructional program. They can provide some program information at the classroom and school levels. They can be used to identify some of the strengths and weaknesses in the instructional program, to identify instruction improvement priorities, and, when examined over a period of years, they allow the staff to see trends in the effectiveness of lower level skills in the instructional program. A state standardized criterion-referenced test will also be administered in grades 3 through 8 in Reading and Mathematics and in Science in grades 4 and 8 to all students except those whose Individual Education Plans specifically prevent them from participating in the instructional programs in these subject areas. The tests will be given in the spring under the direction of the Office of Public Instruction.

School and Classroom Assessment Measures

The Pendroy School District recognizes that equally or more important than standardized, norm-reference tests in determining student success in school are classroom assessment measures which provide for a variety of performance assessments, portfolio assessments, criterion reference tests and teacher observation. Unit plans should reflect utilization of these types of assessment and results should be shared with the student and his/her parent(s)/guardian. Before the revision of any instructional program, the District will review all the assessment processes, procedures and results to determine if the purposes of the program are being accomplished.

Legal Reference:	20 USC 1232h	Protection of Pupil Rights
	10.55.603, ARM	Basic Instructional Program
	10.56.101, ARM	Student Assessment

Policy History:
Adopted on: 6/11/14
Revised on:

Co-Curricular Program

The District recognizes that a co-curricular program is an integral part of school life. As such, this broad-based program should contribute to the intellectual, physical, social and emotional growth of students. When an activity is conducted using the name of a class, organization or school, it shall be coordinated under the general supervision of appropriate school officials with the students' interest and safety of paramount concern.

Students shall be eligible to become involved in approved activities without regard to race, creed, gender, marital status, national origin or handicapping conditions. Activity groups shall not be secretive in nature.

The criteria for selecting co-curricular activities are:

1. The activity should provide learning experiences in the intellectual, physical or social area.
2. The activity should be acceptable to the community.
3. The activity should have carry-over values into lifetime and/or leisure activities.
4. The cost of the activity must not be prohibitive to student or District.
5. The emphasis should be on individual skill developed at different levels of performance;
6. Sportsmanship attitudes shall be emphasized through game experiences; and,
7. Any competitive drive should be allowed to evolve from within the child rather than from external forces by keeping competition "low key".

At this level, activities will emphasize the maximum participation by all students.

Legal Reference: § 49-2-307, MCA Discrimination in education

Policy History:
Adopted on:
Revised on:

Suicide Awareness and Prevention

The Administration shall develop and implement a youth suicide prevention program meeting minimum requirements set forth in 10.55.719, ARM.

The District will provide professional development on youth suicide awareness and prevention to each employee of the district who work directly with any students enrolled in the school district. The training materials will be approved by the Office of Public Instruction (OPI).

The District will provide at least two (2) hours of youth suicide and prevention training beginning the 2017-18 school year. The District will provide, at a minimum, two (2) hours of youth suicide awareness and prevention training every five (5) years thereafter. All new employees who work directly with any student enrolled in the school district will be provided training the first year of employment.

Youth suicide and prevention training may include:

A. In-person attendance at a live training;
B. Videoconference;
C. An individual program of study of designated materials;
D. Self-review modules available online; and
E. Any other method chosen by the local school board that is consistent with professional development standards.

No cause of action may be brought for any loss or damage caused by any act or admission resulting from the implementation of the provisions of this policy or resulting from any training, or lack of training, related to this policy. Nothing in this policy shall be construed to impose a specific duty of care.

Legal Reference: § 20-7-1310, MCA Youth suicide awareness and prevention training

Adopted on: 10-1-2019
Reviewed on:
Revised on:

Consolidated Plan for ESEA Federal Programs: Titles I, II, IV

Parent and community involvement are positively linked to student and school success and will be a critical part of the Consolidated Plan for the District.

Under the parent and community involvement provisions of the Elementary and Secondary Education Act, 20 USC 2701, et seq., a local educational agency (LEA) operating any of the above federal programs must develop written policies to ensure that citizens have an adequate opportunity to participate in the design and implementation of these programs.

A committee of a broad cross-section of staff, parents and community members shall provides input into the development of the Comprehensive Plan and continues to be involved on, at least, a semi-annual basis in evaluating the plan and adjusting the programs. The committee represents the required groups for all of the federal programs.

As required by the federal programs, school improvement will be validated through both assessment of student achievement and evaluation of the federal programs successes. Data will be gathered in a consistent, organized manner and will be arranged in an understandable format for the general public.

In recognition of the necessity to report the District's success at improving school performance to the public, the Board of Trustees will report on a regular basis the progress that has been made through:

1. Board Meetings;

2. The District’s Annual Report Card;

3. Parent/Teacher Conferences (Included in this area are IEP and Section 504 Team Meetings);

4. Fliers mailed to residents, notes sent home and phone calls to parents;

5. Federal Programming Reporting.

All students, teachers and other beneficiaries of District programs are ensured equal opportunity to participate in these programs. The District will make a systematic effort to guarantee that all teachers equally benefit from professional development opportunities and that there will be high student success through guaranteed access and success among teacher and other beneficiaries and ultimately the students.

Legal Reference: 20 USC § 2731(a)(4)
20 USC § 2726
34 CFR 200.34

Policy History:
Adopted on:
Revised on:

Special Education

The District shall provide a free, appropriate, public education and necessary related services to all children with disabilities residing within the District, as required under the Individuals With Disabilities Education Act (hereinafter "IDEA") and implement provisions in Montana law, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. It is the intent of the District to ensure that students who are disabled within the definitions of state and federal laws are identified, evaluated and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act, even though they do not require services pursuant to the IDEA. The District will work with its Special Education Cooperative to develop specific procedures consistent with state and federal laws and District philosophy.

The District will review and approve the policies and standards of the Special Education Cooperative at a public meeting and the Board Chairperson will sign off on the acceptance of those policies and guiding the Special Education Program of the District.

Child Identification

The District is responsible for ensuring that all children with disabilities within its jurisdiction are identified, located, and evaluated, including children in all public and private agencies and institutions within that jurisdiction. Child find activities shall be conducted in collaboration with the Special Education Cooperative to which the District belongs. Collection and use of data are subject to state and federal confidentiality requirements.

Confidentiality of Personally Identifiable Information

The District, in accordance with the Program Narrative submitted to the Office of Public Instruction, through its Special Education Cooperative, agrees to adhere to the regulations regarding confidentiality found in the Family Educational Rights and Privacy Act (FERPA), as well as in "Guidelines for Student Records," a technical assistance manual of the Office of Public Instruction.

Full Educational Opportunity Goal

It is the goal of the District to provide full educational opportunity to all students with disabilities, aged birth through twenty-one, consistent with the timetable in the Montana State Plan under Part B of the Individuals with Disabilities Education Act.

Personnel Development

Each disabled student is entitled to appropriate instruction and services by professionally trained and competent personnel. All employees with responsibility for the education of disabled students shall be provided opportunities to increase pertinent skills and competence beyond that ordinarily gained through job performance. The Board shall develop a plan for personnel development in cooperation with the District employees, parents and the Special Education Cooperative.

Parent or Legal Guardian Involvement

The District recognizes that cooperation and communication between parent and school is essential to the development and implementation of the education program for disabled students.

This cooperation and communication shall be designed by the District to assure that the rights of disabled children and their parents or guardians are protected and to assess and assure the effectiveness of efforts to educate disabled children.

Participation in Regular Education

A continuum of alternative placements is available which consists of instruction in regular classes, special classes, special schools, home instruction and instruction in hospitals and institutions. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who do not have disabilities. Special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aides and services cannot be achieved satisfactorily. Educational placement decisions are made in accordance with the policies and principles as identified in the Placement in the Least Restrictive Environment special education technical assistance document published by the Office of Public Instruction.

Protection in Evaluation Procedures
Evaluation and identification of students is conducted in accordance with the following administrative rules (ARMS): 10.16.113 Comprehensive Educational Evaluation Process, 10.16.114 Composition of a Child Study Team, and 10.16.1101 Protection in Evaluation Procedures.

Individualized Education Program
The District has adopted the Individualized Education Program technical assistance manual published by the Office of Public Instruction as the policy and procedures manual for the development of individualized education programs (IEP) for children with disabilities.

Procedural Safeguards
Children with disabilities and their parents will be afforded the procedural safeguards as required in Section 615 of IDEA '97. To that end, the District will provide a copy of the brochure, Parental Rights in Special Education, to the parent or guardian a reasonable time before the District:

1. Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provisions of free, appropriate public education to the child; or
2. Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of free, appropriate public education to the child.

Disciplinary Issues for Children with Disabilities
The District recognizes that free, appropriate public education shall be available to all children with disabilities including children with disabilities who have been suspended or are expelled from school. Suspension and expulsion of students with disabilities will be conducted in accordance with the IDEA 1997 amendments and with procedures identified in the Suspension/Expulsion Manual published by O.P.I. The District may place the child in an alternative education setting, another setting, or suspension for not more than 10 days. If the child brings a weapon to school or to a school function or possesses/uses/sells illegal drugs, the appropriate interim for an alternative educational setting can be up to 45 days.

Forms
The District agrees to submit all required forms used to document the provision of free, appropriate public education to children with disabilities, through its Special Education Cooperative, to the Office of Public Instruction.

Legal Reference: Americans With Disabilities Act, 42 U.S.C. § 12101 et seq.
Individuals With Disabilities Education Act, 20 U.S.C. § 1400 et seq.
Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794.
§ 20-7-Part Four, MCA Special Education for Exceptional Children
10.16.1201, ARM
10.16.2303, ARM

Policy History:
Adopted on:
Revised on:

Homebound, Hospital and Home Instruction

Homebound, hospital or home instruction may be provided to a student who is physically or emotionally unable to attend school. A student absent from school for more than two consecutive weeks because of health problems will be provided the services of a teacher or an aid in the home or hospital. Appropriate educational services may be begun as soon as eligibility has been established with a written statement from a licensed medical examiner and a written parental or guardian request.

Whereas homebound and hospital instruction is intended for those students who are unable to attend school because of a medical disability, home instruction is designed for able- bodied students who have emotional disturbances and/or severe behavioral difficulties which present a clear and present danger to self and others. Under these circumstances a temporary educational placement outside of the school environment must be provided until an appropriate placement can be found, or until it is determined that the student can be safely returned to the school environment.

Legal Reference: 10.16.1308, ARM Services to Homebound and/or Hospitalized Students

Policy History:
Adopted on: 2/24/98
Revised on:

Gifted Program

In accordance with the philosophy to develop the special abilities of each student, the District shall make an identifiable effort to provide educational services to gifted and talented students that are commensurate with their needs and foster a positive self-image.
To help in this effort, the district shall create a plan for such services which includes:

1. Identification of talent areas;

2. Student selection criteria;

3. The unit plans or curriculum will provide strategies to meet identified student needs and provide criteria for formative and summative evaluation;

4. If needed supportive services; and

5. Parental involvement.

Legal References:	§ 20-7-901 through 904, MCA	Gifted and talented children
	10.55.804, ARM	Gifted and talented

Policy History:
Adopted on: 6/11/14
Revised on:

Significant Writing Program

The Board of Trustees has determined that undertaking an *independent* Significant Writing Program would be impossible given the financial circumstances, number of staff and classroom time available. Writing is incorporated within the fully aligned English Language Arts and Literacy Curriculum of the MSSA.

Legal References: 10.55.701(2) (p) ARM
10.55.713 (4) ARM

Policy History:
Adopted on: 6/11/14
Reviewed on:
Revised on:

Organization, Grouping and Class Size

Grade Organization

The grade organization in the District for instruction purposes shall be Kindergarten through 8th grade at Pendroy Elementary School.

Instructional programs shall be coordinated between each grade and between levels of school**.**

Grouping for Instruction

A student will be assigned to an instructional group or a classroom that will best serve the needs of that individual while still considering the rights and needs of other students. Factors to be considered in classroom assignments are class size, peer relations, student-teacher relations, learning style of individual teachers and any other variables that will affect the performance of the student.

The criteria for grouping should be based upon the learning goals and objectives being addressed and the student's ability to achieve those purposes.

Class Size

It is the goal of the District to maintain class size at the optimum level appropriate to student learning needs and maturation levels. Optimum levels of class size shall be defined for these purposes as the number currently mandated by the Board of Public Education.

The Board of Trustees shall have the authority to combine classes, eliminate classes, or make assignments that provide for the most economical but educationally sound classroom environment.

Legal Reference:	10.55.801, ARM, et. seq.	Accreditation Standards
	§ 20-6-501, MCA	Definitions of various schools

Policy History:
Adopted on: 2/24/98
Revised on:

Placement

While the curriculum within a classroom should have sufficient breadth to meet the needs of a variety of students, the school should make every effort to place present or new students into a classroom environment where the student may achieve optimum success as a learner. The Supervising Teacher shall carefully consider physical maturity, social maturity, chronological age, mental maturity and achievement before assigning a student to a specific level.

Credit Transfer/Assessment for Placement

Requests from parents of students in non-accredited, non-public schools for placement in the District school system will be evaluated by the Supervising Teacher. The assessment will take into account the following in its recommendation for grade placement:

1. Documentation that the non-accredited, non-public school has provided a comparable number of hours as the child would have attended in a public or private school;

2. The child followed a similar curriculum as would have been provided in an accredited public or private school;

3. The result of the end of the year test indicates the student has mastered most prerequisite skills.

Parents of students in elementary home schools are encouraged to maintain a log which documents dates of instruction, content of instruction, amount of time spent on that instruction, scores on tests, and the grades in all activities.

The District is not obligated to provide instructional materials for other public or private schools.

If a parent or guardian of a child is not in agreement with the placement of the child, he/she may request a hearing before the Board.

Legal Reference:	§ 20-5-110, MCA	School district assessment for placement of a child who enrolls from a non-accredited, non-public school

Policy History:
Adopted on: 2/24/98
Revised on:

Community and Adult Education

Efforts will be made to maximize the use of public school facilities and resources, realizing that education is a lifelong process involving the whole community. The District makes its resources available to adults within the limits of budget, staff, and classroom space. Daytime and/or evening use of classrooms, shops, and labs should be encouraged provided there is no interference with or impairment of the regular school program. Course offerings shall be developed in cooperation with an Adult Education Advisory Council made up of community representatives.

Legal Reference: § 20-7-703, MCA Trustees' policies for adult education

Policy History:
Adopted on:
Revised on:

Library Materials
Loans

School District students and staff are provided school library and classroom library books primarily for their use. Students and staff may check out library books. Individuals that check out books are responsible for the care and timely return of those materials. The Supervising Teacher or the Principal may assess fines for damaged or unreturned books.

School District residents or parents/guardians of non-resident students attending Pendroy Public School may be allowed use of library books. However, such access shall not interfere with regular school use of those books. The intent of allowing public access to library books is for parents/guardians to share a reading/learning experience with their children. Use of the library books outside of the District is prohibited except for inter-library loan agreements with other libraries.

Selection of Library Materials

The District libraries' primary objective is implementing and supporting the educational program in the schools. It is the objective of these libraries to provide a wide range of materials on all appropriate levels of difficulty, with diversity of appeal and the presentation of different points of view.

Every child has the right to a variety of learning materials to broaden interests and experiences and to stimulate mental growth. The well-administered school library is the most effective and economical way to provide each child with exploratory experiences, reading guidance, instruction in the use of a variety of materials and curriculum enrichment.

The provision of a wide variety of library materials at all reading levels supports the District's basic principle that the school in a free society assists all students to develop their talents fully so that they become capable of contributing to the further good of that society.

In support of these objectives, the Board reaffirms the principles of intellectual freedom inherent in the First Amendment of the Constitution of the United States and expressed in the School Library Bill of Rights, endorsed by the American Association of School Librarians in 1969.

Ultimate responsibility for the selection of library materials rests with the Board. However, the Board delegates this responsibility to the Supervising Teacher or the Principal.

The selection of library material is a professional task conducted by the library staff. The selection should be based on:

1. Needs of the curriculum and requests from administrators and teachers.
2. Needs of individual students and requests by parents and students.
3. Provision of a wide range of materials at all levels of difficulty, with a diversity of appeal and presentation of different points of view.
4. Provision of materials that are accurate and objective.
5. Provision of materials that are relevant to today's world.
6. Provision of materials that represent artistic, historic and literary qualities.
7. Provision of materials appropriate for the age maturity level of the students using the libraries.

In selecting library materials, the librarian will evaluate the existing collection; assess curricula needs; examine materials and consult reputable, professionally prepared selection aids.

Weeding

When materials no longer meet the criteria for selection, they shall be weeded. Weeding is a necessary aspect of selection, since every library will contain works which may have answered a need at the time of acquisition, but which, with the passage of time, have become obsolete, dated, unappealing, or worn out.

Discarded materials will be clearly stamped:
"WITHDRAWAL FROM PENDROY LIBRARY"

Materials will be discarded in compliance with state law.

Gifts

Gift materials may be accepted with the understanding that they must meet criteria set for material selection.

Cross Reference: 2314 Learning Materials Review

Legal Reference:	§ 20-7-203, MCA	Trustees' policies for school library
	§ 20-7-404, MCA	School library book selection

Policy History:
Adopted on: 2/24/98
Revised on:

Selection and Adoption of Instructional Materials

The District is legally responsible to approve and to provide the necessary instructional materials used in the District. Textbooks and instructional materials, except those used as supplemental materials, shall be selected by the Supervising Teacher or Principal and adopted by the Board prior to their use in schools. The Supervising Teacher or the Principal may authorize trial-use texts of a pilot nature for a period of no more than one school year prior to Board adoption. Materials approved for trial use shall be restricted to classes specified. The responsibility for preparing student-reading lists and for examining, evaluating and selecting all supplementary materials is delegated to the professional staff of the District. Basic instructional course material in the fundamental skill areas of language arts, mathematics, science and social studies should be reviewed at intervals not exceeding five years. All instructional materials must be sequential and must be compatible with previous and future offerings.

Instructional materials may be made available for loan to students when the best interest of the District and student will be served by such a decision. Students will not be charged for normal wear. They will be charged replacement cost, however, for excessive wear, unreasonable damage or lost materials. The professional staff will maintain records necessary for the proper accounting of all instructional materials.

Curriculum committees will generally be responsible to recommend textbooks and major instructional materials purchases. Recommendations will be made to the Board. The function of the committee is to ensure that materials are selected in conformance with stated criteria and established District goals and objectives.

Instructional Material Selection, Adoption and Removal

A curriculum committee representing the various staff who will likely be using the materials shall select instructional materials. Each committee should develop, prior to selection, a set of selection criteria against which materials will be evaluated. The criteria should include the following along with other appropriate criteria. Instructional materials shall:

1. Be congruent with identified instructional objectives;
2. Present more than one viewpoint on controversial issues;
3. Present minorities realistically;
4 Present non-stereotypic models;
5. Facilitate the sharing of cultural differences;
6. Be priced appropriately.

Instructional materials may be removed when they no longer meet the criteria for initial selection, when they are worn out, or when they have been judged inappropriate through the Learning Materials Review Process (policy 4311).

Legal Reference:	§ 20-7-601-603 MCA	Free Textbook Provision
	§ 20-7-602 MCA	Textbook Selection and Adoption
	§ 20-7-603 MCA	Textbooks Obtained from Licensed Textbook Dealer

Policy History:
Adopted on: 6/11/14
Revised on:

Copyright Restrictions

The District recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for unauthorized copying or using of audio, visual or printed materials and computer software, unless the copying or using conforms to the "fair use" doctrine.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. While the District encourages its staff to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of District staff to abide by the District's copying procedures and obey the requirements of the law. In no circumstances shall it be necessary for District staff to violate copyright requirements in order to perform their duties properly. The District cannot be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the District's procedures or is permissible under the law should contact the Supervising Teacher, Principal or their designee. They will assist staff in obtaining proper authorization to copy or use protected materials when such authorization is required.

Authorized Reproduction and Use of Copyrighted Material in Print:

In preparing for instruction, a teacher may make or have made a single copy of:

1. A chapter from a book;
2. An article from a newspaper or periodical;
3. A short story, short essay or short poem; or
4. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

A teacher may make multiple copies not exceeding more than one per pupil for classroom use or discussion if the copying meets the tests of "brevity, spontaneity and cumulative effect" set by the following guidelines. Each copy must include a notice of copyright.

Legal Reference: 17 USC 101 to 1010 Federal Copyright Law of 1976.

Policy History:
Adopted on: 2/24/98
Revised on:

Acceptable Use of Computers

New technologies are shifting the ways that information may be accessed, communicated and transferred. Those changes may also alter instruction and student learning. The school offers students access to the electronic information highway and the Internet as well as online and distance learning when available and within District policy and procedures.

Rules and Responsibilities

Students are responsible for good behavior on school computer networks just as they are in a classroom or school hallway. Communications on the network are often public in nature. General school rules for behavior and communications apply.

Internet access is provided for students to conduct research and communicate with others in relation to schoolwork. Access to the Internet is given to students who agree to act in a considerate and responsible manner. Parent may request their students not use the Internet.

Access is a privilege, not a right. Therefore, based upon the acceptable use guidelines outlined in this document, the system administrators will deem what is inappropriate use and their decisions are final. The system administrators may close an account at any time. The administration, faculty, and staff of Pendroy School may deny, revoke or suspend specific user accounts.

Individual users of computers with Internet access are responsible for their use. Their use must be in support of education and research and must be consistent with academic expectations of Pendroy School. Use of other organizations' networks or computing resources must comply with the rules appropriate for those networks. Transmission of any material in violation of U.S. or state regulations, including copyrighted, threatening, or obscene materials, is prohibited. Use for commercial activities by for-profit organizations, product promotion, political lobbying, or illegal activities is strictly prohibited.

The user is expected to abide by the following rules of etiquette:

- Be polite. Do not write or send abusive messages.
- Use appropriate language. Do not swear, use vulgarities or any other inappropriate language.
- Transmission of obscene materials is prohibited. Sending or receiving offensive messages or pictures from any source will result in immediate suspension of privileges.
- Do not reveal the personal address or phone number of yourself or other students.
- Do not communicate any credit card number, bank account number, or any other financial information.
- Electronic mail is not guaranteed to be private. People who operate the system do have access to all mail. Inappropriate messages can result in suspension of privileges.
- Do not use the network in such a way that would disrupt the use of the network by other users.
- Vandalism - any malicious attempt to harm or destroy data of another user will not be tolerated. Any questionable action will result in cancellation of user privileges.

Violation of any of the above-mentioned rules and responsibilities will result in a loss of access and may result in other disciplinary or legal actions.

Policy History:

Adopted on: 3/12/13

Revised on:

Student Agreement and Parent Permission Form

Internet Access User Agreement and Parent Permission Form

After reading the Internet Use Rules and Responsibilities in Policy 2315, please complete this form to indicate that you agree with the terms and conditions outlined. The signatures of both the student and parent/guardian are mandatory before access may be granted to the Internet. This document, which incorporates the Internet Use Procedure, reflects the entire agreement and understanding of all parties.

As a user of the School District computer network, I have read and hereby agree to comply with the Internet Use Procedure

Student Signature:_____Date:_____

Student Name (Please Print):_____

Student's School:_____

Grade:_____ Date of Birth:_____

As parent/legal guardian of the student signing above, I grant permission for my child to access networked computer services such as electronic mail and Internet. I have read and agree to this procedure and I understand that I may be held responsible for violations by my child. I understand that some materials on the Internet may be objectionable; therefore, I agree to accept responsibility for guiding my child, and conveying to him/her appropriate standards for selecting, sharing and/or exploring information and media.

Parent/Guardian Signature:_____ Date:_____

Parent/Guardian Name (Please Print):_____

Street Address:_____

Home Phone:_____ Daytime Phone:_____

Complete and return to your child's school. Thank you.

Field Trips, Excursions and Outdoor Education

The District recognizes that field trips when used as a device for teaching and learning integral to the curriculum are an educationally sound and important ingredient in the instructional program of the schools. Such trips can supplement and enrich classroom procedures by providing learning experiences in an environment beyond the classroom. The District also recognizes that field trips may result in lost learning opportunities in missed classes. Trustees do therefore endorse the use of field trips when the educational objectives achieved by the trip clearly outweigh any lost learning opportunities. The Supervising Teacher or the Principal has the authority to approve day field trips.

Each field trip must be integrated with the curriculum and coordinated with classroom activities, which enhance its usefulness.

No staff member may solicit students during instructional time for any privately-arranged field trip or excursion without Board permission.

Field trips are defined as travel away from school premises, under the supervision of a teacher of an approved course of study, for the purpose of affording students a direct learning experience not available in the classroom. Overnight field trips require Board approval.

The following procedures shall apply:

Day Field Trips

1. Staff member requesting one-day field trip shall submit a completed field trip request form to the Supervising Teacher at least three weeks prior to the field trip. This form shall include a list of instructional objectives as well as a list of pre and post learning activities. All field trip requests will be forwarded to the Board for final approval. Decision for approval will be based on weighing the educational benefits, costs and risks.

2. The sponsoring staff member is responsible to coordinate all activities related to the field trip. This includes ordering and confirmation of the bus, contact with the site to insure maximum learning opportunities, assessing all activities related to the site for safety, and for providing adequate supervision.

3. Adequate supervision will typically be defined in the elementary school as one adult supervisor for every ten students. Buses with fewer than 25 students will require one adult supervisor.

Overnight Field Trips

1. Staff members requesting overnight field trips must submit a written plan to the Board, including purposes of the trip, supervision, proposed itinerary, estimated cost, housing and funding sources. This plan must be submitted at least six weeks prior to the proposed date of the trip and before the trip is discussed with students or parents. Failure to have the trip approved by the Board prior to contact with students or parents will result in the trip being disapproved.

2. If students are housed in private homes, they are to be assigned in those homes in pairs or in threes. If any transportation such as to and from a private home is provided by private automobile, such arrangements must be noted on a form signed by the parents that gives permission for the student to travel in these private automobiles.

3. The proposal should be submitted to the Board for approval at least four weeks prior to the date of the trip.

4. The approval of the trip will depend on the amount of school time lost, value of the learning objectives, and planning, organization and supervision of the trip.

Out-of-State Trips

While the District recognizes the importance and value of some out-of-state trips, it also recognizes the necessity of funding the regular and basic instructional programs first. The District believes that, in general, out-of-state trips for organized clubs and activities should not be paid from District funds. Groups may elect to participate in fund-raisers that, with individual student contributions, will cover costs. The District does not fund the attendance of individual students at any out-of-state activity.

Exceptions to the above will be as follows:

1. When a group, individual or organization submits through the regular budget building process, a request for an out-of-state trip, that request will be given consideration as for any other budget item.

2. When an activity group or school club is, through local competition, able to qualify for out-of-state competition, and when there's no possible method that the group could, due to time constraints, raise funds, that activity may be funded from the general fund budget.

The following will be considered in determining the approval of out-of-state trips:

Whether the trip:
... is an extension of the academic program or is solely extra-curricular in nature
... is the result of successful competition at the local or state level
... is a logical stepping stone of local competition
... is something directly related to the instructional process
... causes minimal loss of school time
... costs are within available budgets

Policy History:
Adopted on: 2/24/98
Revised on:

Guest Speakers

The District encourages the extension of instructional experiences through the use of guest speakers. A sound education requires that students face issues and gain access to divergent points of view.

The District establishes the following procedures for the approval of the use of a guest speaker. When an invited speaker expresses opinions that are partisan or considered controversial by a large portion of the community, the school shall provide for the presentation of opposing views.

When a teacher believes that a guest speaker will contribute to the curriculum by helping to achieve the goals and objectives of the course, the staff member will follow the procedure set out below:

1. At least two days prior to the proposed visit, the teacher will notify the Supervising Teacher or the Principal of the name of the proposed speaker, how the speaker's topic will relate to the curriculum and the proposed date of the visit.

2. In the event the speaker's topic is determined to be controversial, the teacher will notify students beforehand that any student who wishes not to attend the presentation will have an alternative assignment.

3. The teacher will register the guest speaker on the day he/she speaks.

4. Approval of a guest speaker will be exercised in a manner consistent with the principles of free inquiry and expression.

5. If the Supervising Teacher or Principal has reason to believe that the appearance of the guest speaker would not contribute to the curriculum or would be harmful to the students, he/she may deny the appearance of the guest speaker. If the teacher disagrees with the denial, he/she may appeal the decision to the Board.

Policy History:
Adopted on:
Revised on:

Contests for Students

Contests may be made available to students by outside organizations through the schools, subject to certain limitations. The Supervising Teacher or Principal shall determine that the contest is not in conflict with nor will it diminish the primary educational aims of the schools and that it meets the needs and interests of students.

A state or local contest in which students participate shall be:

1. One that supplements and does not interfere with the regular school program.

2. One that is beneficial to youth in education, civic, social or ethical development.

3. One that makes it possible for individual students to work out contributions by their own efforts and does not invite dishonest collaboration.

4. One who's subject is not commercial, controversial, sectarian or concerned with propaganda. It must emphasize high moral standards, good citizenship and intellectual competence.

5. One from which no contestant shall be excluded because of race, color, creed, sex or payment of entry fee.

6. One which does not place an undue burden on students, teachers or the school, nor requires frequent or lengthy absence of participants from the school.

7. One sponsored by an organization engaged in a creditable or acceptable enterprise regardless of kind or amount of prizes offered. The contest or activity must not be used as a "front" for advertising a company name or product.

Contests will not be allowed unless they further the educational goals of the District.

Policy History:
Adopted on: 4/16/98
Revised on:

Academic Freedom and Controversial Issues

Academic Freedom

The Board encourages and supports the concept of academic freedom, recognizing it as a necessary condition to aid in maintaining an environment conducive to learning and the free exchange of ideas and information.

In the study or discussion of controversial issues or materials, however, the Board directs the teaching staff to take into account the following criteria:

1. Relative maturity of students;
2. District philosophy of education;
3. Community standards, morals and values;
4. Necessity for a balanced presentation; and,
5. Necessity to seek prior Board counsel and guidance in such matters.

Controversial Issues

The District shall offer courses of study that will afford learning experiences appropriate to the level of student understanding. The instructional program shall respect the right of students to face issues, to have free access to information, to study under teachers in situations free from prejudice, and to form, hold, and express their own opinions without personal prejudice or discrimination.

Teachers shall guide discussions and procedures with thoroughness and objectivity to acquaint students with the need to recognize opposing viewpoints, importance of fact, value of good judgment, and the virtue of respect for conflicting opinions.

Legal Reference:	Article X Sec.8	Montana Constitution
	§ 20-3-324 (16)(17), MCA	Powers and duties
	10.55.701 ARM	Accreditation

Policy History:
Adopted on:
Revised on:

Religious Beliefs and School

Student Religious Activity at School

In keeping with the United States and Montana constitutions and judicial decisions, Pendroy Public School may not support religion or endorse religious activity. At the same time, the District may not prohibit private religious expression by students. The purpose of this policy is to provide direction to students and staff members about the application of these principles to student religious activity at school.

Student Prayer and Discussion

Students may pray individually or in groups and discuss their religious views with other students, as long as they are not disruptive or coercive. The right to engage in voluntary prayer does not include the right to have a captive audience listen, to harass other students, or to force them to participate. Students may pray quietly in the classroom, except when they are expected to be involved in classroom instruction or activities.

Student Religious Expression and Assignments

Students may express their individual religious beliefs in reports, tests, homework, and projects. Staff members should judge their work by ordinary academic standards, including substance, relevance, appearance, composition, and grammar. Student religious expression should neither be favored nor penalized.

Staff Members

Staff members are representatives of the District and must "navigate the narrow channel between impairing intellectual inquiry and propagating a religious creed." They may not encourage, discourage, persuade, dissuade, sponsor, participate in, or discriminate against a religious activity or an activity because of its religious content. They must remain officially neutral toward religious expression.

Religion in the Curriculum

Staff members may teach students about religion in history, art, music, literature, and other subjects in which religious influence has been and continues to be felt. However, staff members may not teach religion or advocate religious doctrine or practice. The prohibition against teaching religion extends to curricular decisions that promote religion or religious beliefs. School programs, performances, and celebrations must serve an educational purpose. The inclusion of religious music, symbols, art, or writings is permitted if the religious content has an historical and/or independent educational purpose which contributes to the objectives of the approved curriculum. School programs, performances, and celebrations cannot promote, encourage, discourage, persuade, dissuade, or discriminate against a religion or religious activity and cannot be religious or religious-holiday oriented.

Release Time for Student Religious Instruction Release Time for Student Religious Instruction Release Time for Student Religious Instruction

If requested, the trustees of Pendroy School District shall determine the amount of time a pupil may be released from regular school attendance for the purpose of receiving religious instruction. A uniform policy will be set for all students.

Religious Holidays

Staff members may teach objectively about religious holidays and about the religious symbols, music, art, literature, and drama that accompany the holidays. They may celebrate the historical aspects of the holidays, but may not observe them as religious events.

Legal Reference:	Art XI, Sec. 5,	Montana Constitution - Freedom of religion
	Art X, Sec. 2	Montana Constitution - Nondiscrimination in education
	§ 20-1-308, MCA	Religious Instruction released time program
	§ 20-7-112, MCA	Sectarian publications prohibited and prayer permitted

Policy History:
Adopted on: 4/16/98
Revised on:

Health Enhancement

Health, family life, and sex education, including information about parts of the body, reproduction, and related topics, shall be included in the instructional program as appropriate to the grade level and course of study. The instructional approach shall be developed after consultation with parents and other community representatives. Parents may ask to review the materials to be used and may request that their child be excluded from sex education class sessions without prejudice.

Chemical Dependency

In acknowledgment that chemical dependency is a treatable health problem, the District is committed to the development of a program that emphasizes prevention, intervention, aftercare support, and disciplinary actions. The District will work with the community to positively address the problem, and will be responsible for the development of this program within the existing legal, financial and policy restraints.

HIV/AIDS/STDs EDUCATION

The Board believes that Human Immunodeficiency Virus HIV/AIDS and other STDs instruction is most effective when integrated into a comprehensive health education program. Instruction shall be developmentally appropriate to the grade level of the students and shall occur in a systematic manner. The Board particularly desires that students receive proper education about HIV and other STDs before they reach the age when they may adopt behaviors that put them at risk of contracting these diseases.

