Jefferson High School
District Policy

Jefferson High School
District Policy
Master Index

JEFFERSON HIGH SCHOOL DISTRICT #1
MASTER INDEX

1425	Abstentions From Voting
4316	Accommodating Individuals With Disabilities [Community Relations]
5002	Accommodating Individuals With Disabilities [Personnel]
7325	Accounting System Design
5228F1	Acknowledgement of Receipt of Policies 5228 and 5228P
8132	Activity Trips
3416	Administering Medication to Students
2375	Advancement Requirements (9-12)
7332	Advertising in Schools/Revenue Enhancement
8130	Air Quality Restrictions
1610	Annual Goals and Objectives
1120	Annual Organization Meeting
5121	Applicability of Personnel Policies
5122F	Applicant Rights and Consent to Fingerprint Form, NCPA/VCA Applicant Form
5210	Assignments, Reassignments, Transfers
3122 - 3122P	Attendance Policy
3123	Attendance Policy - Truancy
1441	Audience Participation
1332	Authorization of Signatures
8450	Automated External Defibrillators (AED)
1400	Board Meetings
1640	Board Participation in Activities
1520	Board/Staff Communications
1521	Board-Superintendent Relationship
5325	Breastfeeding in the Workplace
7121	Budget Adjustments
7110	Budget and Program Planning
7310	Budget Implementation and Execution
5015	Bullying/Harassment/Intimidation
3226	Bullying/Harassment/Intimidation/Hazing
8110	Bus Routes and Schedules
1111P	Candidate Orientation
7510	Capitalization Policy for Fixed Assets
3630	Cell Phones and Other Electronic Equipment
8129	Chemical Safety
5232	Child Abuse, Neglect, and Sex Trafficking Reporting
5140	Classified Employment and Assignment
8303	Cleaning and Disinfecting
1230	Clerk
1511	Code of Ethics for School Board Members
1130	Committees
3417	Communicable Diseases

JEFFERSON HIGH SCHOOL DISTRICT #1
MASTER INDEX

2250	Community and Adult Education
4330	Community Relations, Community Use of School Facilities
5336	Compensatory Time and Overtime for Classified Employees
3120	Compulsory Attendance
8440	Computer Software
5321P	Conditions for Use of Leave
4332	Conduct on School Property
1512	Conflict of Interest
4320	Contact With Students
2322	Contests for Students
8102	Contracting for Transportation Services
2330	Controversial Issues and Academic Freedom
4520	Cooperative Programs With Other Districts, Public Agencies, and Businesses
2312	Copyright
3300P	Corrective Actions and Punishment
1902	COVID-19 Emergency Policies – Alternative Grading
1901	COVID-19 Emergency Policies – Emergency Policy and Procedure
1910F2	COVID-19 Emergency Policies – Employee Request Form – Emergency FMLA
1910F1	COVID-19 Emergency Policies – Employee Request Form – Emergency Paid Sick Leave
1908	COVID-19 Emergency Policies – Family Engagement
1908F	COVID-19 Emergency Policies – Family Onsite Instruction Opt-Out Form
1909	COVID-19 Emergency Policies – Human Resources and Personnel
1900	COVID-19 Emergency Policies – Introduction
1910	COVID-19 Emergency Policies – Personnel Use of Leave
1911	COVID-19 Emergency Policies – School District Budget Adoption, Amendment, and Audit
1907	COVID-19 Emergency Policies – School District Declaration of Emergency
1912	COVID-19 Emergency Policies – School District Elections Rescheduled Due to Emergency
1903	COVID-19 Emergency Policies – School District Meetings, Gatherings, Events, and Visitors
1903F	COVID-19 Emergency Policies – School Event and Facility Notice
1906	COVID-19 Emergency Policies – Student Instruction and Services
1906P	COVID-19 Emergency Policies – Student Instruction Resources and Best Practices
1905	COVID-19 Emergency Policies – Student, Staff, and Community Health and Safety
1904	COVID-19 Emergency Policies – Use of Transportation Funds During Periods of Emergency Declaration
7400	Credit Card Use

JEFFERSON HIGH SCHOOL DISTRICT #1
MASTER INDEX

2413	Credit Transfer and Assessment for Placement
2120	Curriculum and Assessment
8550	Cyber Incident Response
6122	Delegation of Authority
5120F1	Determination of Eligibility for Hire Form
2170 – 2170P	Digital Academy Classes
5255	Disciplinary Action
3310P	Discipline of Students With Disabilities
3141	Discretionary Nonresident Student Attendance Policy
7251	Disposal and Sale of School District Property
4313	Disruption of School Operations
5012F3	Dissemination Log
2167	Correspondence Courses
2168	Distance, Online, and Technology-Delivered Learning
3222	Distribution and Posting of Student Materials
7262	Distribution of Excess Senior Class Funds
4321	Distribution of Fund Drive Literature Through Students
4211	District and School Name, Logo, Imagery, and Colors
6121	District Organization
8121	District-Owned Vehicles
1310 – 1310P	District Policy and Procedures
3612 – 3612P	District-Provided Access to Electronic Information, Services, and Networks
8301	District Safety
4125	District Social Media Presence
8420	District-Wide Asbestos Program
7326	Documentation and Approval of Claims
8123	Driver Training and Responsibility
5228 - 5228P	Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers
5226	Drug-Free Workplace
6140	Duties and Qualifications of Administrative Staff Other Than Superintendent
1240	Duties of Individual Trustees
3125	Education of Homeless Children
3110F	Educational Authorization Affidavit
1111	Election
3431	Emergency Treatment
5450	Employee Electronic Mail and On-Line Services Usage
6141	Employment Restrictions for Administrative Personnel
5254F	Employer Payment Policy
7260	Endowments, Gifts, and Investments
3121 - 3121P	Enrollment and Attendance Records
3110	Entrance, Placement, and Transfer
3210	Equal Education, Nondiscrimination and Sex Equity

JEFFERSON HIGH SCHOOL DISTRICT #1
MASTER INDEX

5010	Equal Employment Opportunity and Non-Discrimination
5420F	ESSA Qualification Notifications – Annual Notification – Option to Request Professional Qualifications
6410	Evaluation of Administrative Staff
1620	Evaluation of Board
5222	Evaluation of Non-Administrative Staff
3340	Extra- and Co-Curricular Alcohol, Drug, and Tobacco Use
7425	Extra- and Co-Curricular Funds
2158	Family Engagement Policy
5328 - 5328P	Family Medical Leave
5120P	Federal Background Check Fingerprint and Information Handling Procedure
2320	Field Trips, Excursions, and Outdoor Education
7430	Financial Reporting and Audits
7515	Fund Balances
5122	Fingerprints and Criminal Background Investigations
3311	Firearms and Other Weapons
8200	Food Services
3145 - 3145P	Foreign Exchange Students
7410	Fund Accounting System
3345	Gambling
2166	Gifted Program
6000	Goals [Administration]
4000	Goals [Community Relations]
7000	Goals [Financial Management]
2000	Goals [Instruction]
8000	Goals [Noninstructional Operations]
2105	Grade Organization
2420	Grading and Progress Reports
2140	Guidance and Counseling
2335	Health Enhancement
2410 - 2410P	High School Graduation Requirements
5510	HIPAA
5120	Hiring Process and Criteria
5333	Holidays
2430	Homework
3413F1	Immunization Form 1 – Medical Exemption Statement
3413F2	Immunization Form 2 – Affidavit of Exemption on Religious Grounds from Montana School Immunization Law and Rules
1621	In-Service Conference for Trustees
7520	Independent Investment Accounts
2311	Instructional Materials
5331	Insurance Benefits for Employees
4330P1	Insurance Requirements for Facility Use Application / Permit
7540FE	Intent to Increase Non-Voted Levy

JEFFERSON HIGH SCHOOL DISTRICT #1
MASTER INDEX

3612F	Internet Access Conduct Agreement
1635	Internships
2151	Interscholastic Activities/Athletics
2151F1	Interscholastic Activity/Athletics Program Assumption of Risk Form
2151F3	Interscholastic Activity/Athletics Program Plan/Goal/Assess & Survey Requirement Acknowledgement
4411	Investigations and Arrests by Police
5232F	Jefferson High School Report of Suspected Child Abuse or Neglect
2151F5	JHS Activities/Athletics Advisor/Coach Survey
2151F6	JHS Activities/Athletics Parent Survey
2151F4	JHS Activities/Athletics Participant Survey
2151F8	JHS Activities/Athletics Coach's Code of Conduct
2151F9	JHS Activities/Athletics Parent's Code of Conduct
2151F7	JHS Activities/Athletics Player's Code of Conduct
4330P2	Language Regarding Facility Use to be Included in all Handbooks
4330P3	Language for Informational Sign at Entrance to School and Entrance to South Gym
2314	Learning Materials Review
7525	Lease-Purchase Agreement
5321	Leaves of Absence
1000	Legal Status and Operation
2123	Lesson Plan
2309	Library Materials
2500	Limited English Proficiency Program
5329 - 5329P	Long-Term Illness/Temporary Disability
3415 - 3415P	Management of Sports Related Concussions
1513	Management Rights
5330	Maternity Leave and Paternity Leave
3125F	McKinney-Vento Homeless Education Assistance Dispute Resolution Form
1105	Membership and Terms of Office
7261	Metal Mines Tax Reserve Fund
7261F	Metal Mines Tax Reserve Fund – A Resolution by the Board of Trustees of Jefferson High School District #1
5322	Military Leave
3416F	Montana Authorization to Carry and Self-Administer Medication
5250	Non-Renewal of Employment/Dismissal From Employment
7540FEF1	Notice of Intent to Impose an Increase in Levies Form
1420F	Notice Regarding Public Comment
8302	Noxious Plant and Animal Control
2110	Objectives
7215	Obligations and Loans
8410	Operation and Maintenance of Facilities
1100	Organization
5420	Paraprofessionals

JEFFERSON HIGH SCHOOL DISTRICT #1
MASTER INDEX

2333	Participation in Commencement Exercises
3150	Part-Time Attendance
5254	Payment of Employer Contributions and Interest on Previous Service
5338	Payment of Interest on Employer Contributions for Workers' Compensation Time
5500	Payment of Wages Upon Termination
7330 – 7330F	Payroll Procedures/Schedules
5223	Personal Conduct
7335	Personal Reimbursements
1015FE	Personalized Learning Opportunities
5231 - 5231P	Personnel Records
5224	Political Activity
5230	Prevention of Disease Transmission
6210	Principals
5120F2	Privacy Act Statement
7530	Procurement of Supplies or Services
6420	Professional Growth and Development
3126F	Proficiency-Based ANB
2130	Program Evaluation and Diagnostic Tests
3610	Programs for At-Risk/Disadvantaged Students
5220	Prohibition on Aiding Sexual Abuse
8320	Property Damage
7500	Property Records
4340	Public Access to District Records
4310	Public Complaints and Suggestions
4120	Public Relations
7320	Purchasing
4330F1	Private Individual or Organization School Facility Use Agreement
1210	Qualifications, Terms, and Duties of Board Officers
3608	Receipt of Confidential Records
2450	Recognition of Native American Cultural Heritage
1401 – 1401P	Records Available to Public
8430	Records Management
5256	Reduction in Force
4550	Registered Sex Offenders
4410	Relations With Law Enforcement and Child Protective Agencies
2332	Religion and Religious Activities
5228F2	Request for Records Form
3440 - 3440P	Removal of Student During School Day
8426F	Request to Use Therapy Animal in School
1112	Resignation [Board]
5251	Resignations [Personnel]
5240	Resolution of Staff Complaints/Problem-Solving
5253	Retirement Programs for Employees
7210	Revenues

JEFFERSON HIGH SCHOOL DISTRICT #1
MASTER INDEX

8300	Risk Management
8400	Sale of Real Property
1135	School Board Advocacy
1420	School Board Meeting Procedure
1402	School Board Use of Electronic Mail and Mobile Messaging
8125	School Bus Emergencies
2221 - 2221P	School Closure
8502	School Construction and Repairs
4330F2	School Facility Use Agreement Rules and Regulations
4330F3	School Facility Use Approved Supervisor Training List
3510	School-Sponsored Student Activities
4210P	School-Support Organizations
4210	School-Support Organizations, Boosters and Fundraising
2510	School Wellness
2100	School Year Calendar and Day
3231 - 3231P	Searches and Seizure
2162 - 2162P	Section 504 of the Rehabilitation Act of 1973 (“Section 504”)
2311P	Selection, Adoption, and Removal of Textbooks and Instructional Materials
2310 - 2310P	Selection of Library Materials
8425P	Service Animal Allowance Procedure
8425	Service Animals
5012P	Sexual Harassment Grievance Procedure - Employees
3225P	Sexual Harassment Grievance Procedure - Students
5012	Sexual Harassment of Employees
3225	Sexual Harassment of Students
5012F	Sexual Harassment Reporting/Intake Form for Employees
3225F	Sexual Harassment Reporting/Intake Form for Students
2171	Significant Writing Program
2161 - 2161P	Special Education
5130	Staff Health
5141	Staff Recognition Program
3415F	Student-Athlete & Parent/Legal Guardian Concussion Statement
2132	Student and Family Privacy Rights
3550F	Student Club Application
3550	Student Clubs
8124	Student Conduct on Buses
3310	Student Discipline
3224	Student Dress
3520	Student Fees and Fines
3410	Student Health/Physical Screenings/Examinations
3413	Student Immunization
2050	Student Instruction
3221	Student Publications
3600 - 3600P - 3600F	Student Records

JEFFERSON HIGH SCHOOL DISTRICT #1
MASTER INDEX

3200	Student Rights and Responsibilities
5440	Student Teachers/Interns
3233	Student Use of Buildings: Equal Access
3130	Students of Legal Age
5314	Substitutes
2150	Suicide Awareness and Prevention
2240	Summer School
6110 - 6110P	Superintendent
3300	Suspension and Expulsion – Corrective Actions and Punishment
1110	Taking Office
8426	Therapy Animals
2151F2	Three-Year Interscholastic Activity/Athletics Program Evaluation Form
2160	Title I Parent and Family Involvement
2160P	Title I Parent Involvement
8225	Tobacco Free Policy
2163	Traffic Education
3606	Transfer of Student Records
7535FE	Transfers for School Safety
8100	Transportation
8111	Transportation of Students With Disabilities
7336	Travel Allowances and Expenses
1531	Trustee Expenses
1532	Trustee Insurance
7008	Tuition
1700	Uniform Complaint Procedure
7220P	Use of Federal Title Funds Methodology
7220	Use of Federal Title I Funds
4331	Use of School Property for Posting Notices
1113 - 1113P	Vacancies
5334 - 5334P	Vacations
3235	Video Surveillance
4315	Visitor and Spectator Conduct
4301	Visitors to Schools
5430F	Volunteer Agreement Form
5430	Volunteers
8411	Water Supply Systems
2600F	Work Based Learning Affiliation Agreement
2600	Work Based Learning Program
2600P	Work Based Learning Program - Insurance
5221	Work Day
5337	Workers' Compensation Benefits

Jefferson High School
District Policy
Timeline Index

JEFFERSON HIGH SCHOOL DISTRICT #1
TIMELINE INDEX

This index list the policies that include a specific due-date or other date-related requirements. Refer to the full policy for complete information on the action to be taken.

Policy	Title	When	Action
6110	Superintendent Evaluation	Jan	Board Evaluates Superintendents performance
5334P	Vacations	Jan	District will cash-out unused vacation
3121P	Attendance Accounting	Feb	Count Day
8300	Risk Management	April	Board reviews risk management plan
2161P	Special Education	April	Board approves special education application
5253	Retirement Programs for Employees	April	Certified Employee intent to retire
1111	Elections	May	Elections must take place specifications
1120	Organization Meeting	May	Board organization specifications
1135P	School Board Advocacy	May	Board may appoint a liaison to MTSBA
1310	Adoption and Amendment of Policies	June	Board reviews policies
1610	Annual Goals and Objectives	June	Superintendent reports annual objectives
1620	Evaluation of Board	June	Board self-evaluation (Optional)
2000	Instruction Goals	June	Superintendent report/plan on educational program
2110	Continuous Progress Education	June	Superintendent reports on instructional progress
2158	Family Engagement	June	Review Plan and Progress
3300	Suspension and Expulsion	June	Board reviews suspension policy
3520	Student Fees	June	Superintendent reports all fee schedules to the Board
8200	Lunch Fees	June	Board establishes
8301	District Safety	June	Review
1400	Budget Meeting	July	Board requirements for budget meeting
5314	Substitutes	July	Board establishes substitute rate of pay
7008	Tuition	July	Board approves tuition rates
7400	Credit Card Use	July	Board receives list of district credit cards
1400	Budget Meeting	Aug	Budget meeting requirements
3610	At-Risk Plan	Sept	At-Risk Coordinator prepares plan
6110P	Superintendent	Sept	Superintendent establishes criteria and process for staff evaluation
1610	Annual Goals and Objectives	Oct	Board formulates annual objectives for the district
2130	Program Evaluation and Diagnostic Tests	Oct	Board's instructional plan and evaluation

JEFFERSON HIGH SCHOOL DISTRICT #1
TIMELINE INDEX

3610	At-Risk Plan	Oct	Board reviews and approves At-Risk Plan
3121P	Attendance Accounting	Oct	Count Day
6420	Professional Growth & Development	Dec	Superintendent administrative in-service program
1520	Visits to Schools	Ann	Each trustee visits at least once to examine the school

1000 Series

The Board of Trustees

1000 Series
"The Board of Trustees"
Table of Contents

Req.	Policy #	Policy Title
R	1000	Legal Status and Operation
	1015FE	Personalized Learning Opportunities
R	1100	Organization
R	1105	Membership and Terms of Office
	1110	Taking Office
	1111	Election
	1111P	Candidate Orientation
	1112	Resignation
	1113	Vacancies
	1113P	Vacancies
	1120	Annual Organization Meeting
	1130	Committees
	1135	School Board Advocacy
	1210	Qualifications, Terms, and Duties of Board Officers
	1230	Clerk
	1240	Duties of Individual Trustees
R	1310	District Policy and Procedures
R	1310P	District Policy

	1332	Authorization of Signatures
R	1400	Board Meetings
	1401	Records Available to Public
	1401P	Records Available to Public
	1402	School Board Use of Electronic Mail and Mobile Messaging
R	1420	School Board Meeting Procedure
	1420F	Notice Regarding Public Comment
	1425	Abstentions From Voting
R	1441	Audience Participation
	1511	Code of Ethics for School Board Members
	1512	Conflict of Interest
R	1513	Management Rights
	1520	Board/Staff Communications
	1521	Board-Superintendent Relationship
	1531	Trustee Expenses
	1532	Trustee Insurance
	1610	Annual Goals and Objectives
	1620	Evaluation of Board
	1621	In-Service Conference for Trustees
	1635	Internships
	1640	Board Participation in Activities
R	1700	Uniform Complaint Procedure
	1900	COVID-19 Emergency Policies – Introduction

1901	COVID-19 Emergency Policies – Emergency Policy and Procedures
1902	COVID-19 Emergency Policies – Alternative Grading
1903	COVID-19 Emergency Policies – School District Meetings, Gatherings, Events, and Visitors
1903F	COVID-19 Emergency Policies – School Event and Facility Notice
1904	COVID-19 Emergency Policies – Use of Transportation Funds During Periods of Emergency Declaration
1905	COVID-19 Emergency Policies – Student, Staff, and Community Health and Safety
1906	COVID-19 Emergency Policies – Student Instruction and Services
1906P	COVID-19 Emergency Policies – Student Instruction Resources and Best Practices
1907	COVID-19 Emergency Policies – School District Declaration of Emergency
1908	COVID-19 Emergency Policies – Family Engagement
1908F	COVID-19 Emergency Policies – Family Onsite Instruction Opt-Out Form
1909	COVID-19 Emergency Policies – Human Resources and Personnel
1910	COVID-19 Emergency Policies – Personnel Use of Leave
1910F1	COVID-19 Emergency Policies – Employee Request Form – Emergency Paid Sick Leave
1910F2	COVID-19 Emergency Policies – Employee Request Form – Emergency FMLA

1911 COVID-19 Emergency Policies – School District Budget Adoption, Amendment, and Audit

1912 COVID-19 Emergency Policies – School District Elections Rescheduled Due to Emergency

THE BOARD OF TRUSTEES 1000

Legal Status and Operation

The Board of Trustees of Jefferson High School District # 1 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 potentials.

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

Legal Reference:	§ 20-3-323, MCA	District policy and record of acts
	§ 20-3-324, MCA	Powers and duties

Policy History:
Adopted on: February 2007
Revised on:

Personalized Learning Opportunities

It is the policy of the District to create an environment and culture that supports and meets the individual needs, skills and interests of each student, provides advanced opportunities for students and supports transformational learning. As a result of the collective efforts of Trustees, Administrators, and Educators, the District ensures equality of educational opportunity for each student and have fully developed the potential of each student in District schools. In addition to other initiatives/strategies, the District is committed to the following:

1. Expanding the personalized learning opportunities for each student to accelerate in their career and college readiness, reduce the out-of-pocket costs for families and empower students to actively engage in forming successful post-secondary pathways by:
    a. developing an advanced opportunity plan for students in grades 6-12 that
        i. fosters individualized pathways for career and postsecondary educational opportunities and that honors individual interests, passions, strengths, needs, and culture and is supported through relationships among teachers, family, peers, the business community, postsecondary education officials, and other community stakeholders; and
        ii. embeds community-based, experiential, online, and work-based learning opportunities and foster a learning environment that incorporates both face-to-face and virtual connections.

2. Supporting and embracing a culture of transformational learning by:
    a. developing a transformational learning plan for each participating student that
        i. honors individual interests, passions, strengths, needs, and culture, and that is rooted in relationships with teachers, family, peers, and community members;
        ii. embeds community-based, experiential, online, and work-based learning opportunities and foster a learning environment that incorporates both face-to-face and virtual connections; and
        iii. provide effective professional development to assist employees in transitioning to a transformational learning model.

Legal Reference:

Policy History:
Adopted on: May 2020
Revised on:

Revision Note:

THE BOARD OF TRUSTEES 1100

Organization

The legal name of this District is Jefferson High School District No. 1, Jefferson County, State of Montana. The District is classified as a class 2 district and is operated according to the laws and regulations pertaining to a class 2 district.

To achieve its primary goal of providing each child with the necessary skills and attitudes necessary 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. *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.

Legal References:	§ 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
	§ 20-6-301, MCA	High school district classification

Policy History:
Adopted on: February 2007
Revised on:

Membership and Terms of Office

The District is governed by a Board of Trustees consisting of seven (7) members. The powers and duties of the Board include the broad authority to adopt and enforce all policies necessary for the management, operations and governance of the District. Except as otherwise provided by law, trustees shall hold office for terms of three (3) years, or until their successors are elected and qualified. Terms of trustees shall be staggered as provided by law.

Trustees participate on an equal basis with other members in all District business.

Legal References:	§ 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	Candidate qualification and nomination
	§ 20-3-306, MCA	Conduct of election
	§ 20-3-307, MCA	Qualification and oath
	§ 20-3-341, MCA	Number of trustee positions in elementary districts – transition
	§ 20-3-344, MCA	Nominating of candidates by petition in first-class elementary district
	§ 20-3-351, MCA	Number of trustee positions in high school districts
	§ 20-3-352, MCA	Request and determination of number of high school district additional trustee positions – nonvoting trustee
	§ 20-3-361, MCA	Joint board of trustees organization and voting membership

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 Revision Note: Cleans up language as per MTSBA Jan, 2014 Policy Notes

Taking Office

A newly elected trustee shall take office as soon as election results have been certified and the newly elected trustee has taken and subscribed to an oath to faithfully and impartially discharge the duties of the office to the best of his/her ability.

A newly appointed trustee shall take office, after the trustee has taken and subscribed to an oath to faithfully and impartially discharge the duties of the office to the best of his/her ability.

The person shall qualify by taking an oath of office administered by the county superintendent, the superintendent's designee, or any officer provided for in 1-6-101, MCA or 2-16-116, MCA. Such oath must be filed with the county superintendent not more than fifteen (15) days after the receipt of the certificate of election or the appointment.

Cross Reference:	Policy 1113	Vacancies
Legal References:	§ 1-6-101, MCA	Officers who may administer oaths
	§ 2-16-116, MCA	Power to administer oaths
	§ 20-1-202, MCA	Oath of office
	§ 20-3-307, MCA	Qualification and oath

Policy History:

Adopted on: February 2007

Reviewed on:

Revised on: April 15, 2008, November 15, 2011, January 2016, March 2020, June 2020

Note: Line 5-7 was added to clarify when a trustee (who has been appointed mid-term) becomes official and can vote at meetings.

Note: The sentence in lines 7-9 were added as the revision, as well as two legal references (lines 15 and 16).

January 2016 Revision adds Cross Reference

March 2020 revision changes number of days from 15 to 25

June 2020 revision changes number of days from 25 to 15 again as the March 2020 revision was incorrect according to MTSBA.

Election

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 shall 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 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.

Legal Reference:	§ 13-10-211, MCA	Declaration of intent for write-in candidates
	§ 20-20-204, MCA	Election Notice
	§ 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 funding for general fund-election for Authorization to impose
§ 20-20-105, MCA	Regular school election day and special school elections
§ 20-20-301, MCA	Qualifications of elector

Policy History:

Adopted on: February 2007
Reviewed on:
Revised on: November 15, 2011
Revised: January 2016

Note: Lines 22-26 (page 1) were added based on the 2011 Legislative session. The word (withdrawal) was also added in legal reference 20-3-305, MCA.
January 2016 *Revision Note: Updated to match current law.*

Jefferson High School District #1

THE BOARD OF TRUSTEES 1111P

Candidate Orientation

Candidates for appointment or election to the Board shall be urged to attend public meetings of the Board. All public information about the school system shall be made available to them. Additionally, the Board directs the Superintendent to cooperate impartially with all candidates in providing them with information about school governance, Board operations, and school programs. Information to Board candidates include:

1. Notifying the candidate of open meetings of the Board, accompanied with an agenda;

2. Meeting with the candidate to provide background information on the school system and Board service and/or arranging such other candidate orientation sessions as the candidate may reasonably request;

3. Providing each candidate with access to the official minutes of the Board meetings and the District policy manual;

Notices of candidates' meetings that are sponsored by impartial, non-partisan organizations may be announced in District publications and/or be sent home with students. The following procedures shall be followed:

1. If a candidate is scheduled to appear or speak as a part of a school-sponsored program, all candidates for that position shall be invited to attend or to send representatives;

2. The school will not send home partisan materials through the students; and

3. The Superintendent or designee shall invite all candidates to an information session. Each candidate will be given the same materials and information at these sessions.

Procedure History:
Promulgated on: February 2007
Revised on:

Resignation

The resignation of a trustee of the district must be in writing, must stipulate an effective date, and must be submitted to the Clerk of the District.

Trustees retiring from the Board may 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
	§ 20-3-308, MCA	Vacancy of trustee position

Policy History:
Adopted on: February 2007
Revised on: January 2016, March 2020
January 2016 Revision Note: Remove board ratification

Vacancies

A trustee position becomes vacant before the expiration of a term, when any of the following occurs:

1. Death of the trustee;
2. The effective date stipulated in the written resignation of the trustee filed with the Clerk;
3. Trustee moves out of the nominating district, establishing residence elsewhere;
4. Trustee is no longer a registered elector of the District under the provisions of § 20-20-301, MCA;
5. Trustee is absent from the District for sixty (60) consecutive days;
6. Trustee fails to attend three (3) consecutive meetings of the trustees without good reason;
7. Trustee has been removed under the provisions of § 20-3-310, MCA; or
8. Trustee ceases to have the capacity to hold office under any other provision of law.

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

When a trustee vacancy occurs, the remaining trustees shall declare such position vacant and 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 fill the position.

Should the Board fail to fill a vacancy within sixty (60) days from the creation of a vacancy, the county superintendent shall appoint, in writing, a competent person to fill such vacancy. An appointee shall qualify by completing and filing an oath of office with the county superintendent within fifteen (15) days after receiving notice of the appointment and shall serve until the next regularly scheduled school election and a successor has qualified.

Cross Reference:	1240	Duties of Individual Trustees
	1112	Resignations
Legal References:	§ 2-16-501(3), MCA	Vacancies created
	§ 20-3-308, MCA	Vacancy of trustee position
	§ 20-3-309, MCA	Filling vacated trustee position – appointee qualification and term of office

Policy History:
Adopted on: February 2007
Revised on: January 2016, March 2020

January 2016 revision notes: replaced word “incumbent” with “Trustee”

Jefferson High School District #1

THE BOARD OF TRUSTEES 1113P

Vacancies

When a vacancy occurs on the Board, it is in the best interest of the District to encourage as many able citizens as possible to consider becoming a trustee. To that end, the following procedures shall be used to identify and appoint citizens to fill Board vacancies:

1. Announcement of the vacancy and the procedure for filling it shall be made in the general news media as well as District publications to patrons.