In order for education about HIV and other STDs to be most effective, the Board shall require that faculty members who present this instruction receive continuing in-service training which includes appropriate teaching strategies and techniques. Other staff members not involved in direct instruction but who have contact with students shall receive basic information about HIV/AIDS and instruction in the use of universal precautions when dealing with body fluids.

Safety Program

As part of the Health Enhancement Program, the school has a responsibility for supervision of students while under the custodianship of the school system. In addition, the school has the responsibility to educate students in regard to home and school safety. For specific procedures to implement a safety education program for the District see Policies #9310.

Legal Reference: § 50-16-1001, et seq, MCA AIDS Education and Prevention

Policy History:
Adopted on: 4/16/98
Revised on:

Grading and Progress Reports

The District believes that the cooperation of school and home is a vital ingredient in the growth and education of the student and recognizes the responsibility to keep parents informed of student welfare and progress in school.

The issuance of grades and progress reports at regular intervals serves as the basis for continuous evaluation of the student's performance and determining changes that should be made to effect improvement. These reports shall be designed to provide information that will be helpful to the student, teacher, counselor and parent.

Report cards will be sent home every nine weeks. These reports will include information relative to the student's academic achievement, days absent, social behavior and attitudes toward school. In addition, parent and teacher conferences will be held once each year for more in depth discussions.

In the first and second grades, "S" will be used to indicate satisfactory performance. "U" will indicate unsatisfactory performance. In the third through eighth grades, letter grades of A, B, C, D and F will be given in all subject areas with:

A = 90-100
B = 80-90
C = 70-80
D = 60-70
F = 59 or Below

Plus and minus may be used to show the grades of achievement of each letter grade.

Teachers are encouraged to write additional comments amplifying grades given.

These grades will indicate academic performance only. In addition, conduct and effort grades will be reported quarterly. These grades will reflect the teacher's judgment of the extent to which the student has performed to school expectations as well as to how the student has performed to his/her academic ability. Attendance will also be reported quarterly.

Grades are given as a system of reporting student progress and this policy should be reviewed to reflect knowledge of how students learn. Staff members, parents and teachers shall be involved.

Policy History:
Adopted on: 4/16/98
Revised on:

Promotion/Retention

The District recognizes that students of the same age are at many intellectual and developmental levels and that these differences are a normal part of human development. Because of these differences, the administration and teaching staff are directed to make every effort to develop curricula and programs that meet the individual and unique needs of all students and allow them to remain with their age cohorts.

While the research on retention as an instructional strategy is generally very negative, there may on occasion be cases where retention may be warranted. The staff is directed to develop procedures and programs to reduce retentions to a minimum and to ensure that students who are retained have a high likelihood of benefiting from that retention.

If the decision is made to retain, then the child study team must consider constructive support and alternative programs as part of their recommendation. Such support programs as Title I, special education, counseling, peer tutoring, Indian education tutoring, use of aides or adult volunteers, college field experience personnel, rescheduling (different teacher, different approach) and extended time (before school, after school, recesses, etc) are feasible alternatives for assisting the child and must be considered in the decision.

If a parent insists on the child being retained, a notice will be placed in the child's file that the retention was a parent decision and not recommended by the school.

Policy History:
Adopted on: 4/16/98
Revised on:

Homework

The District believes that homework is a constructive tool in the teaching/learning process when geared to the needs and abilities of students. Purposeful assignments not only enhance student achievement, but also develop self-discipline and associated good working habits. As an extension of the classroom, homework must be planned and organized, must be viewed as purposeful to the students; and should be evaluated and returned to students in a timely manner.

Teachers may give homework to students to aid in the student's educational development. Homework should be an application or adaptation of a classroom experience, and should not be assigned for disciplinary purposes.

Homework may be assigned for one or more of the following purposes:

1. Practice: To help students to master specific skills which have been presented in class.

2. Preparation: To help students gain the maximum benefits from future lessons.

3. Extension: To provide students with opportunities to transfer specific skills or concepts to new situations.

4. Creativity: To require students to integrate many skills and concepts in order to produce original responses.

The purposes of homework assignments, the basis for evaluating the work performed and the guidelines and/or rules should be made clear to the student at the time of the assignment.

Policy History:
Adopted on: 4/16/98
Revised on:

Pendroy School District **R**

INSTRUCTION 2450

Recognition of Native American Cultural Heritage

The District recognizes the distinct and unique cultural heritage of Native Americans and is committed in the District's educational goals to the preservation of such heritage.

In furtherance of the District's educational goals, the District is committed to:

- Working cooperatively with Montana Tribes in close proximity to the District, when providing instruction, when implementing educational goals or adopting rules relating to education of students in the District;

- Periodically reviewing its curriculum to ensure the inclusion of cultural heritage of Native Americans, which will include but not necessarily be limited to:

- Considering methods by which to provide books and materials reflecting authentic historical and contemporary portrayals of Native Americans;

    - Taking into account individual and cultural diversity and differences among students;

- Providing necessary training for school personnel, with the objective of gaining an understanding and awareness of Native American culture, which will assist the District's staff in its relations with Native American students and parents.

The Board may require certified staff to satisfy the requirements for instruction in American Indian studies, set forth in § 20-1-503, MCA.

Legal Reference:	Art. X, Sec. 1(2), Montana Constitution	
	§§ 20-1-501, et seq., MCA	Indian Education for All
	10.55.603 ARM	Curriculum and Assessment
	10.55.701 ARM	Board of Trustees
	10.55.803 ARM	Learner Access

Policy History:
Adopted on: 10/10/06
Reviewed on:
Revised on:

ThePendroy School District is committed to providing school environments that promote and protect childrens' health, well-being, and ability to learn by supporting healthy eating and physical activity. Therefore, it is the policy of the Pendroy School District that:
The local wellness policy, at minimum, includes:

1. *Community involvement*, including input from parents, students, the school board, the county superintendent, educators, and the public in the development of the school wellness policy. Training of this team of people on the components of a healthy school nutrition environment is recommended.
2. *Goals for nutrition education, physical activity, and other school-based activities* that are designed to promote student wellness in a manner that the local district determines as appropriate.
3. *Nutrition guidelines* for all foods available on each school campus of the school district during the school day with the objectives of promoting student health and nutrient-rich meals and snacks. This includes food sold in student stores and food and beverages used for classroom rewards and fundraising efforts.
4. *A plan for measuring implementation* of the local wellness policy, including designation of one or more persons within the local district, as appropriate, charged with operational responsibility for ensuring that each school fulfills the District's local wellness policy.

Nutrition Education

All students shall receive nutrition education that teaches the knowledge and skills needed to adopt healthy eating behaviors and is aligned with Montana's Health Enhancement Content Standards and Benchmarks. Nutrition education shall be integrated into the curriculum. Nutrition information and education shall be offered throughout the district and based on the U.S. Dietary Guidelines for Americans. Staff members who provide nutrition education shall have the appropriate training, such as in health enhancement workshops as available.

Health Enhancement and Physical Activity Opportunities

The District shall offer health enhancement opportunities. Health enhancement shall equip students with the knowledge, skills, and values necessary for lifelong physical activity. Health enhancement instruction shall be aligned with Montana's Health Enhancement Content Standards and Benchmarks.

All students of the District shall have the opportunity to participate regularly in supervised, organized or unstructured, physical activities, to maintain physical fitness, and to understand the short and long term benefits of a physically active and healthy lifestyle.

Nutrition Standards

The District shall encourage students to make nutritious food choices through accessibility and marketing efforts of healthful foods.

The District shall monitor all food and beverages served to students, including those available outside federally regulated child nutrition programs (i.e., student stores, classroom rewards, fundraising efforts). The District shall consider nutrient density and portion size before permitting food and beverages to be sold or served to students.

Other School-Based Activities Designed to Promote Student-Wellness

The District may implement other appropriate programs that help create a school environment that conveys consistent wellness messages and is conducive to healthy eating and physical activity, staff wellness programs, non-food reward systems and fundraising efforts.

Maintaining Student Wellness

The county superintendent shall implement administrative rules consistent with this policy. Input from teachers, parents/guardians, students, the school board, and the public shall be considered before implementing such rules. A sustained effort is necessary to implement and enforce this policy. The county superintendent shall measure how well this policy is being implemented, managed, and enforced. The county superintendent shall report to the Board, as requested, on the District's programs and efforts to meet the purpose and intent of this policy.

Legal Reference: PL 108-265 The Child Nutrition and WIC Reauthorization Act of 2004

Policy History:

Adopted on:

Revised on:

School Wellness

The Pendroy School District is committed to providing a school environment that promotes and protects children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Therefore it is the policy of the Pendroy School District to include:

1. Community involvement, including input from parents, students, school food service, the school board, educators and the public in the development of the school wellness program.
2. Goals for nutrition education designed to promote student wellness including:
   a. All students shall receive nutrition education that teaches the knowledge and skills needed to adopt healthy eating behaviors.
   b. Nutrition education shall be integrated into the curriculum.
   c. Nutrition information and education shall be offered throughout the school based on the U.S. Dietary Guidelines for Americans.
3. Nutritional guidelines for all foods available at school during the school day with the objective of promoting student health and nutrient-rich meals and snacks including food and beverages used for classroom rewards and fundraising efforts.
4. A plan for measuring implementation of this policy.

Health Enhancement and Physical Activity Opportunities

The District shall offer health enhancement opportunities that include the components of a quality health enhancement program. Health enhancement instruction shall be aligned with the Montana Health Enhancement Content Standards and Benchmarks. All students shall have the opportunity to participate regularly in supervised, organized or unstructured, physical activities, to maintain physical fitness, and to understand the short-and long-term benefits of a physically active and healthy lifestyle.

Nutrition Standards

The District shall ensure that reimbursable school meals meet the program requirements and nutrition standards found in federal regulation. The District shall monitor all food and beverages sold or served to students, including those available outside the federally regulated child nutrition programs (student stores, classroom rewards, and fundraising efforts). The District shall consider nutrient density and portion size before permitting food and beverages to be sold or served to students.

Maintaining Student Wellness

The School Board shall develop and implement procedures consistent with this policy utilizing community involvement before implementation. The School Board shall measure how well this policy is being implemented, managed, and enforced. The Supervising Teacher or Principal shall report to the Board, as requested on the District's programs and efforts to meet the purpose and intent of this policy.

Legal Reference:	PL 108-265	The Child Nutrition and WIC Reauthorization Act of 2004

Policy History:
Adopted on: 8/9/10
Revised on:

Entrance, Placement, and Transfer

Entrance, Date, and Age

The trustees will enroll a child in kindergarten or in first grade whose fifth (5th) or sixth (6th) birthday occurs on or before the tenth (10th) day of September of the school year in which the child is to enroll but is not yet 19 years of age. Parents may request a waiver of the age requirement. All waivers are granted in the sole discretion of the District. A child who meets the requirement of being six (6) years old, but who has not completed a kindergarten program, will be tested and placed at the discretion of the administration. The District requires proof of identity and an immunization record for every child to be admitted to District schools. The trustees may at their discretion assign and admit a child to a school in the district who is under 6 years of age or an adult who is 19 years of age or older if there are exceptional circumstances that merit waiving the age provision.

School Entrance

1. The District requires that a student's parents, legal guardian, or legal custodian present proof of identity of the child[1] to the school within forty (40) days of enrollment, as well as proof of residence in the District. Students who are not residents of the District may apply for admission pursuant to Policy 3141. Homeless students shall be admitted pursuant to state and federal law, and Policy 3125.

2. To be admitted to District schools, in accordance with the Montana Immunization Law, a child must have been immunized against varicella, diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles in the manner and with immunizing agents approved by the department. Immunizations may not be required if a child qualifies for conditional attendance or an exemption is filed as provided by Montana law.

Placement

The District goal is to place students at levels and in settings that will increase the probability of student success. Developmental testing, together with other relevant criteria, including but not limited to health, maturity, emotional stability, and developmental disabilities, may be considered in the placement of all students. Final disposition of all placement decisions rests with the principal, subject to review by the Superintendent or the Board.

Transfer

District policies regulating the enrollment of students from other accredited elementary and secondary schools are designed to protect the educational welfare of children.

Elementary Grades (K-8): A student transferring into the District will be admitted and placed subject to observation by appropriate teachers and a building principal during a probation period of two (2) weeks. Thereafter, should doubt arise as to initial grade and level placement of a student, school personnel will conduct an educational assessment to determine appropriate grade and level placement.

Secondary Grades (9-12) Credit Transfer: A transfer of credits from any secondary school is subject to a satisfactory examination of the following:

1. Appropriate certificates of school accreditation;
2. Length of course, school day, and school year;
3. Content of applicable courses;
4. School building as it relates to credit earned (i.e., lab areas for appropriate science or vocational instruction);
5. Appropriate evaluation of student performance leading toward credit issuance.

The District will follow Montana Accreditation Rules and Standards, along with local alternate procedures for earning credit, in reviewing requests for transfer of credits. High school principals have authority for approving credit transfers, subject to review by the Superintendent or the Board.

Legal Reference:

§ 20-5-101, MCA	Admittance of child to school
§ 20-5-403, MCA	Immunization required – release and acceptance of immunization records
§ 20-5-404, MCA	Conditional attendance
§ 20-5-405, MCA	Medical or religious exemption
§ 20-5-406, MCA	Immunization record
§ 44-2-511, MCA	School enrollment procedure
10.16.3122, ARM	Local Educational Agency Responsibility For Students with Disabilities
10.55.601, et seq., ARM	Accreditation Standards: Procedures

Policy History:
Adopted on:
Reviewed on:
Revised on:

Child Abuse and Neglect Reporting Policy

1. Basic Policy

The Board of Pendroy School District supports those sections of Montana law concerned with the reporting of suspected cases of child abuse and neglect perpetrated by persons within or outside District employment.

Realizing the seriousness of child abuse and neglect, this Board requires compliance with Montana law by all schoolteachers and other employees.

2. Laws and Definitions

Montana laws pertaining to reporting and investigating child abuse and neglect are found in Title 41, Chapter 3, Part 2, and MCA. This law provides that all records concerning the reporting of child abuse or neglect are confidential and grant immunity from any liability, civil or criminal, that might otherwise be incurred or imposed, unless the person acted in bad faith or with malicious purpose.

An "abused or neglected child" is a child whose normal physical or mental health or welfare is harmed or threatened with harm by the acts or omissions of his/her parent or other persons responsible for his/her welfare.

"Harm to a child's health or welfare" means the harm that occurs whenever the parent or other person responsible for the child's welfare:

a. Inflicts or allows to be inflicted upon the child physical or mental injury.
b. Commits or allows to be committed sexual abuse or exploitation of the child;
c. Causes failure to thrive or otherwise fails to supply the child with adequate food or fails to supply clothing, shelter, education or health care, though financially able to do so or offered financial or other reasonable means to do so.
d. Abandons the child by leaving him/her under circumstances that make reasonable the belief that the parent or other parent or other person does not intend to resume care of the child in the future or by willfully surrendering physical custody for a period of 6 months and during that period does not manifest to the child and the person having physical custody of the child a firm intention to resume physical custody or to make permanent legal arrangements for the care of the child; or,
e. Is unknown and has been unknown for a period of 90 days and reasonable efforts to identify and locate the parents have failed. □41-3-102, MCA.

3. Reporting

When a teacher or other employee suspects child abuse, sexual child abuse or neglect, that person must promptly notify the Department of Family Service, or its local affiliate. It is the individual's obligation to see that the situation is reported (reporting concerns to the Supervising Teacher or County Superintendent does not satisfy the reporting requirement). Required information to be reported includes:

a. The names and addresses of the child and the parents or other persons responsible for the child's care;
b. To the extent known, the child's age, the nature and extent of the child's injuries, including any violence of previous injuries;
c. Any other information the reporter believes might be helpful in establishing the cause of the injuries or showing the willful neglect and the identity of the person or persons responsible; and,
d. The facts that led the person reporting to believe that the child has suffered injury or injuries or willful neglect.

4. Penalty for Failure to Report

Any of the District's employees who fail to report to the Department of Health and Human Services known or suspected cases of child abuse or neglect, or who prevent another person from reasonably doing so, may be civilly liable for the damages proximately caused by such failure or prevention, and are guilty of a misdemeanor (§ 41-3-207, MCA). These persons will also be subject to disciplinary action, including discharge, by the Board of Trustees.

5. Remedial Action and Prevention

The District will take immediate action to protect victims of alleged child abuse or sexual child abuse. The District will also provide whatever remedial action, education, or training is necessary for students, staff, teachers and parents following any incidents of sexual child abuse within the schools of the District. The District will provide annual public awareness programs, parent and teacher/staff training, and programs for students on the prevention of child abuse and neglect.

Legal Reference:	§ 41-3-101, MCA	Declaration of policy
	§ 41-3-102, MCA	Definitions
	§ 41-3-201, MCA	Reports
	§ 41-3-202, MCA	Action on reporting
	§ 41-3-203, MCA	Immunity from liability
	§ 41-3-205, MCA	Confidentiality - disclosure exceptions
	§ 41-3-207, MCA	Penalty for failure to report

Policy History:
Adopted on: 12/19/01
Revised on:

Child Custodial Agreement

Confrontations that occur as parents come to school to enact a change in custody arrangements for their child are disruptive to the school environment as well as upsetting to the child involved. On many occasions the child is unaware of the impending change and is unsettled because of the sudden uprooting from a familiar environment. Occasionally, the parent is a disturbing influence in the school setting. Unfortunately, if a law enforcement officer is involved, it heightens the anxiety of the child involved and other students in the school. This policy will help to alleviate this disruption to the school environment. It is important to emphasize that whenever possible every effort should be made to settle custody disputes outside of the school setting.

1. Parents who come to the school or call the school with information that a child is leaving because of a change in custodial arrangements should be informed that the Teton County Sheriff's Department oversees the process. The parent will be directed to go to the Sheriff's office.

2. The Sheriff or law enforcement officer will check the custodial decree and also check to see if there is any pertinent restraining orders.

3. If the Officer-in-Charge suspects that a confrontation may occur at the school, he will call the school. After receiving this call, the Supervising Teacher will determine if the child should be removed from the classroom and placed in a safe location until a decision is made.

4. The Sheriff or Officer-in-Charge will notify the school about the custodial change. If the circumstances are questionable, the Supervising Teacher will "call back" to verify that the call came from the Sheriff's office.

5. Whenever possible, the officer will attempt to work around the child's school schedule in order to minimize the disruption for the child, the classroom teacher and students. The Sheriff's Department will decide on the appropriateness of calling the parent or guardian who was the former caretaker of the child.

6. If a custody change is to be made during the school day and the child will be leaving the District, the school Supervising Teacher will be responsible for removing the child from the classroom and/or school. The child may be taken to a neutral location (agreed upon by the deputy and the Supervising Teacher) for "pick up" by the custodial parent.

Caretaker Relative Educational Authorization Affidavit

A properly completed and filed affidavit regarding a caretaker relative is effective only until the end of the school year, the caretaker relative revokes the affidavit, or the child no longer resides with the caretaker relative.

Policy History:
Adopted on: 12/19/01
Revised on:

Compulsory Attendance

Parents are responsible for seeing that their children of age 7 or older prior to the first day of school attend school, until the later of the following dates:

1. The child's 16th birthday, and,

2. The date of completion of the work of the eighth grade.

Parents shall enroll the student unless the student is:

1. Provided with supervised correspondence or home study;

2. Excused because of determination by a district judge that attendance is not in the best interests of the child;

3. Enrolled in a non-public or home school.

4. Enrolled in a school of another district or state under the tuition provisions of this title.

5. Excused by the Board of Trustees upon a determination that such attendance by a child who has attained the age of 16 is not in the best interest of the child and the school.

Legal Reference:	§ 20-5-101, MCA	Attendance of child to school
	§ 20-5-103, MCA	Compulsory enrollment and excuses
	§ 20-5-108, MCA	Tribal agreement with District for Indian child attendance
	§ 20-5-104,105, MCA	Attendance Office

Policy History:
Adopted on: 12/19/01
Revised on:

Enrollment and Attendance Records

Average Number Belonging

Average Number Belonging (ANB) is the enrollment measure used for the State Foundation Program calculations as defined in § 20-9-311, MCA. The ANB of one year is based on the attendance records of the preceding year. Funding for districts is based on ANB, which is based on "aggregate hours" per year and must be accurate. "Aggregate hours" means the hours of pupil instruction for which a school course or program is offered or for which a pupil is enrolled.

For a child to be counted for ANB purposes:

a) The child must meet the definition of pupil as found in § 20-1-101(11), MCA;

b) Attending 181 to 359 aggregate hours = One-quarter time enrollment

c) Attending 360 to 539 aggregate hours = One-half time enrollment

d) Attending 540 to 719 aggregate hours = Three-quarter time enrollment

e) Attending 720 aggregate hours or more = Full-time enrollment

Enrollment in a program for fewer than 180 aggregate hours of pupil instruction per school year may not be included for ANB purposes, unless the pupil has demonstrated proficiency in the content ordinarily covered by the instruction as determined by the school board using district assessments. The ANB must be converted to an hourly equivalent based on the hours of instruction ordinarily provided for the content over which the student has demonstrated proficiency. 20-9-311(4)(d).

Homebound Students

Students who are receiving instructional services, who were in the education program and, due to medical reasons certified by a medical doctor, are unable to be present for pupil instruction, may be counted as enrolled for ANB purposes, if the student:

a) Is enrolled and is currently receiving organized and supervised pupil instruction;

b) Is in a home or facility which does not offer a regular educational program; and

c) Has instructional costs during the absence, which are financed by the District's general fund.

If a homebound student does not meet the criteria set forth above, the District may request a variance through the Office of Public Instruction, for consideration of the student in the enrollment count for ANB purposes beyond the tenth (10th) day of absence.

Attendance Accounting

Days present and absent for every student are to be recorded in each building, for the purpose of informing parents of a student's attendance record.

On the first (1st) Monday in October and the first (1st) Monday in February, the number of all enrolled students (whether present or absent) by grade level and class will be recorded on the forms provided by the District. Special education children who are enrolled in special programs sixteen (16) hours or more a week will be listed separately. The Director of Special Education should be contacted to verify this count. Monthly student counts of enrolled children by grade and classroom will be provided by the office.

Legal Reference:	10.20.102, ARM	Calculation of Average Number Belonging (ANB)
	§ 20-1-101, MCA	Definitions
	§ 20-9-311, MCA	Calculation of average number belonging (ANB) – three-year averaging

Procedure History:
Promulgated on:
Reviewed on:
Revised on: 10/12/2015

The District is committed to the tenet that every student should attend school every day; and that poor attendance results, not only in a loss of valuable instruction time, but creates lifelong behavior patterns which could dramatically influence a student's career success.

Regular attendance and promptness are expected and essential for success in school. The law of the State of Montana, Section 20-5-103, MCA, specifies the requirements for compulsory attendance in school. It requires parents and guardians who are responsible for the care of school-age children to enforce attendance to the school in which the child is enrolled.

The District believes that regular attendance is primarily the responsibility of parents and, to a lesser extent, students, depending on their age.

The District recognizes the importance of monitoring all children's attendance and is committed to taking whatever action is necessary, up to and including legal action, to assure that students attend school regularly.

Definitions

Truancy - Absences that take place without the approval of the parent and/or Supervising Teacher.

Excused Absence - Generally, absences will be considered reasonable in cases of illness, bereavement, family vacations, situations resulting from "acts of God" and other emergencies. Other absences will be considered unexcused.

Excessive Absences - Students who miss 10 days of school per semester are considered excessively absent.

Tardiness - All tardies that extend beyond 9:00 a.m. or 1:15 p.m. will be considered a .5 absence.

Reporting Student Absences

When a student must be absent for illness or other unforeseen emergencies, parents must inform the school of the reasons for the student's absence by 9:00 a.m. on the day of the absence. If the student is not present, and the parent has not notified the school of the absence, the school will attempt to call the parent by 11:00 a.m. the same day. The fact that the school will attempt to call the parent does not relieve the parent of the responsibility to call the school to report their child's absence.

Excused Absences and Tardies

In cases where doubt occurs concerning the validity of an excuse, the Supervising Teacher may require verification of medical conditions contributing to the absence. In the event the Supervising Teacher determines an absence or tardiness is unnecessary, the absence will be considered unexcused. A permanent record will also be maintained of student absences and tardies.

Absence/Student Performance

Once the teacher observes that the student's absences or tardiness are having an adverse effect on the student's progress, he/she will make parental contact to express concern and to explain the problem. If the absences have been unavoidable because of illness, bereavement or other reasons, the teacher will request a meeting to develop a plan so that the absenteeism has minimal effect on the student's academic success. In the event that reasons for absences have been questionable, the teacher will explain that the student will not get credit for work missed during those unexcused absences. Additionally, the teacher will not be required to provide make-up work. Absences and excessive tardiness may be a significant factor in decision of retention.

SUMMARY OF RESPONSIBILITIES

Students:

- To attend class regularly, only missing a class when a parent is aware that the absence is due to illness or other emergency;
- To be in class when the tardy bell rings;
- To be knowledgeable of the make-up policy in his/her classes;
- To obtain the make-up work and needed instructional help upon returning after an absence;
- To schedule all medical and other appointments outside of school time whenever possible**;**

Parents or Legal Guardian:

- To instill in their student the importance of attendance;
- To insure to the best of their ability that their student is in attendance regularly;
- To avoid taking the student out of school for appointments, trips and vacations;
- To call the school (preferably on the day of the absence) when they are aware that their student is absent;
- To work with teachers to promote good attendance patterns for their student.

Teachers:

- To keep daily records of absences and tardies;
- To make parental contracts regarding excessive absences or tardies;
- To refer the student to the Supervising Teacher if the parental contact does not solve the problem;
- To communicate in writing to the student, parent or legal guardian, : (a) the make-up procedure for the class and (b) the manner in which the grade for the class will be earned.
- To provide opportunities for make-up work when the student is absent unless the absence is due to suspension or truancy.

Supervising Teacher:

- To take appropriate disciplinary measures when a student with excessive absences or tardies has been reported by a teacher;
- To monitor attendance reports identifying and conferencing with students whose attendance patterns are cause for concern;
- To work closely with teachers and parents to help the student to develop positive attendance patterns.

Legal Reference: § 20-5-103, MCA Compulsory Attendance

Policy History:

Adopted on:
Revised on: 11/09/2015

STUDENTS **3125**

Education of Homeless Children

Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education as provided to other students. The trustees must assign and admit a child who is homeless to a school in the District regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The trustees may not require an out-of-District attendance agreement and tuition for a homeless child.
The Superintendent or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, residence, birth certificates, school records, and other documentation.
Homeless students shall have access to services comparable to services offered to other students, including but not limited to:
1. Transportation services;
2. Educational services for which the student meets eligibility criteria (e.g., Title I);
3. Educational programs for children with disabilities and limited English proficiency;
4. Programs in vocational and technical education, as well as programs for gifted and talented students; and
5. School nutrition program.
The Superintendent or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths not currently attending school. The Superintendent shall appoint a liaison for homeless children.
A “homeless child” is defined as provided in the McKinney Homeless Assistance Act.
A complaint regarding the placement or education of a homeless child shall first be presented orally and informally to the District’s homeless liaison/coordinator. Thereafter a written complaint must be filed in accordance with the District’s Uniform Grievance Procedure.

Note: This policy is required for a district receiving federal funds under Title I.

Legal Reference: 42 U.S.C. § 11431, et seq. McKinney Homeless Assistance Act
§ 20-5-101, MCA Admittance of child to school.

Policy History:

Adopted: 10/12/15

STUDENTS **Not board policy** **3141**

Discretionary Nonresident Student Attendance Policy

Except as otherwise provided by law, admission to the District as a nonresident student is a privilege. The Board, recognizing that an educational requirement of its resident students includes the need for an orderly educational process and environment, free from disruption, overcrowding, and any kind of violence or disruptive influences, hereby establishes criteria on the discretionary admission of nonresident students:

Except as provided by law, admission to the District as a nonresident student is a privilege, unless required by § 20-5-321, MCA. As such, the District will screen all discretionary nonresident students and only consider those who meet the criteria set forth in this policy.

The Superintendent is hereby given the authority to recommend to the Board any student's admission in accordance with this policy. *Delete (The Board shall make the final decision on admission.)*

All students whose legal residence is outside of the District and who do not qualify for mandatory attendance will be denied enrollment, with the following exceptions:

A. Foreign exchange students, per existing District policy;
B. Children in the immediate family of nonresident District employees;
C. Students residing outside the District provided they:
   - be in good standing with the most recently attended school in terms of academics, conduct, and attendance;
   - be able to demonstrate a record free of truancy;
   - be able to demonstrate a clean behavior record in the school last attended for a period of at least one (1) year;
   - have passing grades in the school previously attended;
   - have correctly completed the nonresident student application process; and
   - present no other educationally related detriment to the students of the District.

The Board will not admit any student prior to viewing that student's records from the student's previous school districts.

The District has the option of accepting a nonresident student who does not meet the criteria set forth herein, if the student agrees to special conditions of admission, as set forth by the District.

Every student who attends the District as a nonresident student must re-apply for admission. Admission in one school year does not imply or guarantee admission in subsequent years.

The District will not admit nonresident students, when to do so would require the hiring of additional staff, the provision of educational services not currently provided in the school, or the crowding of existing classes.

All resident students who become nonresidents due to a move from the District by their parents/guardians may continue attendance for the semester, barring registration in another District. At the completion of the semester, the student must apply as a non-resident student.

The Board reserves the right to charge tuition for nonresident students, per statute.

All nonresident students will be considered ineligible transportees for school transportation services (20-10-101, MCA).

The Board may declare an emergency which, in its opinion, necessitates the removal of all nonresident students from the schools.

Legal Reference: § 20-5-314, MCA Reciprocal attendance agreement with adjoining state or province
§ 20-5-316, MCA Out-of-state tuition
§ 20-5-320, MCA Attendance with discretionary approval
§ 20-5-321, MCA Attendance with mandatory approval - tuition and transportation
§ 20-5-322, MCA Residency determination - notification - appeal for attendance agreement
§ 20-5-323, MCA Tuition and Transportation rates
10.10.301, ARM Out-of-district attendance agreements

Policy History:
Adopted on:
Revised on:

Student Rights and Responsibilities:

The mission of the District is to assure learning experiences to help all students develop skills, competencies and attitudes fundamental to achieving individual satisfaction as responsible, contributing citizens. As a result of the process of education, each student should clarify his/her basic values and develop a commitment to act upon these values within the framework of his/her rights and responsibilities as a participant in the democratic process. Each year, the Supervising Teacher shall develop and make available to all students, their parents and staff written statements pertaining to student rights, conduct, corrective action and punishment. Such statements shall be developed with the participation of parents and the community. Parents also shall be advised of their right to review classroom materials and to consent to any psychological testing/treating proposed for their child. The Supervising Teacher and staff shall confer at least annually to develop and/or review student conduct standards and the uniform enforcement of those standards.

All students who attend the District's school shall comply with the written policies, rules and regulations of the school, shall pursue the required course of studies, and shall submit to the authority of the teacher and the Supervising Teacher.

Rights, Responsibilities, and Authority of Certificated Staff

Certificated staff shall share responsibility for supervising the behavior of students and for maintaining the standards of conduct that have been established.

Certificated staff shall have the right to:

1. Expect students to comply with school rules.
2. Develop and/or review building rules relating to student conduct and control at least once each year. These rules shall be consistent with Board Policy.
3. Exclude a student from class for all or any portion of a period of instruction.
4. Receive any complaint or grievance regarding corrective action of students. They shall be given the opportunity to present their version of the incident and to meet with the complaining party in the event that a conference is arranged.

Certificated staff shall have the responsibility to:

1. Distribute to students, parents and staff a publication defining the rights, responsibilities and corrective action or punishment relating to student behavior.
2. Observe the rights of students.
3. Enforce the rules of student conduct fairly, consistently and without discrimination. Any infractions shall be reported orally and in writing to the Supervising Teacher as soon as possible regardless of any corrective actions taken by the teacher.
4. Maintain good order in the classroom, in the hallways, and on the playgrounds or other common areas of the school, or while riding on school buses including field trips.
5. Maintain accurate attendance records and report all cases of truancy.
6. Set an appropriate example of personal conduct and avoid statements which may be demeaning or personally offensive to any student or group of students.
7. Meet with a parent(s) within five (5) school days upon request to hear a complaint regarding the use of classroom materials and/or teaching strategies that are being employed in the classroom.
8. Conduct their classes in reciting the Pledge of Allegiance at the beginning of school each day, but also informing students of their right not to participate.

Certificated staff shall have the authority to:

1. Use physical restraint, defined as placing of hands on a pupil in a manner that is reasonable and necessary to quell a disturbance, provide self-protection, protect the pupil or others from physical injury, obtain possession of a weapon or other dangerous object on the person of the pupil, maintain the orderly conduct of a pupil including but not limited to relocating a pupil in a waiting line, classroom, lunchroom, or other non-campus facility or within control of the pupil and protect property from serious harm.

2. A teacher has the authority to hold a pupil to strict accountability for disorderly conduct in school, on the way to or from school, or during intermission or recess. However, a person who is employed by the District may not inflict or cause to be inflicted corporal punishment on a pupil.

3. Remove a student from a class session for sufficient cause.

4. Detain a student after school for up to 30 minutes with due consideration for bus transportation.

5. The Supervising Teacher may recommend suspension and the expulsion of a student to the Board**.**
6. Not participate in reciting the Pledge of Allegiance.

Legal Reference:	§ 20-4-302, MCA	Discipline and punishment of students
	§ 20-5-103, MCA	Compulsory attendance and excuses
	§ 20-5-202, MCA	Suspension and expulsion
	§ 20-5-201, MCA	Duties and sanctions

Policy History:
Adopted on: 12/19/01
Revised on:

Equal Education and Nondiscrimination

The Pendroy Public School District #61 is committed to equality of educational opportunity. Because freedom from discrimination is a fundamental right under the Montana Constitution, it is the policy of this District to provide a learning environment free of discrimination.

All students have the opportunity to participate in and receive benefits from all programs or activities including, but not limited to, course offering, graduation requirements, athletics, counseling, and other school-related activities.

Discrimination in education because of sex, race, color, creed, religion, national origin, age, physical or mental disability, political belief, marital or parental status is prohibited unless based upon reasonable grounds as provided by law. The District is committed to taking any appropriate and feasible remedial action necessary to eliminate existing discrimination and its effects.