2. All citizens shall be invited to nominate candidates for the position, provided that the nominees shall be residents of the District. A letter of application will be required of interested candidates.

3. The Board shall individually interview the finalists in a regular or special meeting and appoint the candidate who, in the judgment of the Board, is most likely to contribute to the growth and development of the District's education programs and operations. All trustees shall vote on the candidate of their choice.

4. If no one (1) candidate receives a majority of the votes, the Board may:

    a. Discuss all candidates and vote again;

    b. Discuss all candidates and vote only on those candidates with the most votes; or

    c. Continue voting until one (1) candidate receives a majority vote.

5. The Board Clerk shall prepare, for the signatures of all trustees, a letter thanking all candidates for the position and commending them for their interest in the District.

Procedure History:
Promulgated on: February 2007
Revised on:

Annual Organization Meeting

After issuance of election certificates to newly elected trustees in May, and no later than twenty-five (25) days after the election, the Board shall elect from among its members a Chairperson and a Vice Chairperson to serve until the next annual organizational meeting. If a Board member is unable to continue to serve as an officer, a replacement shall be elected at the earliest opportunity to serve the remainder of the term. In the absence of both the Chairperson and the Vice Chairperson, the Board shall elect a Chairperson *pro tempore*, who shall perform the functions of the Chairperson 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 Chairperson

2. Swearing in of newly elected trustees

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

4. Election of a Chairperson

5. Assumption of office by the new Chairperson

6. Call for nominations for Vice Chairperson to serve during the ensuing year

7. Election of a Vice Chairperson

8. Appointment of a Clerk

Legal References:	§ 20-3-321, MCA	Organization and officers
	§ 20-3-322(a), MCA	Meetings and quorum
	§ 1-5-416(1)(b), MCA	Powers and duties of Notary Public

Policy History:
Adopted on: February 2007
Reviewed on:
Revised on: November 15, 2011
January 2016
March 2020

Note: The November 2011 revision included the date for when the Annual Organization Meeting must be held and the addition of the legal reference in line 34.

Jefferson High School District #1

THE BOARD OF TRUSTEES 1120

January 2016 *Revision: Clarified Officer Terms of Office*

Committees

Generally, trustees will function as a whole and will not form committees of the Board. Nevertheless, the Board may create Board committees as deemed necessary or useful. All committees created by the Board shall comply with the open meeting laws and all other laws applicable to school board meetings.

Committees of the Board may be created and their purposes defined by a majority of the Board. The Board Chairperson shall appoint trustees to serve on such committees. Trustees serving on committees shall be limited to fewer than one-half (½) of the Board.

- .

Legal Reference: § 2-3-203, MCA Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
Bryan v. Yellowstone (2002), 2002 MT 264
Crofts v. Associated Press (2004), 2004 MT 120

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 revision note: broadened application of open meeting laws by removing examples.

School Board Advocacy

The Board of Trustees of Jefferson High School District believes it has a responsibility to the students, parents, and community to advocate for student achievement and quality education. In order to meet these responsibilities, the District may work for the passage of new laws designed to advance the cause of good schools and for the repeal or modification of existing laws that impede this cause.

Trustees, should keep themselves and community members informed of pending legislation and actively communicate board positions and concerns to elected representatives at both the state and national level. The Board should work with legislative representatives (both state and federal), with the Montana School Boards Association, the National School Boards Association, and other concerned groups in developing an annual as well as long-range legislative program.

Each Trustee is encouraged to participate in the MTSBA Delegate Assembly and the MTSBA Board Legislative Contact Program and the caucuses. We also encourage each board and trustee to be aware of the importance of building a relationship with the community, to be used to increase student success.

In doing so, the Trustees will:

1. Review MTSBA legislative correspondence;
2. Respond to MTSBA legislative calls to action;
3. Participate in the Day of Advocacy during each legislative session;
4. Attend other state and regional association meetings as approved by the Board;
5. Advise MTSBA of the Board's views regarding MTSBA's legislative positions and activities;
6. At least once each month in accordance with Policy 1420, the Board meeting agenda will include an opportunity for the trustees to discuss educational issues pending on the state and federal levels; and
7. Work with the MTSBA, the National School Boards Association (NSBA), and other concerned groups and organizations on matters of mutual interest.

Policy History:
Adopted on: April 21, 2009
Reviewed on:
Revised on: January 2016

January 2016 revision note: format corrections, added caucuses,

Timeline index entry: Regular board meeting every May

Qualifications, Terms, and Duties of Board Officers

The Board officers are the Chairperson and Vice Chairperson. These officers are elected at the annual organizational meeting.

Chairperson

The Chairperson may be any trustee of the board, including an additional trustee as provided for in 20-3-352(2). The duties of the Chairperson include the following:

- Preside at all meetings and conduct meetings in the manner prescribed by the Board's policies;
- Make all Board committee appointments, subject to board consensus
- Sign all papers and documents as required by law and as authorized by action of the Board;
- Close Board meetings as authorized by Montana law; and
- Act as spokesperson for the Board.

The Chairperson is permitted to participate in all Board meetings in a manner equal to all other Board members, including the right to participate in debate and to vote. The Chairperson may make a motion and may make second motions.

Vice Chairperson

The Vice Chairperson shall preside at all Board meetings in the absence of the Chairperson and shall perform all the duties of the Chairperson during the Chairperson's absence or unavailability. The Vice Chairperson shall work closely with the Chairperson and shall assume whatever duties the Chairperson may delegate.

Legal References:	§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
	§ 20-3-321(2), MCA	Organization and officers
	§ 20-3-351(1)(a), MCA	Number of trustee positions in high school districts
	§ 20-3-352(2), MCA	Request and determination of number of high school district additional trustee positions –nonvoting trustee

Policy History:
Adopted on: February 2007
Reviewed on:
Revised on: November 15, 2011, January 2016

Note: The definition and duties of a chairperson (lines 8-12) were changed according to the 2011 Legislative session. Also, legal references in lines 34-38 were added.

January 2016 *revision note: Removed term of chair because is covered in other policy. Replaced Board approval of Chair committee appointments with consensus.*

Clerk

The Clerk of the Board shall attend all meetings of the Board, unless excused by the Chairperson, and shall keep an accurate and permanent record of all 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 trustees will have one (1) of their members or a District employee act as clerk for the meeting, and said person will supply the Clerk with a certified copy of the proceedings.

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 will make the preparations legally required for the notice and conduct of all District elections.

The Clerk shall prepare and submit to the Board a financial report of receipts and disbursements of all school funds on an annual basis unless the Board requests such reports on a more frequent basis. The Clerk shall perform all functions pertaining to the preparation of school elections. The Clerk shall perform other duties as prescribed by state law or as directed by the Board and the Superintendent.

Legal references:	§ 20-3-321, MCA	Organization and officers
	§ 20-3-325, MCA	Clerk of the district
	§ 20-4-201, MCA	Employment of teachers and specialists by contract
	§ 20-9-133, MCA	Adoption and expenditure limitations of final budget
	§ 20-9-165, MCA	Budget amendment limitation, preparation, and adoption procedures
	§ 20-9-221, MCA	Procedure for issuance of warrants
	§ 20-20-401, MCA	Trustees' election duties – ballot certification

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 revision note: added language that record of proceedings be permanent. Added that Clerk prepares for school elections.

THE BOARD OF TRUSTEES 1240

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 attendant materials in advance of a meeting and shall be prepared to participate in discussion and decision making for each agenda item. Each trustee shall visit the school at least once per year to examine its management, conditions, and needs.

All trustees are obligated to attend Board meetings regularly. Whenever possible, a trustee shall give advance notice to the Chairperson or Superintendent, of the trustee's 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.
Board members, as individuals, have no authority over school affairs, except as provided by law or as authorized by the Board.

Cross Reference: 1113 Vacancies

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 immunity and liability of trustees

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 revision note: Removed sentence declaring a trustee position vacant after three unexcused absences or 60 day absence. Added sentence regarding no individual authority.

THE BOARD OF TRUSTEES 1310

District Policy and Procedures

The policies contained in this manual are adopted, implemented, and enforced in accordance with the supervisory authority vested with the Board of Trustees in accordance with Article X, section 8 of the Montana Constitution and related statutes, regulations, and court decisions.

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 view, 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 annually by the Board at the regular June Board meeting.

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 policy, the policy may be suspended by a majority vote of the trustees present. To suspend 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: February 2007
Revised on: February 15, 2011
Revised on: July 2013, January 2016, June 2021
Timeline Index Entry: June

January 2016 revision note: Removed language about distributed manuals remaining property of the school. Added Administrative Procedures section. Added language to allow adoption on first read if required by law AND noticed as such.

District Policy

Procedure for Maintenance of District Policy and Policy Manual

The official copy of the policies of Jefferson High School District #1 is maintained as an electronic PDF (Adobe portable document file). The singular location for this official Policy Manual is on the JHS server and it is accessed via the JHS website on a page designated for this purpose in the district information section of the site.

Generally, each year the Board establishes a policy committee. The purpose of the committee is to review or construct policy additions or change proposals and make recommendations to the full Board for action.

The policy committee may develop its own methods for tracking and processing their work. This may include internet or other posting of materials, working copies of policy proposals and methods for incorporating public input in the process. All methods used by the committee will adhere to open meeting law requirements.

All policies that include a due date or other date-related requirement for the Board, administration, staff or other persons or entities will be listed on a "Board Timeline Index" which will follow the Master Index in the district policy manual.

The procedure for processing policy proposals is:

1. Committee meets as needed to review and research policy proposals and may revise or construct drafts of the policy proposals.
2. Proposed policy draft is submitted to the Superintendent to be included on the agenda at the next regularly scheduled board meeting. For policy changes, written drafts must be the current policy language with deleted language formatted with a strike through and new language underlined. The agenda item will include the policy number, title and a brief description of the proposal.
3. District Clerk disseminates proposed policy marked as "1st Reading Draft" to trustees.
4. If approved on 1st reading, the District Clerk incorporates any changes made on 1st reading in the draft policy with markup formatting and disseminates the updated draft to the Board marked as "2nd Reading Draft" and adds the proposed policy for 2nd reading to the agenda for the next regularly scheduled board meeting.
5. If approved on 2nd reading, the District Clerk incorporates any changes made on 2nd reading, removes the markup formatting, and emails the final approved policy Word document to the District's provider of policy maintenance services, if any, as soon as possible but not more than ten (10) working days after approval.
6. Policy maintenance vendor adds the approved policy document to our word documents on their site, updates the Board Timeline Index if needed, and posts a new full Policy Manual PDF to our directory on their website. The file name of the official policy manual

PDF will include the date and time the file was generated. Example: Jefferson High School District Policies–20110610-1259pm.pdf

7. District Clerk downloads the updated PDF and posts it to the JHS website. The District Clerk moves the former versions of the official policy manual to a linked page on the site where they will be maintained for historical purposes.
8. If the District does not use a policy maintenance service, then the District Clerk will update the PDF file locally.

Administrative Procedures

The goals of written administrative procedures are:

- A clear understanding and expectation of how recurring important tasks are done consistently and well within the district is shared among administration, staff, students, trustees and the public, and
- Achievement of district goals is enhanced through communication and implementation of procedures tied to goals, and
- Transitions between former and new staff are improved less time is spent "reinventing the wheel."

To this end, the Superintendent shall develop and maintain administrative procedures in such a way that:

1. An electronic manual of procedures is created and maintained by the district office under the direction of the superintendent and available in PDF format to the public upon request.
2. Any recurring task for which it is important that the task be done consistently and in a certain manner has a written procedure in the procedure manual.
3. A timeline index is created and maintained as part of the procedures manual.
4. Each procedure clearly identifies the need for the task, the steps involved, who is responsible, when the task must be done, any measurements for success that are appropriate and a reference to any corresponding district goals or policy.
5. The manual uses a style, format and numbering scheme, consistent with the District policy manual.

Policy History:
Adopted on: August, 14 2012
Revised : January 2016

January 2016 Revision Note: Moved Administrative Procedure from 1312P to 1310P when 1312 was incorporated into 1310

Authorization of Signatures

For the conduct of the business of the District, the Board may grant authority to specific staff to sign certain documents on behalf of the District. The Chairperson and Clerk are authorized to use a facsimile signature plate or stamp.

Warrants: The Chairperson and Clerk are authorized to sign all District warrants by facsimile signature on behalf of the Board.

Claim Forms: Staff employed by the District in the following designated positions are authorized to certify voucher or invoice claims against or for the District:

- Superintendent
- High School Principal
- Activities Director

Checks: The school principal is designated as the authorizer of expenditures from extracurricular fund accounts. The district clerk is designated as the accounting oversight manager for extracurricular fund accounts and shall ensure that these accounts are maintained in a similar manner as that used for all District accounting. Extracurricular revenue and expenditures shall be coded in a manner that the applicable event date, sport/activity title and gender (when applicable) are identified and easily reported on.

Contracts: The Superintendent is authorized to sign, on behalf of the Board, contracts, leases, and/or contracts for goods and services for amounts under $25,000 without prior approval of the Board. The types of goods and services contracted for must be pre-approved by the Board.

Personnel Contracts: The Board Chairperson and Clerk are authorized to sign personnel contracts and agreements of employment on behalf of the Board, by facsimile signature.

Negotiated Agreements: Negotiated agreements shall be signed for the District by the Board Chairperson and the Clerk.

Contract and Agreement Maintenance: The Superintendent shall maintain on the District website on a page designed for this purpose an electronic file PDF of a copy of all contracts and agreements currently in place. A Master List and Timeline of all contracts and agreements currently in place will also be maintained and posted to the District website on a page designed for this purpose.

For each contract or agreement, the Master List and Timeline will include:

- the name of the party with which the contract or agreement was executed,
- a brief description of the goods or services provided,
- who signed the contract on behalf of the district,
- the start and end dates,
- the annual and total dollar value,

- any required renewal or expiration notice dates or requirements,
- whether the contract is bid,
- the last bid date and the next bid date.

Policy History:
Adopted on: February 2007
Revised on: September 2013

Board Meetings

Meetings of the Board and/or committees of the Board 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.

Regular Meetings

Unless otherwise specified, all meetings will take place in the Jefferson High School Library. Regular meetings shall take place at 6:30 p.m. on the third (3rd) Tuesday of each month, or at other times and places determined by a majority vote. Except for an unforeseen emergency, meetings must be held in school buildings or, upon the unanimous vote of the Trustees, in a publicly accessible building located within the District. If regular meetings are scheduled at places other than as 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. The Trustees may meet outside the boundaries of the school district for collaboration or cooperation on educational 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. When a meeting date falls on a legal holiday, the meeting shall take place the next business day.

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.

Budget Meetings

Between July 1 and August 10 of each year, the Clerk shall publish a notice stating the date, time, and place trustees will meet for the purpose of considering and adopting a final budget for the District, stating that the meeting of the trustees may be continued from day to day until final adoption of a District budget and that any taxpayer in the District may appear at the meeting and be heard for or against any part of the budget. This notice shall be published in the *Boulder Monitor*.

On the date and at the time and place stated in the published notice (on or before August 20) trustees shall meet to consider all budget information and any attachments required by law. The meeting may continue from day to day; however, the Board must adopt a final budget not later than August 25.

Special Meetings

Special meetings may be called by the Chairman or by any two (2) trustees. A written notice of a special meeting, stating the purpose of the meeting, shall be delivered to every trustee not less than forty-eight (48) hours before the time of the meeting, except that the 48-hour notice is

Waived in an unforeseen emergency as stated in 20-3-322(5), MCA. Such written notice shall be posted within the District in a manner that will receive public attention. Written notice also shall 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**.

Closed Sessions

Under Montana law, the Board may meet in closed sessions to consider matters of individual privacy. Before closing a meeting, the presiding officer must determine that the demands of individual privacy exceed the merits of public disclosure and so state publicly before going into closed session. The Board also may go into closed session 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. Before closing a meeting for litigation purposes, the District may wish to consult legal counsel on the appropriateness of this action. No formal action shall take place during any closed session.

Legal References:	§ 2-3-103, MCA	Public participation – governor to insure guidelines adopted
	§ 2-3-104, MCA	Requirements for compliance with notice provisions
	§ 2-3-105, MCA	Supplemental notice by radio or television
	§ 2-3-201, MCA	Legislative intent – liberal construction
	§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
	§ 20-3-322, MCA	Meeting and quorum
	§ 20-9-115, MCA	Notice of final budget meeting
	§ 20-9-131, MCA	Final budget meeting
	10.55.701, ARM	Board of Trustees

Policy History:

Adopted on: February 2007

Reviewed on:

Revised on: November 15, 2011, January 2016

Note: Lines 11-14 (page 1) were added, by legislative action, allowing full boards to meet outside of their district, with other boards, for purposes of educational issues.
Note: The dates in the "Budget Meetings" section were changed based on 2011 Legislature and the addition of legal reference on line 27.

January 2016 *revision note: Add paragraph below "Board meetings" header. Added language notice that meeting notice postings be in a matter that will receive public attention.*

Records Available to Public

All District records, except those restricted by state and federal law, shall be available to citizens for inspection at the Clerk's office.

Any individual may request public information from the district. The district shall make the means of requesting public information accessible to all persons.

Upon receiving a request for public information, the district shall respond in a timely manner to the requesting person by:

(a) Making the public information available for inspection and copying by the requesting person; or
(b) Providing the requesting person with an estimate of the time it will take to fulfill the request if the public information cannot be readily identified and gathered and any fees that maybe charged.

The district may charge a fee for fulfilling a public information request. The fee may not exceed the actual costs directly incident to fulfilling the request in the most cost-efficient and timely manner possible. The fee must be documented. The fee may include the time required to gather public information. The district may require the requesting person to pay the estimated fee prior to identifying and gathering the requested public information.

The district is not required to alter or customize public information to provide it in a form specified to meet the needs of the requesting person. If the district agrees to a request to customize a records request response, the cost of the customization may be included in the fees charged by the district.

In accordance with § 20-9-213(1), MCA, the record of the accounting of school funds shall be open to public inspection at any meeting of the trustees. A fee may be charged for any copies requested. Copies will be available within a reasonable amount of time following a request.

A written copy of Board minutes shall be available to the general public within five (5) working days following approval of the minutes by the Board. If requested, one (1) free copy of minutes shall be provided to local media within five (5) working days following approval by the Board.

Fees will be charged as follows:

a) Copy of Board minutes - 15¢ per page

b) Copy of other materials - 25¢ per page

c) Time spent researching a copy project will be charged at the employee's hourly rate of pay.

Legal References:

§ 2-6-1003, MCA	Access to Public Information
§ 2-6-1006, MCA	Public Information requests - fees
§ 20-3-323, MCA	District policy and record of acts
§ 20-9-213, MCA	Duties of trustees

Policy History:
Adopted on: February 2007
Revised on: 7/20/2010, 12/31/2018

Note: Lines 6-8 were added to clarify procedure for requests of electronic information. 2018 revision to match MCA language.

Records Available to Public

In order to enhance the availability of district information to the public and increase the transparency of district operation, the following information, at a minimum, will be available on the district website on a page designed for this purpose and with a direct link from the main page of the website:

- Current and previous three years Board of Trustees meeting agendas and minutes (within five days of approval), including committees
- Current District Strategic Plan
- District policy and procedure manual
- Current collective bargaining agreements
- Current employment contracts and compensation levels for all staff
- Year-to-date per month General Fund Budget
- Year-to-date expenditures tied to each General Fund Account and by payee
- All current contracts and agreements
- Previous three years General Fund Budget
- Previous three years budget and expenditures for all other funds
- Previous three years academic measurements data including:
    - ACT/SAT scores
    - Graduation Rates
    - Montana standardized test data
- JHS student headcounts as reported to the State for purposes of calculating Average Number Belonging
- Any other information or reports that would be helpful in achieving the goal of increased availability of information and transparency of district operations.

All posted files shall be in the PDF format, downloadable and printable but locked against editing.

Legal Reference:

Policy History:
Adopted on: October 2013
Revised on:

Revision Note:

Jefferson High School District #1

THE BOARD OF TRUSTEES 1402

School Board Use of Electronic Mail and Mobile Messaging

Use of electronic mail (e-mail) and mobile messaging by members of the Board will conform to the same standards of judgment, propriety, and ethics as other forms of school board-related communication. Board members will comply with the following guidelines when using e-mail in the conduct of Board responsibilities:

1. The Board will not use e-mail or mobile messaging as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings.

2. Board members will be aware that mobile messages, e-mail and e-mail attachments received or prepared for use in Board business or containing information relating to Board business may be regarded as public records, which may be inspected by any person upon request, unless otherwise made confidential by law.

3. Board members will avoid reference to confidential information about employees, students, or other matters in e-mail and mobile communications, because of the risk of improper disclosure. Board members will comply with the same standards as school employees, with regard to confidential information.

Cross Reference:	1400 Board Meetings	
	1401 Records Available to Public	
Legal Reference:	§ 2-3-103, MCA	Public participation – governor to insure guidelines adopted
	§ 2-3-201, MCA	Legislative intent – liberal construction
	§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
	§ 20-3-322, MCA	Meeting and quorum

Policy History:
Adopted on: February 2007
Revised on: March 2020

School Board Meeting Procedure

Agenda

The authority to set the board agenda lies with the Board Chair in consultation with board members and the administration. The act of preparing the board meeting agendas can be delegated to the Superintendent.

Any topics requested by Board members or members of the public must first be approved by the Board Chair before being placed on the agenda. Citizens wishing to make brief comments about school programs or procedures will follow the public comment procedures in district policy.

The agenda also must include a "public comment" portion to allow members of the general public to comment on any public matter under the jurisdiction of the District which is not specifically listed on the agenda, except that no member of the public will be allowed to comment on contested cases, other adjudicative proceedings, or personnel matters. The Board Chairperson may place reasonable time limits on any "public comment" period to maintain and ensure effective and efficient operations of the Board. The Board shall not take any action on any matter discussed, unless the matter is specifically noticed on the agenda, and the public has been allowed opportunity to comment.

Copies of the agenda for the current Board meeting, minutes of the previous Board meeting, and relevant supplementary information will be prepared and distributed to each trustee at least forty-eight (48) hours in advance of a Board meeting and will be available to any interested citizen at the Superintendent's office forty-eight (48) hours before a Board meeting. An agenda for other types of Board meetings will be prepared, if circumstances require an agenda.

Consent Agenda

To expedite business at its meetings, the Board may approve the use of a consent agenda, which includes those items considered to be routine in nature. Any item that appears on the consent agenda may be removed by a member of the Board. Any Board member who wishes to remove an item from the consent agenda must give advance notice in a timely manner to the Superintendent. Remaining items will be voted on by a single motion. The approved motion will be recorded in the minutes, including a listing of all items appearing on the consent agenda.

Minutes

Appropriate minutes of all meetings required to be open must be kept and must be available for inspection by the public. If an audio recording of a meeting is made and designated as official, the recording constitutes the office record of the meeting. If an official recording is made, a written record of the meeting must also be made and must also include:

- Date, time, and place of the meeting;

- Presiding officer;
- Board members recorded as absent or present;
- Summary of discussion on all matters discussed (including those matters discussed during the "public comment" section), proposed, deliberated, or decided, and a record of any votes taken;
- Detailed statement of all expenditures;
- Purpose of recessing to closed session; and
- Time of adjournment.

If the minutes are recorded and designated as the official record, a log or time stamp for each main agenda item is required for the purpose of providing assistance to the public in accessing that portion of the meeting.

Unofficial minutes shall be delivered to Board members in advance of the next regularly scheduled meeting of the Board. Minutes need not be read publicly, provided that Board members have had an opportunity to review them before adoption. A file of permanent minutes of Board meetings shall be maintained in the office of the Clerk, to be made available for inspection upon request. A written copy shall be made available within five (5) working days following approval by the Board.

Quorum

No business shall be transacted at any meeting of the Board unless a quorum of its members is present. A majority of the full membership of the Board shall constitute a quorum, whether the individuals are present physically or electronically. A majority of the quorum may pass a resolution, except as provided in § 20-4-203(1), MCA, and § 20-4-401(4), MCA.

Electronic Participation

The Board may allow members to participate in meetings by telephone or other electronic means. Board members may not simply vote electronically, but must be connected with the meeting throughout the discussion of business.
If a Board member electronically joins the meeting after an item of business has been opened, the remotely located member shall not participate until the next item of business is opened. If the Board allows a member to participate electronically, the member will be considered present and will have his or her actual physical presence excused. The member shall be counted present for purposes of convening a quorum. The Clerk will document it in the minutes when members participate in the meeting electronically.

Any Board member wishing to participate in a meeting electronically will notify the Board chairperson and superintendent as early as possible. The superintendent will arrange for the meeting to take place in a location with the appropriate equipment so that Board members participating in the meeting electronically may interact and the public may observe or hear the

comments made. The superintendent will take measures to verify the identity of any remotely located participants.

Meeting Conduct and Order of Business

General rules of parliamentary procedure are used for every Board meeting. Robert's Rules of Order may be used as a guide at any meeting. The order of business shall be reflected on the agenda. The use of proxy votes shall not be permitted. Voting rights are reserved to those trustees in attendance. Voting shall be by acclamation or show of hands.

Rescind a Motion

A motion to rescind (cancel previous action) may be made anytime by any trustee that voted on the prevailing side of the motion being considered for revision. A motion to rescind must be properly noticed on the Board agenda for the meeting. It is in order any time prior to accomplishment of the underlying action addressed by the motion.

Cross Reference: 1441 Audience Participation

Legal References:	§ 2-3-103, MCA	Public participation - governor to ensure guidelines adopted
	§ 2-3-202, MCA	Meeting defined
	§ 2-3-212, MCA	Minutes of meetings – public inspection
	§ 20-1-212, MCA	Destruction of records by school officer
	§ 20-3-322, MCA	Meetings and quorum
	§ 20-3-323, MCA	District policy and record of acts Jones and Nash v. Missoula Co., 2006 MT2, 330 Mont 2005

Policy History:
Adopted on: February 2007
Revised on: October 2011, March 2020

Note: First revision was addition of Legal Reference 2-3-202, MCA. Second revision was the addition of the "Rescind a Motion" language.
Note: Third revision was the addition of language for recorded minutes (lines 3-6 and 22-24 of page 2). It also included a revision of the "Rescind a Motion" language.
Note: 2018 revision clarified responsibilities and requirements regarding construction of agenda

Notice Regarding Public Comment

Montana law requires school districts and other public agencies to include on the agenda for public meetings an item allowing public comment on any public matter not otherwise specifically listed on the agenda that is within the jurisdiction of the agency. The public comment portion of the agenda is not the time designated to hear items that are specifically listed/identified on the agenda.

For those individuals who desire to address the Board during the public comment portion of the meeting, if you haven't already done so, please sign your name to the sheet and indicate the general topic on which you will be commenting. The Board Chairperson will call individuals to speak in the order listed on the sheet provided. Please state your name prior to beginning your comment. There will be an opportunity for citizens who have not signed in to comment at the conclusion of the comment period. The Board would like to remind everyone in attendance to avoid violations of individual rights of privacy when providing comment. The Board is not authorized to hear comments on contested cases or other adjudicative proceedings.

By law, the District cannot take any action on any matter discussed during the public comment portion of the meeting as those matters are specifically noticed on the agenda. The Board may take a matter raised during the public comment period under consideration for inclusion on a future agenda.

In accordance with Montana law, citizens have the right to comment on an item that is specifically listed on the agenda. Citizens will be permitted to do so when the item comes up for discussion and action. The board chair will indicate when the public has the opportunity to comment prior to board action on a particular agenda item.

The Board Chair has the authority to manage all public comment periods and will do so in accordance with state law and district policy.

Policy History:
Adopted on: March 2020
Revised on:

Abstentions From Voting

Section 20-3-323(2), MCA, requires the minutes of each Board meeting to include the voting records of each trustee present. As a general rule trustees should vote on all issues, unless casting a vote would be a violation of law. Under Montana law, instances in which it would be unlawful or inappropriate for a trustee to cast a vote on a particular issue include, but are not necessarily limited to, situations when the Board is considering hiring the relative of a trustee.

In addition, a trustee shall be allowed to abstain from voting to avoid the appearance of impropriety or the appearance of a perceived conflict. If a trustee abstains from voting, the abstention should be recorded in the minutes and may include an explanation of the reasons for the abstention. The Board discourages abstentions, unless the reasons are substantiated as provided herein.