Inquiries regarding discrimination or intimidation should be directed to the Pendroy Public Schools Title IX Coordinator (or Title IX/Section 504 Coordinator).

In compliance with federal regulations, the District will notify annually all students, parents, staff, and community members of this policy and the designated coordinator to receive inquiries. Notification should include the name and location of the coordinator and will be carried in all handbooks and published in community newspapers.

Anti-bullying Prevention

The PendroySchool District recognizes that bullying is harmful to the mental health of both the victim and the bully, that the adverse effects on mental health can be extensive and long-lasting, and will seek opportunities for the staff to develop and implement research-based bullying prevention programs.

Legal Reference:	20 USC 1681	Discrimination based on sex or blindness
	Art X, Sec 7	Montana Constitution - Non-discrimination in education
	§ 49-2-307, MCA	Discrimination in education
	24.9.1001 to 1011,	ARM Sex discrimination in education

Policy History:
Adopted on: 6/11/14
Revised on:

Uniform Grievance Procedure

All individuals should use this grievance procedure if they believe that the Board, its employees or agents have violated their rights guaranteed by the State or Federal Constitution, State or Federal statute, or Board policy.

This District will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

1. Level 1: Informal

An informal meeting with the parties and the Teacher can solve many problems. An individual with a complaint is encouraged to first discuss it with the teacher involved with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first level that is not involved in the alleged harassment.

2. Level 2: Supervising Teacher

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating: 1) the nature of the grievance, 2) the remedy requested, and 3) be signed and dated by the grievant. The Level 2 written grievance must be filed with the Coordinator within sixty (60) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the Supervising Teacher shall investigate and attempt to resolve the complaint. If either party is not satisfied with the decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the decision. This request must be submitted to the Board within fifteen (15) days of the decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the Principal shall turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint. The District has appointed a Nondiscrimination Coordinator (may be the County Superintendent) to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Board within thirty (30) days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Board of Trustees agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Board rejects the recommendations of the Coordinator, and/or either party is not satisfied with the recommendation from Level 2, either party may make a written appeal within fifteen (15) days of receiving the report of the Coordinator to the Board for a hearing.

The Coordinator will complete the investigation and file the report with the Board of Trustees within thirty (30) days after receipt of the written grievance. The Coordinator will send a copy of the report to the grievant.

If the Board agrees with the recommendation of the Coordinator, the recommendation will be implemented.

Level 3: The Board of Trustees

If the Board of Trustees rejects the recommendation of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within fifteen (15) days of receiving the report of the Coordinator to the Board for a full contested case hearing. On receipt of the written appeal, the matter shall be placed on the agenda of the Board for consideration not later than the next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final, unless appealed within the period provided by law.

Level 4: County Superintendent

If the case falls within the jurisdiction of the County Superintendent of Schools, the decision of the Board of Trustees may be appealed to the County Superintendent by filing a written appeal within thirty (30) days after the final decision of the Board pursuant to the Rules of School Controversy (10.6.103, et seq. ARM).

<u>Policy History:</u>
Adopted on:
Revised on:

Freedom of Expression

The free expression of student opinion is an important part of education in a democratic society. Students' verbal and written expression of opinion on school premises is to be encouraged so long as it does not substantially disrupt the operation of the school.

The Supervising Teacher shall develop guidelines assuring that students are able to enjoy free expression of opinion while maintaining orderly conduct of the school.

Students shall enjoy the privilege of free verbal and written expression providing such expressions are not obscene, libelous or profane; do not violate an individual's rights to privacy; or do not advocate violation of school rules. The Supervising Teacher or shall have the authority to monitor student verbal and written expression. Students who violate the standards for verbal and written expression shall be subject to corrective action or punishment.

Student Publications

Student publications produced as part of the school's curriculum or with the support of student body funds are intended to serve both as vehicles for instruction and student communications. They are operated and substantively financed by the student body and the District.

Material appearing in such publications should reflect all areas of student interest, including topics about which there may be controversy and dissent. Controversial issues may be presented provided they are treated in depth and represent a variety of viewpoints. Such materials may not be libelous, obscene or profane, nor may they cause a substantial disruption of the school, invade the privacy rights of others, demean any race, religion, gender, or ethnic group, or advocate the violation of the law. They may not advertise tobacco, liquor, illicit drugs or drug paraphernalia.

The Supervising Teacher or Principal shall develop guidelines to implement these standards and shall establish procedures for the prompt review of any materials that appear not to comply with the standards.

Legal Reference: Article II, Section 7, 10 and 15, 1972 Montana Constitution

Policy History:
Adopted on: 6/11/14
Revised on:

Student Dress

Students are reminded that their appearance significantly affects the way others respond to them. Matters of dress remain the primary responsibility of students, in consultation with their parents. Student dress shall not be regulated except when there is a reasonable expectation that:

1. A health or safety hazard may be created by the student's dress or appearance;

2. Damage to school property may result from the student's dress; or

3. The student's dress or appearance is immodest and may create a material or substantial disruption of the education process at the school.

4. Dress that contains printed material must conform to the guidelines in Policy #3220.

The Supervising Teacher or Principal shall monitor student dress in school and at activities in accordance with these policies.

If the student's dress or grooming violates the provision of this or Policy #3220, his/her Supervising Teacher shall request the student to make appropriate corrections. If the student refuses, the Supervising Teacher shall notify the parents and request that the parent and the student make the appropriate necessary corrections. If both the student and the parent refuse, the Supervising Teacher shall take appropriate action.

Policy History:
Adopted on: 12/19/01
Revised on:

Hazing, Harassment/Intimidation/Bullying/Menacing of Students

Hazing, harassment, intimidation, bullying, and/or menacing of students by students, staff, or third parties is prohibited and shall not be tolerated.

The terms “hazing,” “harassment,” “intimidating,” “bullying” and “menacing” include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of harassment include, but are not limited to, crude jokes or pictures, teasing related to perceived vulnerabilities, spreading rumors related to them, name-calling and physical abuse. Such behavior may be aimed at victims because of perceived vulnerabilities which often include, but are not limited to race, color, religion, ancestry, national origin, gender, sexual orientation, culture, social origin or condition, political affiliation, mental, physical or sensory disability, and other attributes or abilities.

Students who believe that they may have been harassed or intimidated should contact a counselor, teacher or Title IX coordinator who will assist them in filing a complaint and keep their identity confidential. Supervisors or teachers who knowingly condone or fail to report or assist a student to take action to remedy such behavior of harassment or intimidation may themselves be subject to discipline.

An employee, fellow student or third party who engages in such behavior is subject to discipline. For employees in violation of this policy the discipline could include dismissal. For students the discipline could include expulsion. For third parties whose behavior is in violation of this policy, appropriate sanctions will be determined and imposed by the Board. Individuals may also be referred to law enforcement officials.

Students and parents who believe they have been harassed should report their concerns to the Supervising Teacher or the County Superintendent of School. Teachers or staff who witness bullying should intervene and report continued problems to the above listed officials. No retaliation or reprisals will be made against any person who reports bullying incidents and any one who does so will be subject to discipline him/herself. The reported incident will be promptly investigated.

The District will make every effort to insure that employees or students accused under the provisions of this policy are given appropriate opportunity to defend themselves against such accusations. Nevertheless, where there is reasonable cause to believe that harassment has taken place, appropriate disciplinary action will be taken.

An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Policy.

The Board will strive to provide a positive, productive learning and working environment for all who are in its school.

Cross Reference: Uniform Grievance Policy 3215

Legal Reference: 10.55.701(2)(g) and 10.55.801(1)(d)ARM Prevent bullying, intimidation, and harassment
Title IX of the Education Amendments 20 U.S.C. 1681 et seq.34 CFP Part 106
Montana Constitution Article X, Section 1:
Montana Human Rights Act 49-2-101, et. seq. MCA;

Policy History:
Adopted on: 6/11/14
Revised on:

Bullying/Harassment/Intimidation/Hazing

The Board will strive to provide a positive and productive learning and working environment. Bullying, harassment, intimidation, or hazing, by students, staff, or third parties, is strictly prohibited and shall not be tolerated.

Definitions

d) "Third parties" include but are not limited to coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-District athletic competitions or other school events.

e) "District" includes District facilities, District premises, and non-District property if the student or employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events, where students are under the control of the District or where the employee is engaged in District business.

f) "Hazing" includes but is not limited to any act that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in or affiliation with any District-sponsored activity or grade-level attainment, including but not limited to forced consumption of any drink, alcoholic beverage, drug, or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation, or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes, or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed, or other such activities intended to degrade or humiliate.

g) "Bullying" means any harassment, intimidation, hazing, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic communication ("cyberbullying") or threat directed against a student that is persistent, severe, or repeated, and that substantially interferes with a student's educational benefits, opportunities, or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, or anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a student or staff member or an interference with school purposes or an educational function, and that has the effect of:

D. Physically harming a student or damaging a student's property;

E. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;

F. Creating a hostile educational environment, or;

d. Substantially and materially disrupts the orderly operation of a school.

h) "Electronic communication device" means any mode of electronic communication, including but not limited to computers, cell phones, PDAs, or the internet.

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Reporting
All complaints about behavior that may violate this policy shall be promptly investigated. Any student, employee, or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, or bullying in violation of this policy is encouraged to immediately report his/her concerns to the building principal or the District Administrator, who have overall responsibility for such investigations. A student may also report concerns to a teacher or counselor, who will be responsible for notifying the appropriate District official. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent or District Administrator shall be filed with the Board.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

Exhaustion of administrative remedies
A person alleging violation of any form of harassment, intimidation, hazing, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic communication, as stated above, may seek redress under any available law, either civil or criminal, after exhausting all administrative remedies.

Responsibilities
The District Administrator shall be responsible for ensuring notice of this policy is provided to students, staff, and third parties and for the development of administrative regulations, including reporting and investigative procedures, as needed.

Consequences
Students whose behavior is found to be in violation of this policy will be subject to discipline up to and including expulsion. Staff whose behavior is found to be in violation of this policy will be subject to discipline up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the District Administrator or the Board. Individuals may also be referred to law enforcement officials.

Retaliation and Reprisal
Retaliation is prohibited against any person who reports or is thought to have reported a violation, files a complaint, or otherwise participates in an investigation or inquiry. Such retaliation shall be considered a serious violation of Board policy, whether or not a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Cross Reference:	3225F	Harassment Reporting Form for Students
Legal Reference:	10.55.701(2)(f), ARM	Board of Trustees
	10.55.719, ARM	Student Protection Procedures
	10.55.801(1)(d), ARM	School Climate

Policy History:
Adopted on: 10/12/15
Reviewed on:
Revised on:

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Student Privacy and Searches and Seizure

Student Privacy

The right to privacy is a fundamental tenet of human liberty. Staff shall take particular care to respect students' privacy. At the same time, they must protect the health and safety of all students and promote the effective operation of the schools. The Supervising Teacher or Principal shall have the authority to conduct student searches. He/she shall do so only upon reasonable suspicion and in the manner prescribed by District policy.

Searches and Seizure

A student shall be free from searches of his/her clothing and other personal property unless there is reasonable suspicion to believe that something is concealed that may be of immediate danger to the student or to other students. School officials shall request the student to remove all items from pockets or other personal effects. If the student refuses and there is no immediate danger, school officials shall refrain from a search until the parent or, in the case of possible criminal activity, law enforcement officers are available.

School authorities may inspect and search school property and equipment owned or controlled by the school, as well as personal effect left there by the students, without notice or consent of the student. The school personnel may request the assistance of law enforcement officials to conduct inspections and searches conducted through the use of specially trained dogs.

Seizure of Property

If a search produces evidence that the student has violated either the law or the District's policies or rules, such that evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Legal Reference: Article II, Section 10 & 15, 1972 Montana Constitution

Policy History:
Adopted on: 12/19/01
Revised on:

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Guidelines of Conduct (K-8)

Each student is expected to strive to take full advantage of his/her educational opportunities and to do his/her best in all areas of school life. Each student has the right to an education in an orderly, safe, and sanitary atmosphere and is expected to contribute to his/her environment by meeting the following responsibilities:

1. Respect and work cooperatively with his/her fellow students and school staff.
2. Be punctual and regular in school attendance.
3. Respond positively and promptly to direction by faculty or staff members.
4. Refrain from fighting or other abusive behavior directed toward any student, faculty or staff member.
5. Refrain from the use of profanity or vulgarity.
6. Avoid encouraging or assisting another student to take action which would subject a student to suspension or expulsion.
7. Refrain from possession or use of explosives, dangerous chemicals, or weapons on school property or at a school function.
8. Refrain from damage to or theft of personal property.
9. Refrain from unauthorized entry into or misuse or damage of school property.
10. Be financially responsible, with his/her parent or guardian, for willful damage or destruction of school property.
11. Refrain from throwing rocks or snowballs.
12. Walk bicycles on to the school ground and walk in the school.
13. Go home immediately after school. The student may return after checking in with his/her parent.
14. Refrain from possession, use, and/or distribution of illicit drugs and alcohol on school premises or as a part of any school sponsored activity.

Compliance with these guidelines of conduct is mandatory. Failure of a student to comply with these regulations constitutes an infringement upon the rights of other students.

Legal Reference:	§ 20-5-201, MCA	Duties and Sanctions
	§ 20-5-203, MCA	Secret Organization Prohibited.

Policy History:
Adopted on: 12/19/01
Revise
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Student Discipline

The Board grants authority to a teacher to hold a student to strict accountability for disorderly conduct in school, on the way to or from school, or during intermission or recess.

Disciplinary action may be taken against any student guilty of gross disobedience or misconduct, including but not limited to instances set forth below:

a) Using, possessing, distributing, purchasing, or selling tobacco products, including alternative nicotine and vapor products as defined in 16-11-302, MCA.
b) Using, possessing, distributing, purchasing, or selling alcoholic beverages, including powdered alcohol. Students who may be under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession.
c) Using, possessing, distributing, purchasing, or selling drug paraphernalia, illegal drugs, controlled substances, or any substance which is represented to be or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind, including such substances that contain chemicals which produce the same effect of illegal substances including but not limited to Spice and K2. Students who may be under the influence of such substances will not be permitted to attend school functions and will be treated as though they had drugs in their possession.
d) Using, possessing, controlling, or transferring a weapon in violation of the "Possession of Weapons other than Firearms" section in policy 3311.
e) Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon as referred to in policy 3311.
f) Disobeying directives from staff members or school officials or disobeying rules and regulations governing student conduct.
g) Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct.
h) Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property.
i) Engaging in any activity that constitutes an interference with school purposes or an educational function or any other disruptive activity.
j) Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic and habitual truants.
k) Hazing or bullying.
l) Forging any signature or making any false entry or attempting to authorize any document used or intended to be used in connection with the operation of a school.

These grounds stated above for disciplinary action apply whenever a student's conduct is reasonably related to school or school activities, including but not limited to the circumstances set forth below:

m) On school grounds before, during, or after school hours or at any other time when school is being used by a school group.
n) Off school grounds at a school-sponsored activity or event or any activity or event that bears a reasonable relationship to school.

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o) Travel to and from school or a school activity, function, or event.
p) Anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member or an interference with school purposes or an educational function.

Disciplinary Measures

Disciplinary measures include but are not limited to:

q) Expulsion
r) Suspension
s) Detention, including Saturday school
t) Clean-up duty
u) Loss of student privileges
v) Loss of bus privileges
w) Notification to juvenile authorities and/or police
x) Restitution for damages to school property

No District employee or person engaged by the District may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include reasonable force District personnel are permitted to use as needed to maintain safety for other students, school personnel, or other persons or for the purpose of self-defense.

Delegation of Authority

The Board grants authority to any teacher and to any other school personnel to impose on students under their charge any disciplinary measure, other than suspension or expulsion, corporal punishment, or in-school suspension, that is appropriate and in accordance with policies and rules on student discipline. The Board authorizes teachers to remove students from classrooms for disruptive behavior.

Cross Reference:	3300	Suspension and Expulsion
	3226	Bullying, Harassment
	5015	Bullying, Harassment

Legal Reference:	§ 16-11-302(1)(7), MCA	Definitions
	§ 20-4-302, MCA	Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
	§ 20-5-202, MCA	Suspension and expulsion
	§ 45-8-361, MCA	Possession or allowing possession of weapon in school building – exceptions – penalties – seizure and forfeiture or return authorized – definitions
	§ 45-5-637, MCA	Possession or consumption of tobacco products, alternative nicotine products, or vapor products by persons under 18 years of age is prohibited – unlawful attempt to purchase - penalties
	29 U.S.C. § 701	Rehabilitation Act of 1973

Policy History:
Adopted on:
Reviewed on:
Revised on: 10/12/2015

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A student may be removed immediately from a class or subject by a teacher without other forms of corrective action and sent to the Supervising Teacher without first attempting corrective action, provided that the teacher has good and sufficient reason to believe that the student's presence poses an immediate and continuing threat of substantial disruption of the class, subject or educational process of the student's school. The removal shall continue only until:

1. The danger or threat ceases, or

2. The Supervising Teacher acts to impose discipline impose a short-term or long-term suspension or recommends expulsion.

The Supervising Teacher shall meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action or punishment. In no case shall the student's opportunity for such meeting be delayed beyond commencement of the next school day. The teacher who removed the student shall be notified of the action, which has been taken or initiated.

Legal Reference: §□20-5-202, MCA Suspension and Expulsion

Policy History:
Adopted on: 12/19/01
Revised on:

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Student Health and Welfare

Student Health

The Trustees may arrange each year for health services to be provided to all students. Such services may include, but not be limited to:

1. The development of procedures for the isolation and temporary care of students who become ill during the school day.

2. Consulting services of a qualified specialist for staff, students, and parents.

3. Vision and hearing screening.

4. Scoliosis screening.

5. Immunization as provided by the Department of Health & Environmental Sciences.

Student Welfare

The following guidelines are provided to minimize the occurrence of situations in which staff members may incur liability for their acts with relation to students:

1. Never leave a class of students unattended.

2. Accompany a class wherever it is assigned and remain with the class until another responsible person assumes supervision.

3. Do not permit students to use equipment in the classroom that has not been approved for school use.

4. Do not permit students to use equipment until they have received operating instruction and prescribed safety procedures.

5. Do not permit students to work in a shop, kitchen or laboratory without qualified supervision.

6. Report incidents of unsafe conditions and defective equipment to the Supervising Teacher immediately.

7. Ensure that proper safety gear is used wherever specified.

Legal Reference: § 20-3-324(20), MCA Powers and duty

Policy History:
Adopted on: 6/11/14
Revised on:

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Pendroy School District

STUDENTS 3413

Student Immunization

The Board requires all students to present evidence of their having been immunized against the following diseases: varicella, diphtheria, pertussis (whooping cough), poliomyelitis, measles (rubeola), mumps, rubella, and tetanus in the manner and with immunizing agents approved by the department. Haemophilus influenza type "b" immunization is required for students under age five (5).

Upon initial enrollment, an immunization status form shall be completed by the student's parent or guardian. The certificate shall be made a part of the student's permanent record.

A student who transfers into the District may photocopy immunization records in the possession of the school of origin. The District will accept the photocopy as evidence of immunization. Within thirty (30) days after a transferring student ceases attendance at the school of origin, the school shall retain a certified copy for the permanent record and send the original immunization records for the student to the school district to which the student transfers. Exemptions from one or more vaccines shall be granted for medical reasons upon certification by a physician indicating the specific nature and probable duration of the medical condition for not administering the vaccine(s). Exemptions for religious reasons must be filed annually. The statement for an exemption shall be maintained as part of the student's immunization record. The permanent file of students with exemptions shall be marked for easy identification, should the Department of Public Health and Human Services order that exempted students be excluded from school temporarily when the risk of contracting or transmitting a disease exists. Exclusion shall not exceed thirty (30) calendar days.

The administrator may allow the commencement of attendance in school by a student who has not been immunized against each disease listed in § 20-5-403, MCA, if that student has received one or more doses of varicella, polio, measles (rubeola), mumps, rubella, diphtheria, pertussis, and tetanus vaccine, except that Haemophilus influenza type "b" vaccine is required only for children under 5 years of age.

The District shall exclude a student for noncompliance with the immunization laws and properly notify the parent or guardian. The local health department may seek an injunction requiring the parent to submit an immunization status form, take action to fully immunize the student, or file an exemption for personal or medical reasons.

Legal Reference:	§ 20-3-324(20), MCA	Powers and duties
	§ 20-5-402 - 410, MCA	Health
	§ 20-5-403, MCA	Immunization required – release and acceptance of immunization records
	§ 20-5-405, MCA	Medical or religious exemption

Policy History:
Adopted on:
Reviewed on:
Revised on: 10/12/2015

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Administering Medicines to Students

Any school employee authorized in writing by the Board of Trustees:

1. May assist in the self-administration of any drug which may lawfully be sold over the counter without a prescription to a student in compliance with the written instructions if the student's parent or guardian consents in writing.

2. May assist in the self-administration of a prescription drug to a student in compliance with the written instructions of a practitioner, if the student's parent or guardian consents in writing.

No employee except a qualified health care professional may administer a drug or prescription drug to a pupil under this policy except in an emergency situation or following the dictates of this policy. Diagnosis and treatment of illness and the prescribing of drugs are never the responsibility of a school employee and should not be practiced by any school personnel.

Administering Medication

The Board will permit the administration of medication to students in its schools. Pursuant to the written authorization of a physician or dentist, as well as the written authorization of a parent or guardian, the school nurse, (who has successfully completed specific training in administration of medication) may administer medication to any student in the school or may delegate this task pursuant to Montana law.

Emergency Administration of Medication

In case of an anaphylactic reaction or the risk of such reaction, a school nurse or delegate may administer emergency oral and/or injectable medication to any student in need thereof on the school grounds, in the school building, or at a school function according to the standing order of the chief medical advisor or the student's private physician.

In the absence of a school nurse, the Supervising Teacher who is exempt from the nursing license requirement under ☐ 37-8-103(1)(c), MCA, if he/she has completed training in administration of medication, may give emergency medication to students orally or by injection. There must be on record a medically diagnosed allergic condition that would require prompt treatment to protect the student from serious harm or death.

Record of the medication administered will be entered in ink on an Individual Student Medication Record and filed in the student's cumulative health folder.

Self-Administration of Medication

Students who are able to self-administer specific medication may do so provided:

1. A physician or dentist provides a written order to self-administration of said medication.
2. There is written authorization for self-administration of medication from the student's parent or guardian.
3. The Supervising Teacher and appropriate teachers are informed that the student is self-administering prescribed medication.

Any school employee authorized in writing by the Board of Trustees may assist with self-administration of medications provided that only the following acts are used:

1. Verbal suggestions, prompting, reminding, gesturing, or providing a written guide for self-administering medications;
2. Handing a pre-filled, labeled medication holder, labeled unit dose container, syringe, or original marked, labeled container from the pharmacy to the student;
3. Opening the lid of the above container for the student;
4. Guiding the hand of the student to self-administer the medication;
5. Holding and assisting the student in drinking fluid to assist in the swallowing of oral medications.
6. Assisting with removal of a medication from a container for students with a physical disability, which prevents independence in the act.

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Self-Administration of Asthma Inhalers and Epinephrine Pens

Students with allergies or asthma may be authorized to possess and self-administer emergency medication from the medication during the school day, at school sponsored events and on a school bus, by the Supervising Teacher or Principal in consultation with medical personnel. The student may do this if the following conditions have been met:

1. A written and signed authorization from the parent or guardian for self-administration of medication acknowledging that the school district or its employees are not liable for injury that results from the student self-administering the medication.
2. The student has the prior written approval of his/her primary health care provider which specifies the name and purpose of the medication, the prescribed dosage, frequency with which it may be administered, the circumstances that warrant its use and that the student has demonstrated the skill level necessary to use and administer the epinephrine pen or asthma inhaler.
3. The doctor provides documentation of a written treatment plan for managing asthma or anaphylaxis episodes of the pupil and for medication use by the student during the school hours.

A student's authorization to possess and self-medicate under these provisions shall be valid for the current school year only and must be renewed annually. The Supervising Teacher may limit or revoke the student's authorization. The school will keep backup medication in a predetermined location to which the student has access in the event of an emergency if the medication is provided by a parent or guardian.

Administration of Glucagons

School employees may not agree to administer glucagons pursuant to Section 20-5-412, MCA.

Handling and Storage of Medications

All medication, including those approved for keeping by students for self medication, must first be delivered by the parent or other responsible adult to the employee assisting self-administration of medication. The employee must:

1. Examine any new medication to insure that it is properly labeled with dates, name of student, medication name, dosage and physician's name.
2. If administration is necessary, medical personnel must develop a medication administration plan for the student before any medication is given by school personnel.
3. Record on the Student's Individual Medication Record the date the medication is delivered and the amount of medication received.
4. Store medication requiring refrigeration at 36F - 46F.
5. Store prescribed medicinal preparations in a securely locked storage compartment.
6. Store controlled substances will be contained in a separate compartment, secured and locked at all times.

No more than a forty-five (45) school day supply of a medication for a student will be stored at the school. All medication, prescriptions and nonprescription, will be stored in their original containers.
Access to all stored medication will be limited to persons authorized to administer medications or assist in the self-administration of medications. Each school will maintain a current list of those persons authorized by delegation from a licensed nurse to administer medication.

Disposal of Medication

School personnel must either return to parent or destroy (with permission of the parent or guardian) any unused, discontinued or obsolete medication. Medicine that is not repossessed by the parent or guardian within a seven (7) day period of notification by school authorities will be destroyed by the school personnel in the presence of a witness.

Legal Reference:	§□20-5-412, MCA	Definition – parent designated adult administration of glucagons training
	8.32.1701--1712, ARM	Delegation and assignment

Policy History:
Adopted on: 3/25/02
Revised on:

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Montana Authorization to Carry and Self-Administer Asthma Medication

For this student to carry and self-administer asthma medication on school grounds or for school sponsored activities, this form must be fully completed by the prescribing physician/provider and an authorizing parent or legal guardian.

Student's Name: _____ School: _____
Sex: (Please circle) Female/Male Town: _____
Birth Date: _____/____/_____ School Year:_____ (Renew each year)

Physician's Authorization:
The above named student has my authorization to carry and self administer the following medication:

Medication: (1) _____ Dosage: (1) _____

(2)_____ (2) _____

Reason for prescription(s):_____

Medication(s) to be used under the following conditions: _____

_____

I confirm that this student has been instructed in the proper use of this medication and is able to self-administer this medication on his own with out school personnel supervision. I have provided a written treatment plan for managing asthma or anaphylaxis episodes and for medication use by the student during school hours and school activities.

_____ _____ _____
Signature of Physician Physician's Phone Number Date

Backup Medication – The law provides that if a child's health care provider prescribes "backup" medication to be kept at the school, it must be kept in a predetermined location, known to the child, parent and school staff.

The following backup medication has been provided for this student

For Completion by Parent or Guardian
As the parent/guardian of the above names student, I confirm that this student has been instructed by his/her health care provider on the proper use of this/these medication(s). He/she has demonstrated to me that he/she understands the proper use of this medication. He/she is physically, mentally, and behaviorally capable to assume this responsibility. He/she understands the need to alert an adult that emergency medical personnel need to be called. If he/she has used his/her inhaler as prescribed and does not have relief from an asthma attack, he/she is to alert an adult.

I also acknowledge that the school district may not incur liability as a result of any injury arising from the self-administration of medication by the pupil and that I shall indemnify and hold armless the school district and its employees and agents against any claims, except a claim based on an act or omission that is the result of gross negligence, willful and wanton contact, or an intentional tort.

I agree to also work with the school in establishing a plan for use and storage of backup medication if prescribed, as above, by my child's physician. This will include a predetermined location to keep backup medication to which my child has access in the event of an asthma or anaphylaxis emergency.

Authorization is hereby granted to release this information to appropriate school personnel and classroom teachers.

I understand that in the event the medication dosage is altered, a new "self-administration form" must be completed, or the physician may re-write the order on his prescription pad and I, the parent/guardian, will sign the new form and assure the new order is attached.

I understand it is my responsibility to pick up any unused medication at the end of the school year, and the medication that is not picked up will be disposed of.

_____ _____
Parent/Guardian Signature Date

(Original signed authorization to the school; a copy of the signed authorization to the parent/guardian and health care provider.)

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Communicable Diseases

***Note**: For purposes of this policy, the term "communicable disease" refers to the diseases identified in 37.114.203, ARM, Reportable Diseases, with the exception of common colds and flu.*

In all proceedings related to this policy, the District will respect a student's right to privacy. Although the District is required to provide educational services to all school-age children who reside within its boundaries, it may deny attendance at school to any child diagnosed as having a communicable disease that could make a child's attendance harmful to the welfare of other students. The District also may deny attendance to a child with suppressed immunity in order to protect the welfare of that child when others in a school have an infectious disease, which, although not normally life threatening, could be life threatening to a child with suppressed immunity.

The Board recognizes that communicable diseases that may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as human immunodeficiency virus (HIV) infection. The District will rely on advice of the public health and medical communities in assessing the risk of transmission of various communicable diseases to determine how best to protect the health of both students and staff.

The District will manage common communicable diseases in accordance with Montana Department of Public Health and Human Services guidelines and communicable diseases control rules. The District may temporarily exclude from school attendance a student who exhibits symptoms of a communicable disease that is readily transmitted in a school setting.

Students who complain of illness at school may be referred to a school nurse or other responsible person designated by the Board and may be sent home as soon as a parent or person designated on a student's emergency medical authorization form has been notified. The District reserves the right to require a statement from a student's primary care provider authorizing a student's return to school.

When information is received by a staff member or a volunteer that a student is afflicted with a serious communicable disease, the staff member or volunteer will promptly notify a school nurse or other responsible person designated by the Board to determine appropriate measures to be taken to protect student and staff health and safety. A school nurse or other responsible person designated by the Board, after consultation with and on advice of public health officials, will determine which additional staff members, if any, have need to know of the affected student's condition.

Only those persons with direct responsibility for the care of a student or for determining appropriate educational accommodation will be informed of the specific nature of a condition, if it is determined that such individuals need to know this information.

The District may notify parents of other children attending a school that their children have been exposed to a communicable disease without identifying the particular student who has the disease.

Legal Reference: 37.114.101, et seq., ARM Communicable Disease Control

Policy History:
Adopted on: 3/27/2020
Reviewed on:
Revised on:

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Emergency Treatment

The Board recognizes that schools are responsible for providing first aid or emergency treatment in case of sudden illness or injury to a student, but that further medical attention is the responsibility of the parent or guardian.

Each parent or guardian shall be requested to provide an emergency telephone number where the parent or designee of the parent can be reached.

When a student is injured, staff shall provide immediate care and attention until relieved by a superior, a nurse or a doctor. The Supervising Teacher or designated staff should immediately contact the parent so that the parent can arrange for care or treatment of the injured.

If a child develops symptoms of illness while at school, the responsible school officials shall do the following:

a. Isolate the child immediately from other children in a room or area segregated for that purpose.

b. Inform the parent or guardian as soon as possible about the illness and request him or her to pick up the child.

c. Report each case of suspected communicable disease the same day by telephone to the local health authority, or as soon as possible thereafter if no contact can be made the same day.

In the event that the parent cannot be reached and in the judgment of the Supervising Teacher or person in charge immediate medical attention is required, the injured student may be taken directly to the hospital and treated by the physician on call. When the parent is located, he/she may elect to continue the treatment or make other arrangements.

A person with a currently valid American Red Cross Standard First Aid Card shall be present for all field trips, athletic and other off-campus events.

The Supervising Teacher shall establish procedures to be followed in any accident, and for providing first aid or emergency treatment to a student who is ill or injured.

Legal Reference: 16.10.1117, ARM Health Supervision and Maintenance.

Policy History:
Adopted on: 3/25/02
Revised on:

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EMERGENCY INFORMATION

Pupil's Name_____ **Birth Date**_____ **Grade**_____

Parent(s)Name(s)_____

Home Address_____ **Phone**_____

Father's Work Address_____ **Phone**_____

Mother's Work Address_____ **Phone**_____

Alternate persons to notify in case of emergency:

_____**Phone**_____
_____**Phone**_____

Physician of 1st choice_____ **Phone**_____

Physician of 2nd choice_____ **Phone**_____

Preferred Hospital_____ **Phone**_____

_____ _____
Parent or Legal Guardian **Date**

Procedure History:
Promulgated on: 3/25/02
Revised on:

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Removal of Student During School Hours

The Board recognizes its responsibility for the proper care of students during school hours. Students shall not be removed from school grounds, any school building or school function during school hours except by a person duly authorized in accordance with District procedures. Before a student is removed or excused, the person seeking to remove the student must present to the satisfaction of the Supervising Teacher evidence of his/her proper authority to remove the student. A teacher should not excuse a student from class to confer with anyone unless the request is approved by the Supervising Teacher.

The removal of a student during the school day may be authorized in accordance with the following procedures:

1. Law enforcement officers, upon proper identification, may remove a student from school as provided in Policy #2441 or #4410.

2. Any other agencies must have a written administrative or court order directing the District to give custody to them. However, employees of the Department of Family Services may take custody of a student under provisions of □41-3-301, MCA, without a court order. Proper identification is required before the student shall be released.

3. A student shall be released to the custodial parent. When in doubt as to who has custodial rights, school enrollment records must be relied upon as the parents (or guardians) have the burden of furnishing schools with accurate, up-to-date information.

4. The school should always check with the custodial parent before releasing the student to a non-custodial parent.

5. Prior written authorization from the custodial parent or guardian is required before releasing a student into someone else's custody unless an emergency situation justifies a waiver.

6. Police should be called if a visitor becomes disruptive or abusive.

Cross Reference: #4401 Relations with Law Enforcement and Child Protective Agencies

Policy History:
Adopted on:3/25/02
Revised on:

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Student Activities

1. Student Organizations:

   a. The Board must approve all student organizations. New organizations and activities must have prior approval of the Board. Secret or clandestine organizations or groups will not be permitted.

   b. By-laws and rules of student organizations must not be contrary to board policy or to administrative rules and regulations.

   c. Procedures in student organizations must follow generally accepted democratic practices in the acceptance of members, nomination and election of officers, and in organization rules and by-laws.

2. Social Events

   a. Social events must have prior approval of the administration.

   b. Social events must be held in school facilities unless prior approval of the Board is obtained.

   c. Social events must be chaperoned at all times.

Policy History:
Adopted on: 3/25/02
Revised on:

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Student Fees, Fines and Charges

Within the concept of free public education, the District shall provide an educational program for the students as free of costs as possible.

A student may be charged a reasonable fee for any course or activity not reasonably related to a recognized academic and educational goal of the District or any course or activity held outside normal school functions. The Board may waive the fee in cases of financial hardship.

The Board will establish appropriate fees and procedures governing the collection of fees.

A student shall be responsible for the cost of replacing materials or property that are lost or damaged due to negligence. The student and his/her parents shall be notified regarding the nature of the violation or damage, how restitution may be made, and how an appeal may be instituted. The student or his/her parents may appeal the imposition of a charge for damages to the Board.

Legal reference:	§ 20-5-201, MCA	Duties and sanctions
	§ 20-7-703, MCA	Free textbook provisions
	§ 20-9-214, MCA	Fees

Policy History:
Adopted on: 3/25/02
Revised on:

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Student Fund Raising Activities

The Board acknowledges that the solicitations of funds from students, staff and citizens must be limited since students are a captive audience and since solicitation can disrupt the program of the schools. Solicitation and collection of money by students for any purpose including the collection of money by students or the collection of money in exchange for tickets, papers, magazine subscriptions, or for any other goods or services for the benefit of an approved school organization may be permitted by the Board providing that the instructional program is not adversely affected.

The Supervising Teacher shall distribute the following guidelines to each organization granted permission to solicit funds:

1. Student participation must be voluntary.
2. The fund raising activity must be such that it is not likely to create a poor public relations image.
3. Fund raising activity efforts must not interfere with the educational program.
4. Fund raising activities conducted by outside groups (including parent groups) must not involve the official student body organizations and must not utilize district materials, supplies, facilities or staff unless reimbursement is made. If student body organization involvement occurs, any moneys become student body moneys and are subject to student body accounting requirements.
5. Fund raising activities in excess of $_____ must be submitted by the Supervising Teacher to the Board for approval. Application for approval must include:
    a. The sponsoring group;
    b. The proposed activity;
    c. The manner in which the money is to be collected; and
    d. The purpose.
6. Any outside group other than an official school-parent group must have Board approval before conducting fund raising activities within a school or schools. Such outside organizations or persons seeking to raise funds from or through students:
    a. Must work through established official parent organizations and not with or through student body organizations or administration.
    b. May not use school materials, supplies, facilities, or staff without proper reimbursement. Request for access to students for purposes of fund raising should be referred to the appropriate parent organization, which shall have the option of permitting the outside group to utilize the parent organization's normal method of communicating to transmit information concerning the fund raising.
    c. Shall not collect money in school buildings as part of fund raising activities. Fund collections must be made by other means in other locations under the supervision of the official parent groups, except that each school may permit the official parent organization to maintain one box in the school for deposit of envelopes containing funds, and,
    d. May display a sign announcing a fund raising activity. Brochures explaining the program may be made available to students.

Policy History:
Adopted on: 3/25/02
Revised on:

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Missing Children

I. Responsibility of School District:

A. Pursuant to □44-2-506, MCA, it shall be the responsibility of the Board of Trustees to distribute the list of missing school children provided by the State Superintendent of Public Instruction to each school building within the District. This list will be placed on an appropriate bulletin board accessible to faculty and other staff members.

B. In the event staff members suspect that a missing child is enrolled in the school, they shall notify the Supervising Teacher immediately.

C. The Supervising Teacherl shall notify the county attorney's office and the sheriff's department.

II. Responsibility of Parent/Guardian

A. Parents, guardians, or legal custodians of school children must report the following information to the Supervising Teacher.

1. In the event the child will be absent from school, the parent shall report that absence to the Supervising Teacher by 9:00 a.m. on the day the child is absent.
2. The parent shall report the absence of the child every day the child is absent from school.
3. Parents, guardians, or legal custodians will provide a telephone number where they may be contacted in the event of an emergency or when the child is absent from school.
4. In the event the parent does not maintain a home telephone, he/she shall provide an alternative telephone number where they may be contacted if their child is absent from school.

III. Responsibility of Supervising Teacher:

A. When a parent, guardian, or legal custodian notifies a school that a child will be absent from school, the Supervising Teacher shall log the date and person from whom the call came.

B. In the event a parent, guardian, or legal custodian fails to notify the school of the child's absence, the Supervising Teacher shall attempt to contact the parent, guardian, or legal custodian as follows:

1. The Supervising Teacher will attempt to telephone the parent, guardian, or legal custodian at the residential or alternative telephone number provided under II, A, 3 or 4 above.
2. If the school official is unable to make telephone contact with the parent, guardian, or legal custodian after three school days, he/she shall mail a written notice to the parent, guardian or legal custodian indicating the child's absence from school on those dates. The letter will indicate that an attempt was made to make telephone contact during the days the child was absent from school.
3. If the school official suspects foul play, he/she shall immediately notify the Board of Trustees and/or appropriate law enforcement agency.
4. If a child is present for part of a school day and absent for the remainder of the school day, and if the parent has not reported that partial day absence, the school official shall follow the procedures outlined as if the child were absent from school the entire day.
5. In the event a school official cannot determine the appropriate procedure in a particular case, he/she shall notify the Board of Trustees who may consult with the district's legal adviser, and/or county attorney for direction.

Legal Reference: § 44-2-501, et seq., MCA Missing Children Act of 1985

Policy History:
Adopted on: 3/25/02
Revised on:

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Student Records and Transfer of Student Records

Student Records

School student records are confidential and information from them shall not be released other than as provided by law. State and Federal law grant students and parent(s)/guardian(s) certain rights, including the right to inspect, copy, and challenge their or their child's school records. The information contained in school student records shall be kept current, accurate, clear and relevant. All information, maintained concerning a student receiving special education services, shall be directly related to the provision of services to that child. The District may release directory information as permitted by law, but parent(s)/guardian(s) shall have the right to object to the release of information regarding their child.

The Board of Trustees shall implement this policy and State and federal law with administrative procedures. The Board shall inform staff members of this policy, and shall inform students and their parent(s)/guardian(s) of it, as well as their rights regarding student school records.

Transfer of Student Records

A certified copy of the permanent, or cumulative, file of any student and the file containing special education records of any student shall be forwarded by mail, or electronically, to a local educational agency or accredited school in which the student seeks to or intends to enroll within 5 working days after receipt of a written or electronic request. The files that are forwarded must include education records in the permanent file (as defined by the Board), special education records, and any disciplinary actions taken against the student that are educationally related.

If the records cannot be transferred within 5 days, the District shall notify the requestor in writing or electronically providing the reasons why the District is unable to comply with the 5-day time frame. The District shall also include in that notice the date by which the requested records will be transferred. A request for the transfer of records shall not be refused because the student owes fines or fees.

Legal Reference: § 20-1-213, MCA Transfer of school records

Policy History:
Adopted on:
Revised on:

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Student Records

Notification to Parents and Students of Rights Concerning a Student's School Records

This notification may be distributed by any means likely to reach the parent(s)/guardian(s).

The District maintains two (2) sets of school records for each student. The permanent record may include:

- Basic identifying information
- Academic transcripts
- Attendance record
- Accident and health reports

The cumulative record may include:

- Intelligence and aptitude scores
- Psychological reports
- Achievement test results
- Participation in extra curricular activities
- Honors and awards
- Teacher anecdotal records
- Special education files
- Verified reports or information from non-educational persons
- Verified information of clear relevance to the student's education
- Information pertaining to the release of this record
- Disciplinary information

The Family Education Rights and Privacy Act (FERPA) affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and copy the student's education records within a reasonable time of the day the District receives a request for access.

   Students less than 18 years of age have the right to inspect and copy their permanent record. Parents/ guardians or students should submit to the Supervising Teacher or the Principal in written request that identifies the record(s) they wish to inspect. The school personnel will make arrangements for access and notify the parent(s)/guardian(s) or eligible student of the time and place where the records may be inspected. The District charges a nominal fee for copying, but no one will be denied their rights to copies of their records for inability to pay this cost.

   The rights contained in this section are denied to any person against whom an order of protection as been entered concerning a student.

2. The right to request the amendment of the student's education records that the parent(s)/guardian(s) or eligible student believes are inaccurate, misleading, irrelevant, or improper.

   Parents/guardians or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, irrelevant, or improper. They should write the appropriate school personnel, clearly identifying the part of the record they want changed, and specify the reason.

   If the District decides not to amend the record as requested by the parents/guardians or eligible student, the District will notify them of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parents/guardians or eligible student when notified of the right to a hearing.

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3. The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA or state law authorizes disclosure without consent.

   Disclosure is permitted without consent to school officials with legitimate educational or administrative interest. A school official is a person employed by the District in education or a support position; a Trustee; a person with whom the District has contracted to perform a special task, or a parent/guardian or student serving on an official committee, such as a discipline or grievance committee, or assisting another school official in performing his or her tasks.

   A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

   Upon request, the District discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll as well as to any person as specifically required by state or federal law. Before information is released to individuals described in this section, the parents/guardians will receive prior written notice of the nature and substance of the information, and an opportunity to inspect, copy, and challenge the records. The right to challenge school student records does not apply to: (1) academic grades of their child, and (2) references to expulsion or out-of-school suspensions, if the challenge is made at the time the student's school records are forwarded to another school to which the student is transferring.

   Disclosure is also permitted without consent to: any person for research, statistical reporting or planning, provided that no student or parents/guardians can be identified; any person named in a court order; and appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

4. The right to a copy of any school student record proposed to be destroyed or deleted.

5. The right to prohibit the release of directory information concerning the parent/guardian's child.

   Throughout the school year, the District may release directory information regarding students, limited to: name, address, gender, grade level, birth date and place, parents/guardians' names and addresses, academic awards and honors, information in relation to school-sponsored activities and organizations, and period of attendance in school.

   Any parent(s)/guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the Supervising Teacher or Principal within 30 days of the date of this notice. No directory information will be released within this time period. Unless the parent(s)/guardian(s) or eligible student is specifically informed otherwise.

6. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.

   The name and address of the office that administers FERPA is:

   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, SW
   Washington, D.C. 20202-4605

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Maintenance of School Student Records

The District maintains two (2) sets of school records for each student. The permanent record may include:

Basic identifying information
Academic transcripts
Attendance record
Accident and health reports

The cumulative record may include:

Intelligence and aptitude scores
Psychological reports
Achievement test results
Participation in extra curricular activities
Honors and awards
Teacher anecdotal records
Special education files
Verified reports or information from non-educational persons
Verified information of clear relevance to the student's education
Information pertaining to the release of this record
Disciplinary information

Information in the permanent record will indicate authorship and date. Cumulative records which may be of continued assistance to the student with disabilities who graduates or permanently withdraws from the District, may, after five years, be transferred to the parent(s)/guardian(s) or to the student, if the student has succeeded to the rights of the parent(s)/guardian(s).

The Supervising Teacher or Principal shall be responsible for the maintenance, retention, or destruction of a student's permanent or cumulative records in accordance with the District's procedure established by the Board.

Access to Student Records

The District shall grant access to student records as follows:

1. The District or any District employee shall not release, disclose, or grant access to information found in any student record except under the conditions set forth in this document.

2. The parent(s)/guardian(s) of a student under 18 years of age, or designee, shall be entitled to inspect and copy information in the child's school records. Such requests shall be made in writing and directed to the records custodian. Access to the records shall be granted within 5 days of the District's receipt of such a request.

   Where the parents/guardians are divorced or separated, both shall be permitted to inspect and copy the student's school records unless a court order indicates otherwise. The District shall send copies of the following to both parents/guardians at either one's request, unless a court order indicates otherwise:

   a. Academic progress reports or records;
   b. Health reports;
   c. Notices of parent-teacher conferences;
   d. School calendars distributed to parents/guardians; and
   e. Notices about open houses, graduations, and other major school events including pupil-parent(s)/guardian(s) interaction.

   When the student reaches 18 years of age, graduates from high school, marries, or enters military service all rights and privileges accorded to a parent(s)/guardian(s) become exclusively those of the student.

   Access shall not be granted the parent(s)/guardian(s) or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment or the receipt of an honor or award if the student has waived his or her right of access after being advised of his or her right to obtain the names of all persons making such confidential letters or statements.

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3. The District may grant access to, or release information from, student records to employees or officials of the District or the Montana State Board of Education provided a current, demonstrable, educational or administrative need is shown, without parental/guardian consent or notification. Access in such cases shall be limited to the satisfaction of that need.

4. The District may grant access to, or release information from, student records without parental/guardian consent or notification to any person for the purpose of research, statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified from the information released, the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.

5. The District shall grant access to or release information from a student's records pursuant to a court order, provided that the parent(s)/guardian(s) shall be given prompt written notice upon receipt of such order of its terms, the nature and substance of the information proposed to be released, and an opportunity to inspect and copy such records and to challenge their contents.

6. The District shall grant access to or release information from any student record as specifically required by federal or state statute.

7. The District shall grant access to or release information from student records to any person possessing a written, dated consent, signed by the parent(s)/guardian(s) or eligible student with particularity as to whom the records may be released, the information or record to be released, and the reason for the release. One copy of the consent form will be kept in the records and one copy shall be mailed to the parent(s)/guardian(s) by the Supervising Teacher or Principal. Whenever the District requests the consent to release certain records, the records custodian shall inform the parent(s)/guardian(s) or eligible student of the right to limit such consent to specific portions of information in the records.

8. The district may release student records to the appropriate official in a school in which the student has enrolled or intends to enroll, upon written request from such official.

9. Prior to the release of any records or information under items 5, 6, 7 and 8 above, the District shall provide prompt written notice to the parent(s)/guardian(s) of this intended action. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.

10. The District may release student records or information in connection with an emergency without parental consent if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health and safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. The District shall notify the parent(s)/guardian(s) or eligible student as soon as possible of the information released, the date of the release, the person, agency or organization to whom the release was made, and the purpose of the release.

11. The District may charge per page for copying information in the student's records. No parent(s)/guardian(s) or student shall be precluded from copying information because of financial hardship.

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12. A record of all releases of information from student records (including all instances of access granted whether or not records were copied) shall be kept and maintained as part of such records. This record shall be maintained for the life of the student record and shall be accessible only to the parent(s)/guardian(s) or eligible student, records custodian, or other person. The record of release shall include:
    a. Information released or made accessible.
    b. The name and signature of the records custodian.
    c. The name and position of the person obtaining the release or access.
    d. The date of the release or grant of access.
    e. A copy of any consent to such release.

Directory Information

The District may release certain directory information regarding students, except that parent(s)/guardian(s) may prohibit such a release. Directory information shall be limited to: name, address, gender, grade level, birth date and place, parents□/guardians□names and addresses, academic awards and honors, information in relation to school-sponsored activities, organizations, and athletics, and period of attendance in school. Parent(s)/guardian(s) and students will have the right to object to the release of directory information.

Student Record Challenges

The parent(s)/guardian(s) may challenge the accuracy, relevancy or propriety of the records, except (1) grades, and (2) references to expulsions or out-of-school suspensions, if the challenge is made when the student's school records are being forwarded to another school. They have the right to request a hearing at which each party has:

- □the right to present evidence and to call witnesses;
- the right to cross-examine witnesses;
- □the right to counsel;
- □the right to a written statement of any decision and the reasons therefore;
- □the right to appeal an adverse decision to an administrative tribunal or official to be established or designated by the State Board.

The parent(s)/guardian(s) may insert a written statement of reasonable length describing their position on disputed information. The school will include a statement in any release of the information in dispute.

Legal Reference:	Family Education Rights and Privacy Act, 20 U.S.C. □1232g; 34 C.F.R. 99	
	§ 20-5-201, MCA	Duties and sanctions
	§ 40-4-225, MCA	Access to records by non-custodial parents
	10.55.2002, ARM	Student records

Policy History:
Adopted on:
Revised on:

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Receipt of Confidential Records

Under § 41-3-405, MCA, the District is eligible to receive the case records of the department of public health and human services and its local affiliate, the county welfare department, the county attorney, and the court concerning actions taken and all records concerning reports of child abuse and neglect. These records shall not be included in the student's permanent file and shall be kept confidential as required by law.

The following individuals are authorized by the Trustees to receive information with respect to a student of the District who is a client of the department:

1.

2.

3.

When the District receives information pursuant to 41-3-405, MCA, it is the responsibility of the authorized individual to prevent the unauthorized dissemination of that information.

Cross Reference: #3600 Student Records

Legal Reference: § 41-3-405 MCA Confidential Records

Policy History:
Adopted on: 3/25/02
Revised on:

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District-Provided Access to Electronic Information, Services, and Networks

General

The District makes Internet access and interconnected computer systems available to District students and faculty. The District provides electronic networks, including access to the Internet, as part its instructional program and to promote educational excellence by facilitating resource sharing, innovation, and communication.

The District expects all students to take responsibility for appropriate and lawful use of this access, including good behavior on-line. The District may withdraw student access to its network and to the Internet when any misuse occurs. District teachers and other staff will make reasonable efforts to supervise use of network and Internet access; however, student cooperation is vital in exercising and promoting responsible use of this access.

Curriculum

Use of District electronic networks will be consistent with the curriculum adopted by the District, as well as with varied instructional needs, learning styles, abilities, and developmental levels of students, and will comply with selection criteria for instructional materials and library materials. Staff members may use the Internet throughout the curriculum, consistent with the District's educational goals.

Acceptable Uses

1. Educational Purposes Only. All use of the District's electronic network must be: (1) in support of education and/or research, and in furtherance of the District's stated educational goals; or (2) for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any materials that are stored, transmitted, or received via the District's electronic network or District computers. The District reserves the right to monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage.

2. Unacceptable Uses of Network. The following are considered unacceptable uses and constitute a violation of this policy:

   A. Uses that violate the law or encourage others to violate the law, including but not limited to transmitting offensive or harassing messages; offering for sale or use any substance the possession or use of which is prohibited by the District's student discipline policy; viewing, transmitting, or downloading pornographic materials or materials that encourage others to violate the law; intruding into

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the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.

B. Uses that cause harm to others or damage to their property, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating, or otherwise using his/her access to the network or the Internet; uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information.

C. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.

D. Uses that are commercial transactions. Students and other users may not sell or buy anything over the Internet. Students and others should not give information to others, including credit card numbers and social security numbers.

Warranties/Indemnification

The District makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this policy. The District is not responsible for any information that may be lost, damaged, or unavailable when using the network or for any information that is retrieved or transmitted via the Internet. The District will not be responsible for any unauthorized charges or fees resulting from access to the Internet. Any user is fully responsible to the District and will indemnify and hold the District, its trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchase of goods or services by a user. The District expects a user or, if a user is a minor, a user's parents or legal guardian to cooperate with the District in the event of its initiating an investigation of a user's use of access to its computer network and the Internet.

Violations

Violation of this policy will result in a loss of access and may result in other disciplinary or legal action. The principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with that decision being final.

Policy History:
Adopted on: 3/27/2020
Reviewed on:
Revised on:

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INTERNET ACCESS CONDUCT AGREEMENT

Every student, regardless of age, must read and sign below:

I have read, understand, and agree to abide by the terms of the Pendroy School District's policy regarding District-Provided Access to Electronic Information, Services, and Networks (Policy No. 3612). Should I commit any violation or in any way misuse my access to the District's computer network and/or the Internet, I understand and agree that my access privilege may be revoked and school disciplinary action may be taken against me.

User's Name (Print): _____ Home Phone:_____
User's Signature: _____ Date: _____
Address:_____

Status: Student ____ Staff ____ Patron ____ I am 18 or older ____ I am under 18 ____

If I am signing this policy when I am under 18, I understand that when I turn 18, this policy will continue to be in full force and effect and agree to abide by this policy.

Parent or Legal Guardian. (If applicant is under 18 years of age, a parent/legal guardian must also read and sign this agreement.) As the parent or legal guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of the District's policy regarding District-Provided Access to Electronic Information, Services, and Networks for the student's access to the District's computer network and/or the Internet. I understand that access is being provided to the students for educational purposes only. However, I also understand that it is impossible for the school to restrict access to all offensive and controversial materials and understand my child's responsibility for abiding by the policy. I am, therefore, signing this Agreement and agree to indemnify and hold harmless the District, the Trustees, Administrators, teachers, and other staff against all claims, damages, losses, and costs, of whatever kind, that may result from my child's use of or access to such networks or his/her violation of the District's policy. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting. I hereby give my child permission to use the building-approved account to access the District's computer network and the Internet.

Parent/Legal Guardian (Print): _____
Signature: _____
Home Phone: _____ Address: _____
Date: _____

This Agreement is valid for the _____ school year only.

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All use of electronic networks shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. These procedures do not attempt to state all required or proscribed behaviors by users. However, some specific examples are provided. **The failure of any user to follow these procedures will result in the loss of privileges, disciplinary action, and/or appropriate legal action.**

Terms and Conditions

1. Acceptable Use – Access to the District's electronic networks must be: (a) for the purpose of education or research and consistent with the educational objectives of the District; or (b) for legitimate business use.

2. Privileges – The use of the District's electronic networks is a privilege, not a right, and inappropriate use will result in cancellation of those privileges. The system administrator (and/or principal) will make all decisions regarding whether or not a user has violated these procedures and may deny, revoke, or suspend access at any time. That decision is final.

3. Unacceptable Use – The user is responsible for his or her actions and activities involving the network. Some examples of unacceptable uses are:

    a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any federal or state law;

    b. Unauthorized downloading of software, regardless of whether it is copyrighted or devirused;

    c. Downloading copyrighted material for other than personal use;

    d. Using the network for private financial or commercial gain;

    e. Wastefully using resources, such as file space;

    f. Hacking or gaining unauthorized access to files, resources, or entities;

    g. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information of a personal nature about anyone;

    h. Using another user's account or password;

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i. Posting material authored or created by another, without his/her consent;

j. Posting anonymous messages;

k. Using the network for commercial or private advertising;

l. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, or illegal material; and

m. Using the network while access privileges are suspended or revoked.

4. Network Etiquette – The user is expected to abide by the generally accepted rules of network etiquette. These include but are not limited to the following:

a. Be polite. Do not become abusive in messages to others.

b. Use appropriate language. Do not swear or use vulgarities or any other inappropriate language.

c. Do not reveal personal information, including the addresses or telephone numbers, of students or colleagues.

d. Recognize that electronic mail (e-mail) is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.

e. Do not use the network in any way that would disrupt its use by other users.

f. Consider all communications and information accessible via the network to be private property.

5. No Warranties – The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.

6. Indemnification – The user agrees to indemnify the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District, relating to or arising out of any violation of these procedures.

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7. Security – Network security is a high priority. If the user can identify a security problem on the Internet, the user must notify the system administrator or building principal. Do not demonstrate the problem to other users. Keep your account and password confidential. Do not use another individual's account without written permission from that individual. Attempts to log on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.

8. Vandalism – Vandalism will result in cancellation of privileges, and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes but is not limited to uploading or creation of computer viruses.

9. Telephone Charges – The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/ or equipment or line costs.

10. Copyright Web Publishing Rules – Copyright law and District policy prohibit the republishing of text or graphics found on the Web or on District Websites or file servers, without explicit written permission.

    a. For each republication (on a Website or file server) of a graphic or text file that was produced externally, there must be a notice at the bottom of the page crediting the original producer and noting how and when permission was granted. If possible, the notice should also include the Web address of the original source.

    b. Students and staff engaged in producing Web pages must provide library media specialists with e-mail or hard copy permissions before the Web pages are published. Printed evidence of the status of "public domain" documents must be provided.

    c. The absence of a copyright notice may not be interpreted as permission to copy the materials. Only the copyright owner may provide the permission. The manager of the Website displaying the material may not be considered a source of permission.

    d. The "fair use" rules governing student reports in classrooms are less stringent and permit limited use of graphics and text.

    e. Student work may only be published if there is written permission from both the parent/guardian and the student.

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1. Internet access is limited to only those "acceptable uses," as detailed in these procedures. Internet safety is almost assured if users will not engage in "unacceptable uses," as detailed in these procedures, and will otherwise follow these procedures.

2. Staff members shall supervise students while students are using District Internet access, to ensure that the students abide by the Terms and Conditions for Internet access, as contained in these procedures.

3. Each District computer with Internet access has a filtering device that blocks entry to visual depictions that are: (1) obscene; (2) pornographic; or (3) harmful or inappropriate for students, as defined by the Children's Internet Protection Act and determined by the Superintendent or designee.

4. The district shall provide age-appropriate instruction to students regarding appropriate online behavior. Such instruction shall include, but not be limited to: positive interactions with others online, including on social networking sites and in chat rooms; proper online social etiquette; protection from online predators and personal safety; and how to recognize and respond to cyberbullying and other threats.

5. The system administrator and principal shall monitor student Internet access.

Legal Reference:	Children's Internet Protection Act, P.L. 106-554	
	Broadband Data Services Improvement Act/Protecting Children in the 21st Century Act of 2008 (P.L. 110-385)	
	20 U.S.C. § 6801, et seq.	Language instruction for limited English proficient and immigrant students
	47 U.S.C. § 254(h) and (l)	Universal service

Policy History:
Adopted on: 3/27/2020
Reviewed on:
Revised:

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Pupil Online Personal Information Protection

Compliance
The School District will comply with the Montana Pupil Online Personal Information Protection Act. The School District shall execute written agreements with operators who provide online applications for students and employees in the school district. The School District will execute written agreements with third parties who provide digital educational software or services, including cloud-based services, for the digital storage, management, and retrieval of pupil records. The written agreements will require operators and third parties to the School District for K-12 purposes or the delivery of student or educational services to comply with Montana and federal law regarding protected student information. All pupil records accessed by the operator or third party during the term of the agreement or delivery of service to the application will continue to be the property of and under the control of the school district.

Operators of Online Applications
Operators providing online applications to the School District shall not target advertising to students, sell student information, or otherwise misuse student information. Operators shall not use information to amass a profile about a pupil, except in furtherance of K-12 school purposes. Operators shall not sell a pupil's information, including protected information unless authorized by law. Operators shall not disclose protected information unless the disclosure is made in accordance with School District policy, state or federal law, or with parent consent. Operators shall implement and maintain reasonable security procedures and practices appropriate to the nature of the protected information and safeguard that information from unauthorized access, destruction, use, modification, or disclosure. Operators shall delete a pupil's protected information if the school or district requests the deletion of data under the control of the school or district.

Third Parties Providing Software and Services
Third parties providing digital education software and services to the School District shall certify that pupil records will not be retained or available to the third party upon completion of the terms of the agreement. Furthermore, third parties shall not use any information in pupil records for any purpose other than those required or specifically permitted by the agreement with the operator. Third parties shall not use personally identifiable information in pupil records to engage in targeted advertising.

Third parties providing digital education software and services to the School District shall provide a description of the means by which pupils may retain possession and control of their own pupil-generated content. Third parties shall provide a description of the procedures by which a parent, legal guardian, or eligible pupil may review personally identifiable information in the pupil's records and correct erroneous information. Third parties shall provide a description of the actions the third party will take, including the designation and training of responsible

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individuals, to ensure the security and confidentiality of pupil records. Third parties shall provide a description of the procedures for notifying the affected parent, legal guardian, or pupil if 18 years of age or older in the event of an unauthorized disclosure of the pupil's records;

Failure to Comply and Legal Review

An operator's or third party's failure to honor the law, agreement or School District policy will result in termination of services. The School District will report any operator who fails to honor the law to the appropriate authorities for criminal prosecution.

All contracts and agreements executed under this agreement will be reviewed by the School District's legal counsel.

Cross Reference:	3600	Student Records
	3650F	Model Agreement

Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. 99
Montana Pupil Online Personal Information Protection Act, Title 20, chapter 7, part 13, MCA

Policy History:
Adopted on: 3/27/2020
Reviewed on:
Revised on:

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Public Information Program

The District shall strive to maintain effective two-way communication channels with the public. Such channels shall enable the Board and staff to interpret the schools' needs to the community and provide a means for citizens to express their needs and expectations to the Board and staff.

Community opinion may be solicited through parent organizations, parent-teacher conferences, open houses and other such events or activities which may bring staff and citizens together. Survey instruments and/or questionnaires may be developed in order to gain a broad perspective of community opinion.

The Board of Trustees has the authority to judge whether information shall be considered public or confidential. Information considered public will be provided or available to the press via news releases, interview or other appropriate methods. Confidential information that might infringe on the privacy rights of individuals will not be made public.

Legal Information Sources

Schools shall operate in compliance with local, state and federal laws and regulations. The school will have available a copy of the District's policy and procedure manual. Rules and regulations of the Board of Public Education (Title 10 ARM) and the School Laws of Montana (MCA) shall be available in the County Superintendent's office. These publications shall be made available for use by staff, students, and interested citizens.

The Board is a nonpartisan public body and as such shall not endorse political candidates. Neither staff nor students shall be asked to disseminate candidate's campaign materials from the schools nor shall any of the District's facilities or communications services be used to disseminate such material. The Board may take positions of support or opposition on ballot issues affecting schools.

Legal Reference: §Article II, Sec. 10 Montana Constitution

Policy History:
Adopted on: 5/13/02
Revised on:

School Support Organizations and Fund Raising by These Groups

School Support Organizations

The Board encourages the formation of a parent-; teacher-; (student-, as appropriate) association at the school for the purpose of providing an opportunity through which parents, teachers, and students may unite their efforts and interests to enhance the school program. In schools where no such organization exists, the Board of Trustees can recognize another parent group as the official body through which parents, staff and students may unite their efforts for similar purposes. Booster clubs and/or special interest organizations may be formed to support and strengthen specific activities conducted within the school. All such groups must receive the approval of the Board in order to be recognized as a booster organization. Staff participation, cooperation and support are encouraged in such recognized organizations.

Fund-Raising by School Support Groups

Fund-raising by school support groups such as booster clubs, parent councils, and the like are considered a usual and desirable part of the function of such groups. The specific fund-raising activities must be approved in advance by the Board of Trustees and must be consistent with Policy #3530 pertaining to student fund-raising.

The Board of Trustees shall approve all expenditures of such funds. All such funds raised by school adjunct groups are to be used for the direct or indirect support of school programs. Equipment purchased by support groups and donated to the schools becomes the property of the District and may be used or disposed of in accordance with District policy and state law.

These fund-raising activities must conform to the following guidelines:

1. If the fund-raising activity involves students or the school, the fund raising must be approved by the Board of Trustees.
2. The fund-raising activity must not interfere with the educational program.
3. Any student participation must be purely voluntary. Door-to-door solicitation by students is discouraged but the District recognizes that parents have the responsibility for directing the behavior of their children in non-school hours.
4. The number of fund-raising activities in any school should be limited to a few each year.
5. The purpose of the fund-raising effort must be well publicized to parents and other citizens.
6. The fund-raising activity must be such that it is not likely to create a poor image for the school support group or the District.
7. If local or state agencies require a license or permit for the fund-raising activity, the license or permit must be obtained in advance by the school support group.

Cross Reference: 3530 Student fundraising activities

Policy History:
Adopted on: 5/13/02
Revised on:

Citizen Study/Advisory Committees

The intent of this policy is to provide a method for the Board to gather public input to be used in the decision making process. The Board may appoint a citizens' committee as is necessary to establish interaction with the community about selected issues.

The committee shall study specific school matters and submit its findings or recommendations to the Board. The committee shall be dissolved following the presentation of its findings/recommendations.

Appointed committees serve in an advisory capacity only and the Board reserves all decision-making authority.

Policy History:
Adopted on: 5/13/02
Revised on:

Parental Involvement

The Board of Trustees of Pendroy School District encourages:

1. Regular, two-way and meaningful communication between home and school;
2. Promotion and support of good parenting skills;
3. That parents play an integral role in assisting student learning;
4. That parents are welcome in the school, and that their support and assistance is sought;
5. Parents as full partners in the decisions that affect children and families; and
6. Using community resources to strengthen schools, families and student learning.

Legal Reference: 10.55.701 ARM, Accreditation Standards

Policy History:
Adopted on: 5/13/02
Revised on:

Contacts with Staff and Visitors to the School

Contacts with Staff

The learning environment and the staff's time for students shall be free from interruption. Except in emergencies, staff shall not be interrupted in their work. Brief messages shall be recorded so as to permit the staff member to return the call when free.

Visitors

The Board welcomes and encourages visits to school by parents, other adult residents of the community and interested educators. In all buildings the visitor must first check in with the Supervising Teacher or Principal.

A visitor wishing to observe in a classroom shall schedule that observation in advance with the classroom teacher.

Policy History:
Adopted on: 5/13/02
Revised on:

Review of Program, Curriculum or Learning Materials

Constructive criticism can be helpful to the District. At the same time, the Board has confidence in its staff, curriculum and programs and shall act to minimize unwarranted criticism or disruptive interference of its staff and programs.

Complaints received by an individual Board member shall be referred to the full Board for investigation.

Residents, parent(s) of student(s) or students in the school district who have a complaint must comply with procedural requirements set out. Forms will be available from the district clerk.

Unless otherwise indicated in these policies or otherwise provided for by law, no appeal may be taken from any decision of the Board.

Legal Reference: § 20-3-210 MCA Controversy Appeals and Hearings
10.6.101 ARM, Controversy Hearings

Policy History:
Adopted on: 5/13/02
Revised on:

Review of Learning Materials

The Reconsideration Committee shall consist of members as outlined in the policy. Ex-officio members may include the Supervising Teacher and, if the challenged material is library material, a librarian of a nearby school.

When a citizen of the District or parent/guardian of a student attending school questions the appropriateness of textbooks, library books, instructional materials or supplementary materials being used, the Supervising Teacher shall first investigate the matter. If the Supervising Teacher agrees that the material should be withdrawn, no further action is required. If the problem is not resolved through this investigation, the complainant shall submit a Request for Reconsideration of Learning Materials on the attached forms.

During the process, the challenged material will remain in use unless the committee determines that, if the material in question were to remain in use, it would render the committee's decision moot.

Upon receipt of the request, the Board of Trustees will direct the Reconsideration Committee to take the following steps:

1. inform the Board of the challenge and dates of the review committee's meetings;

2. read, view or listen to the material in its entirety;

3. check general acceptance of the material by reading reviews and consulting recommended lists;

4. determine the extent to which the material supports the curriculum.