Legal References:	§ 2-2-302, MCA	Appointment of relative to office of trust or emolument unlawful – exceptions – publication of notice
	§ 20-3-323, MCA	District policy and record of acts
	§ 2-2-121, MCA	Rules of conduct for public officers and public employees
	§ 2-2-105, MCA	Ethical requirements for public officers and public employees
	§ 20-9-204, MCA	Conflicts of interests, letting contracts, and calling for bids
	§ 20-1-201, MCA	School officers not to act as agents

Policy History:
Adopted on: February 2007
Revised on: March 2020

THE BOARD OF TRUSTEES 1441

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 statutory and constitutional rights of the public to participate in governmental operations. To allow fair and orderly expression of public comments, the Board will permit public participation through oral or written comments during the "public comment" section of the Board agenda and prior to a final decision on a matter of significant interest to the public. The Chairperson may control such comment to ensure an orderly progression of the meeting in the manner described in Policy 1420F.

Cross Reference: 1420 School Board Meeting Procedure

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

Policy History:
Adopted on: February 2007
Revised on: March 2020

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 public Board meetings;

Make all decisions based on 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 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 students attending public schools.

Policy History:
Adopted on: February 2007
Revised on:

Conflict of Interest

A trustee may not:

1. Engage in a substantial financial transaction for the trustee's private business purpose, with a person whom the trustee inspects or supervises in the course of official duties.

2. Perform an official act directly and substantially affecting, to its economic benefit, a business or other undertaking in which the trustee 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, 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 that 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 (1) 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, with the exception of officiating at athletic competitions under the auspices of the Montana Officials Association.

6. Perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the officer or employee has a substantial personal interest in a competing firm or undertaking.

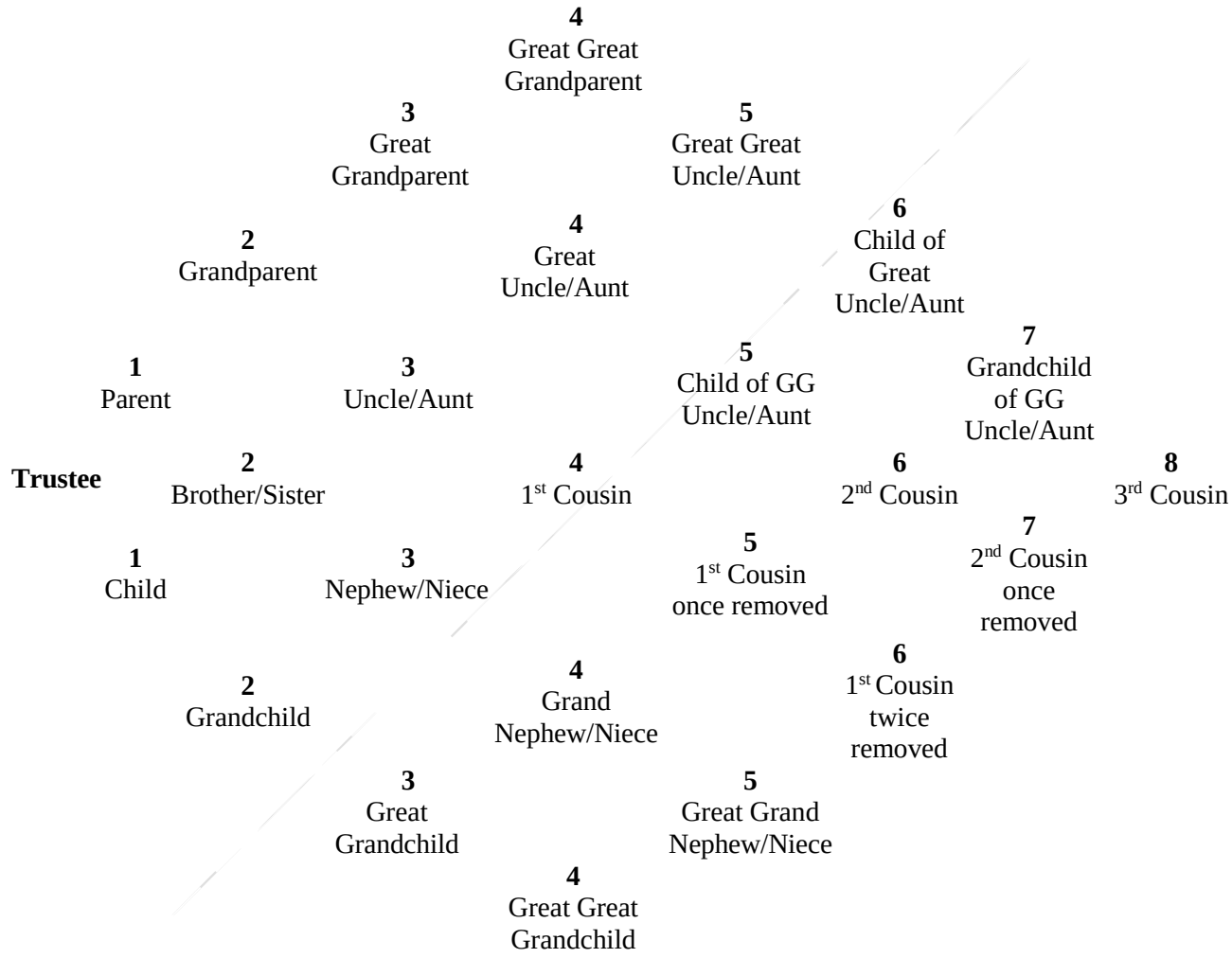
7. Appoint or renew to a position of trust or emolument any person related or connected by consanguinity within the fourth (4^{th}) degree or by affinity within the second (2^{nd}) degree.

    a. This prohibition does not apply to the issuance of an employment contract to a person as a substitute teacher who is not employed as a substitute teacher for more than thirty (30) consecutive school days.
    b. This prohibition does not apply to the renewal of an employment contract of a tenured teacher or classified employee employed without a written contract for a specific term related to a Board member, who was initially hired before the Board member assumed the trustee position.
    c. This prohibition does not apply if 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

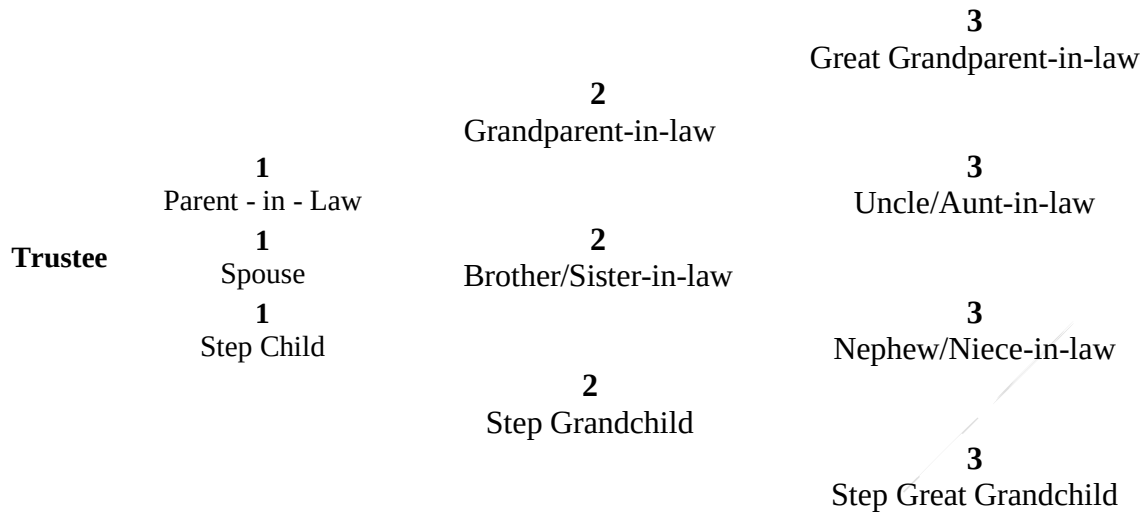
(15) days written notice of the time and place of their intended action in a newspaper of general circulation in the county where the school is located.

8. Affinity is the legal relationship arising as the result of marriage. Relationship by affinity terminates upon the death of one of the spouses or other dissolution of marriage, except when the marriage has resulted in issue still living.

Degrees of Consanguinity



Degree of Affinity



Policy History:

Adopted on: February 2007

Revised on: September 2010, March 2020

Management Rights

The Board 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 nonproductive;

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.

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 Superintendent for the ongoing direction of all District programs.

Cross Reference: 6110 Superintendent

Legal Reference: § 20-3-324, MCA Powers and duties
§ 39-31-303, MCA Management rights of public employers

Policy History:
Adopted on: February 2007
Revised on:

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 or reports to the Board, from principals, supervisors, teachers, or other staff members, shall be submitted through the Superintendent. This procedure shall not deny any staff member the right to appeal to the Board from administrative decisions, provided that the Superintendent shall have been notified of the forthcoming appeal and that it is processed according to the applicable procedures for complaints and grievances.

Board Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will employ all such media as are appropriate to keep staff fully informed of Board concerns and actions.

Visits to Schools

In accordance with Montana statutes, each trustee shall visit every school of the District at least once each school fiscal year to examine its condition and needs. As a courtesy, individual Board members interested in visiting schools should 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 schools and education. When they meet at social affairs and other functions, informal discussion about 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: February 2007
Revised on:

THE BOARD OF TRUSTEES 1521

Board-Superintendent Relationship

The Board-Superintendent relationship is based on mutual respect for their complementary roles. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and the Superintendent.

The Board hires, evaluates, and seeks the recommendations of the Superintendent as the District chief executive officer. The Board adopts policies necessary to provide the general direction for the District and to encourage achievement of District goals. The Superintendent develops plans, programs, and procedures needed to implement the policies and directs the District's day-to-day operations.

Cross Reference: 6110 Superintendent

Legal Reference:	§ 20-4-401, MCA	Appointment and dismissal of district superintendent or county high school principal
	§ 20-4-402, MCA	Duties of district superintendent or county high school principal

Policy History:
Adopted on: February 2007
Revised on:

Trustee Expenses

Expenses for Board Members - In-District

The members of the trustees of any district may not receive compensation for their services as trustees. A trustee is entitled to collect mileage at a rate equal to the mileage allotment allowed by the United States internal revenue service for the current year for the first 1,000 miles and 3 cents less per mile for all additional miles traveled within a given calendar month.

The members of the trustees who reside over 3 miles from the trustees' meeting place must upon request be reimbursed at the rate as provided in 2-18-503 for every mile necessarily traveled between their residence and the meeting place and return in attending the regular and special meetings of the trustees, and all trustees must be similarly reimbursed for meetings called by the county superintendent. The travel reimbursement may be accumulated during the school fiscal year and paid at the end of the fiscal year, at the discretion of each trustee.

A trustee must file a reimbursement for mileage form, prior to July 1 of each year, requesting reimbursement for the then current fiscal year. The form may be obtained from the District Clerk/Business Manager.

Expenses for Board Members at Out-of-District Meetings

Trustees normally attend workshops, training institutes, and conferences at both the state and national levels. The District will pay all legitimate costs for trustees to attend out-of-District meetings, at established rates for reimbursement set by the District:

1. Transportation as approved by the Board;
2. On-site transportation during the course of the meeting, i.e., bus, taxi, or rental car;
3. Hotel or motel costs for trustee, as necessary;
4. Food costs as necessary;
5. Telephone services for necessary communications with business or family, resulting from the trustee being away from Jefferson County;
6. Incidental expenditures for tips and other necessary costs attributable to the trustee's attendance at a meeting; however, the District will not reimburse or pay for such items as liquor, expenses of a spouse, separate entertainment, or other unnecessary expenditures.

Cross Reference: 7336 Travel Allowances and Expenses

Policy History:
Adopted on: February 2007, March 2018
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 the trustee's authority.

An additional trustee, as provided for in 20-3-352(2), who is chosen as a nonvoting chairperson of the board of an elementary district is entitled to all of the immunization, defenses, and indemnifications as described in 20-3-322, MCA.

Legal References:	§ 20-3-331, MCA	Purchase of insurance – self-insurance plan
	§ 20-3-332, MCA	Personal immunity and liability of trustees
	§ 20-3-352(2), MCA	Request and determination of number of high school district additional trustee positions – nonvoting trustee

Policy History:
Adopted on: February 2007
Reviewed on:
Revised on: November 15, 2011

Note: The revision included the addition of the second paragraph and the legal reference 20-3-352(2). MCA.

Annual Goals and Objectives

Each year, at the regular October Board meeting, the Board will formulate annual objectives for the District and will have available a written comprehensive philosophy of education with goals that reflect the District's philosophy of education. The philosophy of education and goals shall be in writing and shall be available to all.

At the conclusion of the year at the regular June Board meeting, the Superintendent or designee shall submit a report to the Board which reflects the degree to which annual objectives have been accomplished.

Legal Reference: 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: February 2007
Revised on: February 2011, March 2020

Evaluation of Board

At the conclusion of each year, the Board **may** evaluate its own performance in terms of generally accepted principles of successful Board operations.

The Board may choose to evaluate the effectiveness of the processes it employs in carrying out the responsibilities of the District. Those processes include, but are not limited to: team building, decision making, functions planning, communications, motivation, influence, and policy.

Policy History:
Adopted on: February 2007
Revised on:

In-Service Conference for Trustees

In keeping with the need for continued boardsmanship development, the Board encourages the participation of its members at appropriate Board conferences, workshops, conventions, and District-sponsored in-service training sessions. Funds for participation at such meetings will be budgeted on an annual basis.

Policy History:
Adopted on: February 2007
Revised on:

Internships

Internship means an agreement between a fully licensed Class 1, 2, or 3 educators, the school district, and a Montana accredited educator preparation program. Internships are permitted in endorsement areas approved by the Board of Public Education.

The Board recognizes the need to provide training opportunities for prospective teachers and administrators. Internships for those in the process of acquiring teaching endorsements and/or administrative credentials shall be considered and approved on an individual basis. The Superintendent or designee involved will review the internship proposal with the candidate and the university representative, much in the same manner as student teachers are assigned.

As part of an internship agreement, the parties must agree to the following:

(a) The intern will complete the requirements for the appropriate endorsement within three years;
(b) the school district will provide local supervision and support of the intern; and
(c) the accredited educator preparation program will approve the coursework and provide support and periodic supervision.

A superintendent intern shall be supervised through the year by a licensed and endorsed superintendent contracted by the district, including participation in, and review of, and written concurrence in all performance evaluations of licensed staff completed by the intern.

An emergency authorization of employment granted by the Superintendent of Public Instruction pursuant to §20-4—111, MCA is not a license; therefore, is not eligible for an internship.

Legal Reference:	§20-4-111, MCA	Emergency authorization of employment
	ARM 10.55.602	Definitions
	ARM 10.55.607	Internships
	ARM 10.55.702	Licensure and duties of District Administrator - District Superintendent
	ARM 10.57.412	Class 1 and 2 Endorsements
	ARM 10.57.413	Class 3 Administrative License

Policy History:
Adopted on: January 2016
Revised on:

Revision Note:

Board Participation in Activities

Members of the Board, collectively and individually, are encouraged to attend school activities, social functions, and instructional programs at no cost to the trustees, in order to view and observe such functions in operation. Attendance at such programs as musical presentations, speech activities, clubs, dramatic productions, and athletic events, indicates interest in school affairs and provides opportunity for more comprehensive understanding of the total school program. Administration will provide appropriate communications to trustees to keep them informed about activities they may wish to attend.

Policy History:
Adopted on: February 2007
Revised on:

Uniform Complaint Procedure

The Board establishes this Uniform Complaint Procedure as a means to address complaints arising within the District. This Uniform Complaint Procedure is intended to be used for all complaints except those involving challenges to educational material and those governed by a specific process in state or federal law that supersedes this process or collective bargaining agreement. Matters covered by a collective bargaining agreement will be reviewed in accordance with the terms of the applicable agreement.

The District requests all individuals to use this complaint procedure, when the individual believes the Board or its employees or agents have violated the individual's rights under state or federal law or Board policy. Complaints against a building administrator shall be filed with the Superintendent. Complaints against the Superintendent or District administrator shall be filed with the Board.

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

Deadlines requiring District action in this procedure may be extended for reasons related but not limited to the District's retention of legal counsel and District investigatory procedures.

Level 1: Informal

An individual with a complaint is first encouraged to discuss it with the appropriate employee or building administrator, with the objective of resolving the matter promptly and informally. An exception is that a complaint of sexual harassment should be discussed directly with an administrator not involved in the alleged harassment.

Level 2: Building Administrator

When a complaint has not been or cannot be resolved at Level 1, an individual may file a signed and dated written complaint stating: (1) the nature of the complaint; (2) a description of the event or incident giving rise to the complaint, including any school personnel involved; and (3) the remedy or resolution requested. This written complaint must be filed within thirty (30) calendar days of the event or incident or from the date an individual could reasonably become aware of such event or incident. The applicability of the deadline is subject to review by the Superintendent to ensure the intent of this uniform complaint procedure is honored.

When a complaint alleges violation of Board policy or procedure, the building administrator will investigate and attempt to resolve the complaint. The administrator will respond in writing to the complaint, within thirty (30) calendar days of the administrator's receipt of the complaint.

If the complainant has reason to believe the administrator's decision was made in error, the complainant may request, in writing, that the Superintendent review the administrator's decision. (See Level 3.) This request must be submitted to the Superintendent within fifteen (15) calendar days of the administrator's decision.

When a complaint alleges sexual harassment or a violation of Title IX of the Education Amendments of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities Act of 1990, or Section 504 of the Rehabilitation Act of 1973, the building administrator shall turn the complaint over to the applicable District nondiscrimination coordinator. The coordinator shall ensure an investigation is completed in accordance with the applicable procedure. In the case of a sexual harassment or Title IX complaint, the applicable investigation and appeal procedure is Policy 3225P or 5012P. In the case of a disability complaint, the coordinator shall complete an investigation and file a report and recommendation with the Superintendent for decision. Appeal of a decision in a disability complaint will be handled in accordance with this policy.

Level 3: Superintendent

If the complainant filed appeals the administrator's decision provided for in Level 2, the Superintendent will review the complaint and the administrator's decision. The Superintendent will respond in writing to the appeal, within thirty (30) calendar days of the Superintendent's receipt of the written appeal. In responding to the appeal, the Superintendent may: (1) meet with the parties involved in the complaint; (2) conduct a separate or supplementary investigation; (3) engage an outside investigator or other District employees to assist with the appeal; and/or (4) take other steps appropriate or helpful in resolving the complaint.

If the complainant has reason to believe the Superintendent's decision was made in error, the complainant may request, in writing, that the Board consider an appeal of the Superintendent's decision. (See Level 4.) This request must be submitted in writing to the Superintendent, within fifteen (15) calendar days of the Superintendent's written response to the complaint, for transmission to the Board.

Level 4: The Board

Upon written appeal of a complaint alleging a violation the individual's rights under state or federal law or Board policy upon which the Board of Trustees has authority to remedy, the Board may consider the Superintendent's decision in Level 2 or 3.
Upon receipt of written request for appeal, the Chair will either: (1) place the appeal on the agenda of a regular or special Board meeting; or (2) appoint an appeals panel of not less than three (3) trustees to hear the appeal and make a recommendation to the Board, or (3) respond to the complaint with an explanation of why the appeal will not be heard by the Board of Trustees

in accordance with this policy. If the Chair appoints a panel to consider the appeal, the panel will meet to consider the appeal and then make written recommendation to the full Board. The Board will report its decision on the appeal, in writing, to all parties, within thirty (30) calendar days of the Board meeting at which the Board considered the appeal or the recommendation of the panel. A decision of the Board is final, unless it is appealed pursuant to Montana law within the period provided by law.

Cross Reference: 3210 – Equal Educational Opportunity and Nondiscrimination
5010 – Equal Employment Opportunity and Nondiscrimination
3225-3225P – Sexual Harassment of Students
5012-5012P – Sexual Harassment of Employees

Legal Reference: Title IX of the Education Amendments of 1972 (Civil Rights Act)
Title II of the Americans with Disabilities Act of 1990
§ 504 of the Rehabilitation Act of 1973

Policy History:
Adoption on: February 2007
Revised on: April 21, 2009, May 2021

Note: Lines 20-24 (page 1) were added to allow the Superintendent to hire an independent investigator if needed.

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

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

Policy History:
Adopted on: March 2020
Revised on:

Revision Note:

Emergency Policy and Procedures

Applicability of Emergency Policy Series

During a state of emergency declared by the Board of Trustees or other local, state or federal agency, official, or legislative body, the provisions in the emergency policies adopted by the Board of Trustees as codified at 1900-1999 in the district policy manual will govern in the event of any conflict or inconsistency between an emergency policy and other provision in the district policy manual. All other aspects of the district policy manual not affected by the provisions in the emergency policy series continue to be in full effect.

Legal References

In the absence of a legal reference on an emergency policy adopted by the Board of Trustees, the policy is specifically based on the Board of Trustees authority to supervise and control the schools within the District in accordance with Article X, section 8 of the Montana Constitution.

Adoption and Amendment of Policies

New or revised policies that are required or have required language changes based on State or Federal law or directive, required by administrative rule, or are required due to a declaration of emergency issued by the Board of Trustees or other state or federal agency official or legislative body may be adopted after the first (1st) reading if notice has been given through the board agenda provided to the trustees and public. All new or amended policies adopted as part of the emergency policy series shall become effective immediately upon adoption; unless a specific effective date is stated in the motion for adoption.

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 of Trustees.

Legal References:	§ 20-3-323, MCA	District policy and record of acts
	10.55.701, ARM	Board of Trustees
	Title 20, Chapter 9 Part 8, MCA	

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

Alternative Grading

This policy is adopted as a temporary policy in accordance with the framework set by District Policy 1900 – Temporary COVID-19 Policies and is intended to govern School District operations for the period affected by the COVID-19 health and safety measures implemented by the School District in response to federal, state or local authorities.

Teachers will grade students as usual in accordance with established classroom or course practices during the grading period in accordance with District Policy 2420 and the Employee Handbook.

The default option for students and parents is the grade typically assigned for students in the grade level or class which may include an A-No Credit letter grade. Students and parents may choose to receive a Proficient/No Credit or P/NC grade in place of a grade typically assigned for the student's courses. The P/NC grade option can be requested by a student and parents no later than 7 (seven) calendar days after report cards have been sent to parents by submitting a written request to the principal, the School District's custodian of records.

For students or parents who request a P/NC grade, the School District will record the P/NC designation using a rubric in which all grades of 60% or higher earn a Proficient in accordance with District Policy 1005FE and the School District's COVID-19 Plan of Action as submitted to the Office of the Governor.

Students earning course grades converted to a Proficient grade in this temporary P/NC option for grading periods affected by COVID-19 health and safety measures will be granted credit for the course and the credit will count towards promotion or graduation requirements and extra-curricular eligibility. Students earning a Fail designation in a course will not earn credit, will be subject to retention consideration, and, if applicable, will be subject to extra-curricular eligibility consequences.

Grades converted to P/NC will not be counted toward or against class honors or valedictorian status as outlined in Policy 2410P for classes of students graduating during or after 2020.

The School District will include a designation on the students' transcripts indicating the extraordinary circumstances for any grading period affected by COVID-19 health and safety measures.

Cross Reference: Policy 1005FE – Proficiency Based Learning
Policy 2410-2410P – Graduation Requirements
Policy 2420 – Grading and Progress Reports
Policy 2168 – Distance Learning
Policy 2421 - Promotion and Retention

Legal Reference: Section 20-1-301, MCA School fiscal year

Section 20-9-311(4)(a)(b)(d), MCA	Calculation of average number belonging
Section 20-3-324, MCA	Powers and duties
Section 20-7-1601.	Transformational learning
10.55.906 ARM	High School Credit

Policy History:
Adopted on: May 2020
Revised on:

Revision Note:

School District Meetings, Gatherings, Events, and Visitors

The School District has adopted the protocols outlined in this policy to govern during the term of the declared public health emergency to ensure individuals present at a school facility for events or other operationally related reasons honor safety protocols. The supervising teacher, principal, superintendent or designated personnel are authorized to implement this policy in coordination with state and local health officials.

School District Events

The Board of Trustees may authorize School District physical meetings, gatherings, and events when the event is deemed essential to district operations. Physical meetings, gatherings, and events shall not be held without prior authorization of the Board of Trustees.

All attendees at physical meetings, gatherings, and events held on school property in an outdoor area including the stadium, field, or other open area designated by the Board of Trustees shall be required to honor the applicable health and safety protocols outlined in District Policy 1905 including, but not limited to, physical distancing. The School District shall provide suitable space for physical distancing to occur and, if practicable, markings and walking routes in the area where the event shall be held to preserve a safe event setting.

Physical meetings, gatherings, and events shall be limited to 50 people when held inside a school building. All attendees at a meeting, gathering, or event authorized by the Board of Trustees held inside the school facility are required to honor the health and safety protocols outlined in District Policy 1905.

Vulnerable individuals (defined by the Centers for Disease Control at the time of this policy's adoption as those age 65 or older or those with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such therapy) must not attend School District meetings, gatherings, or events held in accordance with this policy. Precautions must be taken to isolate from vulnerable residents. The School District shall accommodate vulnerable individuals so they may participate in the meeting gathering or event via electronic means.

Visitors to Schools

Visitors to the interior of any school building shall not be permitted without the express approval of the supervising teacher, principal, superintendent or designated. Visitors that are authorized to be present in any school building must adhere to all health and safety guidelines outlined in District Policy 1905.

Volunteers

Volunteers utilized by the School District that have been approved in accordance with District Policy 5430 may enter the school building in accordance with the protocols outlined in District Policy 1905.

Facilities Use Agreements

The Board of Trustees suspends community use of District facilities. Unless an event is specifically identified as necessary by the Board of Trustees, Facilities Use Agreements and other similar requests submitted in accordance with District Policy 4330 shall not be considered while this policy governs the period of a public health emergency.

Enforcement

Visitors to any school building or any attendee at a meeting, gathering, or event authorized by the Board of Trustees in accordance with this policy who fail to honor the requirements of District Policy or the directives of School District officials shall be asked to correct their conduct or leave the meeting, gathering, or event in accordance District Policy 4315.

Cross Reference: Policy 1901 – School District Policy and Procedures
Policy 1905 – Student, Staff, and Community Health and Safety
Policy 1400 – Board Meetings
Policy 5430 – Volunteers
Policy 4301 – Visitors to Schools
Policy 4332 – Conduct on School Property
Policy 4315 – Visitor and Spectator Conduct
Policy 4330 – Community Use of School Facilities

Legal Reference:

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

School Event and Facility Notice

The Board of Trustees had adopted the following notice to be posted at the entrance to school buildings and facilities that are holding an event or allowing visitors as authorized by the Board of Trustees in accordance with Policy 1903.

SCHOOL EVENT AND FACILITY NOTICE

Jefferson High School District has taken the precautionary measures adopted by the Board of Trustees, provided by the Governor of Montana, and directed by the Jefferson County Health Department to protect against the possible spread of COVID-19 and related illnesses. These measures include, but are not limited to, cleaning and disinfecting protocols, physical distancing guidance, limitations on the number of people present for events, and use of personal protective equipment. There are no assurances these measures will prevent the spread of COVID-19 or related illnesses at this event or at this facility. By voluntarily entering this event or facility, attendees are acknowledging their specific awareness and knowledge that there are inherent risks of exposure at public gatherings and public facilities. These inherent risks that attendees specifically acknowledge include, but are not limited to: injury, illness, hospitalization, chronic health issues arising out of COVID-19, quarantines of an unknown duration to be determined by governing authorities, and death. Attendees acknowledge vulnerable individuals as defined by the Centers for Disease Control are at greater risk of serious complications from exposure. Attendees are advised to comply with physical distancing limits consisting of a minimum of 6 feet of distance from others at all times and are further advised to consider the use of masks/face coverings while on school property and to use personal hand sanitizer before, during, and after an event. Attendees confirm that they have reviewed, thoroughly understand, and agree to comply with all guidance for the phased reopening of Montana issued by the Montana Governor's Office. All School District Policies are in effect when attending this school event or otherwise accessing this facility. Any negligence arising out of your access to this facility or attendance at a school event shall be attributed to you as comparative negligence within the meaning of Section 27-1-702, MCA.

To accommodate those that may not want to risk exposure during a public event, the School District is broadcasting the event on the JHS website. Spectators may visit this site to watch the event without visiting the school facility.

Policy History:
Adopted on: July 2020
Revised on:
Revision Note:

Use of Transportation Funds During Periods of Emergency Declaration

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.