The Reconsideration Committee will complete its deliberation with all possible dispatch and submit its written report to the Board of Trustees, the complainant, and other appropriate staff. A majority vote or consensus of the total committee will be required to determine its recommendation.

If the complainant is not satisfied with the decision of the committee, he/she may request, in writing, a review by the Board. The request will be submitted to the board as an information item at the next regularly scheduled Board meeting. Subsequent to reviewing the request, any Board member/s may place the matter on the next meeting agenda as an action item, at which time the matter will be discussed and a decision given to the complainant. This discussion will be held in executive session if the Board Chair determines the complaint, in whole or in part, is evaluative of a District employee's performance and that individual's right of privacy exceeds the public's right to know.

Procedure History:
Promulgated on: 5/13/02
Revised on:

TO: (Parent or Citizen Initiating a Complaint)

FROM: (Chair of the Board of Trustees)

RE: Review of Program, Curriculum or Learning Materials Complaint

It is usually best to deal with complaints at the local school level. Before you file a request to process your complaint, we suggest you meet with the teacher or Supervising Teacher or Principal to discuss the issue. In most cases, a problem can be solved through such a meeting. If the problem is not solved at that level, it can then be appealed to the Board, if necessary.

We urge you, therefore, to first discuss this with the individuals involved. Then, if you are not satisfied, complete the attached form and return it to me, thereby advancing your complaint to me.

It is the District's desire to process public complaints as fairly and expeditiously as possible. The procedure provides the public with a simple and effective way to deal with problems. It also allows for the due process rights of employees to be protected.

If you wish any additional information before initiating this process, we will be glad to assist you.

Pendroy School District No.

Review of Program, Curriculum Complaints

This form is to be prepared by any citizen of the District or parent/guardian of a student attending school to process a concern about a program or curriculum of the District.

I wish to have the District process my concern about:

_____ Program/Curriculum

_____(Date)(Signature)

(Telephone) (Address)

1. These are my specific concerns: It is my opinion that... ,

2. I have reviewed/discussed these concerns with the following District employees:

3. My recommendation for improving the program or curriculum:

4. I have observed the situation myself: ___ (Yes) ___ (No)

Request for Reconsideration of Learning Materials

Author _____

Title _____

Publisher (if known) _____

Request initiated by _____

Telephone _____

Complaint represents: _____ **(self)**

_____

1. What, in your opinion, is objectionable about this book/material? (Please be specific: cite pages)
2. What do you think might be the result of reading this book/using this material?
3. What brought the book/material to your attention?
4. For what age group would you recommend this book/material?
5. Do you think there is anything good about this book/material?
6. Did you read the entire book or review the material completely? If not, what parts did you read?
7. Are you aware of the judgment to this book/material by literary critics or the curriculum committee?
8. What do you believe is the theme of this book/material?
9. What would you like your library/school to do about this book/material?

   ____ Do not assign it to my child

   ____ Withdraw it from all students as well as from my child

   ____ Withdraw it for re-evaluation

10. In its place, what book/material would you recommend?

_____ _____
SIGNATURE **DATE**

RESOLUTION

_____ _____
SIGNATURE **DATE**

Review of Services of Staff

Constructive criticism can be helpful to the District. At the same time, the Board has confidence in its staff and shall act to minimize unwarranted criticism or disruptive interference.

When the Board or an individual Board member receives a complaint, it shall be referred to the full Board for investigation.

The Board will utilize the procedures and forms in 4312F and 4312P following this document to handle complaints received from residents, parent(s) of student(s) or student(s) in the District.

The Board Chair may determine the staff member's right to privacy exceeds the public's right to know and close the hearing to the public. No further appeal of a Board decision may be taken except as provided by law.

Policy History:
Adopted on:
Revised on:

Review of Services of Staff

These procedures are intended to resolve concerns of a citizen of the District or the parent/guardian of a student attending Pendroy School in the District. They are not to be used by persons who are not citizens in Pendroy School District, nor are they available as procedures to resolve employee grievances.

Most problems can be resolved by an informal meeting between the citizen and the staff member. If the problem is not solved at that level, it can be appealed to the Board, if necessary. Complaints should be filed within 21 school days from the date of the incident.

The following steps apply to the processing of a complaint that cannot be solved through informal means. This resolution process should be completed within 30 working days and each step should be completed within 10 working days.

Step 1: The Board Chair shall attempt to settle the complaint at the level closest to the problem to be resolved.

A) If a settlement is reached, the Board Chair shall send a copy of the process used to resolve the complaint and a short report describing the settlement (signed by a party) to the full Board.

B) If the complaint is not resolved, the Board Chair will forward the complaint back to the full Board for further action.

Step 2: If circumstances warrant, the Board may use an independent outside adjudicator to review the complaint.

Step 3: The adjudication process to be used by the Board or outside adjudicator shall result in a written report and will normally involve most of these components:

A) Clarification of the complaint with the originator;

B) Written response to the complaint by the employee;

C) One or more hearings to gain information and insight;

D) Review of all documents and testimony;

E) Preparation of a written adjudication report (copies provide to the originator of the complaint, the affected employee and the full Board.

Step 4: If either of the two principal parties to the complaint disagrees with the decision of the adjudication report, it may be appealed to the Board of Trustees. The Board shall hear and rule on the appeal at the next regularly scheduled meeting of the Board.

Procedure History:
Promulgated on:
Revised on:

Review of Services of Staff

TO: (Parent or Citizen Initiating a Complaint)

FROM: (Chair of the Board of Trustees)

RE: REVIEW OF SERVICES OF STAFF

It is usually best to deal with complaints at the school level. Before you file a request to process your complaint, we suggest you meet with the staff member to discuss the issue. In most cases, a problem can be solved through such a meeting. If the problem is not solved at the level, it can then be appealed to the Supervising Teacher or Principal and then the Board if necessary.

We urge you, therefore, to first discuss this with the individuals involved. Then, if you are not satisfied, complete the attached form and return it to me, thereby advancing your complaint to the Board.

It is the District's desire to process public complaints as fairly and expeditiously as possible. The procedure provides the public with a simple and effective way to deal with problems. It also allows for the due process rights of employees to be protected.

If you wish any additional information before initiating this process, we will be glad to assist you.

Review of Services of Staff Complaint

This form is to be prepared by any citizen of the District or parent/guardian or a student attending Pendroy School District to process a concern about an employee of the District.

I wish to have the District process my concern about the services of:

_____**(Individual)**

_____**(Signature)** _____**(Date)**

_____**(Phone)**_____**(Address)**

1. These are my specific concerns: It is my opinion that

_____

_____

_____

_____

_____

2. I have reviewed/discussed these concerns with the following District employees:

_____

_____

3. My recommendation for improving the performance of the individual:

_____

_____

_____

_____

_____

4. I have observed the situation myself:_____(Yes)_____(No**)**

Disruption of School Operations

If any person disrupts or obstructs any school program, activity, or meeting, or threatens to do so, or commits, threatens to imminently commit or incites another to commit any act that will disturb or interfere with or obstruct any lawful task, function, process or procedure, or any student, official employee or invitee of t he District, the staff member in charge shall immediately notify the local law enforcement authorities of the incident.

The staff member in charge shall make a written report detailing the incident as soon as possible. A copy of the report shall be given to the Board Chair.

In the event of the disruption of school operations by any individual, the Supervising Teacher shall:

1. with the assistance of appropriate staff, attempt to curtail the disruption; physical force will not be used except in emergency situations where the safety of students, employees, or other persons is in jeopardy;

2. call for assistance from local law enforcement authorities, if needed;

3. remove or have removed the individual or individuals responsible for the disruption from the scene of the activity;

3. take steps to remove the individual or individuals responsible for the disruption from the school. These steps may includes:
   a. contacting parents to remove the juvenile(s),
   b. contacting local law enforcement to assist;

4. prepare a written report detailing the facts related to the incident;

5. forward a copy of the report to the Board Chair; for more serious incidents of disruption, copies of the report will be forwarded to:
   a. local law enforcement
   b. if the individual involved is a juvenile, to the Chief Probation Officer.

Potential Disruption of School Operations

In the event the Supervising Teacher learns of the possibility of a school disruption, he/she shall consult with his/her Board members and/or the County Superintendent regarding appropriate preparatory or preventative measures.

THE SUPERVISING TEACHER SHALL BE RESPONSIBLE FOR ESTABLISHING A “CODE” OR SIGNAL THAT WILL ALERT STAFF, (E.G., “PAYCHECKS WILL NOT BE DELIVERED”.) TEACHERS ARE TO LOCK STUDENTS AND THEMSELVES IN THEIR CLASSROOM AND AWAIT THE “ALL-CLEAR” SIGNAL.

Legal Reference:	§ 20-1-206, MCA	Disturbance of school- penalty
	§ 48-8-101, MCA	Disorderly conduct
	§ 20-4-303, MCA	Abuse of Teachers

Policy History:
Adopted on: 5/13/02
Revised on:

Contact with Students

Students are entrusted to the schools for educational purposes. Although educational purposes encompass a broad range of experiences, school officials must not assume license to allow unapproved contact with students by persons who are not employed by the District for educational purposes. Teachers may arrange guest speakers on appropriate topics relative to the curriculum. Supervising Teachers may approve school assemblies on specific educational topics of interest and relevance to the school program. Other types of contact by non-school personnel will normally not be permitted. Outside organizations desiring to use the captive audience in a school for information, sales material, or special interest curricula will not be allowed access to the schools.

Distribution of Fund Drive Literature Through Students

It is the policy of this District to refrain from having the students, as student body members, used for collection or dissemination purposes.

Exceptions to this policy will be considered when recognized or student or school-affiliated organizations of the District request permission to participate in such activity.

Use of School Property for Posting Notices

Individuals and organizations are prohibited from posting or causing to be posted on or in any District property any information that:

1) has not been approved by the Supervising Teacher;

2) fails to identify the sponsoring agency; and/or,

3) exceeds dimensions of 11" x 17".

Policy History:
Adopted on: 5/13/02
Revised on:

Use of School Facilities

District-sponsored activities, including curricular and extra/co-curricular functions, retain first priority in use of facilities.

The Board may develop procedures for use of school facilities, including rental rates, supervisory requirements, restrictions, security, etc. The Board will ensure equal access to all groups of the same class and requires all activities to be open to all who may wish to participate.

Authorization for use of school facilities shall not be considered as endorsement of or approval of the activity, group or organization nor for the purposes represented. The group or organization responsible for payment of the rental will, at the time of the rental of a school facility and as a part of the rental agreement, be advised they are required to utilize a disclaimer for any and all advertising relating to the activity for which the facility is to be used. This requirement is to ensure there will be no implied or inferred sponsorship or endorsement by the Board of the purpose or activity for which the facility is to be used.

All activities, including practices and rehearsals, must be adequately supervised at all times. Children and adults are to confine themselves to the rented area and not access other areas of the building.

No alcoholic beverages, tobacco, nicotine products, or other drugs shall be sold or consumed on the premises by the requesting organization, individual or any of its employees, patrons, agents or members.

Waiver of Liability

There shall be no liability assumed on the part of Pendroy School District, Teton County, Montana, or its Trustees or agents, either officially or personally to the user for any damage occurring from the use of the District facilities. All users must sign a waiver holding the District, its trustees and agents free and harmless from all claims or liability for damages of any person or persons for injury to person or loss or damages to property caused by or in connection with the use of the premises or any other source.

Use of School Facilities:

Required Insurance Coverage for School Facility Use

Renters: General District liability insurance coverage is included in the rental fee.

Free of Charge: Any group or individual who qualifies to use the District facilities free of charge must provide written proof of adequate liability insurance to hold the District harmless in case of accident. Written proof must be on file in the District Clerk's office prior to usage of the facility.

Legal Reference: § 20-7-805, MCA Public recreation

Policy History:
Adopted on: 6/11/14
Revised on:

Conduct on School Property

In addition to prohibitions stated on other District policies, no person on school property shall:

1. Injure or threaten to injure another person;
2. Damage another's property or that of the District;
3. Violate any provision of the criminal law of the state of Montana or town or county ordinance.
4. Smoke or otherwise use tobacco ***or nicotine*** products;
5. Consume, possess, or distribute alcoholic beverages, illegal drugs, or possess dangerous weapons at any time;
6. Impede, delay, or otherwise interfere with the orderly conduct of the District's educational program or any other activity occurring on school property;
7. Enter upon any portion of the school premises at any time for purposes other than those which are lawful and authorized by the Board; or
8. Willfully violate other District rules and regulations.

"School property" means within school buildings, in vehicles used for school purposes, or on owned or leased school grounds. As circumstances warrant, the Supervising Teacher or the Principal (most senior administrator) will take appropriate action.

Legal Reference: Pro-Children Act of 1994, 20 U.S.C. □6081
§20-5-410, MCA Civil Penalty
§20-5-411, MCA Use of tobacco product in public school building or property prohibited
Smoke Free School Act of 1994

Policy History:
Adopted on:
Revised on: 10/12/2015

Community School's Program

As a method of extending educational opportunities to the entire community through a fuller utilization of school facilities, a community schools' program may be established to provide adult education, adult basic education and public recreation. The program shall be financed by federal, state and local funds available for this purpose. The use of school facilities for these purposes shall be secondary.

Legal Reference:	§20-7-700, et seq., MCA	Adult Education
	§20-7-800, et seq., MCA	Public Recreation

Policy History:
Adopted on: 11/18/02
Revised on:

Public Access to District Records

Mindful of the right of individuals to privacy and of the desirability of efficient administration of the District, full access to information concerning the administration and operations of the District shall be afforded to the public. Public access to District records shall be afforded according to appropriate administrative procedures.

"School District records" include any writing, printing, copying, photographing, etc., that has been made or received by the school, in connection with the transaction of official business and presented for informative value or as evidence of a transaction and all other records required by law to be filed with the District. "School District records" do not include the personal notes and memoranda of staff that remain in the sole possession of the maker and which are not generally accessible or revealed to other persons.

The Clerk shall serve as "public records coordinator" with responsibility and authority for ensuring compliance with the display, indexing, availability, inspection, and copying requirements of state law and this policy. As coordinator, he/she shall authorize the inspection and copying of the District's records only in accordance with the criteria set forth in this policy.

In accordance with Title 2, Chapter 4, MCA, the District shall make available for public inspection and copying all District records, or portions, except those that contain the following information:

1. Personal information from any file maintained for students. Information from student records shall be disclosed only in accordance with the requirements of the Family Educational Rights and Privacy Act of 1974 and adopted District policy.
2. Personal information in files maintained for staff to the extent that disclosure will violate their right to privacy.
3. Test questions, scoring keys, or other examination data used to administer academic tests.
4. The contents of real estate appraisals, made for or by the District relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the appraisal;
5. Preliminary drafts, notes, recommendations and intra-District memoranda in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by the District in connection with any District action;
6. Records that are relevant to a controversy to which the District is a party but which records would not be available to another party under the rules of pre-trial discovery for cases pending resolution;
7. Records or portions of records, the disclosure of which would violate personal rights of privacy; and
8. Records or portions of records, the disclosure of which would violate governmental interests.

If the District denies any request, in whole or in part, for inspection and copying of records, the District shall provide the requesting party with reasons for the denial. If the record requested for inspection and/or copying contains both information exempted from disclosure and non-exempt information, the District shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide a written explanation for the deletion. The District shall not provide access to lists of individuals for a requesting party that intends to use the lists for commercial purposes or which the District reasonably believes shall be used for commercial purposes if such access is provided.

The Clerk is authorized to seek an injunction to prevent the disclosure of records otherwise available when he/she determines that there is a reasonable cause to believe that the disclosure would clearly not be in the public interest and would substantially and irreparably damage any person or would substantially or irreparably damage vital governmental functions.

Legal Reference:	§Title 2, Chapter 6, MCA	School districts
	§2-6-109, MCA	Prohibition in distribution or sale of mailing lists – penalty

Policy History:
Adopted on: 11/18/02
Revised on:

Relations with the Law Enforcement and Child Protective Agencies

The primary responsibility for maintaining proper order and conduct in the school is that of staff. Staff shall be responsible for holding students accountable for infractions of school rules, which may include minor violations of the law occurring during school hours or at school activities. Where there is substantial threat to the health and safety of students or others such as in the case of bomb threats, individual threats of substantial bodily harm or trafficking in prohibited drugs, the law enforcement agency shall be called upon for assistance. Information regarding major violations of the law shall be communicated to the appropriate law enforcement agency.

The District shall strive to develop and maintain cooperative working relationships with the law enforcement agencies. Procedures for cooperation between law enforcement, child protective and school authorities shall be established. Such procedures shall be made available to affected staff and periodically revised.

Cross Reference: 3421 Child Abuse and Neglect
4314 Disruption of School Operations

Legal Reference: §20-1-206, MCA Disturbance of school – penalty

Policy History:
Adopted on: 11/18/02
Revised on:

COMMUNITYRELATIONS
4410P

Relations with Law Enforcement Agencies

1. A law enforcement officer shall contact the Supervising Teacher upon entering a school building.

2. An officer may request and be granted such student information as address, telephone number, parents' names, date of birth and attendance information. Information contained in the student's cumulative folder and any supplementary records shall be available for inspection in compliance with a judicial order, or pursuant to any lawfully issued subpoena, upon condition that parents and students are notified of all such orders or subpoenas in advance of compliance. The District may release records to law enforcement officers without a subpoena provided that a written release is received from the parent in advance of releasing the information.

3. It shall be the policy of the District to notify parents of a student prior to any interview/interrogation by law enforcement. If, upon initial contact by a law enforcement agency, the Supervising Teacher or Principal is directed by the agency not to attempt to notify the student's parent or obtain the parent's attendance during any interview or interrogation, the Supervising Teacher shall immediately prepare a written statement that the District has been directed to make the student available for interview or interrogation without notice to the parent, and should request that the investigating officer sign the statement. If the officer refuses, the Supervising Teacher shall record the time, date, the officer's name, title and badge number and that the officer refused to sign the statement.

4. If a student is under legal age, the school shall require signed, written parental notification before allowing any interrogation to take place unless law enforcement presents a signed written statement to the district indicating that parental notification is not advisable.

5. An officer not in "hot pursuit" is required to have a warrant in order for the school to release the student into law enforcement custody. Prior to a student being taken into custody by a law enforcement officer, the school will notify the parent or guardian.

Relations with Child Protective Agencies

1. Social services workers shall contact the Supervising Teacher upon entering a school building.

2. A social worker may request and be granted such information as address, telephone number, parents' names, date of birth and attendance information. Information contained in the student's cumulative folder and any supplementary records shall be available for inspection on evidence that a student is a ward of the state or with a court order stating that the student is the subject of an investigation involving child abuse or neglect and that the social worker has access to student records.

3. While the District encourages interviews of a student to take place off school premises, the Supervising Teacher shall permit a social worker to conduct any questioning when child abuse or neglect is involved. The Supervising Teacher and school staff shall cooperate fully during such investigations. Interviews shall be conducted in the presence of a professional staff member unless specifically requested otherwise by the social worker.

4. A social worker is required to have a warrant in order for the school to release custody of a student unless the custody by the social worker is deemed necessary for the emergency protection of the child (41-3-301, MCA). In the event a student is taken into custody, the school shall inform the social worker of his/her obligation to notify the parent or guardian.

Legal Reference: 41-3-101 et. seq., MCA Child Abuse and Neglect

Procedural History:
Promulgated on: 11/18/02

Revised on:

Cooperative Programs

Independent Schools

The District shall cooperate with home, private and parochial schools, including day care agencies, both in federally assisted programs and other aspects of District operations in ways that are required by law. The primary obligation of the District shall be to its students, and such cooperation shall not interfere with or diminish the quality of services offered to its students.

Cooperative Programs with Other Districts and Public Agencies

Whenever it appears to the economic, administrative and educational advantage of the District to participate in cooperative programs with other units of local government, the County Superintendent shall prepare and present for the Board's consideration an analysis of each cooperative proposal.

When formal cooperative agreements are developed, such agreements shall comply with the requirements of the Inter-local Cooperation Act, with assurances that all parties to the agreement have the legal authority to engage in the activities contemplated by the agreement.

Cooperative Programs with Business and the Business Community

The Board believes that cooperation and support between the District and the business community is mutually beneficial. In addition, the school system has a major role in the economic life of the business community. Therefore the District will:

1. strive to achieve and maintain a philosophy of partnership with the local business community;
2. seek to promote cooperative projects that will be beneficial to the education of young people in the District;
3. strive to recognize contributions from the business community;
4. join and participate in those major organizations representing the business community and identified as appropriate for District membership by the County Superintendent;
5. evaluate business requests/proposals on an individual basis.

Legal Reference:	§20-7-451through456, MCA	Authorization to create full service special education cooperative
	§20-7-800, et seq., MCA	Public recreation
	§7-11-100, et seq., MCA	Inter-local Agreements

Policy History:
Adopted on: 11/18/03
Revised on:

Notice to Parents Required by No Child Left Behind Act of 2001 ("NCLB") *

Improving Basic Programs Operated by Local Educational Agencies

- As required by NCLB § 1111(h)(6)(A): At the beginning of each school year, a district that receives Title I funds shall notify the parents of each student attending any school receiving Title I funds that the parents may request, and the district will provide the parents on request, information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:
    1. Whether the teacher has met the state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
    2. Whether the teacher is teaching under emergency or other provisional status.
    3. The teacher's baccalaureate degree major and any other graduate certifications or degrees.
    4. Whether paraprofessionals provide services to the student and, if so, their qualifications.

- As required by NCLB § 1111(h)(6)(B)(i): Districts must provide parents information on the level of achievement of the parent's child in each of the state academic assessments.

- As required by NCLB § 1111(h)(6)(B)(ii): Districts must provide parents timely notice that the parent's child has been assigned, or has been taught for four (4) or more consecutive weeks by, a teacher who is not highly qualified.

Limited English Proficient Students

1. As required by NCLB § 1112(g)(1)(A) and (g)(2) and § 3302(a): Districts must inform a parent of a limited English proficient child identified for participation or participating in such a program, of the reasons for their child being identified, their child's level of English proficiency, instructional method, how their child's program will meet the child's needs, how the program will help the child learn English, exit requirements for the program to meet the objectives of any limited English proficiency, and information regarding parental rights.

2. As required by NCLB § 1112(g)(1)(B) and § 3302(b): Each district using Title I funds to provide a language instruction educational program, that has failed to make progress on the annual measurable achievement objectives described in § 3122 for any fiscal year for which part A is in effect, shall separately inform the parents of a child identified for

participation or participating in such a program, of such failure not later than thirty (30) days after such failure occurs.

3. As required by NCLB § 1112(g)(4) and § 3302(e): Each district shall implement an effective means of outreach to parents of limited English proficient students to inform the parents regarding how they can be involved in their child's education and be active participants in assisting their child to attain English proficiency, achieve at high levels in core academic subjects, and meet challenging state academic achievement standards and state academic content standards expected of all students. In addition, the outreach shall include holding and sending notice of opportunities for regular meetings for formulating and responding to parent recommendations.

<u>Academic Assessment and Local Education Agency and School Improvement</u>

1. As required by NCLB § 1116(b)(6): Districts shall promptly provide to parents of each student enrolled in an elementary school or a secondary school identified for school improvement under § 1116(b)(1)(E)(I), for corrective action under § 1116(b)(7)(C)(I), or for restructuring under § 1116(b)(8)(A)(I):
    a. An explanation of what the identification means and how the school compares in terms of academic achievement to other district schools and the state educational agency;
    b. The reasons for the identification;
    c. An explanation of what the school identified for school improvement is doing to address the problem;
    d. An explanation of what the district or state educational agency is doing to help the school address the achievement problem;
    5. An explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and
    6. An explanation of the parents' option to transfer their child to another public school under paragraphs (1)(E), (5)(A), (7)(C)(i), (8)(A)(i), and subsection (c)(10)(C)(vii) (with transportation provided by the agency when required by paragraph (9)) or to obtain supplemental educational services for the child in accordance with subsection (e).

2. As required by NCLB § 1116(b)(8)(c): Whenever the school fails to make adequate yearly progress and/or is restructured, the district shall provide the teachers and parents with an adequate opportunity to comment and participate in developing any plan.

3. As required by NCLB § 1116(e)(2)(A): The district shall provide annual notice to parents of:
    a. The availability of supplemental education services;
    b. The identity of approved providers of those services within the district or whose

services are reasonably available in neighboring districts; and

c. A brief description of those services, qualifications, and the demonstrated effectiveness of each such provider.

Parental Involvement

1. As required by NCLB § 1118(b): Parents shall be notified of the parental involvement policy, in an understandable and uniform format and, to the extent practicable, in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.

2. As required by NCLB § 1118(c): Each school shall:
   a. Convene an annual meeting at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation and to explain the requirements of the NCLB and the right of the parents to be involved;
   b. Offer a flexible number of meetings;
   c. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan under § 1114(b)(2);
   d. Provide parents of participating children:
      - Timely information about programs under this part;
      - A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
      - If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.

Education of Homeless Children and Youths

1. As required by NCLB § 722(e)(3)(C): The district shall provide written notice, at the time any homeless child or youth seeks enrollment in the school and at least twice annually while the child or youth is enrolled in the school, to the parent or guardian of the child or youth (or, in the case of an unaccompanied youth, the youth) that:
   a. Shall be signed by the parent or guardian;
   b. Sets forth the general rights provided under this subtitle;
   c. Specifically states:
      - The choice of schools homeless children and youths are eligible to attend;
      - That no homeless child or youth is required to attend a separate school for

homeless children or youths;

- That homeless children and youths shall be provided comparable services, including transportation services, educational services, and meals through school meals programs;
- That homeless children and youths should not be stigmatized by school personnel;

d. Includes contact information for the local liaison for homeless children and youths.

2. As required by NCLB § 722(g)(2)(B)(iii): In the case of an unaccompanied homeless youth, the district shall ensure that the homeless liaison assists in placement or enrollment decisions, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

3. As required by NCLB § 722(g)(6)(A)(iv): Each district shall ensure that public notice of the educational rights of homeless children is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens.

Persistently Dangerous Schools

If the district is identified as a persistently dangerous school,[1] the district must, in a timely manner:

1. Notify parents of each student attending the school that the state has identified the school

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1 **"Persistently dangerous public elementary school or secondary school,"** in the context of the No Child Left Behind Act of 2001 (ESEA), a Montana public elementary or secondary school is considered to be persistently dangerous if each of the following two conditions exist:

(1) In each of three consecutive years, the school has a federal or state gun-free schools violation or a violent criminal offense has been committed on school property, and

(2) In any two years within a three-year period, the school has experienced expulsions for drug, alcohol, weapons or violence that exceed one of the following rates –

(a) more than five expulsions for a school of less than 250 students,

(b) more than 10 expulsions for a school of more than 250 students but less than 1000 students, or

(c) more than 15 expulsions for a school of more than 1,000 students.

as persistently dangerous.

2. Offer all students the opportunity to transfer to a safe public school within the district. If there is not another school in the district, the district is encouraged, but not required, to explore other options such as an agreement with a neighboring district to accept transfer students.

3. For those students who accept the offer, complete the transfer.

In addition a district must also:

1. Develop a corrective action plan; and

2. Implement the plan in a timely manner.

Parental notification regarding the status of the school and the offer to transfer students may be made simultaneously.

<u>Student Privacy</u>

1. As required by NCLB § 1061(c)(2)(A): The student privacy policies developed by the district shall provide for reasonable notice of the adoption or continued use of such policies directly to the parents of students enrolled in schools served by the district. At a minimum, the district shall:
   a. Provide such notice at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in such policies; and
   b. Offer an opportunity for the parent to opt the student out of the activity.

2. As required by NCLB § 1061(c)(2): All districts shall provide reasonable notice of such existing policies to parents and guardians of students, e.g., "*The Board has adopted and continues to use policies regarding student privacy, parental access to information, and administration of certain physical examinations to minors. Copies of those policies are available on request.*"

[* This list of parental notice requirements may not be exhaustive. The only notices applying to districts that do **not** receive Title I funds are those regarding student privacy. The notices described in this administrative procedure are paraphrased; please see the specific NCLB section cited for the exact requirements.]

Accommodating Individuals With Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities on an equal basis to those without disabilities and will not be subject to illegal discrimination. The District will provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Board will designate the Americans With Disabilities Act, Title IX Coordinator and, in that capacity, the person is directed to:

1. Oversee the District's compliance efforts, recommend necessary modifications to the Board, and maintain the District's final Title II self-evaluation document and keep it available for public inspection.

2. Institute plans to make information regarding Title II protection available to any interested party.

Individuals with disabilities should notify the Board of Trustees if they have a disability that will require special assistance or services and, if so, what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Cross Reference: 5240P Uniform Grievance Procedure

Legal Reference: Americans with Disabilities Act, 42 U.S.C. □□1211 et seq. and 12131 et seq; 28 C.F.R. Part 35

Policy History:
Adopted on: 3/19/03
Revised on:

Equal Employment Opportunity and Non-Discrimination

The District shall provide equal employment opportunities to all persons, regardless of their race, color, creed, religion, national origin, sex, age, ancestry, marital status, military status, citizenship status, use of lawful products while not at work, physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodations, and other legally protected categories.

The District will make reasonable accommodations for an individual with a disability known to the District, if the individual is otherwise qualified for the position, unless the accommodations will impose undue hardship upon the District.

Inquiries regarding discrimination should be directed to the Board of Trustees. Specific written complaints should be directed to the County Superintendent. There is recourse external to the organization such as the Montana Human Rights Commission or the Office of Civil Rights.

Cross Reference: 5240P Uniform Grievance Procedure

Legal Reference:
Age Discrimination in Employment Act, 29 U.S.C. □□621 et.seq.
Americans with Disabilities Act, Title I, 42 U.S. C. □12111, et.seq.
Act of Equal Pay Act, 29 U.S.C. □206(d)
Montana Constitution, Article X, Section 1
Immigration Reform and Control Act, 8 U.S.C. □1324 (a), et.seq.
Rehabilitation Act of 1973, 29 U.S.C. □□791, et.seq.
Title VII of Civil Rights Act, 42 U.S.C. □□2000(e), et. seq., 29 C.F.R., Part 1601
Title IX of the Education Amendments, 20 U.S.C. □□1681, et.seq., 34 C.F.R., Part 106

§□49-2-101, et. al., MCA	Human Rights Act
§ 49-3-102, MCA	Freedom from Discrimination
§ 49-3-201, MCA	Employment of State and Local Government Personnel
§□49-3-205, MCA	Governmental Services
§ 39-3-104, MCA	Equal Pay for Women for Equivalent Service

Policy History:
Adopted on: 3/19/03
Revised on:

Sexual Harassment/Sexual Intimidation in the Workplace

The District shall do everything in its power to provide employees an employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communications constituting sexual harassment, as defined and otherwise prohibited by state and federal law.

District employees shall not make sexual advances or request sexual favors or engage in any conduct of a sexual nature when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(3) Such conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment prohibited by this policy includes verbal or physical conduct. The terms "intimidating", "hostile", or "offensive" include, but are not limited to, conduct which has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all of the circumstances.

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action, up to and including discharge.

Aggrieved persons, who feel comfortable doing so, should directly inform the person engaging in sexually harassing conduct or communication, that such conduct or communication is offensive and must stop.

Employees who believe they may have been sexually harassed or intimidated should contact the County Superintendent, who will assist them in filing a complaint. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

Cross-Reference: Uniform Grievance Procedure, 3215

Legal Reference: Title VII of the Civil Rights Act, 42 U.S.C. □□2000(e), et seq., 29 C.F.R. 1604.11
Title IX of Education Amendments, 20 U.S.C. □□1681, et seq.
Montana Constitution, Art. X, □1
§ 49-2-101, MCA - Human Rights Act
Harris v. Fork Lift Systems, 114 S.Ct. 367 (1993)

Policy History:
Adopted on: 3/19/03
Revised on:

Hiring Procedures and Criteria

All staff members make important contributions to a successful education program. The District shall hire the best-qualified personnel, consistent with budget and staffing requirements, and shall comply with Board policy on equal employment opportunities. All applicants must complete a District application form in order to be considered for employment.

Each applicant must provide a written authorization for a criminal background investigation. The County Superintendent will keep a conviction record confidential as required by law and District policy. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.

Contracts, as required by law, for certificated staff shall not exceed one year and shall be executed in duplicate by the Chair of the Board and the Clerk of the District, and by the teacher or specialist.

Vacancies

When the District determines that a vacancy exists, that vacancy may be posted in each school building. Vacancies may be advertised in-District only or they may be advertised in-District and through Career Services at a college or university, local public advertising and, where appropriate, if time permits, through a broader regional and/or national basis.

Certification

The district shall require that its contracted certificated staff hold a valid Montana Teacher Certificate endorsed for the role and responsibilities for which they are employed. Failure to meet this requirement shall be just cause for termination of employment. No salary warrants may be issued to the staff member unless a valid certificate for the role to which he/she has been assigned has been registered with the County Superintendent of Schools within 60 calendar days after the term of service begins.

All contracted teachers shall bring their current, valid certificates, at the time of each renewal of certification, as well as at the time of initial employment, to the County Superintendent.

Legal Reference:	§□20-3-205(3), MCA	Powers and Duties
	§□20-4-201, MCA	Employment of Teachers and Specialists by Contract
	§□20-4-202, MCA	Teacher & Specialist Certification Registration
	§□20-4-205(2), MCA	Notification of Tenure Teacher Reelection
	§ 20-4-206(2), MCA	Notification of Non-tenure Teacher Reelection
	10.55.302, ARM	Certificates

Policy History:
Adopted on: 3/19/03
Revised on:

Criminal Background Investigations

It is the policy of the Board that all employees hired who care for or supervise students; or have access to students in schools will submit to a background investigation conducted by the appropriate law enforcement agency. The Board is charged with the responsibility for carrying out the intent of this policy. Since all Montana licensed educators are required to have a background check as a condition of receiving their licenses, this policy does not require a further background check of those professionals.

The following applicants for employment, as a condition for employment, will authorize in writing, a background investigation to determine if he or she has been convicted of certain criminal or drug offenses:

* an educational support personnel employee seeking full-time employment within the district;
* an educational support personnel employee seeking concurrent part-time employment positions with one or more school districts;
* an employee of a person or firm holding a contract with more than one school district and the employee is assigned to more than one school district;
* a volunteer assigned within the district who has access to students.