- Transportation of food and meals used in nutritional programs.
- Purchase of equipment to ensure food safety.
- 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:
    - 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

Policy History:
Adopted on: March 2020
Revised on:

Revision Note:

Student, Staff, and Community Health and Safety

The School District has adopted the protocols outlined in this policy during the term of the declared public health emergency to ensure the safe and healthy delivery of education services provided to students on school property in accordance with Policy 1906, and a safe workplace when staff are present on school property in accordance with Policy 1909, and the safety, health and well-being of parents and community members. The supervising teacher, principal, superintendent or designated personnel are authorized to implement the protocols in coordination with state and local health officials.

Symptoms of Illness

Students and staff who are ill, feeling ill, diagnosed as ill, or otherwise demonstrating symptoms of illness must not come to school or work. Students who have a fever or are exhibiting other signs of illness must be isolated in a designated area until such time as parents or caregiver may arrive at the school to retrieve the ill student. All surfaces and areas should be thoroughly cleaned and disinfected once the student has vacated the area by staff utilizing safety measures in accordance with state and/or local health standards as applicable. Students may engage in alternative delivery of education services during the period of illness or be permitted to make up work in accordance with District Policy 1906. Staff members will be provided access to leave in accordance with District Policy 1911 or the applicable Master Contract or Memorandum of Understanding.

Parents, guardians, or caregivers of students who are ill, feeling ill, diagnosed as ill, or otherwise demonstrating symptoms of illness must not be present at the school for any reason including but not limited events or gatherings or to drop off or pick up students excepted as provided by this policy. To avoid exposing others to illness, parents or caregivers who are ill must make arrangements with others to transport students to school or events, if at all practicable. If not practicable, parents, guardians or caregivers must not leave their vehicle during pickup or drop off and must arrange with District staff to supervise students in accordance with physical distancing guidelines in this Policy.

Physical Distancing

Students, staff, volunteers, and visitors will maintain a six-foot distance between themselves and their colleagues and peers throughout the school day inside any school build, on school t-provided transportation and on school property before and after school. Staff members will arrange classrooms and restructure courses, transportation services, and food service to meet this standard.

Recess will continue as scheduled in accordance with physical distancing guidance without the use of playground equipment. Any other use of school playgrounds is strictly prohibited.

Drop off and pick up of students will be completed in a manner that limits direct contact between parents and staff members and adheres to social distancing expectations around the exterior of the school building while on school property.

Visitors to the school authorized by District Policy 1903 will maintain a six-foot distance between themselves and others. This distancing requirement does not apply to individuals who are a part of the visitor's regular household isolation group when the group is authorized to be present at the school facility.

Masks as Personal Protective Equipment

Staff and students may wear a mask while present in any school building. The School District does not require the use of masks and will not provide masks except in cases required by this policy or at the discretion of the administration. The Board of Trustees' decision to not require or provide masks is based on a review of the circumstances in the community and consultation with local health officials on issues including but not limited to the possibility of exposure and availability of masks.

Cleaning and Disinfecting

School district personnel will routinely both clean by removing germs, dirt and impurities and disinfect by using chemicals to kill germs on all surfaces and objects in any school building and on school property that are frequently touched. This process shall include cleaning objects/surfaces not ordinarily cleaned daily.

Personnel will clean with the cleaners typically used and will use all cleaning products according to the directions on the label. Personnel will disinfect with common EPA-registered household disinfectants. A list of products that are EPA-approved for use against the virus that causes COVID-19 is available from the supervising teacher or administrator. Personnel will follow the manufacturer's instructions for all cleaning and disinfection products.

The District will provide EPA-registered disposable wipes to teachers, staff, and secondary students so that commonly used surfaces (e.g., keyboards, desks, remote controls) can be wiped down before use. Supervising teacher or administrators are required to ensure adequate supplies to support cleaning and disinfection practices.

Student Arrival

Hand hygiene stations will be available at the entrance of any school building, so that children can clean their hands before they enter. If a sink with soap and water is not available, the School District will provide hand sanitizer with at least 60% alcohol. Hand sanitizer will be kept out of elementary students' reach and student use will be supervised by staff.

A District employee will greet children outside the school as they arrive to ensure orderly compliance with the provisions of this policy.

Temperature Screening

Designated School District staff are authorized to test the temperature of students with an approved non-contact or touchless temperature reader. Students who have a fever or are exhibiting other signs of illness must be isolated in a designated area until such time as parents or caregiver may arrive at the school to retrieve the ill student. All surfaces and areas should be thoroughly cleaned and disinfected once the student has vacated the area.

When administering a temperature check on a possibly ill student, designated staff members will utilize available physical barriers and personal protective equipment to eliminate or minimize exposures due to close contact to a child who has symptoms during screening.

Healthy Hand Hygiene Behavior

All students, staff, and others present in the any school building will engage in hand hygiene at the following times, which include but are not limited to:

- Arrival to the facility and after breaks
- Before and after preparing, eating, or handling food or drinks
- Before and after administering medication or screening temperature
- After coming in contact with bodily fluid
- After recess
- After handling garbage
- After assisting students with handwashing
- After use of the restroom

Hand hygiene includes but is not limited to washing hands with soap and water for at least 20 seconds. If hands are not visibly dirty, alcohol-based hand sanitizers with at least 60% alcohol can be used if soap and water are not readily available.

Staff members will supervise children when they use hand sanitizer and soap to prevent ingestion.

Staff members will place grade level appropriate posters describing handwashing steps near sinks.

Vulnerable Individuals

Vulnerable individuals (defined by the Centers for Disease Control at the time of this policy's adoption as those age 65 or older or those with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such

therapy) are authorized to talk to their healthcare provider to assess their risk and to determine if they should telework during the period of declared public health emergency.

Employees who have documented high risk designation from a medical provider are entitled to reasonable accommodation within the meaning of that term in accordance with the Americans with Disabilities Act and Section 504 as outlined in District Policy 5002. These accommodations may include but are not limited to teleworking in accordance with a work plan developed in coordination with and authorized by the supervising teacher, administrator or other designated supervisor. Such employees may also be eligible for available leave in accordance with the applicable policy or master agreement provision.

Food Preparation and Meal Service

Facilities must comply with all applicable federal, state, and local regulations and guidance related to safe preparation of food.

Sinks used for food preparation must not be used for any other purposes.

Staff and students will wash their hands in accordance with this policy.

Transportation Services

The Board of Trustees authorizes the transportation of eligible transportees to and from the school facility in a manner consistent with the protocols established in this policy. The transportation director and school bus drivers will clean and disinfect each seat on each bus after each use.

Public Awareness

The School District will communicate with parents, citizens, and other necessary stakeholders about the protocols established in this policy and the steps taken to implement the protocols through all available and reasonable means.

Confidentiality

This policy in no way limits or adjusts the School District's obligations to honor staff and student privacy rights. All applicable district policies and handbook provision governing confidentiality of student and staff medical information remain in full effect.

Transfer of Funds for Safety Purposes

The Board of Trustees may transfer state or local revenue from any budgeted or non-budgeted fund, other than the debt service fund or retirement fund, to its building reserve fund in an

amount not to exceed the school district's estimated costs of improvements to school and student safety and security to implement this policy in accordance with District Policy 1006FE.

Cross Reference:
- Policy 1901 – School District Policy and Procedures
- Policy 1906 - Student Services and Instructional Delivery
- Policy 1907 – Transportation Services
- Policy 1006FE – Transfer of Funds for Safety Purposes
- Policy 3410 – Student examination and screenings
- Policy 3417 – Communicable Diseases
- Policy 3431 – Emergency Treatment
- Policy 1911 - Personnel Use of Leave
- Policy 1910 – Human Resources and Personnel
- Policy 4120 - Public Relations
- Policy 5002 – Accommodating Individuals with Disabilities
- Policy 5130 – Staff Health
- Policy 5230 - Prevention of Disease Transmission
- Policy 6110 – Superintendent Authority
- Policy 6122 - Delegation of Authority

Legal Reference:

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

Student Instruction and Services

The School District has adopted the protocols outlined in this policy to govern during the term of the declared public health emergency to ensure the delivery of education services to students onsite at the school, offsite at other locations using available resources including but limited to online methods. The supervising teacher, principal, superintendent or designated personnel are authorized to implement this policy.

As outlined in District Policy 2100, and except for students determined by the School District to be proficient using School District assessments, the adopted calendar has a minimum number of 720 aggregate instructional hours for students in kindergarten through third grade; 1,080 hours for students in fourth through eleventh grade and 1,050 hours for students in twelfth grade.

The School District may satisfy the aggregate number of hours through any combination of onsite, offsite, and online instruction. The District administration is directed to ensure that all students are offered access to the complete range of educational programs and services for the education program required by the accreditation standards adopted by the Montana Board of Public Education.

For the purposes of this policy and the School District's calculation of ANB and "aggregate hours of instruction" within the meaning of that term in Montana law, teaching strategies which are innovative or transformational and focus on student engagement for the purposes of developing a students' interests, passions, and strengths, instruction shall be construed as being synonymous with the terms "learning" and "education." The term shall include any directed, distributive, collaborative and/or experiential learning activity provided, facilitated or coordinated by the teacher of record in a given course that is done purposely to facilitate the learning of, acquisition of knowledge, skills and abilities by, and to otherwise fulfill the full educational potential of students.

Staff shall calculate the number of hours students have received instruction as defined in this policy through a combined calculation of services received onsite at the school or services provided or accessed at offsite or online instructional settings including, but not limited to, any combination of physical instructional packets, virtual or electronic based course meetings and assignments, self-directed or parent-assisted learning opportunities, and other educational efforts undertaken by the staff and students that can be given for grade or credit. Staff shall report completed hours of instruction as defined in this policy to the supervising teacher, building principal, or district administrator for final calculation.

Students shall receive grades for completed coursework in accordance with the grading scale for the individual staff member or the alternative grading procedures outlined in District Policy 1902.

The Board of Trustees may revise the school calendar to adjust the completion of the school year for particular grade levels and groups once students have satisfied the required number of applicable aggregate hours.

In order to comply with the requirements of the calendar, District Policy and Section 20-1-301, MCA, the District shall implement the instructional schedules and methods identified in this policy.

Offsite and Online Instructional Setting

The Board of Trustees authorizes offsite and online instruction of students in a manner that satisfies the aggregate number of instructional hours outlined in the School District's adopted or revised calendar for the 2019-2020 school year. Offsite and online delivery methods shall include a complete range of educational services offered by the School District and shall comply with the requirements of applicable statutes. Students completing course work through an offsite or online instructional setting shall be treated in and have their hours of instruction calculated in the same manner as students attending an onsite institutional setting.

The Board of Trustees authorizes the supervising teacher or district administrator to permit students to utilize an offsite or online instructional setting at parental request if onsite instruction is offered in the School District in accordance with Policy 1908.

Students receiving offsite delivery of education services may be eligible for assistance with accessibility to offsite or remote learning opportunities in accordance with District Policy 1904.

Special Education and Accommodation of Disabilities or Diagnoses

Students shall receive services in accordance with the applicable Individualized Education Plan or Section 504 Plan based on methods and locations agreed upon and documented by the applicable team to meet the student's needs and goals. The supervising teacher or building administrator shall coordinate with parents and the special education staff or cooperative to ensure all applicable statutes are followed in accordance with U.S. Department of Education guidelines.

Student Attendance

The Board of Trustees authorizes the supervising teacher, building principal or district administration to set an attendance policy for students that takes into account the location of instructional services, the applicability of proficiency-based instruction, the student's grade level, and the health and safety of the student and their household. Students are expected to complete assigned work. If a student is not present for the instructional day, the student shall be permitted to complete all work assigned by the teacher if not present for instruction within a reasonable period of time determined by the teacher. Students shall not lose credit or incur a grade

reduction for reasons related to attendance without good reason as determined by the Board of Trustees.

Student Safety and Counseling

Students shall have access to regular school counseling services whether their instruction is provided in an onsite, offsite or online setting. Staff shall promptly report any suspected student distress or concern to their supervisor for review and referral. Students receiving instruction in an offsite setting are governed by the staff obligation to report suspected child abuse or neglect.

Homeless Students and Students in Foster Care

This policy in no way limits or adjusts the School Districts obligations to homeless students or students in foster care. Applicable District policies serving these students or this population of students remain in full effect.

Student Discipline

This policy in no way limits or adjusts the School District's expectations for student conduct. All applicable district policies and handbook provisions governing student conduct remain in full effect.

Summer School

The Board of Trustees authorizes a summer program of instructional offerings for the purpose of remediation of credit, maintenance of skills, and enrichment. All classes offered for credit must meet minimum state requirements for accreditation and may be delivered at the school or at another offsite location. Remediation credit courses shall be offered, grades 9-12, in accordance with District advancement requirements. Credit course offerings must be approved by the Board of Trustees

Legal Reference:	Section 20-1-101, MCA – Definitions
	Section 20-1-301, MCA – School Fiscal Year
	Section 20-9-311, MCA – Calculation of Average Number Belonging
	Section 20-7-118, MCA - Offsite Provision of Educational Services
	Section 20-7-1601, MCA – Transformational Learning –Legislative Intent
	ARM 10.55.906(4)) – High School Credit
Cross Reference:	Policy 1005FE – Proficiency-Based Learning
	Policy 1902 – Alternative Grading
	Policy 1905 - Staff, Student, and Community Health and Safety
	Policy 2100 – School Calendar
	Policy 2140 – Guidance and Counseling
	Policy 2161 – Special Education

Policy 2168 – Distance Learning
Policy 2410 – Graduation
Policy 2420 – Grading and Progress Reports
Policy 2421 – Promotion and Retention
Policy 2150 – Suicide Training and Awareness
Policy 3125 – Homeless Students
Policy 3122 - Attendance Policy
Policy 3310 - Student Discipline

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

Student Instruction Resources and Best Practices

In accordance with Policy 1005FE – Proficiency Based Learning and Section 20-9-311(4)(d), MCA, "a school 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 under subsection (4)(a) or (4)(b) 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 under this subsection (4)(d) 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."

Proficiency or satisfying aggregate hours of instruction can be achieved through an on-site, off-site, or blended learning model as outlined in Policy 1906.

Best practices, including but not limited to those outlined below, will assist districts in facilitating quality learning for each student regardless of background or circumstance.

Planning & Communication

- Providing tools for virtual learning will help ensure equity in access to learning opportunities. With Policy 1904, districts may utilize transportation funds to facilitate internet and device access to students currently without.
- Provide weekly learning agendas communicated to students and parents.
- Set student meetings, teacher office hours, assignment expectations, and grades available on an established schedule. Districts may consider Policy 1902 – Alternative Grading.
- Establish whole group virtual "class time" and/or opportunities for small group learning
    - Post assignments online early and for the entire week.
        - During this time of challenge, providing structure and certainty will support academic, mental and emotional health.
    - Students should receive some form of communication from the school community at least once per day.

Set Expectations

- With students and parents/guardians set expectations and acknowledgment of the importance for ownership of student learning.
- Expectations can outline due dates for assessments.
- Outline how much online participation is required of students.
- Include expectation for daily submission of work or review of accomplishments toward goals.
- Survey students and parents/guardians to make adjustments to lessons. Remember to be flexible—time learning software, apps, etc. should be considered part of learning.

Differentiated Instruction & Learning Models

- Embed experiential learning that fosters a learning environment that promotes connections. Districts participating in Transformational Learning funding can utilize their Strategic Plan as a guiding document and adapt to a virtual environment.
- Social Emotional Learning and connections.
    - Begin the day by connecting with students—a Brain Teaser or an exercise for students to share a topic of interest or something from home with others.
- Record lessons
    - Lessons should come with visual substance and multiple types of instruction to facilitate learning—downloads, PowerPoints, videos, readings, audio recordings, etc.
- Honor students' interests and passions through experiential learning opportunities.
- Project based learning.
    - Engage the students to do the work through research, developing, and creating a product which encompasses a variety of subject areas.
    - Encourage creativity.
    - Consider pointing students to the right resources (videos, websites, files) and allow them to be contributors to their own learning-- Creation of a science project—writing, demonstration of items needed, YouTube video with the end result being submitted to the teacher and classmates.
        - Wax Museum example: reading about character, writing about individual, dress up and record via YouTube or creation of a Power Point with pictures
    - Project-based learning presents opportunities for cross-subject collaboration and flexibility in ways to show student learning.

<u>Demonstrating Learning</u>

- Provide video meeting and messaging capabilities to engage students in multiple mediums to show learning.
- Provide daily feedback to address academic growth and monitor and improve social emotional wellness.
    - Clearly communicate to ensure students and parents are aware of the importance of this mutual feedback.
- Opportunity for MAP testing/Unit testing for subject areas
- Formative assessments can guide instruction and provide multiple opportunities for feedback and identifying gaps in student learning and instruction through a low-stress medium.

Legal Reference: Section 20-1-101, MCA – Definitions
Section 20-1-301, MCA – School Fiscal Year
Section 20-9-311, MCA – Calculation of Average Number Belonging

Section 20-7-118, MCA - Offsite Provision of Educational Services
Section 20-7-1601, MCA – Transformational Learning –Legislative Intent
ARM 10.55.906(4)) – High School Credit

Cross Reference: Policy 1005FE – Proficiency-Based Learning
Policy 1902 – Alternative Grading
Policy 1905 - Staff, Student, and Community Health and Safety
Policy 2100 – School Calendar
Policy 2140 – Guidance and Counseling
Policy 2161 – Special Education
Policy 2168 – Distance Learning
Policy 2410 – Graduation
Policy 2420 – Grading and Progress Reports
Policy 2421 – Promotion and Retention
Policy 2150 – Suicide Training and Awareness
Policy 3125 – Homeless Students
Policy 3122 - Attendance Policy
Policy 3310 - Student Discipline

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

School District Declaration of Emergency

The Board of Trustees is authorized to declare that a state of emergency exists within the community. A declaration issued by the Board of Trustees is distinct from any declaration in effect or previously issued by local, state or federal authorities. An emergency declaration issued by the Board of Trustees authorizes the School District to take extraordinary measures to protect students and staff while delivering education services in a manner authorized by law. The method and location of instruction and related educational services shall be implemented in a manner that serves the needs of students, their families, and staff and preserves the School Districts full entitlement of funding.

Legal Reference:	Section 20-9-801 - 802, MCA	Emergency School Closure
	Section 20-9-806, MCA	School closure by declaration of emergency
	Section 20-9-805.	Rate of reduction in annual apportionment entitlement.

Legal Reference:

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

Family Engagement

The Board of Trustees authorizes the supervising teacher or district administrator to provide Policy 1908F to families requesting to opt-out of onsite instruction at the school facility for the duration of the declared public health emergency.

Students of families opting out of onsite instruction at the school facility for the remainder of the 2020-21 school fiscal year shall receive offsite, online, and proficiency-based instruction, or any combination of the foregoing at the discretion of the School District in accordance with District Policy 1906. School District staff shall arrange for any combination of physical instructional packets, virtual or electronic based course meetings and assignments, self-directed or parent/guardian-assisted learning opportunities, and other educational efforts available to staff and students that can be relied upon for grade or credit in order to satisfy the minimum aggregate number of hours or determination of proficiency for the requesting student. Students determined to be proficient in one or more courses of the district shall be incorporated in the School District's calculation of ANB, with such ANB fraction to be converted to an hourly equivalent based on the hours of instruction ordinarily provided for the content over which the student has demonstrated proficiency.

Students of families opting out of onsite delivery shall be treated the same as students instructed at the school facility for purposes of grading, discipline, and other educational rights.

Legal Reference: Section 20-1-100, MCA – Definitions
Section 20-1-301, MCA – School Fiscal Year
Section 20-9-311, MCA – Calculation of Average Number Belonging
Section 20-7-118, MCA – Offsite Provision of Educational Services
Section 20-7-1601, MCA – Transformational Learning – Legislative Intent
ARM 10.55.906(4) – High School Credit

Cross Reference: Policy 1906 – Student Instruction and Services
Policy 1908F – Family Onsite Opt-Out Form

Policy History:
Adopted on: July 2020
Revised on:

Revision Note:

Family Onsite Instruction Opt-Out Form

A family who does not want their student to receive instruction and educational services onsite at the school may request to have instruction completed offsite and/or online by completing this form.

Students of families opting out of onsite instruction at the school facility for the 2020-2021 school fiscal year shall receive offsite, online, and proficiency-based instruction, or any combination of the foregoing at the discretion of the School District in accordance with District Policy 1906. School District staff shall arrange for any combination of physical instructional packets, virtual or electronic based course meetings and assignments, self-directed or parent/guardian-assisted learning opportunities, and other educational efforts available to staff and students that can be relied upon for grade or credit in order to satisfy the minimum aggregate number of hours or determination of proficiency for the requesting student. Students determined to be proficient in one or more courses of the district shall be incorporated in the School District's calculation of ANB, with such ANB fraction to be converted to an hourly equivalent based on the hours of instruction ordinarily provided for the content over which the student has demonstrated proficiency.

I, _____, Parent or Guardian of _____, a student enrolled at Jefferson High School District, request my student receive educational services and instruction at an offsite location for the duration of the declared public health emergency in a manner consistent with the methods identified by the School District.

I understand my student is expected to complete all assigned work and return it to the teacher in order to receive credit toward a grade to be considered for promotion or credit and in accordance with Policy 1902, if applicable. I further understand that failure to complete work assigned may result in a determination that my student will be retained or otherwise not earn credit.

_____ _____

Parent Signature Date

Legal Reference:
- Section 20-1-100, MCA – Definitions
- Section 20-1-301, MCA – School Fiscal Year
- Section 20-9-311, MCA – Calculation of Average Number Belonging
- Section 20-7-118, MCA – Offsite Provision of Educational Services
- Section 20-7-1601, MCA – Transformational Learning – Legislative Intent
- ARM 10.55.906(4) – High School Credit

Policy History:
Adopted on: July 2020
Revised on:

Revision Note:

Human Resources and Personnel

The School District has adopted the protocols outlined in this policy to govern during the term of the declared public health emergency to ensure clear expectations for District staff while completing their duties in a safe and healthy workplace. The supervising teacher, principal, superintendent or designated personnel are authorized to implement this policy.

Work Schedule and Assignment for Certified Staff

The working conditions for the certified staff shall be governed by a Collective Bargaining Agreement and any applicable Memorandum of Understanding between the Unit and the School District or the individual employment contracts between the employee and the School District. Certified staff shall comply with the emergency policies adopted by the Board of Trustees and related directives from the administration unless there is a provision of a Collective Bargaining Agreement or an applicable Memorandum of Understanding that specifically governs instead of the policy.

Work Schedule and Assignment of Duties for Classified Staff

The working conditions for classified staff are governed by a Collective Bargaining Agreement or any applicable Memorandum of Understanding between the Unit and the School District. Classified staff shall comply with the emergency policies adopted by the Board of Trustees and related directives from the administration unless there is a provision of a Collective Bargaining Agreement or an applicable Memorandum of Understanding that that specifically governs instead of policy.

Personal Conduct

This policy in no way limits or adjusts the School District's expectations for staff conduct. All applicable district policies and handbook provision governing staff conduct remain in full effect

Student Services

Students shall have access to regular instructional services whether their instruction is provided in an onsite, offsite, or online setting. Staff shall promptly report any suspected violation of School District Policy or concern about student health, well-being, or safety to their supervisor for review and referral. Students receiving instruction in an offsite or online setting are governed by all applicable laws, including the staff obligation to report suspected child abuse or neglect.

Compensation and Benefits

Staff shall continue to earn regular compensation and benefits during the period of declared public health emergency. Payroll dates and schedules are not affected by an applicable public health emergency.

Evaluation of Staff

The Board of Trustees authorizes the administration to adjust or waive the schedule for evaluation of staff to accommodate the changes to the school calendar for the remainder of the 2019-2020 school year unless there is a Collective Bargaining Agreement or Memorandum of Understanding specifying the evaluation process of a member of a bargaining unit.

Cross Reference: Policy 1905 - Student, Staff and Community Health and Safety
Policy 1906 – Student Instruction
Policy 5140 – Classified Assignment
Policy 5210 – Assignments and Transfers
Policy 5221 – Work Day
Policy 5232 – Abused and Neglected Child Reporting
Policy 5255 – Disciplinary Action
Policy 5223 – Personal Conduct
Policy 5012 – Sexual Harassment
Policy 5015- Bullying and Intimidation
Policy 5130 – Staff Health
Policy 5230 – Prevention of Disease Transmission
Policy 5222 – Evaluation of Certified and Classified Staff

Legal Reference:

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

Personnel Use of Leave

The School District has adopted the protocols outlined in this policy to govern during the term of the declared public health emergency to inform School District staff about leave options. The supervising teacher, principal, superintendent or designated personnel are authorized to implement this policy.

District Leave

School District staff may utilize accumulated leave granted in accordance with Montana law, District policy, a Collective Bargaining Agreement, or applicable Memorandum of Understanding through the regular procedures governing the type of leave requested.

Federal Law Controls Federal Leave Provisions

The Board of Trustees has adopted this policy and related forms on the referenced date based on the law and available federal and state guidance as of the date of such adoption. Federal and state guidance can change following adoption of this policy and forms. To the extent that any subsequently adopted guidance or federal regulation or other controlling interpretation of the law results in a conflict between such guidance, regulation or controlling interpretation and this policy or forms, the provisions of the guidance, regulation or controlling interpretation controls to the extent of any such conflict. The School District shall take reasonable steps to ensure that staff are notified of any change in guidance or federal regulation or other controlling interpretation of the law that creates a conflict with any provision of this policy of forms.

Emergency Paid Sick Leave

In accordance with Federal law, employees may be eligible for two weeks of paid sick leave capped at 80 hours paid at the employee's regular rate of pay when the employee is unable to work because the employee is quarantined in accordance with a Federal, State, or local government order or advice of a health care provider, and/or experiencing COVID-19 symptoms and seeking a medical diagnosis.

Employees may be eligible for two weeks of paid sick leave capped at 80 hours paid at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine in accordance with a Federal, State, or local government order or advice of a health care provider, or to care for a child under 18 years of age whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

Eligible employees may request leave available under the Families First Coronavirus Response Act by completing Policy 1910F1 – Emergency Paid Sick Leave

Emergency Family Medical Leave

Employees may be eligible for up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay when the employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Eligible employees may request leave available under the Families First Coronavirus Response Act by completing Policy 1910F2 – Emergency Family Medical Leave.

Legal Reference: Families First Coronavirus Response Act

Cross Reference: Policy 1910F1 – Emergency Paid Sick Leave Form
Policy 1910F2 - Emergency Family Medical Leave Form
Policy 1909 – Human Resources and Personnel
Policy 5321 – Leaves of Absence
Policy 5328 – Family Medical Leave Act
Policy 5329 – Long Term Illness
Policy 5330 – Maternity and Paternity Leave
Policy 5334 - Vacations

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

JEFFERSON HIGH SCHOOL DISTRICT - EMPLOYEE REQUEST FORM - EMERGENCY PAID SICK LEAVE

Employees may be entitled to Emergency Paid Sick Leave in accordance with the Families First Coronavirus Response Act (FFCRA) if the employee satisfies eligibility standards. Employees can complete this form and submit it or any questions to _____ at _____.

Employee Name: _____

Mailing Address: _____ E-mail: _____

Home Phone Number: _____ Alternate Phone Number: _____

Anticipated Begin Date of Leave: _____ Expected Return to Work Date: _____

EMPLOYEE REQUEST FOR LEAVE AT FULL PAY

Employees satisfying one of the three standards noted below are eligible for two weeks of leave capped at 80 hours paid at the employee's full regular compensation rate. For a part-time employee it is the number of hours equal to the average number of hours that the employee works over a typical two-week period. Please select the applicable reason and follow the related instructions.

I am unable to work or telework for the following reasons:

- I am quarantined pursuant to Federal, State, or local government order.
- I am quarantined on the advice of a health care provider.
- I am experiencing COVID-19 symptoms and seeking a medical diagnosis.

Please attach the applicable government order or documentation from medical provider corresponding to the item(s) selected.

EMPLOYEE REQUEST FOR LEAVE AT 2/3 PAY

Employees satisfying one of the three standards noted below are eligible for two weeks of leave capped at 80 hours paid at the 2/3 of the employee's regular compensation rate. For a part-time employee it is the number of hours equal to the average number of hours that the employee works over a typical two-week period. Please select the applicable reason and follow the applicable instructions.

I am unable to work or telework for the following reasons:

- I need to care for an individual subject to quarantine pursuant to Federal, State, or local government order or advice of a health care provider. I represent that no other person will be providing care for the individual during the period for which I am receiving Emergency Paid Sick Leave.

Name(s) of the individual(s) being cared for: _____

- I am experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

Please attach the applicable government order or documentation from medical provider corresponding to the item(s) selected.

- I am unable to work or telework because I need to care for my child under age 18 because my child's elementary or secondary school, childcare provider, or child's place of care has been closed or is unavailable due to a public health emergency. During this period of unavailability or closure, I represent that no other person will be providing care for my child during the period for which I am receiving Emergency Paid Sick Leave.

Name(s) and Age(s) of Child or Children:
_____

If the age of one or more of the child is between 14 and 18, the following special circumstances exist requiring me to care for the child during daylight hours:
_____

Please attach notice or documentation related to the unavailability of the school, daycare, place of care or person providing care to the child. The School District reserves the right to request confirmation regarding the nature of the closure or unavailability.

If you are requesting 2/3 paid leave in conjunction with Emergency FMLA to care for a child under the age of 18 affected by school or care closure due to public health emergency, please complete an EFMLA form to submit with this form.

SUPPLEMENT 2/3 PAY WITH ACCRUED DISTRICT LEAVE

An employee on Emergency Paid Sick Leave at 2/3 pay as noted above, may choose to supplement the 2/3 pay provided through Emergency Paid Sick Leave with accrued District leave to earn full compensation. Please indicate if you would like to use paid leave during your EFMLA absence to supplement your 2/3 Emergency Paid Sick Leave compensation. Requested leave is subject to availability based on confirmation by the School District.

- Vacation: _____Hours
- Sick Leave: ____Hours
- Personal: ____Hours

EMPLOYEE CERTIFICATION AND SIGNATURE

I certify that the above information is accurate and complete. I understand that if I fail to report for work on or before the scheduled return date indicated above or fail to communicate changes in the schedule with my supervisor, I may be subject to discipline in accordance with School District Policy.

Employee Signature: _____ Date: _____

FOR SCHOOL DISTRICT USE ONLY

Request Received By: _____ Date: _____

Leave Approved By:_____ Date: _____

Period of Leave:_____

Duration and Type of Supplemental Leave to Earn Full Pay Approved:_____

The School District will retain all records related to this leave request for at least 4 years for auditing purposes.

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

JEFFERSON HIGH SCHOOL DISTRICT - EMPLOYEE REQUEST FORM - EMERGENCY FMLA

Employees may be entitled to Emergency FMLA (EFMLA) in accordance with the Families First Coronavirus Response Act (FFCRA) if the employee satisfies eligibility standards. Employees can complete this form and submit it or any questions to _____ at _____.

Employee Name: _____

Mailing Address: _____ E-mail: _____

Home Phone Number: _____ Alternate Phone Number: _____

Employment Start Date: _____ Employees must have worked for School District for 30 days to be eligible for EFMLA.

Expected Begin Date of Leave: _____ Expected Return to Work Date: _____

REASON FOR LEAVE

Employees satisfying the standards noted below are eligible for 12 weeks* of leave. The first two weeks of the leave are unpaid unless the employee selects available options in the next box. The remaining 10 weeks of leave are paid at 2/3 of the employee's regular compensation rate unless other options are selected on this form. Please select the applicable reason and follow the applicable instructions.

- I am unable to work or telework because I need to care for my child under age 18 because my child's elementary or secondary school, childcare provider, or child's place of care has been closed or is unavailable due to a public health emergency. During this period of unavailability or closure, I represent that no other person will be providing care for my child during the period for which I am receiving EFMLA.

Name(s) and Age(s) of Child or Children: _____

If the age of one or more of the child is between 14 and 18, the following special circumstances exist requiring me to care for the child during daylight hours: _____

Please attach notice or documentation related to the unavailability of the school, daycare, place of care or person providing care to the child. The School District reserves the right to request confirmation regarding the nature of the closure or unavailability.

** An employee who qualifies for and utilizes the Emergency Paid Sick Leave provisions of the FFCRA, is entitled to an additional 10 weeks of Emergency FMLA. Direct questions about or requests for this leave to the staff member noted above.*

SUBSTITUTION OF PAID LEAVE FOR FIRST TEN DAYS OF EFMLA

In accordance with the FFCRA, the first ten days of EFMLA is unpaid, however you may be eligible to use Emergency Paid Sick Leave provided through the FFCRA to cover this period at 2/3 of full pay. In the event you have already used Emergency Paid Sick Leave, you are permitted to use available District-provided paid leave to cover this period at full pay. Please indicate if you would like to use paid leave during the first 10 days of your absence and how many hours you plan to use. Requested leave is subject to availability based on confirmation by the School District. If requesting Emergency Paid Sick Leave, please complete and submit an Emergency Paid Sick Leave form.

- Vacation: ____Hours
- Sick Leave: ____Hours
- Personal: ____Hours
- FFCRA: ____Hours

SUPPLEMENT 2/3 PAY WITH ACCRUED DISTRICT LEAVE

An employee may choose to supplement the 2/3 pay provided through EFMLA with accrued District leave to earn full compensation. Please indicate if you would like to use paid leave during your EFMLA absence to supplement your 2/3 EFMLA compensation. Requested leave is subject to availability based on confirmation by the School District.

- Vacation: _____Hours
- Sick Leave: ____Hours
- Personal: ____Hours

CONTINUOUS OR INTERMITTENT LEAVE

After completing the first ten days of EFMLA, an employee may choose to take 10 weeks of continuous leave under EFMLA for the reason indicated above. Continuous leave means the employee will not complete any District duties during this period but will be compensated based on the options selected above.

An employee may also choose to take 10 weeks of intermittent leave. Intermittent leave means an employee will complete some District duties on a modified schedule as approved by the employee's supervisor. When using intermittent leave, the employee will receive full regular pay for hours worked and 2/3 of regular pay during periods on EFMLA unless supplemented in a manner noted above.

I am requesting (choose one): • Continuous leave • Intermittent leave

If your need for leave is intermittent, please describe the requested schedule for your intermittent leave:_____
_____
_____

EMPLOYEE CERTIFICIATION AND SIGNATURE

I certify that the above information is accurate and complete. I understand that if I fail to report for work on or before the scheduled return date indicated above or fail to honor the intermittent EFMLA schedule I may be subject to discipline in accordance with School District Policy.

Employee Signature: _____ Date: _____

FOR SCHOOL DISTRICT USE ONLY

Request Received By: _____ Date: _____

Leave Approved By:_____ Date: _____

Period of Leave:_____

Intermittent Leave Schedule if applicable: _____

Duration and Type of Substituted Leave for First Ten Days Approved: _____

Duration and Type of Supplemental Leave to Earn Full Pay Approved:_____

The School District will retain all records related to this leave request for at least 4 years for auditing purposes.

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

School District Budget Adoption, Amendment and Audit

The period of the school fiscal year affected by the declared public health emergency shall be the longer of the portion of the school fiscal year covered by an emergency declared by the President, Congress, Governor, Montana Legislature, State or County Health Department or the portion of the school fiscal year identified in the board's declaration of an emergency. The School District shall avail itself of all flexibilities allowed by law, rule, or regulation and shall be otherwise governed by the school finance laws and rules of the state of Montana. The School District shall comply with auditing requirements and reserves the authority to assert its rights to manage school district funds or seek state and federal funds in a manner consistent with the full flexibility available under all applicable laws.

Legal Reference: Article X, section 8 Montana Constitution
Title 20, Chapter 9, Part 8, Montana Code Annotated

Legal Reference:

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

COVID-19 EMERGENCY MEASURES

School District Elections Rescheduled Due to Emergency

The County Superintendent may cancel the School District's election due to an emergency declared by the Governor. As soon as convenient after the declaration of a state of emergency or disaster is terminated, the trustees of the district shall set a new date for the election. Notice of such election shall be published for 7 consecutive days in a newspaper of general circulation in the district and posted for 7 days at district polling places. All applicable deadlines governing school election procedures in Montana law shall be reset and calculated based on the date of rescheduled election.

Legal Reference: Section 20-20-108, MCA - Rescheduling Of School Election Canceled Due To Declaration Of State Of Emergency Or Disaster
Title 20, Chapter 20, MCA

Policy History:
Adopted on: April 2020
Revised on:

Revision Note:

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2000 Series Instruction

2000 Series
"Instruction"
Table of Contents

Req.	Policy	Policy Description
R	2000	Goals
	2050	Student Instruction
R	2100	School Year Calendar and Day
R	2105	Grade Organization
	2110	Objectives
R	2120	Curriculum and Assessment
	2123	Lesson Plan
	2130	Program Evaluation and Diagnostic Tests
R	2132	Student and Family Privacy Rights
	2140	Guidance and Counseling
R	2150	Suicide Awareness and Prevention
	2151	Interscholastic Activities/Athletics
	2151F1	Interscholastic Activity/Athletics Program Assumption of Risk Form
	2151F2	Three-Year Interscholastic Activity/Athletics Program Evaluation Form
	2151F3	Interscholastic Activity/Athletics Program Plan/Goal/Assess & Survey Requirement Acknowledgement
	2151F4	JHS Activities/Athletics Participant Survey
	2151F5	JHS Activities/Athletics Advisor/Coach Survey
	2151F6	JHS Activities/Athletics Parent Survey
	2151F7	JHS Activities/Athletics Player's Code of Conduct

	2151F8	JHS Activities/Athletics Coach's Code of Conduct
	2151F9	JHS Activities/Athletics Parent's Code of Conduct
	2158	Family Engagement Policy
R	2160	Title I Parent and Family Involvement
R	2160P	Title I Parent Involvement
R	2161	Special Education
R	2161P	Special Education
R	2162	Section 504 of the Rehabilitation Act of 1973
R	2162P	Section 504 of the Rehabilitation Act of 1973
	2163	Traffic Education
	2166	Gifted Program
	2167	Correspondence Courses
R	2168	Distance, Online, and Technology-Delivered Learning
	2170	Digital Academy Classes
	2170P	Digital Academy Classes
	2171	Significant Writing Program
	2221	School Closure
	2221P	School Closure
	2240	Summer School
R	2250	Community and Adult Education
R	2309	Library Materials
R	2310	Selection of Library Materials
R	2310P	Selection of Library Materials
R	2311	Instructional Materials

R	2311P	Selection, Adoption, and Removal of Textbooks and Instructional Materials
R	2312	Copyright
R	2314	Learning Materials Review
	2320	Field Trips, Excursions, and Outdoor Education
	2322	Contests for Students
	2330	Controversial Issues and Academic Freedom
	2332	Religion and Religious Activities
R	2333	Participation in Commencement Exercises
	2335	Health Enhancement
	2375	Advancement Requirements (9-12)
	2410	High School Graduation Requirements
	2410P	High School Graduation Requirements
R	2413	Credit Transfer and Assessment for Placement
	2420	Grading and Progress Reports
	2430	Homework
R	2450	Recognition of Native American Cultural Heritage
	2500	Limited English Proficiency Program
	2510	School Wellness
	2600	Work Based Learning Program
	2600F	Work Based Learning Affiliation Agreement
	2600P	Work Based Learning Program - Insurance

Goals

The District's educational program will seek to provide an opportunity for each child to develop to his or her maximum potential. The objectives for the educational program are:

- To foster self-discovery, self-awareness, and self-discipline.
- To develop an awareness of and appreciation for cultural diversity.
- To stimulate intellectual curiosity and growth.
- To provide fundamental career concepts and skills.
- To help the student develop sensitivity to the needs and values of others and respect for individual and group differences.
- To help each student strive for excellence and instill a desire to reach the limit of his or her potential.
- To develop the fundamental skills which will provide a basis for lifelong learning.
- To be free of any sexual, cultural, ethnic, or religious bias.

The administrative staff is responsible for apprising the Board of the educational program's current and future status at the regular June Board meeting. The Superintendent should prepare an annual report that includes:

- A review and evaluation of the present curriculum;
- A projection of curriculum and resource needs;
- An evaluation of, and plan to eliminate any sexual, cultural, ethnic, or religious bias that may be present in the curriculum or instructional materials and methods;
- A plan for new or revised instructional program implementations; and
- A review of present and future facility needs.

Legal Reference 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: February 2007
Revised on: February 15, 2011

Student Instruction

The School District has adopted the protocols outlined in this policy to ensure the delivery of education services to students onsite at the school and offsite at other locations using available resources. The District administration or designated personnel are authorized to implement this policy.

As outlined in District Policy 2100, and except for students determined by the School District to be proficient using School District assessments, the adopted calendar has a minimum number of 720 aggregate instructional hours for students in kindergarten through third grade; 1,080 hours for students in fourth through eleventh grade; and 1,050 for students in twelfth grade.

The School District may satisfy the aggregate number of hours through any combination of onsite, offsite, and online instruction. The District administration is directed to ensure that all students are offered access to the complete range of educational programs and services for the education program required by the accreditation standards adopted by the Montana Board of Public Education.

For the purposes of this policy and the School District's calculation of ANB and "aggregate hours of instruction" within the meaning of that term in Montana law, the term "instruction" shall be construed as being synonymous with and in support of the broader goals of "learning" and full development of educational potential as set forth in Article X, section 1 of the Montana Constitution. Instruction includes innovative teaching strategies that focus on student engagement for the purposes of developing a student's interests, passions, and strengths. The term instruction shall include any directed, distributive, collaborative, and/or experiential learning activity provided, supervised, guided, facilitated, work based, or coordinated by the teacher of record in a given course that is done purposely to achieve content proficiency and facilitate the learning and acquisition of knowledge, skills, and abilities by, and to otherwise fulfill, the full educational potential of each child.

Staff shall calculate the number of hours students have received instruction as defined in this policy through a combined calculation of services received onsite at the school or services provided or accessed at offsite or online instructional settings including, but not limited to, any combination of physical instructional packets, virtual or electronic based course meetings and assignments, self-directed or parent-assisted learning opportunities, and other educational efforts undertaken by the staff and students that can be given for grade or credit. Staff shall report completed hours of instruction as defined in this policy to the supervising teacher, building principal, or district administrator for final calculation.

In order to comply with the requirements of the calendar, District Policy, and Section 20-1-301 MCA, the District shall implement the instructional schedules and methods identified in this policy.

Offsite Instruction

The Board of Trustees authorizes offsite instruction of students in a manner that satisfies the aggregate number of instructional hours outlined in the School District's adopted or revised calendar for a school year. Offsite delivery methods shall include a complete range of educational services offered by the School District and shall comply with the requirements of applicable statutes. Students completing course work through an offsite instructional setting shall be treated in and have their hours of instruction calculated in the same manner as students attending an onsite institutional setting.

Offsite instruction is available to students:

1. Meeting the residency requirements for that district as provided in 1-1-215;
2. Living in the district and eligible for educational services under the Individuals With Disabilities Education Act or under 29 U.S.C. 794;
3. Attending school in the district under a mandatory attendance agreement as provided in 20-5-321; or
4. Attending school in the nearest district offering offsite instruction that agrees to enroll the student when the student's district of residence does not provide offsite instruction in an equivalent course in which the student is enrolled. A course is not equivalent if the course does not provide the same level of advantage on successful completion, including but not limited to dual credit, advanced placement, and career certification. Attendance under this provision is subject to approval of the Trustees.

The Board of Trustees authorizes the supervising teacher or district administrator to permit students to utilize an offsite or online instructional setting when circumstances require.

<u>Proficiency-Based Learning</u>

The Board of Trustees authorizes proficiency-based learning and ANB calculation in situtations when a student demonstrates proficiency in a course area as determined by the Board of Trustees using District assessments consistent with District Policy 1005FE or other measures approved by the Board of Trustees.

The Board of Trustees waives the minimum number of instructional hours for students who demonstrate proficiency in a course area using district assessments that include, but are not limited to, the course or class teacher's determination of proficiency as defined by the Board of Trustees. This determination shall be based on a review of the student's completed coursework, participation in course delivery, and other methods applicable to the specific course or class. The Board of Trustees authorizes the use of the proficiency determination process for students who have selected this method of delivery, students for whom the School District is unable to document satisfaction of the required minimum aggregate number of hours through the offsite or onsite methods outlined in this policy, or other students whom School District personnel determine satisfy the definition of proficient or meeting proficiency.

This provision is based on the declaration by the Montana Legislature that any regulation discriminating against a student who has participated in proficiency-based learning is inconsistent with the Montana Constitution.

Legal Reference:	Article X, Section 1, Montana Constitution
	Section 20-1-101, MCA – Definitions
	Section 20-1-301, MCA – School Fiscal Year
	Section 20-9-311, MCA – Calculation of Average Number Belonging
	Section 20-7-118, MCA – Offsite Provision of Educational Services
	Section 20-7-1601, MCA – Transformational Learning – Legislative Intent
	ARM 10.55.906(4) – High School Credit
Cross Reference:	Policy 1005FE – Proficiency-Based Learning
	Policy 2100 – School Calendar
	Policy 2140 – Guidance and Counseling
	Policy 2168 – Distance Learning
	Policy 2410 – Graduation
	Policy 2420 – Grading and Progress Reports

Policy History:
Adopted on: June 2021
Revised on:

Revision Note:

School Year Calendar and Day

School Calendar

Subject to §§ 20-1-301 and 20-1-308, MCA, and any applicable collective bargaining agreement covering the employment of affected employees, the trustees of a school district shall set the number of hours in a school term, the length of the school day, and the number of school days in a school week. When proposing to adopt changes to a previously adopted school term, school week, or school day, the trustees shall: (a) negotiate the changes with the recognized collective bargaining unit representing the employees affected by the changes; (b) solicit input from the employees affected by the changes but not represented by a collective bargaining agreement; (c) and from the people who live within the boundaries of the school district.

Commemorative Holidays

Teachers and students will 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.

Saturday School

In emergencies, including during reasonable efforts of the Trustees to make up aggregate hours of instruction lost during a declaration of emergency by the Trustees under Section 20-9-806, MCA, pupil instruction may be conducted on a Saturday when it is approved by the Trustees.

Pupil instruction may be held on a Saturday at the discretion of a school district for the purpose of providing additional pupil instruction beyond the minimum aggregate hours of instruction required in Section 20-1-301, MCA provided student attendance is voluntary.

Friday School

In emergencies, including during reasonable efforts of the Trustees to make up aggregate hours of instruction lost during a declaration of emergency by the Trustees under Section 20-9-806, MCA, pupil instruction may be conducted on a Friday when it is approved by the Trustees.

Pupil instruction may be held on a Friday at the discretion of a school district for the purpose of providing additional pupil instruction beyond the minimum aggregate hours of instruction required in Section 20-1-301, MCA, provided student attendance is voluntary.

School Fiscal Year

At least the minimum number of aggregate hours must be conducted during each school fiscal year. The minimum aggregate hours required by grade are:

a) A minimum of 360 aggregate hours for a kindergarten program;
b) 720 hours for grades 1 through 3;
c) 1,080 hours for grades 4 through 12; and
d) 1,050 hours may be sufficient for graduating seniors.

The minimum aggregate hours, described above, are not required for any pupil demonstrating proficiency pursuant to 20-9-311(4)(d), MCA.

In addition, seven (7) pupil instruction-related days may be scheduled for the following purposes:

1. Pre-school staff orientation for the purpose of organization of the school year;
2. Staff professional development programs (minimum of three (3) days);
3. Parent/teacher conferences; and
4. Post-school record and report (not to exceed one (1) day, or one-half (½) day at the end of each semester or quarter).

The Board of Trustees has established an advisory committee to develop, recommend, and evaluate the school district's yearly professional development plan. Each year the Board of Trustees shall adopt a professional development plan for the subsequent school year based on the recommendation of the advisory committee.

Extended School Year

In accordance with Section 20-1-301, MCA and any applicable collective bargaining agreement covering the employment of affected employees, the Board of Trustees may establish a school calendar with an earlier start date and a later end date to ensure students receive the minimum number aggregate instructional hours. The purpose of an extended school year will be to maximize flexibility in the delivery of instruction and learning for each student in the School District. When setting an extended school year, the School District will collaborate with students, parents, employees, and other community stakeholders. When proposing to adopt changes to a previously adopted school term, the Board of Trustees will follow the procedures outlined in this policy.

Legal References:	§ 20-1-301, MCA	School fiscal year
	§ 20-1-302, MCA	School day and week
	§ 20-1-303, MCA	Conduct of School on Saturday or Sunday prohibited - exceptions
	§ 20-1-304, MCA	Pupil-instruction-related day
	§ 20-1-306, MCA	Commemorative exercises on certain days
	§ 20-9-311, MCA	Calculation of Annual Number Belonging (ANB)
	ARM 10.55.701	Board of Trustees
	ARM 10.65.101-103	Pupil-Instruction-Related Days
	ARM 10.55.714	Professional Development

ARM 10.55.906 High School Credit

Policy History:
Adopted on: February 2007
Reviewed on:
Revised on: April 15, 2008, November 15, 2011, January 2016, March 2020, June 2021
Note: Revisions included lines 12-16, lines 27-30(change from days to aggregate hours), and a better
clarification of lines 34-37.
Note: Revisions included the addition of "Saturday School" and the legal reference of 20—303, MCA.
January 2016 *revision note: Added paragraph with option to establish an advisory committee*
Added Friday school.

INSTRUCTION 2105

Grade Organization

The District maintains instructional levels for grades nine (9) through twelve (12). The grouping and housing of instructional levels in school facilities will be according to plans developed by the Superintendent and approved by the Board.

Instructional programs will be coordinated between each grade.

A student will be assigned to an instructional group or to a classroom which 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, instructional style of individual teachers, and any other variables that will affect the performance of the student.

Criteria for grouping will be based on learning goals and objectives addressed and the student's ability to achieve those purposes.

Legal Reference: § 20-6-501, MCA Definition of various schools

Policy History:
Adopted on: February 2007
Revised on:

Objectives

Continuous Progress Education

The Board acknowledges its responsibility to develop and implement a curriculum designed to provide for sequential intellectual and skill development necessary for students to progress on a continuous basis from elementary through secondary school.

The Superintendent is directed to develop instructional programs which will enable each student to learn at the student's best rate. The instructional program will strive to provide for:

1. Placement of a student at the student's functional level;

2. Learning materials and methods of instruction considered to be most appropriate to the student's learning style; and

3. Evaluation to determine if the desired student outcomes have been achieved.

Each year, the Superintendent will determine the degree to which such instructional programs are being developed and implemented. Accomplishment reports submitted annually, at the regular June Board meeting, will provide the Board with the necessary information to make future program improvement decisions.

Policy History:

Adopted on: February 2007

Revised on: February 15, 2011, January 2016

January 2016 revision note: Removed section on Accreditation Standards

INSTRUCTION 2120

Curriculum and Assessment

The Board is responsible for curriculum adoption and must approve all significant changes, including the adoption of new textbooks and new courses, before such changes are made. The Superintendent is responsible for making curriculum recommendations. The District shall ensure their curriculum is aligned to all content standards and the appropriate learning progression for each grade level.

A written sequential curriculum will be developed for each subject area. The curricula will address learner goals, content and program area performance standards, and District education goals and will be constructed to include such parts of education as content, skills, and thinking. The District shall review curricula at least every five (5) years or consistent with the state's standards revision schedule, and modify, as needed, to meet educational goals of the continuous school improvement plan pursuant to ARM 10.55.601.

The staff and administration will suggest materials and resources, to include supplies, books, materials, and equipment necessary for development and implementation of the curriculum and assessment, which are consistent with goals of the education program.

The District shall maintain their programs consistent with the state's schedule for revising standards.

The District shall assess the progress of all students toward achieving content standards and content-specific grade-level learning progressions in each program area. The District shall use assessment results to examine the education program and measure its effectiveness.

The District shall use appropriate multiple measures and methods, including state-level achievement information obtained by administration of assessments pursuant to the requirements of ARM 10.56.101, to assess student progress in achieving content standards and content-specific grade-level learning progressions in all program areas. The examination of program effectiveness using assessment results shall be supplemented with information about graduates and other students no longer in attendance.

Cross Reference:	2000 Goals	
	2110 Objectives	
Legal Reference:	§ 20-3-324, MCA	Powers and duties
	§ 20-4-402, MCA	Duties as district superintendent or county high school principal
	§ 20-7-602, MCA	Textbook selection and adoption
	10.55.603, ARM	Curriculum Development and Assessment

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 revision notes: Big rewrite of policy to match language to current law and accreditation standards.

Lesson Plan

To insure proper planning and continuity of instruction, the Board requires that each teacher prepare lesson plans for daily instruction. To facilitate more effective instruction, lesson plans must be prepared at least one (1) week in advance and are due for review at the end of each week, before the teacher leaves for the weekend. The building principal may allow teachers an extension through the weekend. The format for the lesson plan will be specified by the building principal and will be reviewed on a regular basis. The plan book must be readily available, when a substitute teacher is needed.

Policy History:
Adopted on: February 2007
Revised on:

Program Evaluation and Diagnostic Tests

The Board strives for efficiency and effectiveness in all facets of its operations. To achieve this goal, at the regular October Board meeting the Board will set forth:

1. A clear statement of expectations and purposes for the District instructional program;

2. A provision for staff, resources, and support to achieve stated expectations and purposes; and

3. A plan for evaluating instructional programs and services to determine how well expectations and purposes are being met.

The District will utilize a variety of assessment processes to:

1. Determine the effectiveness of the instructional programs;

2. Assess the progress of individual students in attaining student learning objectives; and

3. Diagnose the needs of individual students who are not progressing at their expected rates.

Parents who wish to examine any assessment materials may do so by contacting the Superintendent. Parental approval is necessary before administering an individual intelligence test or a diagnostic personality test. No tests or measurement devices which include questions about a student's or the student's family's personal beliefs and practices in family life, morality, and religion will be administered, unless the parent gives written permission for the student to take such test, questionnaire, or examination.

Legal Reference:	20 U.S.C. § 1232h	Protection of pupil rights
	10.55.603, ARM	Curriculum Development and Assessment
	10.56.101, ARM	Student Assessment

Policy History:

Adopted on: February 2007

Revised on: February 15, 2011

Student and Family Privacy Rights

Surveys - General

All surveys requesting personal information from students, as well as any other instrument used to collect personal information from students must advance or relate to the District's educational objectives as identified in Board Policy. This applies to all surveys, regardless of whether the student answering the questions can be identified and regardless of who created the survey.

Surveys Created by a Third Party

Before the District administers or distributes a survey created by a third party to a student, the student's parent(s)/guardian(s) may inspect the survey upon request and within a reasonable time of their request.

This section applies to every survey: (1) that is created by a person or entity other than a District official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

Surveys Requesting Personal Information

School officials and staff members shall not request, nor disclose, the identity of any student who completes ANY survey containing one (1) or more of the following items:

1. Political affiliations or beliefs of the student or the student's parent/guardian;
2. Mental or psychological problems of the student or the student's family;
3. Behavior or attitudes about sex;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of other individuals with whom students have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The student's parent(s)/guardian(s) may:

1. Inspect the survey within a reasonable time of the request, and/or
2. Refuse to allow their child to participate in any survey requesting personal information. The school shall not penalize any student whose parent(s)/guardian(s) exercise this option.

Instructional Material

A student's parent(s)/guardian(s) may, within a reasonable time of the request, inspect any instructional material used as part of their child's educational curriculum.

The term "instructional material," for purposes of this policy, means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Collection of Personal Information from Students for Marketing Prohibited

The term "personal information," for purposes of this section only, means individually identifiable information including: (1) a student's or parent's first and last name, (2) a home or other physical address (including street name and the name of the city or town), (3) telephone number, or (4) a Social Security identification number.

The District will not collect, disclose, or use student personal information for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose.

The District, however, is not prohibited from collecting, disclosing, or using personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions such as the following:

1. College or other post-secondary education recruitment or military recruitment;
2. Book clubs, magazines, and programs providing access to low-cost literary products;
3. Curriculum and instructional materials used by elementary schools and secondary schools;
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
5. The sale by students of products or services to raise funds for school-related or education-related activities;
6. Student recognition programs.

Notification of Rights and Procedures

The Superintendent or designee shall notify students' parents/guardians of:

1. This policy as well as its availability from the administration office upon request;
2. How to opt their child out of participation in activities as provided in this policy;

3. The approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled;
4. How to request access to any survey or other material described in this policy.

This notification shall be given parents/guardians at least annually at the beginning of the school year and within a reasonable period after any substantive change in this policy.

The rights provided to parents/guardians in this policy transfer to the student, when the student turns eighteen (18) years of age or is an emancipated minor.

Cross Reference: 3410 Student Health/Physical Screenings/Examinations
2311 Instructional Materials
3200 Student Rights and Responsibilities

Legal Reference: 20 U.S.C. 1232h Protection of Pupil Rights

Policy History:
Adopted on: July 13, 2003
Revised on: February 2007

Guidance and Counseling

The District recognizes that guidance and counseling are an important part of the total program of instruction and should be provided in accordance with state laws and regulations, District policies and procedures, and available staff and program support.

The general goal of this program is to help students achieve the greatest personal value from their educational opportunities. Such a program should:

1. Provide staff with meaningful information which can be utilized to improve educational services offered to individual students.