An applicant must be of good character. If he/she has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the Board must be notified of the arrest or conviction, and the Board and his/her supervisors will review the facts and decide whether the applicant shall be declared eligible for appointment.

A record of conviction resulting from the background check will be held as confidential and shared only with the Board, the County Superintendent, the Superintendent of Public Instruction, the State Board of Public Education, or any other person necessary to the hiring decision.

A copy of the record of convictions obtained from the Department of Justice will be provided to the applicant.

Legal Reference:	§ 10-57-201, MCA	Criminal history background check
	§ 44-5-301, MCA	Dissemination of public criminal justice information
	§ 44-5-302, MCA	Dissemination of criminal history record information that is not public criminal justice information
	§ 44-5-303, MCA	Dissemination of confidential criminal justice information

Policy History:
Adopted on: 3/19/03
Revised on:

AUTHORIZATION TO RELEASE INFORMATION

TO WHOM IT MAY CONCERN:

I, _____, am seeking employment or volunteer status with the_____ School District. I acknowledge that a complete investigation into my background is necessary to protect the safety and welfare of the children in the _____ School District. I hereby expressly and voluntarily give the _____ School District the right to make a thorough investigation of my past employment, education, and activities. I specifically authorize the release of any and all information of a confidential or privileged nature, **including confidential criminal justice information as defined in Section 44-5-103(3), MCA,** to the staff of the _____ School District and its agents. I understand that the _____ School District reserves the right to use any lawful method of investigation that, in its sole discretion, it deems reasonable and necessary.

I hereby release the _____ School District and any organization, company, institution, or person furnishing information to the District and its agents as expressly authorized above, from any liability for damage which may result from any dissemination of the information requested, subject to the provisions of Title 44, Chapter 5, Part 3, MCA.

This document is effective until revoked in writing by me.

_____ _____
SIGNATURE DATE

Print Full Name:_____

Print Full Address: _____

City: _____ State: _____ Zip: _____

Birth Date: _____ Social Security Number: _____

STATE OF MONTANA)
: ss.
County of _____)

On this _____ day of _____, 200_, before me, a notary public of the State of Montana, personally appeared _____, known to me to be the person named in the foregoing Release, and acknowledged to me that _____ executed the same as _____ free act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year in this certificate first above written.

_____
Notary Public, State of Montana
County of _____

Staff Health
Medical Examinations

Through its overall safety program and various policies pertaining to school personnel, the Board will promote the safety of employees during working hours and assist them in the maintenance of good health. The Board will encourage all its employees to maintain optimum health through the practice of good health habits.

The Board may require physical examinations of its employees, under circumstances defined below. The District will maintain results of physical examinations in medical files separate from the employee's personnel file and will release them only as permitted by law.

Physical Examinations

The District participates in a Pre-Placement Physical Program for all custodial and maintenance personnel and other positions deemed inclusive of this policy as determined by specific Board action. Subsequent to a conditional offer of employment in a position for which the District may require participation in a pre-placement physical but before commencement of work, the District may require an applicant to have a medical examination and to meet any other health requirements which may be imposed by the state. The District may condition an offer of employment on the results of such examination, if all employees who received a conditional offer of employment in the applicable job category are subject to such examination. The report shall certify the employee's ability to perform the job-related functions of the position for which the employee is being considered. Such examination shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions.

All bus drivers, whether full-time, regular part-time, or temporary part-time, are required by state law to have a satisfactory medical examination before employment.

Communicable Diseases

The term "communicable disease" refers to the diseases identified in 37.114.203, ARM, Reportable Diseases, with the exception of common colds and flu.

If a staff member has a communicable disease, the staff member must notify the school nurse or other responsible person designated by the Board of the communicable disease which could be life threatening to an immune-compromised person. The school nurse or other responsible person designated by the Board must determine, after consultation with and on the advice of public health officials, if the immune-compromised person needs appropriate accommodation to protect their health and safety.

An employee with a communicable disease shall not report to work during the period of time in which the employee is infectious. An employee afflicted with a communicable disease capable of being readily transmitted in the school setting (e.g., airborne transmission of tuberculosis) shall be encouraged to report the existence of the illness so that precautions may be taken to protect the health of others. The District reserves the right to require a statement from an employee's primary care provider, before the employee may return to work.

Confidentiality

In all instances, District personnel will respect an individual's right to privacy and treat any medical diagnosis as confidential information. Any information obtained regarding the medical condition or history of any employee will be collected and maintained on separate forms and in separate medical files and will be treated as confidential information. Only those individuals with a legitimate need to know will be provided necessary medical information.

Supervisors and managers may be informed of necessary restrictions on the work or duties of an employee and necessary accommodations. First aid and safety personnel may be informed, when appropriate, if a staff member with a disability might require emergency treatment.

Cross Reference:	5005	Section 504 of the Rehabilitation Act
Legal Reference:	29 U.S.C. § 794, *et seq*.	Section 504 of the Rehabilitation Act
	42 U.S.C. § 12101, *et seq*.	Americans with Disabilities Act
	29 CFR, Part 1630.14(c)	Examination of employees
	Title 49, Chapter 2, MCA	Illegal Discrimination
	Title 49, Chapter 4, MCA	Rights of Persons With Disabilities
	§ 20-10-103(4), MCA	School bus driver qualifications
	37.111.825, ARM	Health Supervision and Maintenance

Policy History:
Adopted on: 3/27/2020
Reviewed on:
Revised on:

My commission expires _____

PERSONNEL **5140**

Classified Personnel - Definition of

The term "classified personnel" is defined for the purpose of this Board policy as those employees of the Pendroy Public School whose positions of employment do not require professional certification under the provisions of Montana School Law, but who are employed for hourly work. Classified positions of employment shall include but are not limited to secretaries, bus drivers, bookkeepers, classroom instructional/library aides, custodians (other than those with stationary engineer's license) and any position that does not require certification or licensure under Montana School Law, and which is otherwise non-exempt under the Fair Labor Standards Act. When an employee is retained in both a classified and certified position during the course of a year, the provisions of the classified personnel policies shall apply to the employee's performance of duties in the classified employee's position.

All employees retained in a classified position (classified employee), shall be defined as "classified personnel" for the purpose of these Board policies.

The Board of Trustees will assure that "Classified" policy will provide for an impartial treatment of all employees, consistent with good personnel practices. All rules and regulations, Board policies and administrative procedures shall be available to employees in the school.

Classified personnel will be categorized on the basis of the conditions of the employment agreement. These categories are:

1. Full time/full year: 40 hours per week/52 weeks per year.
2. Full-time/part year: 40 hours per week but less than twelve months.
3. Part time: Normally works less than full time as defined by Montana law.
4. Temporary (as needed): Employed on any basis but duration of employment is indefinite. Generally paid on an hourly rate basis; being "on-call."
5. Seasonal, short term and temporary: As needed as defined by law.

The board will set a beginning and ending date in each classified contract.

A job or position description shall be developed for all ongoing regular positions filled by a classified employee.

Classified Employment and Assignment

Each permanent classified employee shall receive a letter of initial notification of employment signed by the Chair of the Board of Trustees and thereafter shall receive a Change of Status Form for any substantial and significant changes in employment conditions affecting the employee's hours, assignment, or wages.

The employment of classified staff shall be on an at-will basis commencing from the first day of work.

Legal Reference: § 2-18-101, 601,MCA Definition of employees
§ 39-2-503, MCA Termination at will
Bowden v. The Anaconda Co. 38 St. Rep. 1974 (D.C. Mont. 1981).
Scott v. Eagle Watch Inv., Inc., 251 Mont. 191, 828 P2d 1346 (1991)
Prout v. Sears, Roebuck & Co., 236 Mont. 152, 722 P2d 288 (1989).

Policy History:

Adopted on: 3/19/03
Revised on:

Placement of Substitute Teachers

All teachers shall use the following procedures with regard to normal temporary replacement of certified teachers:

A. Placement of substitute teachers shall be done exclusively through the Supervising Teacher.

B. Teachers who are absent on a particular day shall notify of their intent to return or not to return the following day by 7 p.m. The Supervising Teacher shall then notify substitutes before departure of the fact that they will or will not be needed in the same assignment the following day.

D. Should a teacher have declared his/her intent to return to duties after an absence but subsequently finds that there is a reoccurrence of the illness or a deteriorating condition which requires continued absence, it shall be the teacher's responsibility to re-call the Supervising Teacher and re-request a substitute.

E. Except when notified to the contrary, each substitute teacher shall be released from duty at the close of the school day on Friday or on the last school day before the start of any vacation.

F. In the event that the returning teacher has failed to notify the school of his/her intent to return to duty the next day, and the substitute and the teacher both appear for duty on the ensuing day, the regular teacher will be expected to perform the classroom duties but the substitute shall be compensated for one-half (1/2) day.

The teacher shall also leave written instructions for the substitute, clearly outlining daily activities and any books or papers to be utilized. In return, the substitute will leave written comments or suggestions for the teacher.

The Board has clearly established a daily rate of pay for substitute teachers. No fringe benefits are given substitutes. The hours for a substitute shall be the same as the regular school day. A substitute shall report to the Supervising Teacher, upon arrival, for special instructions.

Policy History:
Adopted on: 3/19/03
Revised on:

Job-Sharing Staff Members

A job-sharing assignment is the sharing of one full-time or nearly full-time regular position between two persons. The Board of Trustees will determine those positions and persons where job-sharing would best meet the needs of the District.

The District reserves the right to:

1. Determine the number, if any, of job-sharing positions within the District;

2. Require job-sharers to attend staff meetings, professional development, inservice and other meetings as expected of their non-job-sharing colleagues;

3. Abolish any job-sharing position at any time;

4. Change a job-sharing position to a non-job-sharing position at the sole discretion of the District;

5. Deny any staff member's request to change a job-sharing position to a non-job-sharing position or vice versa.

6. Require job-sharing staff members to work full-time in the event of the termination or resignation of one of the job-sharing staff members or until such time as such staff member can be replaced according to the District's satisfaction and sole discretion.

7. Require one job-sharer to assume leadership and administrative responsibility for the position to insure that the rules, functions and responsibilities of the position are fulfilled.

Those contingencies that may arise during the course of employment such as, but not limited to, the absence or resignation of one of the job-sharers, the computation of employment benefits, and the responsibilities to participate in staff meetings and on committees shall be discussed with and set forth in writing for the benefit of the employees job-sharing and the Board. The purpose of such a statement is to resolve potential conflicts in an equitable fashion before they arise.

Policy History:
Adopted on: 3/19/03
Revised on:

Work Day

Length of Workday - Certified

The length of a normal workday for a certified employee shall be 8 hours for a full-time certified employee. Arrival time shall generally be one-half hour before classes begin.

Length of Workday - Classified

The length of a classified workday is governed by the number of hours for which the employee is assigned. The workday is exclusive of lunch but inclusive of breaks unless otherwise and specifically provided for by the individual contract. The appropriate supervisor will establish each employee's schedule.

Breaks

A daily morning and afternoon rest period of fifteen (15) minutes shall usually be available to all full-time, classified employees. Hourly personnel may usually take one fifteen (15) minute rest period for each four (4) hours that are worked in a day.

Breaks will normally be taken approximately in mid-morning and mid-afternoon and should be scheduled in accordance with the flow of work and with the approval of the employee's supervisor.

Legal Reference:	29 USC 201 to 219	Fair Labor Standards Act of 1985
	29 CFR 516, et seq.	FLSA Regulations
	§ 39-4-107, MCA	State and Municipal Governments, School Districts
	§ 39-3-405, MCA	Overtime Compensation
	10.55.209, ARM	Standard School Day
	10.65.103(2), ARM	Program of Approved Pupil Instruction-Related Days
	24.16.102, et seq., ARM	Wages and hours

Policy History:
Adopted on: 3/19/03
Revised on:

Evaluation

Certified Staff

The Board of Trustees with the assistance of the County Superintendent shall develop evaluation procedures for teachers. All new teachers shall be observed at least three times and evaluated twice in their first year. All non-tenured teachers shall be observed twice and evaluated at least once each school year. All tenured teachers shall be evaluated at least once every three years.

Classified Staff

Each classified employee shall be evaluated as needed, but no less than once every three years.

Policy History:
Adopted on: 3/19/03
Revised on:

Personal Conduct

Employees are expected to maintain high standards of honesty, integrity and impartiality in the conduct of District business.

In accordance with state law, an employee should not dispense or utilize any information gained from employment with the District, accept gifts or benefits, or participate in business enterprises or employment which creates a conflict of interest with the faithful and impartial discharge of his or her District duties. A District employee may, prior to acting in a manner, which may impinge on his/her fiduciary duty, disclose the nature of his/her private interest which creates a conflict. Care should be taken to avoid using, or avoid the appearance of using, official positions and confidential information for personal advantage or gain.

Further, employees must hold confidential all information deemed to be not for public consumption as determined by state law and board policy. Employees shall also respect the confidentiality of people served in the course of the employee's duties and use information gained in a responsible manner. Discretion must be employed even within the school system's own network of communication.

Employees shall be courteous, considerate and prompt in dealing with and serving the students, parents or the public.

Administration and supervisors may set forth specific rules and regulations governing employee's conduct on the job within a particular building.

See Appendix E - Code of Ethics for Teachers

Policy History:
Adopted on: 3/19/03
Revised on:

Tobacco-Free and Drug-Free Workplace

Tobacco Free

The District maintains tobacco-free buildings and grounds. Use of tobacco will not be allowed in any buildings or grounds, nor will employees be allowed to use tobacco while on duty. New employees of the District will be hired with the understanding they will be directed not to use tobacco in school buildings or grounds. Limitations or prohibitions on tobacco use are applicable to all hours.

Drug and Alcohol Free

All District workplaces are drug- and alcohol-free workplaces. All employees are prohibited from:

- Unlawful manufacture, dispensing, distribution, possession, use, or being under the influence of a controlled substance while on District premises or while performing work for the District.
- Distribution, consumption, use, possession, or being under the influence of alcohol while on District premises or while performing work for the District.

For purposes of this policy, a controlled substance is one that is:

- not legally obtainable;
- ■being used in a manner different than prescribed;
- ■legally obtainable, but has not been legally obtained; or
- ■referenced in federal or state controlled substance acts.

As a condition of employment, each employee shall:

- abide by the terms of the District policy respecting a drug- and alcohol-free workplace; and
- ■notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than five (5) days after such a conviction.

In order to make employees aware of dangers of drug and alcohol abuse, the District will endeavor to:

- provide each employee with a copy of the District Drug- and Alcohol-Free Workplace policy;
- post notice of the District Drug- and Alcohol-Free Workplace policy in a place where other information for employees is posted;
- enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs to provide information to District employees; and
- inform employees of available drug and alcohol counseling, rehabilitation, re-entry and any employee assistance programs. (Reference: Policy #5257)

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program.

The Board shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace within 30 days after receiving notice of the conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant of $5,000 or more, the Board of Trustees shall notify the appropriate state or federal agency from which the District receives contract or grant monies of the employees conviction with 10 days after receiving notice of the conviction.

Policy History:
Adopted on: 3/19/03
Revised on:

Staff Health and Communicable Diseases

Through its overall safety program and various policies pertaining to school personnel, the Board shall promote the safety of employees during working hours and assist them in the maintenance of good health. It shall encourage all its employees to maintain optimum health through the practice of good health habits.

Under the circumstances defined below, the Board may require physical examinations of its employees. The District shall pay for all such physical examinations. Results of such physical examinations shall be maintained in separate medical files and not in the employee's personnel file and may be released only as permitted by law.

Physical Examinations

If the work is of a physically demanding nature, subsequent to a conditional offer of employment and prior to a commencement of work, the District may require an applicant to have a medical examination and to meet any other health requirements that may be imposed by the state. The District may condition an offer of employment on the results of such examination if all entering employees in the applicable job category are subject to such examination. If approved by personnel services, a 30-day grace period beginning from the date of employment may be allowed for the employee to obtain the required medical examination.

All bus drivers, including full-time, regular part-time or temporary part-time drivers are required by state law to have a satisfactory medical examination prior to employment.

Communicable Diseases

If a staff person has a communicable disease and has knowledge that a person with compromised or suppressed immunity attends the school, the staff person must notify the school nurse or other responsible person designated by the Board that they have a communicable disease which could be life threatening to an immune compromised person. The school nurse or other responsible person designated by the Board must determine, after consultation with and on the advice of public health, if the immune compromised person needs appropriate accommodation to protect their health and safety.

An employee with a communicable disease shall not report to work during the period of time in which she/he is contagious/infectious. An employee afflicted with a communicable disease capable of being readily transmitted in the school setting (e.g., airborne transmission of tuberculosis) shall be encouraged to report the existence of the illness in case there are precautions that must be taken to protect the health of others. The district reserves the right to require a statement from the employee's primary care provider prior to the employee's return to work.

Confidentiality

In all instances, District personnel shall respect the individual's right to privacy and treat any medical diagnosis as confidential information. Any information obtained regarding the medical condition or history of any employee shall be collected and maintained on separate forms and in separate medical files and be treated as confidential (i.e., those persons with a direct responsibility for the care of or for determining work place accommodation for the staff person will be provided with necessary medical information).

Supervisors may be informed of the necessary restrictions on the work or duties of the employee and necessary accommodations. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.

Legal Reference: 29 U.S.C. 794, Section 504 of the Rehabilitation Act
29 CFR, Section 1630.14(c)(1)(2)(3)
41 U.S.C. 12101 et seq., Americans with Disabilities Act
Title 49, Chapter 4, MCA, Rights of the Handicapped
Title 49, Chapter 2, MCA, Illegal Discrimination
§ 20-10-103(4), MCA
24.9.1401, et seq, ARM
16.28.101, et seq, ARM

Policy History:
Adopted on: 3/19/03

Revised on:

Pendroy School District

PERSONNEL 5230

Prevention of Disease Transmission

All District personnel will be advised of routine procedures to follow in handling body fluids. These procedures, developed in consultation with public health and medical personnel, will provide simple and effective precautions against transmission of diseases to persons exposed to the blood or body fluids of another. The procedures will follow standard health and safety practices. No distinction will be made between body fluids from individuals with a known disease or infection and from individuals without symptoms or with an undiagnosed disease.

The District will provide training on procedures on a regular basis. Appropriate supplies will be available to all personnel, including those involved in transportation and custodial services.

Policy History:
Adopted on: 3/27/2020
Reviewed on:
Revised on:

Personnel Records

The District maintains a complete personnel record for every current employee and former employee. The employee's personnel record shall be maintained in the County Superintendent's office. An employee will be given access to his or her personnel records, according to the guidelines developed by the Board. Members of the Board, when authorized through Board action, may have access to cumulative personnel files. Counsel retained by the Board or the employee shall also have access to cumulative personnel file, when specifically authorized by the Board.

Payroll and Employee Benefit Plans

The public shall, upon request and with approval of the County Superintendent, have access to payroll records and benefit plans for any or all employees of the district.

How an individual chooses to allocate compensation shall be a private concern.

Employee Job Applications, Qualifications and Status Information

The names of applicants for advertised vacancies may be released to the public upon request unless an applicant requests otherwise at the time of submitting an application. Statistical information that would normally be released to governmental agencies monitoring compliance will be made available upon request.

Regarding employee records or specific job applications, qualifications and status, the following information shall be privileged (not made public):

1. Past and present performance evaluations, employer criticism and observations
2. Military record
3. Health and medical status
4. I.Q. scores and performance tests
5. Convictions and/or prison records
6. Disabilities (including chemical dependency problems)
7. Family status or problems
8. Discussion of other employees, which occur during a performance evaluation
9. Information compiled to explain absence from work or poor work performance
10. Other information most individuals would not willingly disclose publicly

Personnel Files

The Clerk shall maintain cumulative personnel files (employee records). Access to personnel files shall be limited to the Board, and the County Superintendent or Principal, to the Board's legal counsel, and to the employee, the employee's signed designee, or the employee's legal counsel. A record by name and date of any party reviewing a file shall be maintained in that file, and those who have access to the files shall be required to maintain the confidentiality of the files and their contents.

An employee shall have the right, with prior arrangement, during normal business hours, to review the contents of his/her personnel file in the presence of the Clerk or other authorized staff member.

Processed grievances shall not be a part of an employee's personnel file, but shall be kept apart from the personnel file.

Legal Reference: 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: 5/13/03
Revised on:

Resolution of Staff Complaints

As circumstances allow, the District will attempt to provide the best working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question is answered quickly and accurately by supervisors or the Board.

To fulfill this commitment, the following policy has been established:

- ■The District will endeavor to promote fair and honest treatment of all employees. All employees are expected to treat each other with mutual respect.

- ■each employee has the right to express his or her views concerning policies or practices to the Board in a business-like manner, without fear of retaliation. Employees are encouraged to offer positive and constructive criticism.

- ■each employee is expected to follow established rules of conduct, policies, and practices. Should an employee disagree with a policy or practice, the employee can express his or her disagreement.

- No employee shall be penalized, formally or informally, for voicing a disagreement with the District in a reasonable, business-like manner.

Policy History:
Adopted on: 5/13/03
Revised on:

Uniform Grievance Procedure

All individuals should use this grievance procedure if they believe that the Board, its employees or agents have violated their rights guaranteed by the State or federal constitution, State or federal statute, or Board policy.

The District will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

Level 1: Informal: An individual with a complaint is encouraged to first discuss it with the teacher, or staff member involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the County Superintendent.

Level 2: County Superintendent: If the complaint is not resolved at Level 1, the grievant may file a written grievance stating: 1.) the nature of the grievance and 2.) the remedy requested. It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the County Superintendent within sixty (60) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the County Superintendent shall investigate and attempt to resolve the complaint. If either party is not satisfied with the County Superintendent's decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the County Superintendent's decision. This request must be submitted to the Board within fifteen (15) days of the County Superintendent's decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the County Superintendent shall turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint. The District has appointed Nondiscrimination Coordinators to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the County Superintendent within thirty (30) days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the County Superintendent agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the County Superintendent rejects the recommendation of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within fifteen (15) days of receiving the report of the Coordinator to the Board for a hearing.

Level 3: The Board: If either party is not satisfied with the decision of the County Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within fifteen (15) days of receiving the County Superintendent's decision. The Board is the policy-making body of the school, however, and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the County Superintendent to the Board bears the burden of proving a failure to follow Board policy.

Upon receipt of a written appeal of the decision of the County Superintendent, and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final, unless appealed within the period provided by law.

Level 4: County Superintendent: If the case falls within the jurisdiction of the County Superintendent of Schools, the decision of the Board may be appealed to the County Superintendent, who shall appoint an impartial County Superintendent, by filing a written appeal within thirty (30) days after the final decision of the Board, pursuant to the Rules of School Controversy.

Procedure History:
Promulgated on: 5/13/03
Revised on:

Non-Renewal of Employment/Dismissal From Employment

The non-renewal, termination or dismissal of certificated and classified staff shall be determined by the Board after receiving the recommendation of the County Superintendent or, in the case of classified employees, the Supervising Teacher, the Principal or other appropriate individual in conformity with state statutes and applicable district policy.

Resignations

Certified personnel will generally be expected to fulfill the terms of their contract unless (1) there are clearly compelling, mitigating circumstances which prevent the certified individual from doing so; and (2) until such time as the Board through public action releases the certified individual from the terms of his/her contract.

Classified employees (i.e. non-certified employees) are expected to give due written notice that will permit the district to conduct a search for a suitable replacement. Generally speaking, the Board of Trustees expects a two-week notice.

All resignations should be in writing. The immediate supervisor shall be informed in writing of the resignation and a copy of the resignation shall be delivered to the Board Chair.

Retirement Programs for Employees

All employees of the Pendroy Public School shall participate in the retirement programs under the Federal Social Security Act and either the Teachers' Retirement System or the Public Employees' Retirement System as designated in state retirement regulations.

Certified employees who intend to retire at the end of the current school year should notify the Board of Trustees in writing prior to March 1 of that year.

Those employees intending to retire who are not contractually obligated to complete the school year should notice the Board of Trustees as early as possible and no less than sixty (60) days prior to their retirement date.

The Board of Trustees directs the Clerk to develop procedures and will review them, by which contributions shall be determined for previously unclaimed prior service.

Legal Reference:	Title 19, Chapter 1, MCA	Social Security
	Title 19, Chapter 3, MCA	Public Employees' Retirement System
	Title 19, Chapter 20, MCA	Teachers' Retirement System
	§□20-3-3244, MCA	Duties and powers of Trustees
	§□20-4-204, MCA	Termination of tenure teacher services
	§ 20-4-206, MCA	Notification of non-tenure teacher reelection - acceptance - termination and statement of reasons.
	§ 20-4-207, MCA	Dismissal of teacher under contract

Policy History:
Adopted on: 5/13/03
Revised on:

Disciplinary Action - Employees

District employees who fail to fulfill their job responsibilities or follow the reasonable directions of their supervisors or who conduct themselves on or off the job in ways that affect their effectiveness on the job or in other such ways that the law determines to be good cause shall be subject to discipline. Behavior, conduct or action which may institute disciplinary action or dismissal may include, but is not limited to, insubordination, fraud, theft, violation of District policies and other reasonable job-related grounds based on a failure to satisfactorily perform job duties, disruption of the District's operation, or other legitimate business reason.

Discipline shall be reasonably appropriate to the circumstance and shall include, but is not limited to, the supervisor's right to reprimand and to suspend with or without pay or impose other appropriate disciplinary sanctions. In accordance with Montana law, only the board of trustees may terminate or non-renew an employee.

Legal Reference:	§□20-3-324, MCA	Powers and Duties
	§ 20-4-207, MCA	Dismissal of Teacher Under Contract
	§ 20-3-210, MCA	Controversy Appeals and Hearings
	§ 39-2-903, MCA	Definition of good cause

Policy History:
Adopted on:
Revised on:

Reduction in Force

The Board has the exclusive authority to determine the appropriate number of certified employees. A reduction of certified employees may occur as a result of, but not be limited to, changes in the education program, staff realignment, changes in the size or nature of the student population, financial situation considerations, or other reasons deemed relevant by the Board.

The reduction in certified employees will be done through normal attrition if possible. If normal attrition does not meet the necessary reduction in force required, the Board may terminate certified employees.

It shall be the responsibility of the County Superintendent to make a recommendation for termination to the Board. The County Superintendent shall consider the following criteria in making the recommendations:

- Endorsements and educational preparation within the grade level and subject areas in which the employee is now performing;
- Relative skills, ability and demonstrated performance; and
- Number of continuous years of service to the School District. This will be considered only when the foregoing factors are relatively equal between certified employees.

Cross Reference: #5254 Non-renewal or Termination of Contract

Legal Reference: §□20-4-206(4), MCA Notification of Non-tenure Teacher Reelection

Policy History:
Adopted on:
Revised on:

Employee Assistance Program (Optional)

The Pendroy School District will provide an Employee Assistance Program (EAP) that will assist employees and their dependents in dealing with the personal problems that pose a threat to their health, well-being and/or possibly their jobs. The EAP may help with a wide range of problems employees face such as alcoholism, drug abuse, emotional problems or other personal concerns. The scope of assistance will be limited to (1) initial assessment and referral; (2) up to three short-term counseling sessions with the District's external EAP coordinator; and (3) awareness/education services on the effects of drug/alcohol and other addictions, stress management and/or other areas of personal problems. Subsequent services, which may be indicated, may be partially covered by applicable provision of health insurance, with the employee being responsible for any remainder of services provided. The District will make confidential assistance available through special arrangements by the District with a confidential external EAP coordinator. The external EAP coordinator will coordinate with the Personnel Services Department of the School District. No services, beyond the three listed in this policy as the scope of this program, will be provided to employees except in those specifically covered in the District's employee benefit plan.

Implementation of this program will not require or result in any special regulations, privileges or exceptions from the standard administrative practices applicable to job performance, except as may be outlined in a labor/management agreement. The EAP is complimentary to, but not a substitute for, adequate job performance.

The Pendroy Public School District must provide a safe environment for all students, patrons and employees of the District. Therefore, precautions will be taken to insure that an employee's condition does not present a health and/or safety threat to students, patrons or other employees in any instance.

Policy History:
Adopted on: 5/13/03
Revised on:

Leaves

Sick Leave - Policy and Objectives

It is the policy of the Pendroy Public Schools to grant its classified employees sick leave benefits in accordance with Section 2-18-618, MCA. Teachers shall be granted sick leave in accordance with the provisions of their teaching contracts/Board policy.

Sick leave means a leave of absences with pay for a sickness suffered by an employee or his/her immediate family. Immediate family shall mean the employee's spouse and children residing in the employee's household.

Nothing in this policy guarantees approval of the granting of such leave in any instance. The District will judge each request in accordance with this policy and the governing contractual agreements.

The objectives of this policy are to establish functional uniform procedures for calculating and granting sick leave benefits in accordance with Section 2-18-618, MCA.

Further, it is an objective of this policy to assure compliance with the maternity leave requirements specified in the Civil Rights Act of 1964 and the Montana Maternity Leave Act. Sick leave will be available for pregnancy, miscarriage, childbirth, and recovery there from.

It is understood that seniority shall accumulate while a teacher or employee is utilizing accumulated sick leave credits. Seniority will not accumulate unless an employee is in a pay status.

Abuse of sick leave is cause for discipline up to and including termination/discharge.

Adoption Leave (Optional)

Up to twenty (20) days of Sick Leave may be granted upon request of an employee for the purpose of adoption, as is prescribed below:

1. Adoption leave shall be charged only to accumulated Sick Leave, and otherwise shall be a leave of absence without pay.

2. An employee shall have no more than a period of 42 calendar days from the time a newly adopted child enters his/her home in which to apply for adoption time; thereafter, the provision of this leave will not be available.

3. In the event that both parents are employees of the district, their combined total adoption leave shall not exceed twenty (20) working days.

4. Any request for adoption leave beyond twenty (20) working days shall be considered parental leave, and in every instance shall be leave without pay. Nothing contained within this policy binds the district to grant adoption or parental leave.

Civic Duties Leave (For Certified Only)

Employees can request pay for absences for Jury Duty or other appearances in court in response to a duly served subpoena, except where the employee is a litigant in the case. The pay for subpoena leave shall be the regular rate of pay for the employee, less any payment received from the court exclusive of reimbursement for travel, meals and lodging.

1. The employee requesting pay must file a copy of the subpoena with the clerk and inform the immediate supervisor prior to the absence. The employee shall keep the supervisor informed of the length of absence.

2. The employee must complete a "Request for Leave" form, prior to the leave if possible.

Personal Leave (For Certified Only)

The District may provide up to twelve days of Personal Leave per year to each contracted, full-time certified employees, accumulative to 45 days. In the event of part time employees, pro-rated days shall be provided.

1. In the case of emergencies generated in conjunction with a scheduled School District vacation or holiday precludes the return of a staff member, application for Personal Leave may be made on return.

2. Personal Leave days will not be granted during the first two nor the last two days of any school semester, nor during any Pupil Instruction Related Day by teachers unless approved by the Board for compelling reasons.

3. Exceptions to this policy may be made during periods of emergency, such as when there is an inadequate supply of substitutes. The Board reserves the right to grant Personal Leave days upon petition for extraordinary or emergency reasons; the granting of Personal Leave in such instances will not constitute a precedent binding upon the District in its administration of Personal Leave policies.

4. Personal Leave is granted in units of half (1/2) or full days.

Extended and/or General Leave Requests (Discretionary)
The Board of Trustees reserves final approval of all discretionary extended leave requests, whether with or without pay. This shall include those leaves under the Voluntary Career Development Plan, as well as discretionary leaves without pay.
All such leave requests must come before the Board for its approval.

Long-Term Illness/Temporary Disability/Maternity Leave
It is the policy of the Pendroy Public School to enable its employees to use sick leave for long-term illness or temporary disability, and upon the expiration of sick leave to grant eligible employees leave without pay if requested.

Medical certification of the long-term illness or temporary disability may be required at the Board's discretion.
Long-term illness or temporary disability shall be construed to include pregnancy, miscarriage, childbirth and recovery there from. Maternity leave includes only continuous absence immediately prior to delivery, absence for delivery, and absence for post-delivery recovery, or continuous absence immediately prior to and in the after-math of miscarriage or other pregnancy-related complications. Such leave shall not exceed six weeks unless prescribed by a physician.

Leave without pay arising out of any long-term illness or temporary disability, including pregnancy, miscarriage, childbirth and recovery there from shall commence only after sick leave has been exhausted. The duration of leaves, extensions, and other benefits for privileges such as health and long-term illness or temporary disability plans in the event of maternity leave, shall apply under the same conditions as other long-term illness or temporary disability leaves.

The Board of Trustees shall devise procedures within the intent of Title VII of the 1964 Civil Rights Act as amended in 1978 by the Pregnancy Discrimination Act, and within the scope of applicable law and court rulings in the state of Montana.

Cross Reference: #5328 Family Medical Leave Act

Legal Reference:	42 USC 2000e	Equal Employment Opportunities
	§ 2-18-601(10), MCA	Definitions
	§ 2-18-618, MCA	Sick Leave
	§ 2-18-619, MCA	Jury Duty - Service as Witness
	49-2-310, MCA	Maternity leave
	§ 49-2-311, MCA	Reinstatement to job following pregnancy - related to leave of absence

Policy History:
Adopted on: 6/20/06
Revised on:

Addendum for Policy 5320

EXTENDED AND/OR GENERAL LEAVE REQUESTS

The Board of Trustees reserves final approval of all discretionary extended leave requests, whether with or without pay. All such leave requests shall be approved by the County Superintendent or Board Chairman. Extended leave is any vacation or sick leave, without medical documentation, for a period of longer than 5 days.

Policy History:
Adopted on: 9/18/07
Revised on:

Family Medical Leave

In accordance with the provisions of the Family Medical Leave Act of 1993, a leave of absence of up to 12 weeks during a 12 month period may be granted to an eligible employee for the following reasons: 1) the birth of a child; 2) the placement of a son or daughter for adoption or foster care; 3) because of a serious health condition that make the employee unable to perform the functions of his or her job; or 4) to care for employee's spouse, child or parent with a serious health condition.

An employee is eligible to take FMLA leave if s/he has been employed for at least 12 months and has worked at least 1,250 hours during the 12 months immediately prior to the date when the leave is requested and if there has been at least 50 District employees within 75 miles for each working day during 20 or more workweeks in the current or proceeding calendar year. Employees will (not) be required to use appropriate paid leave while on FMLA Leave. Workers Compensation absences will (not) be designated FMLA Leave.

The Board has determined that the 12 month period during which an employee may take FMLA Leave is: 1) July 1 to June 30 or other specific dates; 2) the calendar year; 3) 12 months forward from the date of a particular employees first FMLA Leave; or 4) 12 months backward from the date of FMLA Leave. Pick one

At the discretion of the Board medical certification may be required to determine FMLA initial or continued eligibility as well as fitness for duty.

Legal Reference: 29 CFR 825, 29 USC 2601 et seq., 2-18-600 et seq. MCA, 49-2-300 et seq. MCA

NOTE: This provision applies to School Districts with 50 or more employees. Those Districts with less than 50 employees must comply with FMLA notice and record retention but are not obligated to provide the leave as a benefit of any employee's employment.

Policy History:
Adopted on: 5/13/03
Revised on:

Insurance Benefits for Employees

It is the policy of the Pendroy Public Schools that newly hired employees will be eligible for insurance benefits offered by the District with the exceptions noted below:

1. Classified employees who are less than half time (that is, who are regularly scheduled to work less than 20 hours per week) will not be eligible for group health, dental and life insurance, and will not be considered to be a member of the defined employee insurance benefit groups.

2. Any permanent employee who works half time or more is eligible for group health and/or dental insurance. All medical and dental insurance premiums shall be pro-rated in the amount of the full contract in terms of full-time equivalency times the District's maximum contribution as prescribed by the applicable collective bargaining agreement or Board policy. Life insurance benefits shall accord with Board policy or the applicable CBA.

3. An employee who does not work during the summer, but who has been employed during the previous academic year, shall be eligible at his/her election to continue group health, dental and life insurance coverage during the summer months. For certified personnel, the District will pay the District's portion of the premium during the summer if the certified employee has worked at least 135 days during the preceding school year. A classified employee who works less than 12 months shall have his/her premium paid for summer months (in the same proration as existed during the academic year) if the employee has worked at least 180 days during in the preceding school year.

4. An employee who has not completed the required number of days must pay the total premium (employee and employer portion) for June, July and August by the last day of school. This payment is made to the District's clerk.

If an eligible employee wishes to discontinue or change health insurance coverage, it is incumbent upon the employee to initiate the action by contacting the personnel office and completing the appropriate forms. A medical examination at the expense of the employee may be required if the employee elects to join the District health insurance program after initially refusing coverage during the "open season" (September).

Anniversary dates of the health and dental insurance policies for the District shall be September 1 through August 31.

Legal Reference:	§□2-18-702, MCA	Group insurance for public employees and officers
	§ 2-18-703, MCA	Contributions

Policy History:
Adopted on:
Revised on:

Workers' Compensation Benefits

All employees of the District are covered by Worker's Compensation benefits.

In the event of an industrial accident, an employee should:

1. Attend to first aid and/or medical treatment if emergency prevails;

2. Correct or report as needing correction the hazardous situation as soon as possible after the emergency is stabilized;

3. Report the injury or disabling condition (whether actual or possible) to the immediate supervisor within 48 hours on the Employers First Report of Occupational Injury or Disease; and

4. Call or visit the Clerk after medical treatment if needed to complete the necessary report of accident and injury, the Occupational Injury or Disease Form.

The Clerk shall notify the immediate supervisor of the report, and shall include the immediate supervisor in completing the report as required.

An employee who is injured in an industrial accident may be eligible for Worker's Compensation benefits. By law, use of sick leave must be coordinated with receipt of Worker's Compensation benefits on a case-by-case basis by contacting the Worker's Compensation Division, Department of Labor and Industry.

The District will not automatically and simply defer to a report of industrial accident. The District shall investigate, as it deems appropriate, to determine (1) whether continuing hazardous conditions exist that need to be eliminated, and (2) whether in fact an accident attributable to the District's working environment did occur as reported. The District may require the employee to authorize his/her physician to release pertinent medical information to the District's personnel office or to a physician of the District's choice should an actual claim be filed against the Worker's Compensation Division that could result in additional fees levied against the District.

An employee who elects to receive Worker's Compensation benefits shall, upon commencement of the benefits, be considered in a Leave Without Pay status, and shall no longer be eligible for District group insurance benefits except as may be required by the Family Medical Leave Act and to the extent provided for all employees on Leave Without pay status, i.e., that all premiums are due in advance on a monthly basis for the duration of the Leave without Pay. The District will discontinue its contributions for group insurance on behalf of any employee on a Leave Without Pay status at the end of the month in which Leave Without Pay commences.

Legal Reference: § 39-71-101, et seq., MCA Workers' Compensation

Policy History:
Adopted on: 5/13/03
Revised on:

Professional Development

The District recognizes that additional training and study are advantageous for the continued growth and ability of District employees. As part of a continuous program of instructional and administrative improvement, the District shall provide a minimum of three days of professional development annually for certified employees. A day of professional development is defined as six hours of actual contact time. Professional development time may be divided into no less than two hour increments to facilitate delivery of professional development programs. By April 15 of each year, the District shall formulate a professional development plan that includes:

1. Goals and objectives appropriate to the professional development needs of teachers, school trustees, and all other school personnel;
2. Acceptable activities; and
3. Evaluation methods required for each activity in the plan.

The Board of Trustees shall establish an advisory committee to develop and evaluate the plan. The committee shall include but not be limited to teachers, administrative personnel, and trustees. A majority of the committee shall be teachers. For independent, multi-grade elementary districts with supervising teachers, the County Superintendent may establish one committee to develop the plan for all of these schools in the county. The plan shall be on file with the County Superintendent or the Principal. It shall be available to employees and the public.

Release Time for Professional Development

During the course of a year, there are often professionally-related activities such as conventions, committee meetings, workshops, seminars, institutes, visitations and other activities that are related to the education profession in a general sense. The Board of Trustees recognizes that the professional personnel of the District will occasionally want to attend these activities.

Consultation by Certified Employees

Occasionally professional staff asks for release in order to consult outside the District. On limited basis this type of professional activity may be permitted. A professional who is absent a few times during the year for this purpose may be contributing to the profession and to the District. On the other hand, if a teacher were absent from his/her classroom duties many times during the year, the loss of instruction for the students would likely not be offset by the other benefits. The guidelines to be used relative to these requests are:

1. A professional staff member may use his/her personal leave days as per the Public Schools/contract.
2. Such an individual may use professional leave for consulting work if approved by the Board. In making its decision the Board will consider such factors as the total number of absences of the teacher for all purposes during the year; the professional value of the consulting services to be provided by the teachers; maintenance of program effectiveness in the teacher's absence; availability of competent substitutes; and arrangements for substitute pay (see No. 3 below).
3. The beneficiary of the staff member's consultation service will reimburse the District for the cost of the substitute's pay. These arrangements are the responsibility of the consulting professional and must be made with the business office.
4. Where a certified employee uses vacation days for consultation, they shall be the sole concern of the employee.

Salary Schedule Advancement

Professional employees shall advance on the District's salary schedule as agreed in the most current contract. Unless otherwise specified, courses and in-service programs conducted or sponsored by the District shall not be accepted for advancement on the District's salary schedule; nor shall in-service activities during school hours as an integral part of the employee's employment be considered for advancement on the salary schedule. District professional employees who wish to secure credit toward salary advancement shall submit a record and description of the course(s) to the Board of Trustees in advance of registration.

Legal Reference:	§ 20-1-304, MCA	Pupil-Instruction-Related Day
	10.55.714, ARM	Professional Development

Policy History:
Adopted on: 5/13/03
Revised on:

Aides (Classroom, Library, Etc.)

Aides are under the supervision of the Supervising Teacher or the Principal, and a teacher to whom the Supervising Teacher or Principal may have delegated responsibility for close direction. Also by job description, the nature of the work accomplished by aides will encompass a variety of tasks that may be inclusive of "limited instructional duties."

Section 20-3-324(2), MCA, gives the Trustees the power and duty to "employ and dismiss . . . teachers aides . . . and any other personnel considered necessary to carry out the various services of the district."

Aides are employed by the Pendroy Public Schools mainly to assist the teacher. An aide is an extension of the teacher who legally has the direct control and supervision of the classroom or playground and responsibility for control and the welfare of the students.

It is the responsibility of the Supervising Teacher to recommend to the Board adequate training for an aide. This training should take into account the unique situations in which an aide works, and should be designed to cover the general contingencies that might be expected to pertain to that situation.

Policy History:
Adopted on: 5/13/03
Revised on:

Volunteers

The Pendroy Public School recognizes the valuable contributions made to the total school program by members of the community who act as volunteers. A volunteer by law is an individual who:

1. Has not entered into an express or implied compensation agreement with the District;

2. Is excluded from the definition of "employee" under the appropriate state and federal statutes;

3. May be paid expenses, reasonable benefits and/or nominal fees in some situations; and

4. Is not employed by the District in the same or similar capacity for which he/she is volunteering (e.g. a teacher cannot volunteer to teach although he/she could volunteer to type or file), as prescribed by the Federal Fair Labor Standards Act.

District employees who work with volunteers shall clearly explain duties for supervising children in school, on the playground and on field trips; and an appropriate degree of training and/or supervision of each volunteer shall be administered commensurate with the responsibility undertaken.

The Board of Trustees shall develop and implement procedures for the utilization of volunteers within the District.

Volunteers who are formally acting on behalf of and are assisting in school projects shall be covered by the District's liability insurance. This does not alleviate a volunteer, as is the case with an employee, from exercising appropriate judgment and responsibility in the discharge of all duties in accordance with the policies of the Board of Trustees of the School District.

Policy History:
Adopted on: 5/13/03
Revised on:

Student Teachers/Interns

The Pendroy Public Schools recognizes its obligation to assist in the development of members of the teaching profession. The District shall make an effort to cooperate with accredited institutions of higher learning in the education of student teachers and other professionals in training (such as interns) by providing a reasonable number of classroom and other real life situations each year.

The District and the respective training institutions shall enter into mutually satisfactory agreements whereby the rules, regulations and guidelines of the practical experiences shall be established.

The Supervising Teacher or Principal shall coordinate all requests from cooperating institutions for placement so that excessive concentrations of student teachers and interns shall be avoided. As a general rule:

(1) A student teacher shall be assigned to a teacher or other professional who has agreed to cooperate and who has no less than three (3) years of experience in the profession;

(2) A supervising professional shall be assigned no more than one student teacher/intern per school year;

(3) The supervising professional shall remain responsible for the class; and

(4) The student teacher shall assume the same conditions of employment as a regular teacher with regards to meeting the health examination requirements, length of school day, staff meetings and in-service training.

Legal Reference: § 20-4-101(2,3), MCA System of Teacher and Specialist Certification

Policy History:
Adopted on: 5/13/03
Revised on:

Employee Electronic Mail and On-Line Services Usage

Electronic mail ("e-mail") is defined as a communications tool whereby electronic messages are prepared, sent and retrieved on computers. On-line services (i.e., the Internet) are defined as a communications tool whereby information, reference material and messages are sent and retrieved electronically on computers.

Because of the unique nature of e-mail/Internet and because of the Pendroy School District's desire to protect its interest with regard to its electronic records, the following rules have been established to address e-mail/Internet usage by all employees.

The School District e-mail and Internet system is intended to be used for educational purposes only; use for informal or personal purposes is permissible only within reasonable limits. All e-mail/Internet records are considered School District records and should be transmitted only to individuals who have a need to receive them. Additionally, district records, e-mail/Internet records are subject to disclosure to law enforcement or government officials or to other third parties through subpoena or other process. Consequently, employees should always ensure that the educational information contained in e-mail/Internet messages is accurate, appropriate and lawful. E-mail/Internet messages by employees may not necessarily reflect the views of the School District. Abuse of the e-mail or Internet systems, through excessive personal use, or use in violation of the law or School District policies, will result in disciplinary action, up to and including termination of employment.

While the School District does not intend to regularly review employees' e-mail/Internet records, employees have no right or expectation of privacy in e-mail or the Internet. The School District owns the computer and software making up the e-mail and Internet system and permits employees to use them in the performance of their duties. E-mail messages and Internet records are to be treated with the expectation that anything in them is available for review by Board.

Network Acceptable Use Policy

The District recognizes the need for its staff and students to have access to a global information network. Part of the District's responsibility in preparing students is to provide them access to the tools they will be using as adults. We believe that responsible use of this global information network is important.

Accordingly, the District shall operate an information network to enhance and expand its educational mission. The network is an information system owned by the District as well as other information systems to which the District provides intentional or unintentional access.

The District is not responsible for information available from third parties solely for providing access or connection to or from a facility, system or network over which it has no control. An orientation session on appropriate use of the Information Network shall be provided for each user prior to the issuance of a system account. The use of this system shall be consistent with the District'[s educational mission, district policy, state laws and federal laws.

Internet Information Privacy (Required if the District has a Web site)

Pendroy School District will not collect personally identifiable information online from its Web site users unless the Web site:

1. Identifies who operates the Web site;
2. Provides the address and telephone number where the operator may be contacted as well as an electronic means of contacting the operator, and
3. Generally describes the operator's information practices, including how it protects the privacy of the user and the steps taken to protect the security of the collected information.

If the personally identifiable information may be used for a purpose other than the express purpose of the Web site or may be given or sold to a third party, then the Web site must include:

1. A clear notice to the user that the information collected could be used for purposes other than the purposes of the Web site;
2. A general description of the types of third parties that may obtain the information; and
3. A clear procedure requiring an affirmative expression of the user's permission before the information is collected.

Personally identifiable information is defined as including: a first and last name, a physical address, an e-mail address, a telephone number, social security number, or unique identifying information that an Internet service provider or a government Web site operator collects and combines with any other parts of the definition.

Legal Reference:	§ 2-17-550, MCA	Government Internet Information Privacy
	§ 2-17-551, MCA	
	§ 2-17-552, MCA	
	§ 17-553, MCA	

Policy History:
Adopted on: 5/13/03
Revised on:

APPENDIX E

Professional Educators of Montana Code of Ethics

Preamble

The professional conduct of every educator affects attitudes toward the profession and toward education. Aware of the importance of maintaining the confidence of students, parents, colleagues and the public, Montana educators strive to sustain the highest degree of ethical conduct.

Montana educators value the worth and dignity of every person and the pursuit of truth, knowledge and excellence. While the freedom to learn and the freedom to teach are essential to education in a democracy, educators in Montana balance these freedoms with their own adherence to this ethical code.

Members of the Profession of Education in Montana:

* Make the well-being of students the fundamental value in all decisions and actions.

* Fulfill professional responsibilities with diligence and integrity.

* Protect the civil and human rights of students and colleagues.

* Know the policies, regulations, rules, and laws governing the professional conduct of educators.

* Pursue appropriate measures to change those policies, regulations, rules, and laws which are inconsistent with sound educational goals.

* Recognize parents and the public as integral parts of the school community, and encourage their involvement in education.

* Maintain professional standards and seek to improve the effectiveness of the profession.

* Exemplify and foster a philosophy of education, which encourages a lifelong pursuit of learning.

Created by the Certification Standards and Practices Advisory Council to the Montana Board of Public Education

Role of the County Superintendent

The Board of Trustees recognizes that the County Superintendent shall assist it with the general supervisory responsibility of the school since there is no school administrator, unless the Trustees choose to contract with another school administrator.

Specifically, the County Superintendent will:

1. Administer the oath of office to incoming board members;

2. Compute the budgeting in revenues realized from tax levies;

3. Provide the Board teacher supervision and evaluation and curriculum revisions.

In addition, the County Superintendent may:

1. Assist with the hiring of teachers;

2. Organize professional development for the district;

3. Coordinate curriculum and assessment;

4. Coordinate special funds from grants and federal sources;

5. Provide opportunities for group purchasing of educational material and supplies.

6. Other duties as agreed to with the Trustees.

(For a complete list of the duties as stated in these policies of the County Superintendent and/or Principal, see Appendix E -1.)

Legal Reference:	§20-3-207 MCA	Assist Trustees with School Supervision
	§20-3-208 MCA	Authority to Request, Accept & Disburse Money
	§20-3-210 MCA	Controversy Appeals & Hearings

Policy History:
Adopted on: 10/13/03
Revised on:

Administration in Policy Absence

In the absence of a policy where action is required, the Supervising Teacher is authorized to act in accordance with the best established practices consistent with law. However, it is the Supervising Teacher's duty to inform the Board, at the next regularly scheduled Board meeting, if there is a need for an official policy.

Policy History:
Adopted on: 10/13/03
Revised on:

Supervising Teacher Stipend and Benefits

The Board will establish the terms and conditions of employment including an additional Supervising Teacher stipend for the Supervising Teacher. Where there is a certified administrator hired by the district, the Board will establish a specific salary amount appropriate to the individual's education, experience and expected responsibilities. The Board may also provide benefits such as a teacher age or mileage as it sees fit. Merit pay as a means to award excellence may be incorporated into the salary system for the Supervising Teacher.

Professional Growth and Development

The Board recognizes that training and study for the Supervising Teacher contributes to skill development necessary to better serve the needs of the District. Professional development shall be based on the needs of the District, as well as the needs of the individual.

Professional Association Memberships

The Supervising Teacher is encouraged to be a member of and participate in professional associations that have as their purposes the continued improvement of education in general.

Cross Reference: 5340 Staff development

Legal Reference: §20-1-304, MCA Pupil-instruction-related day

Policy History:
Adopted on: 10/13/03
Revised on:

Duties and Evaluation of the Supervising Teacher

Duties of the Supervising Teacher

The day-to-day operation of the school shall be the Supervising Teacher responsibility. S/he is governed by the policies of the District and is responsible for implementing the administrative procedures that relate to his/her assigned responsibilities.

The Supervising Teacher duties shall include but not be limited to:

1. planning for the improvement of the program for which s/he is responsible;
2. evaluating that program regularly;
3. recommending to the Board of Trustees budgetary, program, staff and other changes that will enhance the program;
4. advising the Board of Trustees of the impact of proposed policies or other administrative actions on the programs for which he/she is responsible;
5. assisting his/her subordinates to improve their performance;
6. promoting effective working relationships with students, staff and patrons of the District;
7. maintaining a progressive community/staff relations program within his/her building or assigned area.
8. providing leadership for the function of the school in addition to his/her teaching duties;
9. keeping and depositing of student and program records;
10. acting as purchasing agent of the board for the purchase and management of instructional and program materials;
11. acting as the agent of the board and carrying out its dictates.

(For a complete list of the duties as stated in these policies of the Supervising Teacher, see Appendix F-2.)

Evaluation of Supervising Teacher

It is the goal of the district that the Supervising Teacher be evaluated annually in order to provide guidance and direction to him/her in the performance of his/her assignment. Such evaluation shall be based on his/her job description, accomplishment of annual goals and performance objectives, and established evaluative criteria including staff, student and parent comments.

The Board of Trustees shall establish procedures for the conduct of the evaluation of the Supervising Teacher. The Trustees may ask for assistance from the County Superintendent in establishing these procedures. Near the beginning of the school year, the Supervising Teacher should be informed of the criteria to be used for evaluation purposes, including the adopted goals for the District.

Those involved in the evaluation conference shall sign the written report and retain a copy for their records. The person being evaluated may have the right to submit and attach a written statement to his/her evaluation following the conference.

Cross Reference: 5254 Non-renewal
5255 Disciplinary action or dismissal

Legal Reference: 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: 10/13/03
Revised on:

APPENDIX F-1

Duties of the County Superintendent or Principal Stated in these Policies

The following is a list of policies from this handbook that involve responsibilities of the County Superintendent and/or the Principal: This reference list is provided for quick access to the appropriate policy.

1000s The Board of Trustees
- 1513 Management Rights

2000s Instruction
- 2123 Unit Plans

5000s Personnel
- 5222 Evaluation
- 5231 Personnel Records
- 5250 Non-Renewal of Employment/Dismissal From Employment
- 5256 Reduction in Force
- 5340 Professional Development

7000s Finance
- 7110 Budget and Program Planning

APPENDIX F-2

Duties of the Supervising Teacher or Principal as Stated in These Policies

The following is a list of policies from this handbook that involve responsibilities of the Supervising Teacher or the Principal: This reference list is provided for quick access to the appropriate policy.

1000s The Board of Trustees
- 1420 Meeting, Procedure, Agenda, Quorum and Conduct

2000s Instruction
- 2100 Time for School
- 2130 District Assessment
- 2232 Placement
- 2310 Library Materials
- 2311 Selection and Adoption of Instructional Materials
- 2312 Copyright Restrictions
- 2320 Field Trips, Excursions and Outdoor Education
- 2321 Guest Speakers
- 2322 Contests for Students
- 2421 Promotion/Retention

3000s Students
- 3110 Entrance, Placement and Transfer
- 3115 Child Abuse and Neglect Reporting Policy
- 3118 Child Custodial Agreement
- 3122 Attendance Policy - Grades K-8
- 3200 Student Rights and Responsibilities
- 3215 Uniform Grievance Procedure
- 3220 Freedom of Expression and Student Publications
- 3224 Student Dress
- 3230 Student Privacy and Searches of Students and Their Property
- 3310 Student Discipline and Appeal Process
- 3330 and Optional 3331 for One-Room Schools Emergency Removal
- 3400 Student Welfare
- 3416 Administering Medicines to Students
- 3417 Communicable Diseases
- 3431 Emergency Treatment
- 3440 Removal of Student During School Days
- 3530 Student Fund Raising Activities
- 3540 Missing Children
- 3600 Student Records

4000s Community Relations
- 4301 Contact with Staff and Visitors
- 4310 Review of Program, Curriculum, or Learning Materials
- 4313 Disruption of School Operations
- 4320 Contact with Students
- 4332 Conduct on School Property
- 4410 Relations with Law Enforcement and Child Protective Agencies

5000s Personnel
- 5420 Aides
- 5440 Student Teachers/Interns

6000s Administration
- 6111 Administration in Policy Absence
- 6160 Duties of the Supervising Teacher or Principal

7000s Financial Management

- 7320 Purchasing: Authorization and Control.
- 7500 Property Records

8000s Non-instructional Operations

- 8110 Bus Routes, Schedules, Eligibility and Safety
- 8111 Transportation of Students with Disabilities
- 8121 District-Owned Vehicles
- 8124 Student Conduct on Buses
- 8131 Private Vehicle Transportation
- 8200 Food Services
- 8300 Risk Management, Liability Insurance and Property Damage
- 8340 Privately-Owned Property

9000s Facilities

- 9300 Operation and Maintenance of District Facilities
- 9310 Student Safety, Staff Safety and Safety Program
- 9313 Emergency School Evacuation
- 9315 Power Outage
- 9320 Security

Budget and Program Planning

A District's annual budget is evidence of the Board's commitment to the objectives of the instruction programs. The budget supports the immediate and long-range goals and established priorities within all areas of the instructional and non-instructional programs.

Prior to presentation of the proposed budget for adoption, the County Superintendent, if there is no district administrator, or the Principal shall prepare, for the Board's consideration, recommendations (with supporting documentation) that shall be designed to meet the needs of students within the limits of anticipated revenues.

Program planning and budget development shall provide for staff participation and the sharing of information with patrons prior to action by the Board.

Policy History:
Adopted on: 11/17/03
Revised on:

Adoption of Budget Amendments

Total budget expenditures for each fund as adopted in the final budget shall constitute the appropriations of the District for the ensuing fiscal year. The Board shall be limited in the incurring of expenditures to the total of such appropriations.

With timely notice of a public meeting, Trustees, by majority vote of those present, may declare by resolution that a budget amendment (in addition to the final budget) is necessary. Budget amendments are authorized by □20-9-161, MCA for specified reasons.

The resolution shall state the facts of the budget amendment, the estimated amount of funds needed, and the time and place when the Board will meet for the purpose of considering and adopting a budget amendment.

The meeting to adopt a budget amendment shall be open and shall provide opportunity for any taxpayer to appear and be heard. Budget procedures shall be consistent with statutory requirements. When applicable, the District shall apply for state financial aid to supplement that amount to be collected from local taxes.

Legal Reference:	§20-9-161, MCA	Definition of budget amendment for budgeting purposes
	§20-9-162, MCA	Authorization for budget amendment adoption
	§20-9-163, MCA	Resolution for budget amendment - petition to superintendent of public instruction
	§20-9-164, MCA	Notice of budget amendment resolution
	§20-9-165, M4332CA	Budget amendment limitation, preparation and adoption procedures
	§20-9-166, MCA	State financial aid for budget amendments

Policy History:
Adopted on: 11/17/03
Revised on:

Revenues

The District will seek and utilize all available sources of revenue for financing its educational programs. This includes revenues from non-tax, local, state and federal sources. All revenues received for the District will be properly credited to the appropriate fund and account as specified by federal and state statute and the accounting and reporting regulations for Montana school districts.

Tuition

The collection of the tuition obligations applying to non-resident students of the District shall be in accordance and compliance with Montana law.

Tuition rates shall be determined consistent with Montana law.

Endowments and Gifts

The Board may accept gifts, endowments, legacies, and devices subject to the lawful conditions imposed by the donor. Endowments received by the District will be deposited to an endowment fund as an expendable or non-expendable trust. The Board will not approve any gifts that are inappropriate.

The Board will establish procedures for determining the suitability or appropriateness of all gifts to be received and accepted by the District.

Legal Reference:	§20-5-301, et seq., MCA	Attendance outside school district
	§20-6-601, MCA	Power to accept gifts
	§20-7-803, MCA	Authority to accept gifts
	§20-9-604, MCA	Gifts, legacies, devises, and administration of endowment fund
	§20-9-212, MCA	Duties of County Treasurer
	§20-9-213(4), MCA	Duties of Trustees
	§20-9-303, MCA	Definition of Foundation

Policy History:
Adopted on: 11/17/03
Revised on:

Budget Implementation and Execution

Once adopted by the Board, the Clerk shall administer the operating budget. All actions of the Clerk in executing the programs and/or activities delineated in that budget are authorized according to these provisions:

1. Expenditure of funds for the employment and assignment of staff shall meet the legal requirements of the state of Montana and adopted Board policies.

2. Funds held for contingencies may not be expended without approval from the Board.

3. A listing of warrants describing goods and/or services for which payment has been made must be presented for Board ratification each month. (NOTE: Only recommended for Districts with specific definition of contingency in their budget.)

4. Purchases shall be made according to the legal requirements of the state of Montana and adopted Board policy.

Legal Reference:	§20-9-213, MCA	Duties of Trustees
	§20-3-332, MCA	Personal Immunity and Liability of Trustees

Policy History:
Adopted on: 11/17/03
Revised on:

Purchasing: Authorization and Control

The Clerk and the Supervising Teacher are authorized to direct expenditures and purchases within the limits of the detailed annual budget for the school year. Board approval for purchase of capital outlay items is required when the aggregate total of a requisition exceeds $100, except the Supervising Teacher or County Superintendent shall have the authority to make capital outlay purchases without advance approval when it is necessary to protect the interests of the District or the health and safety of the staff or students. The Clerk shall establish requisition and purchase order procedures as a means of controlling and maintaining proper accounting of the expenditure of funds. Staff who obligate the District without proper authorization shall be held personally responsible for payment of such obligations.

Purchasing: Bids and Contracts

Whenever the cost of any supplies, equipment or work shall exceed $25,000, formal bids shall be called for by issuing public notice as specified in 320-9-304, MCA. Specifications shall be prepared and be made available to all vendors interested in submitting a bid.

The Clerk shall establish bidding and contract awarding procedures for all purchases of furniture, equipment, supplies (except for books), or public works projects, the cost of which is estimated to be in excess of $25,000.

Bid procedures shall be waived only as specified in statute.

Legal Reference: § 20-9-204, MCA Conflicts of Interest, Letting Contracts and Calling for Bids
§18-1-101, et seq., MCA Public Contracts
§18-1-201, et seq., MCA Bid Security
§37-71-203, MCA Bids to Show Bidder is Licensed and Not Beyond a Contract Time.
§49-3-207, MCA Nondiscrimination Provision in all Public Contracts

Policy History:
Adopted on: 1/15/08
Revised on:

REVENUE ENHANCEMENT **7332**

The following restrictions will be in place when seeking revenue enhancement. Revenue enhancement activities will not:

1. ***Promote hostility, disorder or violence.***
2. ***Attack ethnic. Racial or religious groups***
3. ***Discriminate, demean, harass or ridicule any person or group of persons on the basis of gender***
4. ***Be libelous***
5. ***Inhibit the functioning of the school and or District***
6. ***Promote, favor or oppose the candidacy of any candidate for election, adoption of any bond/budget issue or any public question submitted at any general, county, municipal or school election***
7. ***Be obscene or pornographic as defined by prevailing community standards throughout the District***
8. ***Promote the use of drugs, alcohol, tobacco or nicotine, firearms or certain products that create community concerns***
9. ***Promote any religious organization***
10. ***Use any District or school logo without prior approval***.

Policy History:
Adopted on:
Revised on:

FINANCIAL MANAGEMENT **7430**

Financial Reporting

The Board directs that financial reports of all District funds shall be prepared in compliance with statutory provisions and generally accepted accounting and financial reporting standards. In addition to the reports required for local, state, and federal agencies, financial reports will be prepared monthly and annually and presented to the Board. The financial reports shall reflect the financial activity and status of the District funds.

Appropriate interim financial statements and reports of financial position, operating results and other pertinent information will be prepared to facilitate management control of financial operations.

Audits

The Board directs that District audits shall be conducted in accordance with Montana law. Each audit shall be a comprehensive audit of the affairs of the School District and the District funds. The audits shall comply with all statutory provisions and generally accepted governmental auditing standards. Each audit may be made every two years and cover the immediately preceding two fiscal years, or it may be conducted annually. The staff of the Department of Commerce or an independent auditor under the rules and regulations established by the Department of Commerce will conduct District audits.

Legal Reference:	§2-7-501 et seq., MCA	Definitions
	§20-9-212, MCA	Duties of county treasurer
	§20-9-213, MCA	Duties of trustees

Policy History:
Adopted on: 11/17/03
Revised on:

Property Records

Property records and inventory records shall be maintained on all land, buildings and physical property under the control of the District. Such records shall be updated annually.

For purpose of this policy, "equipment" shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus or a set of articles which retains its shape and appearance with use, is nonexpendable and does not lose its identity when incorporated into a more complex unit. The District Clerk or the Supervising Teacher or the Principal shall ensure that inventories of equipment are systematically and accurately recorded, updated and adjusted annually and be referenced to purchase orders and withdrawal reports. Property records of facilities and other fixed assets shall be maintained on an ongoing basis. No equipment shall be removed for personal or non-school use except according to Board policy. (See Policy #9320.)

Property records shall show, appropriate to the item recorded, the:

1. description and identification
2. manufacturer
3. date of purchase
4. initial cost
5. location
6. serial number, if available
7. model number, if available

Equipment may be identified with a permanent tag that provides appropriate District and equipment identification.

Legal Reference:	§20-6-602, MCA	Trustees Power over Property
	§20-6-608, MCA	Authority and Duty of Trustees to Insure District Property

Policy History:
Adopted on: 11/17/03
Revised on:

Pendroy School District

FINANCIAL MANAGEMENT 7510

Capitalization Policy for Fixed Assets

A fixed asset is a property that meets all the following requirements:

1. Must be tangible in nature;

2. Must have a useful life of longer than the current fiscal year; and

3. Must be of significant value.

Fixed assets may be acquired through donation, purchase, or may be self-constructed. The asset value for a donation will be the fair market value at the time of donation. The asset value for purchases will be the initial cost plus the trade-in value of any old asset given up, plus all costs related to placing the asset into operation. The cost of self-constructed assets will include both the cost of materials used and the cost of labor involved in construction of the asset.

The following significant values will be used for different classes of assets:

Class of Fixed Asset	Significant Value
Equipment and machinery	$5000.00 or more
Buildings - improvements	$5000.00 or more
Improvements other than to buildings	$5000.00 or more
Land	Any amount

Cross Reference: 7500 Property Records

Policy History:
Adopted on: 6/20/06
Reviewed on:
Revised on:

Rural Transportation

The District may provide transportation to and from school for a student who:

1. Resides three or more miles, over the shortest practical route, from the nearest operating public elementary school.

2. Is a student with a disability whose IEP identifies transportation as a related service; or

3. Has another compelling and legally sufficient reason to receive transportation services.

The District may elect to reimburse the parent or guardian of a student for individually transporting any eligible student.

The type of transportation provided by the District may be by a school bus; or by such individual transportation as paying the parent or guardian for individually transporting the pupil; or, providing supervised home study. The District may transport and charge for an ineligible public school student provided that the parent or guardian pays a proportionate share of transportation services. Fees that are collected for the transportation of ineligible students shall be deposited in the transportation fund. Transportation issues that cannot be resolved by the Trustees may be appealed to the County Transportation Committee.

Legal Reference: ☐	§20-7-441, MCA	Special education child eligibility for transportation
	§20-10-101, MCA	Definitions
	§20-10-121, MCA	Duty of trustees to provide transportation - types of transportation - bus riding time limitation
	§20-10-122, MCA	Discretionary provision of transportation and payment for this transportation
	§20-10-123, MCA	Provision of transportation for nonpublic school children
	10.7.101, et seq., ARM	Pupil transportation
	10.64.101 through 700, et seq., ARM	Transportation

Policy History:
Adopted on: 11/17/03
Revised on:

Bus Routes, Schedules, Eligibility and Safety

Bus Routes and Schedules

The Board of Trustees shall be responsible for scheduling bus transportation, including determination of routes and bus stops. Such routes are subject to the approval of the County Transportation Committee. The purpose of bus scheduling and routing is to achieve maximum service with a minimum fleet of buses insofar as this is consistent with rendering safe and reasonable equal service to all bus students.

In order to operate the transportation system as safely and efficiently as possible, the following factors shall be considered in establishing bus routes:

1. A school bus route shall be established with due consideration of the sum total of local conditions affecting the safety, economic soundness and convenience of its operation, including road conditions, condition of bridges and culverts, hazardous crossings, presence of railroad tracks and arterial highways, extreme weather conditions and variations, length of route, number of families and children to be serviced, availability of turn-around points, capacity of bus, and other related factors.
2. The district may extend a bus route across another transportation service area if it is necessary in order to provide transportation to pupils in the district's own transportation service area. The district may not transport pupils from outside its transportation service area.
3. No school child attending an elementary school shall be required to ride the school bus under average road conditions more than one hour without consent of the child's parent or guardian.
4. School bus drivers are encouraged to make recommendations in regard to establishing or changing routes.
5. Parents should be referred to the Board of Trustees for any request of change in routes, stops, or schedules.