2. Provide students with planned opportunities to develop future career and educational plans.

3. Refer students with special needs to appropriate specialists and agencies.

4. Aid students in identifying options and making choices about their educational program.

5. Assist teachers and administrators in meeting academic, social, and emotional needs of students.

6. Provide for a follow-up of students who further their education and/or move into the world of work.

7. Solicit feedback from students, staff, and parents, for purposes of program improvement.

8. Assist students in developing a sense of belonging and self-respect.

9. Have information available about nicotine addiction services and referrals to tobacco cessation programs to students and staff.

10. Serve as a reference for alternative discipline or restorative justice programs.

All staff will encourage students to explore and develop their individual interests in all areas including but not limited to career and technical programs, academic curricula, post-secondary opportunities, community or military service, and employment options without regard to race, color, national origin, ancestry, sex, ethnicity, language barrier, religious belief, physical or mental handicap or disability, economic or social condition, actual or potential marital or parental status.

Legal Reference	§ 49-3-203, MCA	Educational, counseling, and training programs
	10.55.710, ARM	Assignment of Guidance Staff
	10.55.802, ARM	Opportunity and Educational Equity

Policy History:
Adopted on: February 2007
Revised on: July 20, 2010

Revision Note: added language regarding nicotine / tobacco programs

Suicide Awareness and Prevention

Professional Development

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.

Prevention and Response

The Board authorizes the Administration and appropriate District staff to develop procedures to address matters related to suicide prevention and response that:

A. Promote collaboration with families and with community providers in all aspects of suicide prevention and response;
B. Include high quality intervention services for students;
C. Promote interagency cooperation that enables school personnel to identify and access appropriate community resources for use in times of crisis;
D. Include reintegration of youth into a school following a crisis, hospitalization, or residential treatment;
E. Provide for leadership, planning, and support for students and school personnel to ensure appropriate responses to attempted or completed suicides.

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.

This policy will be reviewed by the Board of Trustees on a regular basis.

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

Policy History:
Adopted on: August 2018
Revised on: March 2020

Revision Note:

Interscholastic Activities/Athletics

The District recognizes the value of a program of interscholastic activities/athletics as an integral part of the total school experience. The program of interscholastic activities/athletics includes all activities/athletics relating to competitive sport or intellectual contests, games or events, or exhibitions involving individual students or teams of students of this District, when such events occur between schools outside this District.

Interscholastic activities/athletics enhance the quality of education through teaching character education, sportsmanship, and ethical and socially responsible behavior. It is the responsibility of our administration and activities/athletic staff to prove the educational worth of high school interscholastic activities/athletics and to show that the lessons learned by participants in these activities/athletics will reinforce and supplement the same goals as those of classroom teachers.

All activity/athletic programs will operate in compliance with District policy. All manuals, handbooks, procedures, rules, or regulations, including subsequent changes, intended for use within any activity/sport must be submitted to administration for review of compliance with District policy prior to use. It is the responsibility of administration and activity/athletic advisors/coaches to develop any such materials far enough in advance of the intended date of use to allow for administrative review.

All facilities and equipment utilized in the interscholastic activity/athletic program, whether or not the property of the District, will be inspected on a regular basis. Participants will be issued equipment which has been properly maintained and fitted.

An activity/athletic advisor/coach must be properly trained and qualified for an assignment as described in the advisor/coach's job description. A manual which outlines the skills, techniques, and safety measures associated with an advising/coaching assignment will be developed and maintained by administration and distributed to each activity/athletic advisor/coach. All advisors/coaches will hold a current valid first aid certificate.

The Board recognizes that certain risks are associated with participation in interscholastic activities/athletics. While the District will strive to prevent injuries and accidents to students, each parent or guardian will be required to sign an "assumption of risk" statement indicating that the parents assume all risks for injuries resulting from such participation. This form is attached as **2151F1**. Each participant will be required to furnish evidence of physical fitness (physical form) prior to becoming a member of an athletic team sanctioned by the Montana

High School Association (MHSA). A participant will be free of injury and will have fully recovered from illness before participating in any event.

Advisors/Coaches and/or trainers may not issue medicine of any type to students. This provision does not preclude the advisor/coach and/or trainer from using approved first aid items.

Program Review

Administration and activities/athletics advisors/coaches must periodically, but not less than every three years, fully review the activities/athletics program in alignment with the set of standards listed below, utilizing the form attached as **2151F2**. Every interscholastic activity/athletic program for which the school hires an advisor/coach and pays a stipend must be included in this review. The full review must be presented to the Board at least every three years at the regularly scheduled June Board meeting in the review year. Interim progress and plan presentations must be made to the Board annually in non-review years at the regularly scheduled June meeting. The full review and the interim presentations must include annual and cumulative demographic and survey response data.

Surveys

Administration is required to survey participants, parents, and advisors/coaches to solicit feedback on the quality of each program at the close of each activity/athletic season. Administration must ensure that surveys are conducted in a manner that provides anonymity to the respondents.

Survey participation is required. Parents and participants must acknowledge and accept this responsibility prior to the student participating in any JHS interscholastic activity/athletic program or sport. An acknowledgement form is attached as **2151F3**. Administration will incorporate this acknowledgement/acceptance form in pre-season materials. Administration will track survey participation.

Survey templates are attached as **2151F4-5-6**. Survey items may not be removed except by approval of the Board. Survey items may be added at the discretion of administration in order to obtain more or better information relating to program standards and goals and improvement initiatives. Essay or free-form text survey questions must not be used. Questions that would require a survey participant to give identifiable information must not be used.

These review and survey processes are intended to be an evaluation of the activities/athletics program and are not to be used as the sole evaluation of an advisor/coach. The Board recognizes that supervision and evaluation of activity/athletic advisors/coaches rests with school administration. Data from the surveys associated with these policies may be used as a part of, but not as a substitute for, the regular advisor/coach evaluation process. In addition, the Districts recognizes that complaints about an advisor/coach should follow the Uniform Complaint Procedure in Policy 1700.

ACTIVITY/ATHLETIC PROGRAM STANDARDS

STANDARD I: Guiding Principles. Activity/athletic programs and competition are an integral part of students' academic, social, emotional and physical development. The JHS Activity/athletic Program promotes the academic mission of our school and honorable

competition. Administration clearly defines and communicates what JHS is seeking to achieve and delineate the expectations of each activity/athletic program for participants, advisors/coaches, school administration, parents/guardians, and the community. As part of this, each coach, player and parent/guardian is required to acknowledge and abide by our Codes of Conduct which are attached as Forms **2151F7-8-9**.

STANDARD II: Activity/athletic Program Expectations. Activity/athletic programs are developed by administration that enable the school to achieve these expectations: high level of student participation in activities/athletics, activity-specific skill development, promotion of academic achievement, the teaching and endorsement of sportsmanship, character development, ethics, values, living a healthy and drug free lifestyle and appropriate behavior for all participants, advisor/coaches, parents, and spectators in connection with the activity/athletic program.

STANDARD III: Program Resources and Equity. Sufficient support and resources are provided to assure the achievement of the program expectations. Equitable and appropriate resources, facilities, and opportunities are afforded to all activity/athletic programs.

STANDARD IV: Program Administration. Structure, policies, procedures, and personnel to allow for the attainment of the athletic program expectations are provided by administration. Administration incorporates and encourages the active involvement of advisors/coaches, participants, parents, booster clubs, and the community in decision-making to promote an atmosphere of participation and ownership. The accomplishments of the program, the participants and the advisors/coaches are regularly acknowledged and celebrated.

STANDARD V: Program Evaluation. Ongoing evaluation procedures are in place to measure the department's success in achieving its standards and expectations and the developmental skill growth of each participant. The program has a clearly defined evaluation plan in place which is designed to enhance the professional growth of all advisors/coaches and participants. Skill growth goals and plans for the team are co-developed by the participants and advisor/coach at the beginning of each season and formally assessed at the end of each season. A form for use in goals/plan/assessment is attached as **2151F7**. Each activity/athletic advisor/coach reports their progress in meeting skill growth goals to administration.

Cross Reference:	3416 administering Medicines to Students	
	1700 Uniform Complaint Procedure	
Legal Reference:	10.55.707, ARM	Certification
	37.111.825, ARM	Health Supervision and Maintenance

Policy History:
Adopted on: February 2007

Revised on: May 2016

Revision notes: Substantially revised to include broadened description of program description, goals and expectations, five activity/athletic program standards, processes for review and survey of activity/athletic program and accompanying forms:

2151F1 - INTERSCHOLASTIC ACTIVITY/ATHLETICS PROGRAM ASSUMPTION OF RISK FORM
2151F2 - THREE YEAR INTERSCHOLASTIC ACTIVITY/ATHLETICS PROGRAM EVALUATION FORM
2151F3 - PLAN/GOAL/ASSESS AND SURVEY REQUIREMENT ACKNOWLEDGEMENT
2151F4 - JHS Activities/Athletics Participant Survey
2151F5 - JHS Activities/Athletics Advisor/Coach Survey
2151F6 - JHS Activities/Athletics Parent Survey

2151F7 – JHS Activities/Athletics Player's Code of Conduct
2151F8 – JHS Activities/Athletics Coach's Code of Conduct
2151F9 – JHS Activities/Athletics Parent's Code of Conduct

INTERSCHOLASTIC ACTIVITY/ATHLETICS PROGRAM ASSUMPTION OF RISK FORM

Extracurricular activities may include physical contact and physical exertion. There is an inherent risk of injury in the activity. By signing this agreement, I acknowledge that the School District staff try to prevent accidents. I agree to accept responsibility for my student's participation in the school activities. The activity is strictly voluntary.
I, the undersigned, hereby acknowledge and understand that, regardless of all feasible safety measures that may be taken by the School District, participation in this event entails certain inherent risks. I certify that my student is physically fit and medically able to participate or have noted an applicable physical or medical diagnosis at the bottom of this form. I further certify that my student will honor all instructions of district staff and failure to honor instructions may result in dismissal from the activity. I have been informed of these risks, understand them, and feel that the benefits of participation outweigh the risks involved. My signature below gives my child permission to participate in a School Activity.

I authorize qualified emergency medical professionals to examine and in the event of injury or serious illness, administer emergency care to my student. I understand every effort will be made to contact the family or contact person noted below to explain the nature of the problem prior to any involved treatment. In the event it becomes necessary for the district staff in charge to obtain emergency care for my student, I understand that neither the district employee in charge of the activity nor the school district assumes financial liability for expenses incurred because of an accident, injury, illness, and/or unforeseen circumstances.

The School District DOES NOT provide medical insurance benefits for students who choose to participate in activies programs. Parents or guardians may request information from the school district regarding medical insurance for students. If parents or guardians have their own insurance coverage during the student's participation, that coverage information is provided below. Or parents may notify the School District that they do not have medical insurance.

_____ I have personal medical insurance to cover the student's participation:

INSURANCE (Company Name) _____

Policy # _____

_____ I do not have personal medical insurance to cover the student's participation and understand that the School District does not provide medical insurance to cover the students. I understand I will be responsible for any medical costs associated with the student's participation.

Signature Required Regardless of Insurance Coverage:

Student Athlete _____
(Please Print)

Parent/Guardian _____
(Signature)

Date: _____

Legal Reference:

Policy History:
Adopted on: May 2016
Revised on: March 2020

Revision Note:

THREE YEAR INTERSCHOLASTIC ACTIVITY/ATHLETICS PROGRAM EVALUATION FORM

Program Evaluation Compiled by:	
Title:	
Time Period Covered:	
Programs Offered During the Period:	

STANDARD I: Guiding Principles. *Activity/athletic programs and competition are an integral part of students' academic, social, emotional and physical development. The JHS Activity/Athletic Program promotes the academic mission of our school and honorable competition. Administration clearly defines and communicates what JHS is seeking to achieve and delineate the expectations of each activity/athletic program for participants, advisors/coaches, school administration, parents, and the community.*

1. List those involved in preparing this review. What efforts were made to involve leaders/coaches, student, parents and the community? How could participation be improved?

2. Describe the process used to communicate expectations for advisors/coaches, participants, school administration, parents, and the community. Are the expectations clearly articulated, understood and accepted by each group? Attach examples of written materials.

3. Discuss how advisors/coaches model the beliefs and values expressed in the activity/athletic guiding principles.

4. What do advisors/coaches do to ensure that participants understand the importance of the values and beliefs expressed in the guiding principles?

5. Discuss the steps the activity/athletic department has taken to assure that the guiding principles are widely disseminated and understood by the entire school and community.

6. Discuss the strength of the link between the activity/athletic and academic programs of the school. What, if anything, needs to be enhanced in this area to achieve the mission?

7. Discuss how the activity/athletic guiding principles complement and are compatible with the academic mission of the school.

8. Do the activity/athletic guiding principles serve as the basis for all decisions relative to the program? Cite an example.

9. List those attributes the activity/athletic department does well regarding the guiding principles.

10. List those aspects of the guiding principles in need of intervention by order of importance.

11. Describe the plan to address areas in need of intervention.

STANDARD II: Activity/Athletic Program Expectations. *Activity/athletic programs are developed by administration that enable the school to achieve these expectations: high achievement levels in the areas of student participation in activities, activity/athletic-specific skill development, promotion of academic achievement, the teaching and endorsement of sportsmanship, character development, ethics, values, living a healthy and drug free lifestyle and appropriate behavior for all participants ,advisors/ coaches, parents, and spectators.*

1) Describe the process the activity/athletic department has instituted to facilitate the writing or revision of curricula, program guides or documents for activity/athletic specific training, conditioning and skill development.

2) List all activities/sports and describe for each what has been developed to achieve the program expectations in these areas, the measurable results and the plan for continued improvement (include samples of materials, information disseminated):
   A- High level of participation
   B- Activity/athletic-specific skill development
   C- Promotion of academic achievement
   D- Sportsmanship
   E- Ethics, Value, Character Development
   F- Development of Healthy Lifestyles
   G- Appropriate behavior

3) Explain how varsity or head advisors/coaches instruct and support sub-varsity advisors/coaches on the developmental skills of the sport.

4) Describe how the activity/athletic department promotes and recognizes the academic achievement of participants.

5) List those attributes the activity/athletic department does well regarding the activity/athletic program expectations.

6) List those aspects of the activity/athletic program expectations in need of intervention by order of importance.

7) Describe the plan to address areas in need of intervention.

STANDARD III: Program Resources and Equity. *Sufficient support and resources are provided to assure the achievement of the program expectations. Equitable and appropriate resources, facilities, and opportunities are afforded to all activity/athletic programs.*

1) Provide details of the budgeting process used to develop and adjust the activity/athletic department budget.

2) List all sources of revenue used to fund the activity/athletic program. Are all resources equitably distributed?

3) Discuss how resources are allocated to each sport and how allocations are determined. Does the activity/athletic department believe there is equity in the process?

4) Provide details of the activity/athletic budget for the past two years – excluding salaries and transportation. Provide a breakdown by activity/sport for the following:
   A- Supplies
   B- Uniforms
   C- New/replacement equipment

   Are these allocations equitable and sufficient?

5) What areas of the budget need to be changed in order to meet the activity/athletic guiding principles and program expectations and why?

6) Do all male and female activity/athletic programs have equal opportunity to compete and equal access to all facilities?

7) Are all transportation, meal, lodging and end-of-season recognition events/banquets similar and equitable for all participants/athletes? If not, please explain.

8) List those attributes the activity/athletic department does well regarding program resources and equity.

9) List those aspects of program resources and equity in need of intervention by order of importance.

10) Describe the plan to address areas in need of intervention.

STANDARD IV: Program Administration. *Structure, policies, procedures, and personnel to allow for the attainment of these five activity/athletic program standards are provided by administration. Administration incorporates and encourages the active involvement of advisors/coaches, participants, parents, booster clubs, and the community in decision-making to promote an atmosphere of participation and ownership. The accomplishments of the program, the participants and the coaches are regularly acknowledged and celebrated. The program has a clearly defined evaluation plan in place which is designed to enhance the professional growth of all advisors/coaches and participants.*

1. Describe and discuss the adequacy of the personnel, time and resources provided the activity/athletic department to effectively administer and lead the activity/athletic program. Specifically detail any guideline or expectation of the program not being met as a result of insufficient personnel, resources or time, suggest changes.

2. Are the policies and procedures and associated handbooks or manuals of the activity/athletic department clearly written and articulated to all involved? If yes, are copies given to advisors/coaches and school administrators? When was the last time these policies and procedures were updated? Were advisors/coaches, participants, and parents involved in the writing or review of these policies and procedures? Please discuss how the department informs the school and community of its programs, policies, and procedures as well as MHSA rules and regulations. How often does the school review the handbook with advisors/coaches and how often is the handbook updated? Attach copies of or provide a link to all handbooks.

3. Are the present policies and procedures of the activity/athletic department sufficient for the effective operation of an exemplary activity/athletic program in line with the guiding principles and expectations? Please explain.

4. Does the activity/athletic department have written job descriptions for all advisor/coach positions?

5. Describe the procedures used by the school/activity/athletic department to evaluate advisors/coaches. Have the evaluation procedures improved the performance of advisors/coaches and enhanced learning for the participants?

6. Does the school activity/athletic department offer staff development or in-service programs to enhance the skills and ability of advisors/coaches based upon data from the

annual evaluation of advisors/coaches? Provide a listing of any programs offered by the school or attended by the advisor/coaching staff.

7. Describe how the school regularly acknowledges, celebrates, and displays the accomplishments of the participants and advisors/coaches. Do all programs receive the same recognition?

8. List those attributes the activity/athletic department does well regarding program administration.

9. List those aspects of program administration in need of intervention by order of importance.

10. Describe the plan to address areas in need of intervention.

STANDARD V: Program Evaluation. *Ongoing evaluation procedures are in place to measure the department's success in achieving the five activity/athletic program standards. Team growth goals and plans are co-developed by the participants and leader/coach at the beginning of each season and formally assessed at the end of each season. A form for use is attached as* ***2151F5****. Each activity/athletic leader/coach reports their progress in meeting team growth goals to the school administration.*

1. Discuss the data collection procedures and what data the activity/athletic department uses to measure its success in meeting the five athletic/activity program standards.

2. Detail how team growth goals are evaluated by their advisors/coaches both pre-and post-season. Provide examples of team growth goals and plans and end-season assessments co-developed by advisors/coaches and players. Provide start and end of season team growth goal forms for each activity/sport.

3. Discuss how the team growth goals and plan and the end-season assessment are developed with and then shared with the participants and activity/athletic director and advisors/coaches.

4. List those attributes the activity/athletic department does well regarding program and player evaluation.

5. List those aspects of program and player evaluation in need of intervention by order of importance.

6. Describe the plan to address areas in need of intervention.

ACTIVITY/ATHLETIC PROGRAM STRENGTHS / NEEDS

Please list those attributes that the activity/athletic department does well:

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

Please list areas in need of improvement as a result of the self-study review in priority order:

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

What are the major obstacles the activity/athletic department faces in meeting the five standards, if any? Please list in priority order:

1.
2.
3.
4.
5.

PROVIDE THIS DEMOGRAPHIC DATA AS A SPREADSHEET SHOWING A ROLLING FIVE YEARS OF DATA

1. Number of participants (boys/girls)* in the JHS activity/athletic program.
2. Number of boys/girls per activity/sport.
3. Total instances of participants declared academically ineligible by activity/sport.
4. Number of students cut from activities/sports (boys/girls) per activity/sport by grade.
5. Number of students removed from activities/sports for reasons other than academic performance. List the activity/sport and reason.
6. Number of sportsmanship issues, e.g., game ejections, altercations, red cards, taunting, etc., by activity/sport. List data for participants and advisors/coaches separately.
7. Number of advisors/coaches who are certified teachers, the number of certified teachers from outside the district, the number of non-certified individuals who are advisors/coaches in the district.
8. Percentage of participants achieving academic honors by activity/sport.
9. The percentage of turnover of advisors/coaches over the past five years.

Legal Reference:

Policy History:
Adopted on: May 2016
Revised on:

Revision Note:

INTERSCHOLASTIC ACTIVITY/ATHLETICS PROGRAM
PLAN/GOAL/ASSESS AND SURVEY REQUIREMENT ACKNOWLEDGEMENT

ACTIVITY/SPORT: _____

SEASON START MONTH AND YEAR: _____

FOR THE PARTICIPANT:

As part of fulfilling the school's obligation to meeting its Five Standards in the Interscholastic Activity/Athletics Program, I understand and agree that I will:

- Acknowledge and abide by the Participant's Code of Conduct.

- Participate in completing a JHS Activities/Athletics Team Pre-Season Goals and Plan with my advisor/coach before I participate in any competitions or games for this activity/sport. (See District Policy Form 2151F7.)

- Participate in the Team Post-Season Assessment when the season ends. (See District Policy Form 2151F7.)

- Complete a post-season Participant Survey. This survey will be conducted in such a way that my survey is anonymous. I will not be allowed or required to include any essay or text responses. No questions will be asked that could identify me. (See District Policy Form 2151F4.)

Participant Name (Printed): _____

Participant Signature: _____ Date: _____

FOR THE PARENT/GUARDIAN:

As part of fulfilling the school's obligation to meeting its Five Standards in the Interscholastic Activity/Athletics Program, I understand and agree that I will:

- Acknowledge and abide by the Parent/Guardian's Code of Conduct.

- Complete a post-season Parent Survey. This survey will be conducted in such a way that my survey is anonymous. I will not be allowed or required to include any essay or text responses. No questions will be asked that could identify me. (See District Policy Form 2151F6.)

Parent/Guardian Name (Printed): _____

Parent/Guardian Signature: _____ Date: _____

Legal Reference:

Policy History:
Adopted on: May 2016
Revised on:

Revision Note:

JHS Activities/Athletics Participant Survey

Activity/sport for which I am completing this survey: _____ Season start month and year: _____

Gender: male female Grade: 9 10 11 12

Please circle your rating for each statement:

	1- Strongly Agree	**2- Agree**	**3- Disagree**	**4- Strongly Disagree**	**5- *Not Applicable***
I am happy with this program	**1**	**2**	**3**	**4**	**5**
PARTICIPANT PERSONAL GROWTH AND DEVELOPMENT					
My participation in this activity/athletic. . .					
- Provided me growth in emotional control	**1**	**2**	**3**	**4**	**5**
- Helped my social-interpersonal skills	**1**	**2**	**3**	**4**	**5**
- Helped me in making decisions	**1**	**2**	**3**	**4**	**5**
My grades were better while participating	**1**	**2**	**3**	**4**	**5**
My sleeping or eating patterns did not suffer	**1**	**2**	**3**	**4**	**5**
I will be a better person after participating in this activity/athletic	**1**	**2**	**3**	**4**	**5**
PROGRAM ISSUES					
I am familiar with the five Standards of the activity/athletics program	**1**	**2**	**3**	**4**	**5**
The five standards reflect the values of the school and community	**1**	**2**	**3**	**4**	**5**
Participation in this program is a positive experience	**1**	**2**	**3**	**4**	**5**
Expectations of participants is fair and equitable	**1**	**2**	**3**	**4**	**5**
Rules of conduct are effectively followed	**1**	**2**	**3**	**4**	**5**
Activity/athletic policies and procedures are clearly defined	**1**	**2**	**3**	**4**	**5**
Demands of meeting or practice schedules are reasonable	**1**	**2**	**3**	**4**	**5**
An appropriate balance exists between academics and athletics	**1**	**2**	**3**	**4**	**5**
The activities/athletics program is well-administered	**1**	**2**	**3**	**4**	**5**
Activity/athletic and sports offerings are sufficient to accommodate the interests of most students	**1**	**2**	**3**	**4**	**5**
I participated in developing Team growth goals with my advisor/coach pre-season and assessed our goals with my advisor/coach and team post-season	**1**	**2**	**3**	**4**	**5**
PROGRAM					
My playing time was equal to my ability and attitude	**1**	**2**	**3**	**4**	**5**
Adequate Equipment was available	**1**	**2**	**3**	**4**	**5**
PERSONNEL					
The advisor/coach encouraged me to maintain high academics	**1**	**2**	**3**	**4**	**5**
The advisor/coach required compliance with school and team rules	**1**	**2**	**3**	**4**	**5**
The advisor/coach stressed that safety was important					
The advisor/coach clearly explained their expectations of me	**1**	**2**	**3**	**4**	**5**
The advisor/coach stressed positives	**1**	**2**	**3**	**4**	**5**
COMMUNICATION					
Communication was honest	**1**	**2**	**3**	**4**	**5**

Communication was effective	**1**	**2**	**3**	**4**	**5**
Criticism or issues were addressed privately	**1**	**2**	**3**	**4**	**5**
Coaches are fair in choosing teams and playing athletes	**1**	**2**	**3**	**4**	**5**
Coaches teach positive values to athletes	**1**	**2**	**3**	**4**	**5**
Coaches demonstrate competence in teaching about their sport or activity/athletic	**1**	**2**	**3**	**4**	**5**
Coaches demonstrate competence in game strategies	**1**	**2**	**3**	**4**	**5**
Athletes can approach coaches freely to discuss personal issues	**1**	**2**	**3**	**4**	**5**

EQUITY

Activity/athletic programs in which I have participated have been treated fairly with all other sports/activities	**1**	**2**	**3**	**4**	**5**
Boys and girls athletic programs receive equitable treatment	**1**	**2**	**3**	**4**	**5**
Practice and game facilities are equitable for boys and girls sports	**1**	**2**	**3**	**4**	**5**
Uniform replacement is equitable for boys and girls teams	**1**	**2**	**3**	**4**	**5**
Facilities, equipment and uniforms are as good as our opponents	**1**	**2**	**3**	**4**	**5**

Legal Reference:

Policy History:
Adopted on: May 2016
Revised on:

Revision Note:

JHS Activities/Athletics Advisor/Coach Survey

Program I am completing this survey for: _____ Season start month and year: _____

Please circle your rating for each statement:

	1- Strongly Agree	**2- Agree**	**3- Disagree**	**4- Strongly Disagree**	**5- *Not Applicable***
PROGRAM ISSUES					
I am familiar with the five Standards of the activity/athletics program	**1**	**2**	**3**	**4**	**5**
The five standards reflect the values of the school and community	**1**	**2**	**3**	**4**	**5**
Participation in this program is a positive experience	**1**	**2**	**3**	**4**	**5**
Expectations of participants is fair and equitable	**1**	**2**	**3**	**4**	**5**
Rules of conduct are effectively followed	**1**	**2**	**3**	**4**	**5**
Activity/athletic policies and procedures are clearly defined	**1**	**2**	**3**	**4**	**5**
I was given adequate time for meetings or practices	**1**	**2**	**3**	**4**	**5**
An appropriate balance exists between academics and athletics	**1**	**2**	**3**	**4**	**5**
The activities/athletics program is well-administered	**1**	**2**	**3**	**4**	**5**
Activity/athletic and sports offerings are sufficient to accommodate the interests of most students	**1**	**2**	**3**	**4**	**5**
I developed pre-season Teamgrowth goals with the Team and assessed the goals with the team post season	**1**	**2**	**3**	**4**	**5**
PERSONNEL ISSUES					
The process of selecting advisors/coaches is fair and effective	**1**	**2**	**3**	**4**	**5**
Appropriate staff development opportunities exist for advisors/coaches					
Varsity advisors/coaches instruct and guide JV and freshman advisors/coaches	**1**	**2**	**3**	**4**	**5**
The system of evaluating advisors/coaches is fair and effective	**1**	**2**	**3**	**4**	**5**
A cooperative spirit exists between advisors/coaches of different activities/sports	**1**	**2**	**3**	**4**	**5**
Participants can approach advisors/coaches freely to discuss personal issues	**1**	**2**	**3**	**4**	**5**
Advisors/coaches provide guidance and assistance to participants intending to compete/play in college	**1**	**2**	**3**	**4**	**5**
COMMUNICATIONS					
Advisors/coaches input regarding activity/athletic programs is valued	**1**	**2**	**3**	**4**	**5**
The activity/athletic department clearly communicates its expectations concerning sportsmanship and fan behavior	**1**	**2**	**3**	**4**	**5**
Activity/athletic achievements are given appropriate exposure within the school	**1**	**2**	**3**	**4**	**5**
Parental input regarding advisors/coaches is fairly considered by administration	**1**	**2**	**3**	**4**	**5**

Advisors/coaches effectively communicate their expectations of participants to parents	**1**	**2**	**3**	**4**	**5**

EQUITY

All students are given an equal opportunity to participate in activity/athletic programs	**1**	**2**	**3**	**4**	**5**
Boys and girls activity/athletic programs receive equitable treatment	**1**	**2**	**3**	**4**	**5**
Practice and game facilities are equitable for boys and girls sports	**1**	**2**	**3**	**4**	**5**
Uniform replacement is equitable for boys and girls teams	**1**	**2**	**3**	**4**	**5**
Facilities, equipment and uniforms are as good as our opponents	**1**	**2**	**3**	**4**	**5**
Activity/athletic teams are financially as well supported as those of our opponents	**1**	**2**	**3**	**4**	**5**
Advisor/coach stipends are fair relative to surrounding communities	**1**	**2**	**3**	**4**	**5**

Legal Reference:

Policy History:
Adopted on: May 2016
Revised on:

Revision Note:

JHS Activities/Athletics Parent Survey

Activity/athletic program I am completing this survey for: _____ Season start month and year: _____

For the student and activity/sport I am completing this survey for: Gender: male female Grade: 9 10 11 12

Please circle your rating for each statement:

	1- Strongly Agree	**2- Agree**	**3- Disagree**	**4- Strongly Disagree**	**5- *Not Applicable***
PROGRAM ISSUES					
I am familiar with the five Standards of the activity/athletics program	**1**	**2**	**3**	**4**	**5**
The five standards reflect the values of the school and community	**1**	**2**	**3**	**4**	**5**
Participation in this program is a positive experience	**1**	**2**	**3**	**4**	**5**
Expectations of participants is fair and equitable	**1**	**2**	**3**	**4**	**5**
Rules of conduct are effectively followed	**1**	**2**	**3**	**4**	**5**
Activity/athletic policies and procedures are clearly defined	**1**	**2**	**3**	**4**	**5**
Demands of meeting or practice schedules are reasonable	**1**	**2**	**3**	**4**	**5**
An appropriate balance exists between academics and athletics	**1**	**2**	**3**	**4**	**5**
The activities/athletics program is well-administered	**1**	**2**	**3**	**4**	**5**
Activity/athletic and sports offerings are sufficient to accommodate the interests of most students	**1**	**2**	**3**	**4**	**5**
PERSONNEL ISSUES					
Advisors/coaches are fair in choosing teams and playing participants	**1**	**2**	**3**	**4**	**5**
Advisors/coaches teach positive values to participants					
Advisors/coaches demonstrate competence in teaching about this activity/sport	**1**	**2**	**3**	**4**	**5**
Advisors/coaches demonstrate competence in competition/game strategies	**1**	**2**	**3**	**4**	**5**
Participants can approach advisors/coaches freely to discuss personal issues	**1**	**2**	**3**	**4**	**5**
Advisors/coaches provide guidance and assistance to participants intending to compete/play in college	**1**	**2**	**3**	**4**	**5**
COMMUNICATIONS					
Parent input regarding activity/athletic programs is valued	**1**	**2**	**3**	**4**	**5**
The activity/athletic department clearly communicates its expectations concerning sportsmanship and fan behavior	**1**	**2**	**3**	**4**	**5**
Activity/athletic achievements are given appropriate exposure within the school	**1**	**2**	**3**	**4**	**5**
Parental input regarding advisors/coaches is fairly considered by administration	**1**	**2**	**3**	**4**	**5**

Advisors/coaches effectively communicate their expectations of participants to parents	**1**	**2**	**3**	**4**	**5**

EQUITY

All students are given an equal opportunity to participate in activity/athletic programs	**1**	**2**	**3**	**4**	**5**
Boys and girls activity/athletic programs receive equitable treatment	**1**	**2**	**3**	**4**	**5**
Practice and game facilities are equitable for boys and girls sports	**1**	**2**	**3**	**4**	**5**
Uniform replacement is equitable for boys and girls teams	**1**	**2**	**3**	**4**	**5**
Facilities, equipment and uniforms are as good as our opponents	**1**	**2**	**3**	**4**	**5**
Activity/athletic teams are financially as well supported as those of our opponents	**1**	**2**	**3**	**4**	**5**

Legal Reference:

Policy History:
Adopted on: May 2016
Revised on:

Revision Note:

JHS Activities/Athletics Player's Code of Conduct

I accept responsibility for my behavior on and off the field and/or in and out of an activity or competition. I understand that what I do and say affects my teammates, school, and other people either positively or negatively.