The Trustees reserve the right to change, alter, add or delete any route at such time that such changes are deemed in the best interest of the District subject to approval by the County Transportation Committee.

Bus Stops

Buses should stop only at designated places approved by school authorities. Exceptions should be made only in cases of emergency and inclement weather conditions.

Bus stops shall be chosen with safety in mind. Points shall be selected where motorists approaching from either direction will have a clear view of the bus for a distance of at least three hundred (300) to five hundred (500) feet.

School loading and unloading zones are to be established and marked to provide safe and orderly loading and unloading of students. The Supervising Teacher is responsible for the conduct of students waiting in loading zones.

Delay in Schedule

The Driver is to notify the Supervising Teacher of a delay in schedule. The administration will notify parents on routes and radio station, if necessary.

Responsibilities - Pupils

Pupils must realize that safety is based on group conduct. Talk should be in conversational tones at all times. There should be no shouting or loud talking which may distract the bus driver. There should be no shouting at passersby. Pupils should instantly obey any command or suggestions from the driver and/or his/her assistants.

Responsibilities - Parents

The interest and assistance of each parent is a valued asset to the transportation program. Parents' efforts towards making each bus trip a safe and pleasant experience are requested and appreciated. The following are only three of the many ways parents can assist:

1. Ensure that students are at the bus stop in sufficient time to efficiently meet the bus.
2. Properly prepare children for weather conditions.
3. Encourage school bus safety at home. Caution children regarding safe behavior and conduct while riding on the school bus.

Out-of-District: Students who reside outside the boundaries of the District may have a transportation fee in addition to a tuition fee as established in the Attendance Agreement. However, bus routes will not be extended outside of the District to accommodate these students.

Within the boundary limit (provided room is available): Students residing within the boundary limit may ride on the bus on a fee basis as established by the Trustees.

Safety

The Board of Trustees shall develop written rules establishing the procedures for bus safety and emergency exit drills, and for student conduct while riding on buses.

If the bus and driver are present, the driver is responsible for the safety of his/her passengers, particularly for those who must cross a roadway prior to loading or after leaving the bus. Except in emergencies, no bus driver shall order or allow a student to board or disembark at other than his/her assigned stop unless so authorized by the Supervising Teacher or the Principal (most senior professional). In order to assure the safety of all, the bus driver may hold students accountable for their conduct during the course of transportation and may recommend corrective action against a student. Bus drivers are expressly prohibited from using corporal punishment.

The bus driver is responsible for the use of the warning and stop signaling systems and the consequent protection of his/her passengers. Failure to use the system constitutes negligence on the part of the driver.

The system must be used with judgment and courtesy. Its abuse causes resentment on the part of the public. A driver should allow approaching vehicles time to stop or pass before the flashing lights are used.

Inclement Weather

The Board recognizes the unpredictability and resulting dangers associated with the weather in Montana. To achieve the maximum safety for children and efficiency of operation, the Supervising Teacher is empowered to make decisions as to the emergency operation of buses, the cancellation of bus routes and the closing of school in accordance with his/her best judgment. The Board may develop guidelines in cooperation with the administration to assist him/her in making such decisions.

NOTE: To receive full state/county reimbursement, budgets must have enough funds to cover the costs of any changes to the route.
NOTE: The county transportation committee has authority to establish transportation service areas should circumstances and/or geography (demographics) warrant.

Legal Reference:	§20-10-106, MCA	Determination of mileage distances
	§20-10-132, MCA	Duties of county transportation committee
	§20-10-121, MCA	Duty of trustees to provide transportation - types of transportation - bus riding time limitation

Policy History:
Adopted on: 11/17/03
Revised on:

Transportation of Students with Disabilities

Transportation shall be provided as a related service when a student with a disability requires special transportation in order to benefit from special education or to have access to an appropriate education placement. Transportation is defined as:

(a) Travel to and from school and between schools;

(b) Travel in and around school buildings or to those activities which are a regular part of the student's instructional program;

(c) Specialized equipment (such as special or adapted buses, lifts, and ramps) if required to provide special transportation for a student with disabilities.

The Child Study Team, who develops the disabled student's Individualized Education Program, will determine on an individual basis when a student with a disability requires this related service. Such recommendations must be specified on the student's IEP. Only those children with disabilities who qualify for transportation as a related service under the provisions of the IDEA shall be entitled to special transportation. All other children with disabilities in the District have access to the District's regular transportation system under policies and procedures applicable to all students of the District. Utilizing the District's regular transportation service shall be viewed as a "least restrictive environment."

Mode of Transportation

If the District has an appropriate vehicle it will be the referred mode of transportation. Other arrangements such as an individual transportation contract may be arranged with the parents. Such voluntary agreement shall stipulate in writing the terms of reimbursement.

Legal Reference:	§20 U.S.C 1401 (17)	
	§20-7-442, MCA	Out-of-state placement of children with disabilities - payment of costs
	10.16.2107, ARM	Transportation for special education children

Policy History:
Adopted on: 11/17/03
Revised on:

District-Owned Vehicles

The District owns and maintains certain vehicles. These are for use by properly authorized personnel of the District for District business purposes. Any driver who receives a citation for a driving violation shall personally pay all fines levied. All citations received while operating a District vehicle shall be reported to the driver's supervisor. Failure to report any violation or the violation itself may result in disciplinary action.

Bus and Vehicle Maintenance, District

Buses used in the District's transportation program shall be in safe and legal operating condition. All buses shall be inspected by the Department of Justice, Montana Highway Patrol, before the beginning of each semester. The Board of Trustees or the Administration shall establish a specific list of tasks that bus drivers shall perform on a daily basis. All other District vehicles shall be maintained following established programs as developed by the Board of Trustees.

Driver Training and Responsibility

Bus drivers shall observe all state statutes and administrative rules governing traffic safety and school bus operation. The District shall, at the beginning of each school year, provide each driver with a copy of the District's written rules for bus drivers and for student conduct on buses.

Each bus driver shall meet the qualifications established by the Superintendent of Public Instruction, including a valid Montana commercial driver's license and a (Department of Transportation approved physical) physician's certification that he/she is medically qualified for employment as a bus driver. The bus driver shall also secure a valid standard first aid certificate from an authorized instructor within two months after being employed and maintain the certificate throughout employment as a bus driver. The bus driver must have five years driving experience.

When a teacher or other certified staff member is assigned to accompany students on a bus, such person shall be primarily responsible for the behavior of the students in his/her charge. The bus driver shall have final authority and responsibility for the bus.

Legal Reference:	§20-10-103, MCA	School bus driver qualifications
	§61-8-351, MCA	Meeting or passing school bus
	10.7.111, ARM	Qualification of bus driver
	10.64.201, ARM	Driver qualifications

Policy History:
Adopted on: 11/17/03
Revised on:

Student Conduct on Buses

The Board of Trustees or the Administration shall establish written rules of conduct for students riding school buses. Such rules shall be reviewed annually by the Board of Trustees and revised if necessary.

A copy of the rules of conduct for students riding buses shall be provided to students at the beginning of the year. The classroom teacher and bus driver shall review the rules with the students at the beginning of each school year. A copy of the rules shall be posted in each bus and shall be available upon request at the school.

The bus driver shall be responsible for enforcing the rules, and shall work closely with the parents and Supervising Teacher to modify a student's behavior. The rules shall include consistent consequences for student misbehavior.

Recommendations for permanent termination of bus privileges will be referred to the Board of Trustees for final determination. No further appeal shall be allowed.

A recommendation to terminate bus privileges shall be accompanied by a written record of the incident(s) that led to the recommendation.

Emergencies

In the event of an accident or other emergency, the bus driver shall follow the emergency procedures developed by the Board of Trustees or the Administration. A copy of the emergency procedures shall be located in each bus. To ensure the success of such emergency procedures, each bus driver shall conduct an emergency evacuation drill within the first six weeks of each school semester. The District shall conduct such other drills and procedures as may be necessary. Accident forms (T-8) will be sent to OPI.

Legal Reference:	§ 20-4-302, MCA	Power of teacher or principal over pupils
	§20-5-210, MCA	Duties and sanctions

Policy History:
Adopted on: 11/17/03
Revised on:

Private Vehicle Transportation

The Board authorizes the use of private vehicles under the following circumstances:

1. The District may request parents to provide transportation for their children to school in their own vehicles on a per-mile cost reimbursement basis. The County Superintendent will determine when "in-lieu" transportation would be advantageous to the District and arranges its implementation.

2. In an emergency, staff may appropriately transport students when a student's welfare is involved, or when due care dictates prompt action.

3. For field trips, the Supervising Teacher will determine the transportation of students.

4. The owner of any private vehicle must provide proof of sufficient liability insurance.

Cross Reference: #2320 Field Trips

Legal Reference:	§ 20-10-121(2)(3), MCA	Duty of Trustees to Provide Transportation
	§20-10-124, MCA	Private Party Contract for Transportation
	§20-10-142, MCA	Schedule of maximum reimbursement for individual transportation
	10.7.106, ARM	Contracts with Individual Families
	10.7.113, ARM	"Two Contract Amount" Regulation
	10.7.116, ARM	Guide for Determining Degree of Isolation

Policy History:
Adopted on: 11/17/03
Revised on:

NONINSTRUCTIONAL OPERATIONS

Tobacco Free Policy **8225**

The District maintains tobacco-free buildings and grounds. Tobacco includes but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine and any other tobacco innovation.

Use of tobacco products in a public school building or on public school property is prohibited, unless used in a classroom or on other school property as part of a lecture, demonstration, or educational forum sanctioned by a school administrator or faculty member, concerning the risks associated with using tobacco products or in connection with Native American cultural activities.

For the purpose of this policy, public school building or public school property means:

> ***Public land, fixtures, buildings or other property owned or occupied by an institution for the teaching of minor children, established and maintained under the laws of the state of Montana at public expense; and***
>
> ***Includes playgrounds, school steps, parking lots, administration buildings, athletic facilities, gymnasiums, locker rooms and school vehicles***

Violations of the policy by students and staff will be subject to actions outlined in District discipline policies.

Legal Reference:	***20-1-220 MCA***	***Use of tobacco products in public school building prohibited***
	50-40-101 MCA	
	ARM 37.111.825	**Montana Clean Indoor Air Act of 1979**

Policy History:
Adopted on: 6/20/06
Revised on:

Risk Management, Liability Insurance and Property Damage

Risk Management

The Board believes it must identify and measure risks of loss due to the damage or destruction of District property or to claims against the District by others claiming to have been harmed by the action or inaction of the District or staff. A risk management program shall be implemented to reduce or eliminate risks where possible, and to determine which risks the District can afford to assume. Such a program shall consider the benefits, if any, of joining with other units of local government for joint purchasing of insurance or joint self-insuring. The Board shall review the status of the risk management program each year.

The District shall purchase and pay for surety bonds for the Supervising Teacher or the Principal, the Clerk and such other staff and in such amounts as the Board shall from time to time determine to be necessary for honest performance of the staff in the conduct of the District's financial operations.

Liability Insurance

The Board and its agents are immune from suit for their legislative acts as defined in □2-9-111, MCA. The Board shall maintain sufficient liability insurance to protect itself against claims for the negligent or wrongful acts of its staff or agents. The amount and terms of such insurance protection shall be regularly reviewed as part of the District's risk management program.

The Board shall hold individual Board members, staff or agents of the District harmless and defend them from any financial loss, including reasonable attorneys' fees, arising out of any act or failure to act, provided that at the time the individual was acting within the scope of his/her responsibilities and in compliance with the policies and procedures of the District.

Property Damage

The District shall maintain a comprehensive insurance program which shall provide adequate coverage, as determined by the Board, in the event of loss or damage to school buildings and/or equipment, including motor vehicles. The comprehensive insurance program shall maximize the District's protection and coverage while minimizing the costs for insurance.

Legal Reference:	§ 2-9-100, et seq., MCA	Liability exposure
	§2-9-211, MCA	Political subdivision insurance
	§2-9-502, MCA	General provisions related to official bonds
	§20-3-331, MCA	Purchase of liability insurance
	§20-6-608, MCA	Authority and duty of trustees to insure district property

Policy History:
Adopted on: 11/17/03
Revised on:

Pendroy School District **R**

NONINSTRUCTIONAL OPERATIONS 8301

District Safety

For purposes of this policy, *"disaster means the occurrence or imminent threat of damage, injury, or loss of life or property"*.

The Board recognizes that safety and health standards should be incorporated into all aspects of the operation of the District. Rules for safety and prevention of accidents will be posted in compliance with the Montana Safety Culture Act and the Montana Safety Act. Injuries and accidents will be reported to the District office.

The board of trustees has identified the following local hazards that exist within the boundaries of its school district:
[Fire, Earthquake, Avalanche, High Winds, Tornadoes, Intruders, Firearms, etc.]

The Superintendent shall design and incorporate drills in its school safety or emergency operations plan to address the above stated hazards. The trustees shall certify to the office of public instruction that a school safety or emergency operations plan has been adopted. This plan and procedures will be discussed and distributed to each teacher at the beginning of each school year. There will be at least eight (8) disaster drills a year in a school. All teachers will discuss safety drill procedures with their class at the beginning of each year and will have them posted in a conspicuous place next to the exit door. Drills must be held at different hours of the day or evening to avoid distinction between drills and actual disasters. A record will be kept of all fire drills.

The trustees shall review the school safety or emergency operations plan periodically and update the plan as determined necessary by the trustees based on changing circumstances pertaining to school safety. Once the trustees have made the certification to the office of public instruction, the trustees may transfer funds pursuant to Section 2, 20-1-401, MCA to make improvements to school safety and security.

The Superintendent will develop safety and health standards which comply with the Montana Safety Culture Act.

Legal Reference:	§ 20-1-401, MCA	Disaster drills to be conducted regularly – districts to identify disaster risks and adopt school safety plan
	§ 20-1-402, MCA	Number of disaster drills required – time of drills to vary
	§§ 39-71-1501, et seq., MCA	Montana Safety Culture Act

Policy History:
Adopted on: 10/12/15
Reviewed on:
Revised on:

Fire Drills

Students shall receive instruction so that in case of fire or sudden emergency they shall be able to leave their particular building in the shortest time possible, or take such other steps as the particular emergency demands, and without confusion or panic.

Fire drills will occur on a regular basis as required by state law. (A minimum of eight (8) drills shall be held each year.) A record will be kept of all fire drills. Appropriate procedures for fire drills will be discussed at the beginning of the school year in class by all teachers and posted in a conspicuous place near the exit door.

1. At the fire alarm, all students will rise and walk to the nearest exit according to previous instructions.

2. Teachers will make sure all room windows are closed, all students exit, lights are turned off and the room door is closed. Students may be assigned to assist.

3. Teachers having classes will take their roll book with them.

4. Teachers on prep periods will station themselves in the hallways to assist in keeping order.

5. Classroom teachers will make sure their class is a safe distance away from the building and take an oral roll call from the roll book to account for students.

6. Everyone will exit the building, and no one will re-enter until authorized by the Supervising Teacher or his/her designee.

7. Everyone will exit when the fire alarm sounds regardless of the length of the horn sounding. No one is to assume that any alarm is caused by a faulty system.

Procedural History:
Promulgated on: 11/17/03
Revised on:

Earthquakes

The Board of Trustees adopts the following procedures and regulations pertaining to action taken by the District should an earthquake occur while school is in session and shall provide that all students and staff are familiar with those procedures.

Students and staff within buildings at the beginning of an earthquake should remain where they are, sitting, or crouching below the level of desks and tables. When possible, movement should be away from windows and outside walls toward inner walls and doorways.

Students and staff outside the buildings at the beginning of an earthquake should immediately get as far away as possible from buildings and other elevated objects.

Staff in portable classrooms should turn off heating and lighting units immediately.

Students and staff in classrooms where hazardous chemicals or electrical services are present should vacate these rooms in the event of an earthquake. Such classes include, but are not limited to, general science, and crafts. Students and staff should move toward the interior of the building into the hall while avoiding those hallways in which skylights are located and areas adjacent to the end of halls where glass is present.

Students and staff should remain where they are following an earthquake until given further instruction. **In instances of major damage in the community, students may need to be attended for an extended period of time. In such circumstances, students must not be released at the end of the normal day until a parent or other responsible person calls for them.**

The Board of Trustees shall inspect the building for possible structural damage following an earthquake. If the building is founded to be weakened in any respect, it shall be evacuated.

Legal Reference: §20-7-1101, MCA School district emergency plans in seismic risk zones

Procedural History:
Promulgated on: 11/17/03
Revised on:

Emergency School Evacuation

When an emergency within a school or its surrounding area necessitates evacuation and/or total or partial closure of the schools within the District, staff shall be responsible for aiding in the safe evacuation of the students within the endangered school or its surrounding area.

When an emergency within a school necessitates total or partial closure of the schools within the District threatens the safety and well being of students, and/or interferes in the normal operation of the school, the following emergency procedure shall be followed:

1. The report of an emergency shall be directed to the Board of Trustees.

2. If the nature of the emergency calls for immediate action on the part of a Supervising Teacher, he/she shall take necessary action and report such action to the Board of Trustees.

3. The Board of Trustees shall contact the personnel at the school who must assist in the emergency action.

4. When appropriate, the Board of Trustees shall contact the police or sheriff's department.

The Supervising Teacher shall instruct staff, including teachers, secretaries, aides, and bus drivers, as to their respective responsibilities in an evacuation exercise.

The Supervising Teacher shall be responsible for organizing and conducting such emergency evacuation drills as are necessary and shall objectively evaluate the activity following each such drill. In the absence of the Supervising Teacher, staff must be able to conduct all aspects of the evacuation procedure.

Procedural History:
Promulgated on: 11/17/03
Revised on:

Tornado

The Board of Trustees establishes the following procedures to ensure student safety in the event of a tornado.

Tornado Watch - A tornado may develop

Tornado Warning - A tornado has been sighted; take shelter

Should a tornado be sighted, an announcement will be made in a calm manner. All students are to remain in the room that they are in when the announcement is made.

Procedure:

1. Open windows and pull shades.

2. All students are to kneel by inside walls using hands, books, tables, etc., for protection.

3. Students in the library are to kneel under the tables.

4. Students in hallways are to move to the nearest available room.

5. Everyone remains in this position until an "all-clear" is given.

Exceptions:

1. Before school starts: Direct all students to kneel by an inside hallway wall or enter the nearest room and follow the above procedures.

2. All School Program: The Program will stop; students will be filed into the hallways and follow the above procedure. Teachers will supervise their advisory groups. If time allows, teachers may be directed to take the students back to the rooms.

Procedural History:
Promulgated on:11/17/03
Revised on:

Power Outage

In order to ensure student safety and maintain an orderly environment, the Board of Trustees adopts the following procedures to be followed in the event of a power outage.

Power Outage

1. Students will remain in their classrooms until a runner from the Supervising Teacher announces dismissal.

2. All classroom doors should be opened unless otherwise instructed.

3. Assume the outage is of short-term duration and continue with your classroom assignments. If the regular activity cannot be continued, initiate alternative activities such as oral discussions.

4. The Supervising Teacher will be around to classrooms as soon as possible to announce what the problem is and to give additional instructions.

5. Policy statement on conditions necessitating early dismissal will be in effect.

Procedural History:
Promulgated on: 11/17/03
Revised on:

School Emergency Management Plan

Development and Revision of Emergency Management Plans

To ensure the safety and health of children and staff and the integration and coordination with city, county, and state emergency and disaster plans, the Board of Trustees shall:

1. by October 1, 2009, develop and exercise a school emergency management plan; and
2. by October 1 of each succeeding school year, review and, if necessary, revise the school emergency plan.

The Board of Trustees shall:

1 ensure that a current copy of the school emergency management plan is available in the school for public review;
2. provide District staff with a copy of the current plan;
3. in coordination with county emergency service officials, conduct one test during each school year of an emergency response to a local hazard that is identified in the plan (This test may be as simple as an in-house tabletop exercise or as complex as a full-scale exercise.);
4. coordinate with city, county, and state emergency services agencies in developing prearranged agreements for the use of school resources, facilities, or vehicles during an emergency or disaster.
5. be available or designate a person to be available as a communication liaison for the District during a local or state emergency or disaster; and
6. conduct fire exit and local hazard drills as required by Montana law during the school year.

Plan Requirements

Each plan must include but is not limited to:

1. information about the location of the school within the District, including school population, number of staff, transportation needs, and the business and home telephone numbers of officials of the District;
2. the identification of local hazards that exist within the boundaries of the District;
3. drills designed specifically to provide emergency response to the identified local hazards, including drills to use an evacuation signal and a separate recall signal. (These evacuation systems and recalling signaling systems may be an electronic bell system, hand bell, or whistle as is appropriate to the school);
4. a description of the arrangements for obtaining assistance during an emergency or disaster from emergency services organizations;
5. a description of procedures to coordinate the use of District resources and staff during an emergency or disaster, including the identification of officials who are authorized to make decisions and the staff members who are assigned to provide assistance during an emergency or disaster;
6. a description of the procedures for notifying the local fire department or 9-1-1 service, as appropriate, whenever an emergency exists; and
7. a description of procedures for obtaining advice or assistance from local government officials responsible for conducting inspections of facility exits or implementation of emergency and disaster services provide in Title 10.

Cross Reference:	8301 School Safety	
Legal Reference:	§ 20-1-401-407, MCA	Fire Drills and Safety Patrols
	§10-3-103, MCA	Definitions
	§20-6-501, MCA	Definitions of Various Schools

Policy History
Adopted on: 11/17/03
Revised on:

Privately-Owned Property

The District shall not assume responsibility for the maintenance, repair or replacement of any privately owned property brought to a school or District function unless the use or presence of such property has been specifically requested in writing by the Supervising Teacher.

Policy History:
Adopted on: 11/17/03
Revised on:

Goals, Planning and Educational Specifications

Goals

The Board recognizes the importance the physical plant plays in enhancing the instructional program. The Board shall develop a program to maintain and/or upgrade the buildings and grounds of the district. Facilities represent a long-term investment of the District. The functional utility of such facilities can be increased with a regular maintenance program monitored by staff.

Planning

The Board further recognizes the importance of planning in order to provide the anticipated facility needs of the future.

In order to provide an appropriate physical environment for learning and teaching, the following factors shall be considered in the planning of District facilities:

1. Facilities will accommodate the educational needs of students and be consistent with the educational philosophy and instructional goals of the District.

2. Facilities will meet all health and safety regulations.

3. The District will seek additional (federal or other ancillary) moneys when available to supplement its own financial resources.

4. Undesirable environmental impact shall be minimized.

5. Changing demographic factors will be monitored in order that students' needs are met.

Educational Specifications

Facilities shall be designed to accommodate the educational and instructional needs of the District. The professional experience and judgment of staff shall be solicited in developing such educational specifications. When the Board considers major remodeling or building a facility, it shall endeavor to seek facility expertise in all affected program areas as well as comments from faculty, students, and community. The law requires that special attention to accessibility of the education program of students of both genders and those with disabilities be given. The Board of Trustees shall see that all construction projects comply with the requirements for accessibility for individuals with disabilities and comparability between the genders. The architect shall be responsible for ensuring compliance with state and federal laws including access for individuals with disabilities and requirements for gender comparability.

Legal Reference: 10.55.2001, ARM School facilities

Policy History:
Adopted on: 11/17/03
Revised on:

Site Acquisition and Bonds

Site Acquisition

The District will attempt to acquire building sites in advance of the actual construction of facilities, in order to minimize delay in construction projects and to realize financial savings to the District. The Board will periodically review its inventory of land in light of growth trends in the District and make such transactions as it determines shall best meet the future needs of the District.

In acquiring a new site, the Board must first secure the approval of the qualified electorate before any contract for the purpose of such site is entered into, except the Trustees may take an option on a site prior to the site approval election. The Board may acquire property contiguous to a school site in use, without such vote. Site approval also is not necessary if it was specifically mentioned in a fund-raising issue, which was subsequently approved by the electorate.

Bonds

The Board may issue or redeem bonds in any manner as provided by law.

Legal Reference:	§20-6-621, MCA	Selection of school sites, approval election
	§20-6-603, MCA	Trustees' authority to acquire or dispose of sites and buildings - when election required
	§20-9-400, et.seq. MCA	School bonds

Policy History:
Adopted on: 11/17/03
Revised on:

Architect and Contractor Assurances, Surety Bonds and Insurance

Architect Assurance

When the assistance and services of a professional architect are required, the contract for those services will include:

PLANNING - The architect will plan and develop the project according to the tenants set forth in this document;

CONSTRUCTION SUPERVISION - The architect will provide adequate inspection of the contractor(s) activity to assure workmanlike quality in the project. Quality control of materials and workmanship will be the sole responsibility of the architect. Liability for default will be borne by the architect, holding the District blameless for untoward activity during the construction process.

Contractor Assurance

No contract shall be let to any contractor who is not licensed or registered as required by the laws of this state. Nor shall a contractor be granted a contract unless a statement is submitted and sworn to which states that the contractor is in compliance with the state laws relating to prevailing wage and residence requirements for public works and with state and federal laws relating to non-discrimination in hiring. A statement to this effect must be a part of every appropriate contract. No contract shall be let to any contractor if the provision conflicts with the provisions of □20-9-204.

Changes and Additional Costs

Conflict arising from changing costs of the constructed project shall be resolved using:

CHANGE ORDERS - When the District orders any change to the original contract, such fee charge will be negotiated and agreed to in writing, approved by the District, or agent of the District and the contractor.

ADDITIONAL/UNFORESEEN COSTS - Acts of God, accident or other costs not covered in the original contract shall be limited. The amount shall be negotiated in a formal District hearing, or with the agent of the District and the contractor.

Completion of the negotiation for change will fall to the Architect as agent for the District. The architect will not be held responsible for the outcome of any proposed change to the contracted project unless the change is agreed to without District approval.

Contractor Surety Bonds and Insurance

A bid bond or other security authorized by state law in the amount of at least ten percent of the total bid amount, excluding taxes, must accompany each contractor's bid. Any bid, which is not successful, shall entitle the bidder to a refund of its security or bond. The successful bidder shall have his/her bond or security retained until such a time as it is determined that the bidder shall complete the contract. All bids received shall specify whether the District or the contractor shall carry fire, liability, or other insurance during construction. The successful bidder is required to make, execute and deliver to the Board a good and sufficient performance bond with two or more sureties or a surety company which shall state that the contractor shall execute and faithfully perform the provisions of the contract and shall pay all subcontractors and material men as required by law.

Legal Reference:	§18-1-201, MCA	Requirements for bidder's security
	§18-1-202, MCA	Advertisement for bid to specify required security
	§18-1-203, MCA	Form of security
	§2-2-303, MCA	Agreements to appoint relative to office
	§18-2-402, MCA	Standard prevailing rate of wages
	§18-2-430, MCA	Preference of Montana labor in public works - wages
	§18-2-404, MCA	Approval of contract - bond
	§20-9-204, MCA	Conflicts of interest, letting contracts and calling for bids

Policy History:
Adopted on: 11/17/03
Revised on:

Sale of Real Property

Unless the property can be disposed of without a vote, the Board has the authority to dispose of all District property. This power shall be exercised only when the qualified electors of the District approve of such action at an election called for such approval or when the Trustees adopt a resolution stating their intention to dispose of the property. When the Trustees adopt such a resolution, they shall schedule a meeting to consider a resolution to authorize the sale of the real property. The conduct of the meeting and any such subsequent appeals shall be in accord with □20-6-604, MCA.

Receipts from the sale of real property shall be placed into the debt service fund, building fund, general fund or any combination of these three funds at the discretion of the trustees.

Legal Reference:	§20-6-603, MCA	Trustees authority to acquire or dispose of sites and buildings
	§20-6-604, MCA	Sale or property when resolution passed after hearing - appeal procedure

Policy History:
Adopted on: 11/17/03
Revised on:

Operation and Maintenance of District Facilities

The District seeks to maintain and operate facilities in a safe and healthful condition. The Board of Trustees, in cooperation with the Supervising Teacher or Principal, Fire Chief, and County Sanitarian shall periodically inspect plant and facilities. The Board shall provide for a program to maintain the District physical plant by way of a continuous program of repair, maintenance and reconditioning. Budget recommendations shall be made each year to meet these needs. Any such needs arising from an emergency shall be dealt with at a meeting of the Board of Trustees.

The Board of Trustees shall formulate and implement energy conservation measures. The Supervising Teacher or Principal and staff are encouraged to exercise other cost-saving procedures in order to conserve the resources of the District in their buildings.

Legal Reference: 10.55.2001, ARM School facilities

Policy History:
Adopted on: 11/17/03
Revised on:

Security

Security means not only maintenance of buildings, but also protection from fire hazards and faulty equipment and safe practices in the use of electrical, plumbing, and heating equipment. The Board requires and encourages close cooperation with local police, fire, and sheriff departments and with insurance company inspectors.

Access to school buildings and grounds outside of regular school hours shall be limited to staff whose work requires access. An adequate key control system shall be established which shall limit access to buildings to authorized staff and shall safeguard against the potential entry of unauthorized persons.

Records and funds shall be kept in a safe place and under lock and key when required.

Locks and other protective devices designed to be used as safeguards against illegal entry and vandalism shall be installed when appropriate to the individual situation. All incidents of vandalism and burglary shall be reported to the Board of Trustees immediately and to law enforcement agencies as appropriate.

Equipment Security

District equipment shall be under the control of the Supervising Teacher, or Principal, (the most senior professional) and will be checked out by him/her during the school year. There will be a record of who has it, where it is, and when it is to be returned.

The person using the equipment must know how to use it and the appropriate safety precautions required. Students cannot allow others to operate District equipment without the express approval of the Supervising Teacher or Principal.

Care of School Property

The Supervising Teacher or Principal and staff shall insure that District property is not abused. Students or non-students who abuse school property may be disciplined and costs assessed for property abuse. Liability for the damage incurred will fall on those responsible for the abuse. A District hearing may be required to assess blame and costs.

The following steps shall be taken upon evidence that school property has been damaged or lost, whether or not the action was willful:

1. Damage of any nature to school property shall be reported to the Supervising Teacher or Principal.
2. A Damage or Loss Report shall be submitted to the Board of Trustees. In the event of a break-in, whether damage is noted or not, the Board shall report the occurrence to a law enforcement agency. Care shall be taken to avoid disturbing evidence that may be associated with the break-in.
3. An investigation to establish the individuals responsible for acts of vandalism or theft shall be initiated.
4. A professional shall estimate repair or replacement costs for damage.
5. Parents shall be informed, in writing, regarding the nature of the damages, how restitution may be made, and how appeal may be initiated.
6. The Clerk of the District, upon receipt of the damage or loss report, shall bill the student's parents for the repair or replacement costs. Some emergency work may be required prior to all of these steps. That bill shall also go to the guilty party.
7. The Clerk shall notify the District's property insurer as soon as possible.
8. Copies of the parent notification along with estimate of damages shall be sent to the Board of Trustees and the Supervising Teacher, Principal or District Superintendent (the most senior professional).
9. The Supervising Teacher or Principal will review any appeal made by the student and/or parents.
10. The student and/or parents shall be advised that they may appeal the decision of the Supervising Teacher at the next regular meeting of the Board (see Policy #3520). No further appeal shall be allowed.

Legal Reference:	§20-5-201, MCA	Duties and sanctions
	§50-61-114, MCA	Fire chief and county sheriff to make inspections

Policy History:
Adopted on: 11/17/03
Revised on:

Facilities Operations

The operation of the District's facilities shall be the responsibility of the Board of Trustees or their designee.

An adequate staff of custodial personnel will be employed by the District to operate the District's facilities. This responsibility shall include, but not necessarily be limited to the following:

1. Adequate and timely operation of each facility's heating system.

2. Proper care of the District's physical properties including walls, floors, roofs, ceilings and equipment in those facilities.

3. Adequate care of and timely lamp replacement in each facility's lighting system.

4. Proper care of the grounds and playgrounds.

Because of the nature of facility operations, this service shall be provided not only during the normal scheduled working day and working year, but shall also occur during those times when the building is occupied outside of regular hours. At no time shall a facility be occupied by a group of individuals without at least one Board or staff member being in the building during the time of occupancy by the using group.

Policy History:
Adopted on: 11/17/03
Revised on:

District Asbestos Program

It is the intent of the District that the Asbestos Hazard Emergency Response Act (AHERA) dated October 30, 1982, and all of its amendments, alterations and changes be complied with by all district employees, vendors and contractors. To that end, Pendroy School District has contracted with an appropriate consultant to bring the school into compliance. Asbestos abatement manuals shall remain in all school-owned buildings. Anyone needing to access an area in the building containing asbestos must first receive permission from the Supervising Teacher and then complete the appropriate waiver of liability form in the abatement plan book.

Access will be given only to those individuals who utilize proper care so as not to disturb Asbestos Containing Material (ACM). All individuals must wear appropriate respirators in ACM areas as per the Asbestos Hazard Emergency Response Act (AHERA) regulations.
The Board of Trustees shall take appropriate action to ensure that all violations are remedied.

In addition the Board of Trustees will:

1. Ensure that all employees, building occupants, or their legal guardians are informed at least once each school year about inspections, response actions and post-response activities including periodic re-inspection and surveillance activities that are planned or in progress;

2. Aid in the design and implementation of the operation and maintenance portion of the asbestos program;

3. Ensure that warning labels are in place as required by the act;

4. Ensure that the three-year re-inspections occur on time and in accordance with the act;

5. Monitor and ensure that the management plan is updated as required by the act;

6. Maintain records of the following:
   a. All inspections and periodic surveillances;
   b. All cleaning of friable areas;
   c. All disturbances of friable ACM by short term workers and others;
   d. All minor and major fiber releases;
   e. All minor and major abatements;
   f. The transportation and burial of all asbestos.

7. Maintain a copy of the plan available to staff and public in the school;

8. Provide the parent or guardian of each enrolled student a copy of a letter complying with 763.93(a)(10) during the first 30 days of each year's enrollment.

Policy History:
Adopted on: 11/17/03
Revised on**:**