I lead courageously and live with integrity by speaking up against injustice and on behalf of others even when it is hard or unpopular.
I act with respect toward myself and the people and things around me including my parents, my coaches, my teammates, my teachers, my opponents, and the spectators.

I do not put people in boxes according to their race, gender, religion, neighborhood, sexual orientation or abilities. I judge people by the content of their character.

I act with empathy. I try to understand what is going on in the hearts and minds of others and what is causing those feelings so that I can be supportive and encouraging. I ask, "How can I help you?"

I serve as a role model at all times by talking politely and acting courteously toward coaches, teammates, opponents, officials, and spectators. I understand that it is a privilege to represent my family, school and community as a student-athlete or activities participant.

I give 100% effort to practices, games, and events. I understand that effort demonstrates my commitment to the team and my respect for my coaches and teammates.

I display good sportsmanship. I acknowledge and applaud the efforts of others. I encourage my teammates with positive statements. I refrain from boasting to my teammates and 'trash-talking' to members of other teams. I accept defeat graciously by congratulating my opponents on a game or activity well played.

Because I represent my family, school, and team, I abide by the policies, rules and guidelines of the school, team, and coaches.

Student Participant/Athlete Signature:_____
Sport/Season: _____
Date: _____

Legal Reference:

Policy History:
Adopted on: May 2016
Revised on:

Revision Note:

JHS Activities/Athletics Coach's Code of Conduct

The purpose of my coaching is to: help boys become men and girls become women of empathy and integrity who will lead, be responsible, and change the world for good.

I am mindful to never shame a player or participant, but to correct in an uplifting way. Affirmation!

I believe in every player or participant. Remember, "In youth is where miracles are made."

I protect our players or participants. I am big enough to build up, not tear down. Kids are getting attacked from many places that we don't often see and of which we are not aware.

My job is to put players or participants in a position where they can develop to their fullest potential through proper teaching and nurturing.

Each player or participant is part of our family, deserves every chance to succeed and deserves the utmost respect.

Coaches can disagree in meetings but never in front of our players or anyone else outside of our family. Disagreements are saved for private meetings.

Our players are student-athlete/participants and we are teacher-coaches. We hold ourselves accountable as teachers of young men and women and the lessons they need in order to navigate masculinity, femininity and life.

If I do not know, I say so and get appropriate information. I won't bluff my players or participants! They know the difference.

Parents are our partners. I strive to work with each family in helping their child succeed. "Every boy is a son, every girl a daughter to their mother and father."

I love our players or participants and the other coaches.

I use no profanity!

I know the difference between shaming and coaching. No screaming, shaming, swearing, or sarcasm.

I won't be afraid to apologize! We all make mistakes. When mistakes are made publicly, I will apologize publicly; when mistakes are made personally, I will apologize personally.

We are nurturing successful people, not just successful athletes or participants.

I treat all opposing coaches and their teams with honor deserving of true competitors.

I respect all referees, officials, and timekeepers. They are imperfect and trying their best just as we are.

Regardless of our wins and losses, we will be successful, if we carry out the above items.

Because I am a role model who has the power, position and platform to make a positive difference in the lives of my players or participants, I commit to this code of conduct. When failing to live up to our standards I will allow for accountability and take responsibility for my actions.

Coach Signature: _____

Sport/Season: _____

Date: _____

Legal Reference:

Policy History:
Adopted on: May 2016
Revised on:

Revision Note:

JHS Activities/Athletics Parent's Code of Conduct

I understand and endorse the purpose of our program: to help boys become men and girls become women of empathy and integrity who will lead, be responsible, and change the world for good.

I support the coaches by applauding behaviors in my child and teammates that demonstrate characteristics of integrity, empathy, sacrifice, and responsibility.

I acknowledge and appreciate every player or participant's growth towards maturity and efforts toward establishing stronger relationships with teammates, coaches, and themselves.

I affirm my child and teammates when good character, healthy sportsmanship, and other-centered behaviors are displayed. I will not only affirm athletic performance or a victory.

I serve as a role model for our players, talking politely and acting courteously towards coaches, officials, other parents, visiting team parents, and spectators at practices, games, and meetings.

I model good sportsmanship. Acknowledge and applaud the efforts of team members and opponents. Accept defeat graciously by congratulating the members of the opposing team on a game well played. Support the team regardless of how much or how little my child plays or what the win-loss record is.

I encourage my child and teammates with positive statements, even when they make mistakes. At every practice they are growing physically and emotionally. At every practice they are learning moral and ethical lessons. At every practice they are developing character.

I refrain from boasting about my child's accomplishments.

When problems or questions arise, I have my child present the problem to the coach. This develops self-advocacy. After meeting with their coach, if the issue requires more clarity, I will contact the coach.

Because I am a parent with the power, position, and platform to make a positive difference in the lives of all players, I commit to this code of conduct. When failing to live up to these standards, I will allow for accountability and take responsibility for my actions.

Parent/Guardian Signature: _____

For Student Name: _____

Sport/Season: _____

Date: _____

Legal Reference:

Policy History:
Adopted on: May 2016
Revised on:

Revision Note:

Family Engagement Policy

The Jefferson High School Board of Trustees believes that engaging parents/families in the education process is essential to improved academic success for students. The Board recognizes that a student's education is a responsibility shared by the district, parents, families and other members of the community during the entire time a student attends school. The Board believes that the district must create an environment that is conducive to learning and that strong, comprehensive parent/family involvement is an important component. Parent/Family involvement in education requires a cooperative effort with roles for the Office of Public Instruction (OPI), the district, parents/families and the community.

Parent/Family Involvement Goals and Plan

The Board of Trustees recognizes the importance of eliminating barriers that impede parent/family involvement, thereby facilitating an environment that encourages collaboration with parents, families and other members of the community. Therefore, the district will develop and implement a plan to facilitate parent/family involvement that shall include the following six (6) goals;

1. Promote families to actively participate in the life of the school and feel welcomed, valued, and connected to each other, to school staff, and to what students are learning and doing in class;
2. Promote families and school staff to engage in regular, two-way meaningful communication about student learning;
3. Promote families and school staff to continuously collaborate to support student learning and healthy development both at home and at school and have regular opportunities to strengthen their knowledge and skills to do so effectively;
4. Empower parents to be advocates for their own and other children, to ensure that students are treated equitably and have access to learning opportunities that will support their success;
5. Encourage families and school staff to be partners in decisions that affect children and families and together inform, influence, and create policies, practices, and programs; and
6. Encourage families and school staff to collaborate with members of the community to connect students, families, and staff to expand learning opportunities, community services, and civic participation.

The district's plan for meeting these goals will:

1. Provide activities that will educate parents regarding the intellectual and developmental needs of their children at all age levels. This will include promoting cooperation between the district and other agencies or school/community groups (such as parent-teacher groups, Head Start, etc.) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development.
2. Implement strategies to involve parents/families in the educational process, including:

- Keeping parents/families informed of opportunities for involvement and encouraging participation in various programs.
- Providing access to educational resources for parents/families to use together with their children.
- Keeping parents/families informed of the objectives of district educational programs as well as of their child's participation and progress within these programs.

3. Enable families to participate in the education of their children through a variety of roles. For example, parents/family members should be given opportunities to provide input into district policies and volunteer time within the classrooms and school programs.
4. Provide professional development opportunities for teachers and staff to enhance their understanding of effective parent/family involvement strategies.
5. Perform regular evaluations of parent/family involvement.
6. Provide access, upon request, to any instructional material used as part of the educational curriculum.
7. If practical, provide information in a language understandable to parents.
8. Other options as Administration determines.

The board will review the plan and progress at the regular June board meeting.

Legal Reference:

Policy History:
Adopted on: January 2016
Revised on:
Timeline Index: June

Revision Note:

Title I Parent and Family Involvement

The District endorses the parent involvement goals of Title I and encourages the regular participation of parents and family members of Title I eligible children in all aspects of the program to establish the agency's expectations and objectives for meaningful parent and family involvement. The education of children is viewed as a cooperative effort among the parents, family members, school, and community. In this policy the word "parent" also includes guardians and other family members involved in supervising the child's schools.

Pursuant to federal law the District will develop jointly with, agree upon with, and distribute to parents of children participating in the Title I program a written parent and family involvement policy. This may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education.

At the required annual meeting of Title I parents and family members, parents and family members will have opportunities to participate in the design, development, operation, and evaluation of the program for the next school year. Proposed activities to fulfill the requirements necessary to address the requirements of parental-involvement goals shall be presented.

In addition to the required annual meeting, at least three (3) additional meetings shall be held at various times of the day and/or evening for parents and family members of children participating in the Title I program. These meetings shall be used to provide parents with:

1. Information about programs provided under Title I;

2. A description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet;

3. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children; and

4. The opportunity to bring parent comments, if they are dissatisfied with the school's Title I program, to the District level.

Title I funding, if sufficient, may be used to facilitate parent attendance at meetings, through payment of transportation and childcare costs.

The parents and family members of children identified to participate in Title I programs shall receive from the school
principal and Title I staff an explanation of the reasons supporting each child's selection for the program, a set of objectives to be addressed, and a description of the services to be provided. Opportunities will be provided for the parents and family members to meet with the classroom

and Title I teachers to discuss their child's progress. Parents will also receive guidance as to how they can assist at home in the education of their children.

Each school in the District receiving Title I funds shall develop jointly with parents of children served in the program a "School-Parent Compact" outlining the manner in which parents, school staff, and students share the responsibility for improved student academic achievement in meeting state standards. The "School-Parent Compact" shall:

1. Describe the school's responsibility to provide high quality curriculum and instruction in a supportive and effective learning environment enabling children in the Title I program to meet the state's academic achievement standards;

2. Indicate the ways in which each parent will be responsible for supporting their child's learning, such as monitoring attendance, homework completion, and television watching; volunteering in the classroom; and participating, as appropriate, in decisions related to their child's education and positive use of extracurricular time; and

3. Address the importance of parent-teacher communication on an ongoing basis with, at a minimum, parent-teacher conferences, frequent reports to parents, and reasonable access to staff.

The activities authorized under this policy may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the district to adequately represent the needs of the population served by the district for the purposes of developing, revising, and reviewing the parent and family engagement policy.

Legal Reference: Title I of the Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 6301-6514, as implemented by 34 CFR parts 200, 201, 203, 205, and 212
Improving America's Schools Act, P.L. 103-382, § 1112 Local Education Agency Plans
P.L. 107-110, "No Child Left Behind Act of 2001," Title I – Improving the Academic Achievement of the Disadvantaged, § 1118

Policy History:
Adopted on: February 2007
Revised on: March 2020

Title I Parent Involvement

In order to achieve the level of Title I parent involvement desired by District policy on this topic, these procedures guide the development of each school's annual plan designed to foster a cooperative effort among parents, school, and community.

Guidelines

Parent involvement activities developed at each school will include opportunities for:

- Volunteering;
- Parent education;
- Home support for the child's education;
- Parent participation in school decision making.

The school system will provide opportunities for professional development and resources for staff and parents/community regarding effective parent involvement practices.

Roles and Responsibilities

Parents

It is the responsibility of the parent to:

- Actively communicate with school staff;
- Be aware of rules and regulations of school;
- Take an active role in the child's education by reinforcing at home the skills and knowledge the student has learned in school;
- Utilize opportunities for participation in school activities.

Staff

It is the responsibility of staff to:

- Develop and implement a school plan for parent involvement;
- Promote and encourage parent involvement activities;
- Effectively and actively communicate with all parents about skills, knowledge, and attributes students are learning in school and suggestions for reinforcement;
- Send information to parents of Title I children in a format and, to the extent practicable, in a language the parents can understand.

Community

Community members who volunteer in the schools have the responsibility to:

- Be aware of rules and regulations of the school;
- Utilize opportunities for participation in school activities.

Administration

It is the responsibility of the administration to:

- Facilitate and implement the Title I Parent Involvement Policy and Plan;
- Provide training and space for parent involvement activities;
- Provide resources to support successful parent involvement practices;
- Provide in-service education to staff regarding the value and use of contributions of parents and how to communicate and work with parents as equal partners;
- Send information to parents of Title I children in a format and, to the extent practicable, in a language the parents can understand.

Procedure History:
Promulgated on: February 2007
Revised on:

Special Education

The District will 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 (IDEA), provisions of Montana law, and the Americans with Disabilities Act.

For students eligible for services under IDEA, the District will follow procedures for identification, evaluation, placement, and delivery of service to children with disabilities, as provided in the current *Montana State Plan under Part B of IDEA*.

The District may maintain membership in one or more cooperative associations which may assist in fulfilling the District's obligations to its disabled students.

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.
§ 20-7-Part Four, MCA Special Education for Exceptional Children

Policy History:
Adopted on: February 2007
Revised on:

Special Education

The Superintendent shall place the annual application on the agenda of a regular meeting of the Board, for action prior to submission to the state educational agency for final approval.

Child Find

The District shall be responsible for the coordination and management of locating, identifying, and evaluating all disabled children ages zero (-0-) through twenty-one (21). Appropriate staff will design the District's Child Find plan in compliance with all state and federal requirements and with assistance from special education personnel who are delegated responsibility for implementing the plan.

The District's plan will contain procedures for identifying suspected disabled students in private schools as identified in 34 C.F.R. 530.130 and 530.131(f), students who are home schooled, homeless children, as well as public facilities located within the geographic boundaries of the District. These procedures shall include screening and development criteria for further assessment. The plan must include locating, identifying, and evaluating highly mobile children with disabilities and children who are suspected of being a child with a disability and in need of special education, even though the child is and has been advancing from grade to grade. The District's Child Find Plan must set forth the following:

1. Procedures used to annually inform the public of all child find activities, for children zero through twenty-one;
2. Identity of the special education coordinator;
3. Procedures used for collecting, maintaining, and reporting data on child identification;
4. Procedures for Child Find Activities (including audio logical, health, speech/language, and visual screening and review of data or records for students who have been or are being considered for retention, delayed admittance, long-term suspension or expulsion or waiver of learner outcomes) in each of the following age groups:
   - A. Infants and Toddlers (Birth through Age 2)
     Procedures for referral of infants and toddlers to the appropriate early intervention agency, or procedures for conducting child find.
   - B. Preschool (Ages 3 through 5)
     Part C Transition planning conferences; frequency and location of screenings; coordination with other agencies; follow-up procedures for referral and evaluation; and procedures for responding to individual referrals.
   - C. In-School (Ages 6 through 18)
     Referral procedures, including teacher assistance teams, parent referrals, and referrals from other sources; and follow-up procedures for referral and evaluation.

   - D. Post-School (Ages 19 through 21)

Individuals who have not graduated from high school with a regular diploma and who were not previously identified. Describe coordination efforts with other agencies.

E. Private Schools (This includes home schools.)
Child find procedures addressing the provisions of A.R.M. 10.16.3125(1); follow-up procedures for referral and evaluation.

F. Homeless Children

G. Dyslexia
The School District shall establish procedures to ensure that all resident children with disabilities, including specific learning disabilities resulting from dyslexia, are identified and evaluated for special education and related services as early as possible. The screening instrument must be administered to:

(A) A child in the first year that the child is admitted to a school of the district up to grade 2; and

(B) A child who has not been previously screened by the district and who fails to meet grade-level reading benchmarks in any grade;

The screening instrument shall be administered by an individual with an understanding of, and training to identify, signs of dyslexia designed to assess developmentally appropriate phonological and phonemic awareness skills.

If a screening suggests that a child may have dyslexia or a medical professional diagnosis a child with dyslexia, the child's school district shall take steps to identify the specific needs of the child and implement best practice interventions to address those needs. This process may lead to consideration of the child's qualification as a child with a disability under this policy.

Procedures for Evaluation and Determination of Eligibility

Procedures for evaluation and determination of eligibility for special education and related services are conducted in accordance with the procedures and requirements of 34 C.F.R. 300.301-300.311 and the following state administrative rules:

10.16.3320 - Referral;
10.60.103 - Identification of Children with Disabilities;
10.16.3321 - Comprehensive Educational Evaluation Process.

Procedural Safeguards and Parental Notification

The District implements the procedural safeguard procedures as identified in 34 C.F.R. 300.500 - 300.530.

A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents only one time a school year, except that a copy also must be given to the parents:

- Upon initial referral or parent request for evaluation;
- Upon receipt of the first State complaint under 34 CFR 300.151 through 300.153 and upon receipt of the first due process complaint under 34 CFR 300.507 in a school year;
- In accordance with the discipline procedures in 34 CFR 300.530(h) (…on the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct, the LEA must…provide the parents the procedural safeguards notice); and
- Upon request by a parent.

A public agency also may place a current copy of the procedural safeguard notice on its internet website, if a web site exists. [34 CFR 300.504(a) and (b)] [20 U.S.C. 1415(d)(1)]

The referral for special education consideration may be initiated from any source, including school personnel. To initiate the process, an official referral form must be completed and signed by the person making the referral. The District shall accommodate a parent who cannot speak English and therefore cannot complete the District referral form. Recognizing that the referral form is a legal document, District personnel with knowledge of the referral shall bring the referral promptly to the attention of the Evaluation Team.

The District shall give written notice to the parent of its recommendation to evaluate or not to evaluate the student. The parent will be fully informed concerning the reasons for which the consent to evaluate is sought. Written parental consent will be obtained before conducting the initial evaluation or before reevaluating the student.

The recommendation to conduct an initial evaluation or reevaluation shall be presented to the parents in their native language or another mode of communication appropriate to the parent. An explanation of all the procedural safeguards shall be made available to the parents when their consent for evaluation is sought. These safeguards will include a statement of the parents' rights relative to granting the consent.

Evaluation of Eligibility

Evaluation of eligibility for special education services will be consistent with the requirements of 34 C.F.R. 300.301 through 300.311 regarding Procedures for Evaluation and Determination of Eligibility; and shall also comply with A.R.M. 10.16.3321.

Individualized Education Programs

The District develops, implements, reviews, and revises individualized education programs (IEP) in accordance with the requirements and procedures of 34 C.F.R. 300.320-300.328.

Least Restrictive Environment

To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled, and

special classes, separate schooling, or other removal of children with disabilities from the regular class occurs only if the nature or severity of the disability is such that education in regular classes, with the use of supplementary aids and services, cannot be achieved satisfactorily. Educational placement decisions are made in accordance with A.R.M. 10.16.3340 and the requirements of 34 C.F.R. 300.114 - 300.120, and a continuum of alternate placements is available as required in 34 C.F.R. 300.551.

Children in Private Schools/Out-of District Placement

Children with a disability placed in or referred to a private school or facility by the District, or other appropriate agency, shall receive special education and related services in accordance with the requirements and procedures of 34 C.F.R. 300.145 through 300.147 and A.R.M. 10.16.3122.

As set forth under 34 C.F.R. 300.137, children with a disability placed in or referred to a private school or facility by parents do not have an individual right to special education and related services at the District's expense. When services are provided to children with disabilities placed by parents in private schools, the services will be in accordance with the requirements and procedures of 34 C.F.R. 300.130 through 300.144 and 300.148.

Impartial Due Process Hearing

The District shall conduct the impartial hearing in compliance with the Montana Administrative Rules on matters pertaining to special education controversies.

Special Education Records and Confidentiality of Personally Identifiable Information

A. Confidentiality of Information

The District follows the provisions under the Family Educational Rights and Privacy Act and implements the procedures in 34 C.F.R. 300.610-300.627, § 20-1-213, MCA, and A.R.M. 10.16.3560.

B. Access Rights

Parents of disabled students and students eighteen (18) years or older, or their representative, may review any educational records which are designated as student records collected, maintained, and used by the District. Review shall normally occur within five (5) school days and in no case longer than forty-five (45) days. Parents shall have the right to an explanation or interpretation of information contained in the record. Non-custodial parents shall have the same right of access as custodial parents, unless there is a legally binding document specifically removing that right.

C. List of Types and Locations of Information.

A list of the records maintained on disabled students shall be available in the District office. Disabled student records shall be located in the special education room, where they are available

for review by authorized District personnel, parents, and adult students. Special education teachers will maintain an IEP file in their classrooms. These records will be maintained under the direct supervision of the teacher and will be located in a locked file cabinet. A record-of-access sheet in each special education file will specify the District personnel who have a legitimate interest in viewing these records.

D. Safeguards

The District will identify in writing the employees who have access to personally identifiable information, and provide training on an annual basis to those staff members.

E. Destruction of Information

The District will inform parents five (5) years after the termination of special education services that personally identifiable information is no longer needed for program purposes. The parent will be advised that such information may be important to establish eligibility for certain adult benefits. At the parent's request, the record information shall either be destroyed or made available to the parent or to the student if eighteen (18) years or older. Reasonable effort shall be made to provide the parent with notification sixty (60) days prior to taking any action on destruction of records. Unless consent has been received from the parent to destroy the record, confidential information will be retained for five (5) years beyond legal school age.

F. Children's Rights

Privacy rights shall be transferred from the parent to an adult student at the time the student attains eighteen (18) years of age, unless some form of legal guardianship has been designated due to the severity of the disabling condition.

Discipline

Students with disabilities may be suspended from school the same as students without disabilities for the same infractions or violations for up to ten (10) consecutive school days. Students with disabilities may be suspended for additional periods of not longer than ten (10) consecutive school days for separate, unrelated incidents, so long as such removals do not constitute a change in the student's educational placement. However, for any additional days of removal over and above ten (10) school days in the same school year, the District will provide educational services to a disabled student, which will be determined in consultation with at least one of the child's teachers, determining the location in which services will be provided. The District will implement the disciplinary procedures in accord with the requirements of CFR 300.530 - 300.537.

Legal Reference:	34 CFR 300.1, et seq.	Individuals with Disabilities Act (IDEA)
	§ 20-1-213, MCA	Transfer of school records
	10.16.3122 ARM	Local Educational Agency Responsibility for Students with Disabilities

10.16.3129 ARM	Parental Involvement
10.16.3220 ARM	Program Narrative
10.16.3321 ARM	Comprehensive Educational Evaluation Process
10.16.3322 ARM	Composition of a Child Study Team
10.16.3340 ARM	Individualized Education Program and Placement Decisions
10.16.3342 ARM	Transfer Students: Intrastate and Interstate
10.16.3560 ARM	Special Education Records
10.60.103 ARM	Identification of Children with Disabilities
37.85.414 ARM	Maintenance of Records and Auditing (Medicaid)
Chapter 227 (2019)	Montana Dyslexia Screening and Intervention Act

Procedure History:

Promulgated on: February 2007

Revised on: November 20, 2007, January 20, 2009, February 15, 2011, March 2020

Section 504 of the Rehabilitation Act of 1973 ("Section 504")

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. For those students who need or are believed to need special instruction and/or related services under Section 504 of the Rehabilitation Act of 1973, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include: notice, an opportunity for the student's parent or legal guardian to examine relevant records, an impartial hearing with opportunity for participation by the student's parent or legal guardian, and a review procedure.

Legal Reference: Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794
34 C.F.R. 104.36 Procedural safeguards

Policy History:
Adopted on: February 2007
Revised on:

Section 504 of the Rehabilitation Act of 1973 ("Section 504")

(1) Impartial Due Process Hearing. If the parent or legal guardian of a student who qualifies under Section 504 for special instruction or related services disagrees with a decision of the District with respect to: (1) the identification of the child as qualifying for Section 504; (2) the District's evaluation of the child; and/or (3) the educational placement of the child, the parents of the student are entitled to certain procedural safeguards. The student shall remain in his/her current placement until the matter has been resolved through the process set forth herein.

A. The District shall provide written notice to the parent or legal guardian of a Section 504 student, prior to initiating an evaluation of the child and/or determining the appropriate educational placement of the child, including special instruction and/or related services;

B. Upon request, the parent or legal guardian of the student shall be allowed to examine all relevant records relating to the child's education and the District's identification, evaluation, and/or placement decision;

C. The parent or legal guardian of the student may make a request in writing for an impartial due process hearing. The written request for an impartial due process hearing shall identify with specificity the areas in which the parent or legal guardian is in disagreement with the District;

D. Upon receipt of a written request for an impartial due process hearing, a copy of the written request shall be forwarded to all interested parties within three (3) business days;

E. Within ten (10) days of receipt of a written request for an impartial due process hearing, the District shall select and appoint an impartial hearing officer who has no professional or personal interest in the matter. In that regard, the District may select a hearing officer from the list of special education hearing examiners available at the Office of Public Instruction, the county superintendent or any other person who would conduct the hearing in an impartial and fair manner;

F. Once the District has selected an impartial hearing officer, the District shall provide the parent or legal guardian and all other interested parties with notice of the person selected;

G. Within five (5) days of the District's selection of a hearing officer, a pre-hearing conference shall be scheduled to set a date and time for a hearing, identify the issues to be heard, and stipulate to undisputed facts to narrow the contested

factual issues;

H. The hearing officer shall, in writing, notify all parties of the date, time, and location of the due process hearing;

I. Anytime prior to the hearing, the parties may mutually agree to submit the matter to mediation. A mediator may be selected from the Office of Public Instruction's list of trained mediators;

J. At the hearing, the District and the parent or legal guardian may be represented by counsel;

K. The hearing shall be conducted in an informal but orderly manner. Either party may request that the hearing be recorded. Should either party request that the hearing be recorded, it shall be recorded using either appropriate equipment or a court reporter. The District shall be allowed to present its case first. Thereafter the parent or legal guardian shall be allowed to present its case. Witnesses may be called to testify, and documentary evidence may be admitted; however, witnesses will not be subject to cross-examination, and the Montana Rules of Evidence will not apply. The hearing officer shall make all decisions relating to the relevancy of all evidence intended to be presented by the parties. Once all evidence has been received, the hearing officer shall close the hearing. The hearing officer may request that both parties submit proposed findings of fact, conclusions, and decision;

L. Within twenty (20) days of the hearing, the hearing examiner should issue a written report of his/her decision to the parties;

M. Appeals may be taken as provided by law. The parent or legal guardian may contact the Office of Civil Rights, 1244 Speer Boulevard, Suite 310, Denver, CO 80204-3582; (303) 844-5695 or (303) 844-5696.

(2) Uniform Complaint Procedure. If a parent or legal guardian of the student alleges that the District and/or any employee of the District has engaged in discrimination or harassment of the student, the parent or legal guardian will be required to proceed through the District's Uniform Complaint Procedure.

Legal Reference: 34 C.F.R. 104.36 Procedural safeguards

Procedure History:
Promulgated on: February 2007
Revised on:

Traffic Education

Jefferson County High School will provide a drivers' training instruction program for students who live within the geographic boundaries of the public school district whether or not they are enrolled in the public school district and provided that students enrolled in the course will have reached their 15th birthday within six months of course completion, and has not yet reached 19 years of age on or before September 10 of the school year in which the student participates in traffic education.

All eligible students will be treated fairly and without bias in the notification, enrollment, and class administra1t5ion procedures associated with the traffic education program.

Students are scheduled by age, with the oldest student having first priority.

The purpose of the program is to introduce students to a course of study which should lead to the eventual development of skills appropriate for a licensed driver. The traffic education program is designed to meet the criteria established by the Superintendent of Public Instruction. These criteria include requirements for instructional time, for instructor certification, recommendations for course of study and reimbursement procedures.

Legal Reference:	§ 20-7-502, MCA	Duties of superintendent of public instruction
	§ 20-7-503, MCA	District establishment of traffic education program
	§ 20-7-507, MCA	District traffic education fund
	10.13.307, ARM	Program Requirements
	10.13.312, ARM	Student Enrollment

Policy History:
Adopted on: February 2007
Revised on: October 21, 2008

Note: The revision included language in lines 4-5 (living within the geographical boundaries) and lines 10-11.

Gifted Program

To the extent possible with available resources, all gifted and talented students will have the opportunity to participate in appropriate educational programs. "Gifted and talented students" are students of outstanding abilities, who are capable of high performance and who require differentiated educational programs beyond those normally offered in public schools, in order to fully achieve their potentials.

The Superintendent will establish procedures consistent with state guidelines for nominating, assessing, and selecting children of demonstrated achievement, or potential ability in terms of general intellectual ability and academic aptitude.

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

Policy History:
Adopted on: February 2007
Revised on:

Correspondence Courses

The District will permit a student to enroll in an approved correspondence course from a school approved by the National University Extension Association or the Distance Education Accrediting Commission, in order that such student may include a greater variety of learning experiences within the student's educational program.

Credit for correspondence courses may be granted, provided the following requirements are met:

1. Prior permission has been granted by the principal;

2. The program fits the education plan submitted by the regularly enrolled student;

3. Other schools or institutions which are approved by the District after evaluation for a particular course offering.

The District shall not be obligated to pay for a student's correspondence courses unless otherwise specified in Policy 2170.

Distance learning course credit for core subjects will only be granted upon administrative review and approval.

Cross Reference:	2410 and 2410P	High School Graduation Requirements
Legal Reference:	§ 20-7-116, MCA	Supervised correspondence study
	ARM 10.55.906	High School Credit

Policy History:
Adopted on: February 2007
Revised on: June 2014, March 2020

Revision Note: Changed list of approved schools and retitled from Correspondence Courses

Distance, Online, and Technology-Delivered Learning

For purposes of this policy, "distance learning" is defined as: instruction in which students and teachers are separated by time and/or location with synchronous or asynchronous content, instruction, and communication between student and teacher (e.g., correspondence courses, online learning, video conferencing, streaming video).

The District may receive and/or provide distance, online, and technology delivered learning programs, provided the following requirements are met:

1. The distance, online, and technology delivered learning programs and/or courses shall meet the learner expectations adopted by the district and be aligned with state content and performance standards;
2. The district shall provide a report to the Superintendent of Public Instruction documenting how it is meeting the needs of students under the accreditation standards who are taking a majority of courses during each grading period via distance, online, and/or technology-delivered programs;
3. The district will provide qualified instructors and/or facilitators as described in ARM 10.55.907(3)(a)(b)(c);
4. The district will ensure that the distance, online, and technology delivered learning facilitators, receive in-service training on technology delivered instruction as described in ARM 10.55.907(3)(d); and
5. The district will comply with all other standards as described in ARM 10.55.907(4)(5)(a-e).

The District will permit a student to enroll in an approved distance learning course, in order that such student may include a greater variety of learning experiences within the student's educational program.

Credit for distance learning courses may be granted, provided the following requirements are met:

1. Prior permission has been granted by the principal;
2. The program fits the education plan submitted by the regularly enrolled student;
3. The course does not replace a required course offered by the District;
4. The course is needed as credit retrieval and cannot fit into the students schedule; and
5. Credit is granted for schools and institutions approved by the District after evaluation for a particular course offering.

The District will not be obligated to pay for a student's distance learning courses unless otherwise specified in Policy 2170.

The minimum aggregate hours are not required for any pupil demonstrating proficiency pursuant to 20-9-311(4)(d), MCA.

Cross Reference:	2410 and 2410P	High School Graduation Requirements
	2100	School Calendar and Year
Legal Reference:	§ 20-9-311(4)(d), MCA	Calculation of Average Number Belonging
	ARM 10.55.602	Definitions
	ARM 10.55.705	Administrative personnel; Assignment of School Administrators/Principals
	ARM 10.55.906	High School Credit
	ARM 10.55.907	Distance, Online, and Technology Delivered Learning

Policy History:
Adopted on: April 15, 2008
Revised on: March 2020

Revision Note:

Digital Academy Classes

The District recognizes that the District and students may have a need for greater flexibility in the educational program due to funding, teacher availability, individual learning styles, health conditions, employment responsibilities, lack of success in traditional school environments or a desire for students to accelerate their learning and work at the college level before leaving high school. The District acknowledges that online learning solutions offered by the Montana Digital Academy (MTDA) may fulfill these needs.

MTDA is authorized by Montana law to charge fees for students to access offered courses. The District shall pay fees for students enrolled in an MTDA class that is required for graduation as specified in District policy or the student handbook or as determined by the Superintendent or designee. The District may charge students a reasonable fee for an MTDA course or activity not required for graduation. The Board of Trustees authorizes the Superintendent to waive the fee in cases of financial hardship.

The Superintendent, and/or designees, shall be responsible for developing procedures for the online learning program that address related topics that may include but are not limited to specification and determination of graduation requirements and fee collection for classes that are not required.

Further, the online learning solutions providers ensure that:

A. Online course providers are accredited by a nationally recognized accreditation program or agency or are approved and endorsed by the Montana Office of Public Instruction.
B. Qualified district staff provides information and guidance to students and parents regarding the selection of appropriate online courses to meet their needs, as well as a suitable number of online courses in which a student may enroll.
C. The curriculum requirements of the state and school district are met.
D. All online courses taken by the students will be approved by the administration in advance of enrollment.
E. All teacher-led online courses include licensed, highly qualified teachers.

Cross Reference:	2100	School Calendar and Day
	2170P	Digital Academy Procedures
	3520	Student Fees and Fines

Legal Reference:	§20-7-1201, MCA	Montana digital academy – purposes - governance
	§20-7-1202, MCA	Funding – rulemaking authority
	§20-9-213, MCA	Fees

Policy History:

Adopted on: September 2010
Revised on: August 2021

Revision Note:

Digital Academy Classes

The District will permit a student to enroll in Montana Digital Academy (MDA) classes in order that such student may include a greater variety of learning experiences within the student's educational program or enroll in a class for credit recovery.

The District will allow students in grades 9 thru 12 to enroll in the Montana Digital Academy program under the following conditions:

1. The student must be an enrolled student in the District.

2. A part-time student must be enrolled for a minimum of 180 aggregate hours of instruction as provided in 20-9-311(4)(a)(i). This can be an onsite or an MTDA class.

3. Determination of Montana High School Association (MHSA) eligibility Will be based on eligibility rules established by MHSA. Students who wish to take MTDA classes and participate in MHSA activities must follow all extra-curricular eligibility rules.

4.
The student will be required to take the class(es) during the Digital Academy course within the schedule.
OR: The student will have the option of taking the MTDA class(es) in the school building, during school time, or outside of the school building at a remote location, depending how and when such MTDA class(es) is/are offered.

6. Any MTDA course offered may be made available to a student in the discretion of the Superintendent or designee and all courses offered by MTDA shall be considered approved by the Board of Trustees for the applicable school fiscal year.

9. The District shall pay fees for students enrolled in an MTDA class that is required for graduation as specified in District policy or the student handbook or as determined by the Superintendent or designee. OPTIONAL**: Classes defined as being required for graduation include classes taken for purposes of credit recovery. OPTIONAL//: Classes defined as being required for graduation do not include classes offered by the District onsite as determined by the Superintendent or designee and will therefore be considered an elective class, subject to a student fee as referenced int his policy.

10. The District SELECTION OPTION: [shall/shall not**] charge students a reasonable fee for an elective MTDA course or activity not required for graduation. The Board of Trustees authorizes the Superintendent to waive the fee in cases of financial hardship.

Policy History:

Adopted on: September 2010
Revised on: August 2021

Revision Note:

Significant Writing Program

The Board of Trustees has determined that incorporating an independent significant writing program in the District is not possible given the financial status of the district, the number of staff employed, and the time available within the class schedule. Writing will be incorporated in all aspects of the curriculum.

Legal Reference:	10.55.701(2)(p) ARM	Board of Trustees
	10.55.713(4) ARM	Teacher Load and Class Size

Policy History:
Adopted on: January 2016
Revised on:

Revision Note:

School Closure

The Superintendent may order closure of schools in the event of extreme weather or other emergency, in compliance with established procedures for notifying parents, students, and staff.

The Board of Trustees is authorized to declare that a state of emergency exists within the community. A declaration issued by the Board of Trustees is distinct from any declaration in effect or previously issued by local, state, or federal authorities. An emergency declaration issued by the Board of Trustees authorizes the School District to take extraordinary measures to protect students and staff while delivering education services in a manner authorized by law. The method and location of instruction and related educational services shall be implemented in a manner that serves the needs of students, their families, and staff and preserves the School District's full entitlement of funding.

The trustees may order the emergency closure of schools 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. The 1-school-day closure under this subsection is not subject to the reduction in BASE aid pursuant to Section 20-9-805, MCA.

In the event of a declared emergency, the School District shall avail itself of all flexibilities allowed by law, rule, or regulation and shall be otherwise governed by the school finance laws and rules of the state of Montana. The School District shall comply with auditing requirements and reserves the authority to assert its rights to manage school district funds or seek state and federal funds in a manner consistent with the full flexibility available under all applicable laws.

If a declaration of emergency is declared by the Board of Trustees, it may later adopt a resolution that a reasonable effort has been made to reschedule the pupil-instruction time lost because of the unforeseen emergency. If the trustees adopt the resolution, the pupil-instruction time lost during the closure need not be rescheduled to meet the minimum requirement for aggregate hours that a school district must conduct during the school year in order to be entitled to full BASE aid. At least 75% of the pupil-instruction time lost due to the unforeseen emergency must have been made up before the trustees can declare that a reasonable effort has been made.

For the purposes of this and related policies, "reasonable effort" means the rescheduling or extension of the school district's instructional calendar to make up at least 75% of the hours of pupil instruction lost due to an unforeseen emergency through any combination of the following as outlined in accordance with Policies 2050 and 2100:

(a) Extending the school year beyond the last scheduled day;
(b) The use of scheduled vacation days in the district's adopted school calendar;
(c) The conduct of pupil instruction on Saturdays; and/or
(d) Extending instructional hours during the school day.

Cross Reference: 2050 Student Instruction
2100 School Calendar and Day

8110 Bus Routes and Schedules

Legal Reference:	§§ 20-9-801 - 802, MCA	Emergency school closure
	§§ 20-9-806, MCA	School closure by declaration of emergency
	§§ 20-9-805.	Rate of reduction in annual apportionment entitlement.

Policy History:
Adopted on: February 2007
Revised on: June 2021

School Closure

All students, parents, and school employees should assume that school will be in session and buses running as scheduled, unless there is official notification from the Superintendent to the contrary. Such notice will be given via public media.

In the event extremely cold temperatures, wind chill factors, snow, wind, community disaster, public health emergency, or other circumstances require a modification of the normal routine, the Superintendent will make the modification decision prior to 6:00 a.m. and contact the public radio stations for broadcast to the community and will initiate the emergency fan-out communication procedure to all administrators.

The provisions of this procedure may be terminated, amended, or adjusted by the Board of Trustees in the event of circumstances requiring extended school closure due to a declaration of emergency.

Work Schedules and Responsibilities for School Closures

Superintendent

The Superintendent or Board of Trustees has authority to close schools. The Superintendent will be on duty throughout any existing or potential emergency situation, day or night. All orders of doubtful origin should be confirmed with the Superintendent.

Central Administrative Personnel

Central administrative personnel will be expected to report for duty on their assigned shifts in the event of any school closure, insofar as is safely possible, unless otherwise directed by the Superintendent or designee. Additional hours may be required, especially of the maintenance supervisor, business manager, and personnel director, depending on the nature of the emergency. (delete: If it is absolutely impossible for a central administrator to report for duty, the administrator may take the day as a personal leave day or vacation day, with the permission of the Superintendent.)

Building-Level Administrators, Non-Teaching "Exempt" Personnel, and Key Support Staff

All building-level administrators and non-teaching "exempt" personnel will report for duty per their normal shifts or as otherwise directed each day during the school closure, together with the head custodian and at least one (1) secretary, insofar as is safely possible. The building administrator will ascertain that the building has been adequately secured and that any child who mistakenly reports to school is properly and safely cared for and returned home per District policy. The administrator and this minimal support staff shall notify other staff and/or other support employees of the situation and will respond to telephone questions. Staff will be advised of schedule for the day by immediate supervisor.

12-Month Classified Employees

In the event of school closure, 12-month classified personnel may report for duty or not report for duty, as directed by their immediate supervisor. Building secretaries and secretaries to key central administrative personnel who are required to be on duty are expected to report for duty. If a 12-month classified employee is unable to or does not report for duty, the employee will complete a leave request form to declare the day as personal leave, vacation, or leave without pay.

10- and 11-Month Classified Employees

Ten- and 11-month employees may report for duty or not report for duty as directed by their immediate supervisor. If such employees do not report for duty, they will complete a District leave request form to declare the day as personal leave, vacation, or leave without pay.

Aides, Food Service Workers, and Other 9¼-Month Classified Employees

These employees work only those days school is in session and are not expected to work when school is not in session. If school has been closed, 9¼-month employees should not report for duty unless otherwise directed by their immediate supervisor. 9¼-month employees will complete a leave request form to declare the day as personal leave, vacation, or leave without pay.

Teachers (Teachers, Librarians, Psychologists, Counselors)

If schools are closed for weather or other emergency conditions, teachers are not expected to report for duty unless directed otherwise. Teachers do not need to submit an absence form. In cases of school closures, it is customary for the days to be made up at another time; thus teachers will typically still fulfill their contract days.

Procedure History:
Promulgated on: February 2007
Revised on:

Summer School

The Board of Trustees authorizes a summer program of instructional offerings for the purpose of remediation of credit, maintenance of skills, and enrichment. All classes offered for credit must meet minimum state requirements for accreditation and may be delivered at the school or at another offsite location. Remediation credit courses shall be offered for grades 9-12, in accordance with District advancement requirements. Credit course offerings must be approved by the Board of Trustees.

Legal Reference:

Policy History:
Adopted on: November 2021
Revised on:

Revision Note:

INSTRUCTION 2250

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 may make its resources available to adults and other non-students, within limits of budget, staff, and facilities, provided there is no interference with or impairment of the regular school program. Community and adult education and other offerings may be developed in cooperation with community representatives, subject to approval and authorization by the Board.

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

Policy History:
Adopted on: February 2007
Revised on:

Library Materials

School library and classroom library books are primarily for use by District students and staff. Library books may be checked out by either students or staff. Individuals who check out books are responsible for the care and timely return of those materials. The building principal may assess fines for damaged or unreturned books.

District residents and parents or guardians of non-resident students attending the District may be allowed use of library books, at the discretion of the building principal. However, such access shall not interfere with regular school use of those books. Use of library books outside of the District is prohibited except for inter-library loan agreements with other libraries.

Any individual may challenge the selection of materials for the library/media center. The Uniform Complaint Procedure will be utilized to determine if challenged material is properly located in the library.

Cross Reference:	1700	Uniform Complaint Procedure
	2314	Learning Materials Review
Legal Reference:	§ 20-4-402(5), MCA	Duties of district superintendent or county high school principal
	§ 20-7-203, MCA	Trustees' policies for school library
	§ 20-7-204, MCA	School library book selection

Policy History:
Adopted on: February 2007
Re-Adopted: February 2012
Revised on:

INSTRUCTION 2310

Selection of Library Materials

The Districts' library has the primary objective of implementing and supporting the educational program in the schools. It is the objective of the library 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.

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.

Although the Superintendent is responsible for selection of library materials, ultimate responsibility rests with the Board.

The Board, acting through the Superintendent, thereby delegates authority for selection of library materials to the principal in each of the schools. The principal further delegates that authority to the librarian in the school.

(NOTE: BY STATUTE, THE SUPERINTENDENT HAS AUTHORITY AND IS RESPONSIBLE FOR SELECTION OF LIBRARY MATERIALS, SUBJECT TO BOARD APPROVAL. THE SUPERINTENDENT AND BOARD MAY NOT WANT TO DELEGATE THIS RESPONSIBILITY.)

Legal reference:	§ 20-4-402(5), MCA	Duties of district superintendent or county high school principal
	§ 20-7-203, MCA	Trustees' policies for school library
	§ 20-7-204, MCA	School library book selection

Policy History:
Adopted on: February 2007
Re-Adopted: February 2012
Revised on:

INSTRUCTION 2310P

Selection of Library Materials

Selection of library materials is a professional task conducted by the librarian with advice from the appropriate staff members. 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 criteria for selection, they will 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 JEFFERSON SCHOOL PUBLIC SCHOOL LIBRARY"

Materials will be discarded in compliance with § 20-6-604, MCA. When the decision to sell or dispose of library materials is made, the Board will adopt a resolution to sell or otherwise dispose of the material because it is or is about to become abandoned, obsolete, undesirable, or unsuitable for the school purposes of the District. The Board will publish a notice of the resolution in the Boulder Monitor and Jefferson Courier. The resolution may not become effective for fourteen (14) days after notice is published.

Gifts

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

Procedure History:
Promulgated on: February 2007
Re-Adopted: February 2012
Revised on:

INSTRUCTION 2311

Instructional Materials

The Board is legally responsible to approve and to provide the necessary instructional materials used in the District. Textbooks and instructional materials should provide quality learning experiences for students and:

- Enrich and support the curriculum;
- Stimulate growth in knowledge, literary appreciation, aesthetic value, and ethical standards;
- Provide background information to enable students to make intelligent judgments;
- Present opposing sides of controversial issues;
- Be representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage;
- Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society.

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 (5) 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, as well as for excessive wear, unreasonable damage, or lost materials. The professional staff will maintain records necessary for the proper accounting of all instructional materials.

Cross Reference: 2314 Learning Materials Review

Legal Reference:	§ 20-4-402, MCA	Duties of district superintendent or county high school principal
	§ 20-7-601, MCA	Free textbook provisions
	§ 20-7-602, MCA	Textbook selection and adoption

Policy History:
Adopted on: February 2007
Revised on:

INSTRUCTION 2311P

Selection, Adoption, and Removal of Textbooks and Instructional Materials

Curriculum committees will generally be responsible to recommend textbooks and major instructional materials purchases. Recommendations will be made to the Superintendent. The function of the committee is to ensure that materials are selected in conformance with stated criteria and established District goals and objectives. A curriculum committee may consist of only those members in a particular department. The same basic selection procedures should be followed as with District-wide committees.

Selection and Adoption

Textbooks shall be selected by a curriculum committee representing the various staff who will likely be using the text. In most, but not all, cases an administrator will chair the committee. Each committee should develop, prior to selection, a set of selection criteria against which textbooks will be evaluated. The criteria should include the following, along with other appropriate criteria. Textbooks shall:

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

Removal

Textbooks 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.

Procedure History:
Promulgated on: February 2007
Revised on:

Copyright

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 use of audio, visual, or printed materials and computer software, unless the copying or use 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 learning programs by making proper use of supplementary materials, it is the responsibility of staff to abide by District copying procedures and obey requirements of law. Under no circumstances will it be necessary for staff to violate copyright requirements in order to properly perform their duties. 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 District procedures or is permissible under the law should consult the Superintendent. The Superintendent will assist staff in obtaining proper authorization to copy or use protected materials, when such authorization is required.

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

Policy History:
Adopted on: February 2007
Re-Adopted: February 2012
Revised on:

Learning Materials Review

Citizens objecting to specific materials used in the District are encouraged to submit a complaint in writing and discuss the complaint with the building principal prior to pursuing a formal complaint.

A formal request to remove an item from the school or limit its use must be in writing and will be acted upon by the Superintendent. A spokesperson for each side of the issue will be heard by the Superintendent, if requested. A written decision will be delivered to the complainant within forty (40) school days. Any appeal of this decision must be delivered in writing to the Board within fourteen (14) calendar days. The Board will make final decisions on appeals.

Learning materials, for the purposes of this policy, are considered to be any material used in classroom instruction, library materials, or any materials to which a teacher might refer a student as part of the course of instruction.

If a complaint is made (a complaint is defined as a written statement of opposition to a resource, requesting that it be removed or restricted), the procedures are as follows:

1. Treat each complainant courteously and confidentially but make no commitments.

2. Each complainant should be directed to the building principal.

3. The building principal will invite the complainant to complete and return a prepared questionnaire.

4. The completed questionnaire will be submitted by the principal to the chairperson of the review committee.

5. The review committee shall be a committee consisting of two (2) teachers selected by the Superintendent; the librarian; the principal; and a parent selected by the Superintendent. The principal, the Superintendent, and the librarian or teacher involved will be promptly informed of the completed questionnaire.

6. Use of challenged resources shall not be restricted during reevaluation proceedings.

7. The chairperson of the review committee will:

    a. Notify committee members of the challenge and set up a meeting.

    b. Discuss the questionnaire with the librarian or teacher involved.

    c. Inform the complainant and librarian or teacher involved of the time and place of the committee meeting.

8. The review committee will:

   a. Examine resources referred to it.

   b. Check general acceptance of the resources through reviews.

   c. Weigh values and faults against each other and form opinions based on the resource as a whole.

   d. Meet to discuss the resource, to review the complainant's objections, to make a decision by public vote, and to prepare a report on it.

   e. Send copies of the report to the complainant, the building principal, the Superintendent, and the librarian or teacher involved. This report will reflect the committee's decision.

9. Should the complainant not be satisfied with the committee's decision, the complainant may request a review by the Board. The complaint and committee report shall be made available to the Board. The matter will be discussed at the next regularly scheduled Board meeting and a decision given to the complainant.

Policy History:
Adopted on: February 2007
Re-Adopted: February 2012
Revised on:

INSTRUCTION 2320

Field Trips, Excursions, and Outdoor Education

The Board 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 Board also recognizes that field trips may result in lost learning opportunities in missed classes. Therefore, the Board endorses the use of field trips, when educational objectives achieved by the trip outweigh any lost in-class learning opportunities.

All field trips must be approved in advance by the building principal.

The building principal will develop procedures with respect to field trips, excursions, and outdoor education.

Staff members may not solicit students during instructional time for any privately arranged field trip or excursion without Board permission.

The presence of a person with a currently valid first aid card is required during school-sponsored activities, including field trips, athletic, and other off-campus events.

Legal Reference: ARM 37.111.825 Health Supervision and Maintenance

Policy History:
Adopted on: February 2007
Revised on:

Contests for Students

Contests may be made available to students by outside organizations through the schools, subject to certain limitations. The administrator 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.

The schools shall confine their participation to those national contests which are currently placed on the approved list published annually by the Committee on National Contests and activities of the National Association of Secondary School Principals.

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 whose 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 require 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: February 2007
Revised on:

INSTRUCTION 2330

Controversial Issues and Academic Freedom

The District will offer courses of study which will afford learning experiences appropriate to levels of student understanding. The instructional program respects 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 will guide discussions and procedures with thoroughness and objectivity to acquaint students with the need to recognize various points of view, importance of fact, value of good judgment, and the virtue of respect for conflicting opinions.

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 to the free exchange of ideas and information.

In a study or discussion of controversial issues or materials, however, the Board directs 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 administrative counsel and guidance in such matters.

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

Policy History:
Adopted on: February 2007
Revised on:

Religion and Religious Activities

In keeping with the United States and Montana Constitutions and judicial decisions, the District may not support any religion or endorse religious activity. At the same time, the District may not prohibit private religious expression by students. This policy provides 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 may 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 silently in the classroom, except when they are expected to be involved in classroom instruction or activities.

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.

Graduation Ceremonies

Graduation is an important event for students and their families. In order to assure the appropriateness and dignity of the occasion, the District sponsors and pays for graduation ceremonies and retains ultimate control over their structure and content.

District officials may not invite or permit members of the clergy to give prayers at graduation. Furthermore, District officials may not organize or agree to requests for prayer by other persons at graduation, including requests from students. The District may not prefer the beliefs of some students over the beliefs of others, coerce dissenters or nonbelievers, or communicate any endorsement of religion.

Baccalaureate Ceremonies

Students and their families may organize baccalaureate services, at which attendance must be entirely voluntary. Organizers of baccalaureate services may rent and have access to school facilities on the same basis as other private groups and may not receive preferential treatment. The District may not be identified as sponsoring or endorsing baccalaureate services. District funds, including paid staff time, may not be used directly or indirectly to support or subsidize

any religious services.

Assemblies, Extracurricular and Athletic Events

District officials may not invite or permit members of the clergy, staff members, or outsiders to give prayers at school-sponsored assemblies and extracurricular or athletic events. District officials also may not organize or agree to student requests for prayer at assemblies and other school-sponsored events. Furthermore, prayer may not be broadcast over the school public address system, even if the prayer is nonsectarian, nonproselytizing, and initiated by students.

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.

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 which 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 a historical 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 oriented to religion or a religious holiday.

Student Religious Groups

Students may gather as non-curricular groups to discuss or promote religion in accordance with District Policy 3233.

Distribution of Religious Literature

Students may distribute religious literature to their classmates, subject to the same constitutionally acceptable restrictions the District imposes on distribution of other non-school literature. Outsiders may not distribute religious or other literature to students on school property, consistent with and pursuant to the District policy on solicitations (Policy 4321).

Religious Holidays

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

Cross Reference:	Policy 3233	Student Use of Buildings
	Policy 3510	School Sponsored Activities
	Policy 3550	Student Clubs

Policy History:
Adopted on: February 2007
Revised on: August 2021

Participation in Commencement Exercises

Statement of Policy

A student's right to participate in a commencement exercise of the graduating class at Jefferson High School is an honor. As such, participation in this ceremony is reserved for those members of the graduating class who have completed all state and local requirements for graduation before the date of the ceremony. Students who complete their requirements after the date of commencement exercises will receive their diplomas at that time.

Organization and Content of Commencement Exercises

The school district will permit students to honor their American Indian heritage through the display of culturally significant tribal regalia at commencement ceremonies. Any item that promotes drug use, weapon use, threats of violence, sexual harassment, bullying, or other intimidation, or violates another district policy, state, or federal law may not be worn during graduation.

The school administration may invite graduating students to participate in high school graduation exercises according to academic class standing or class officer status. Any student who, because of academic class standing, is requested to participate may choose to decline the invitation.

The school administrators will censor any presentation or require any specific content but may advise participants about appropriate language for the audience and occasion. Students selected to participate may choose to deliver an address, poem, reading, song, musical presentation, prayer, or any other pronouncement of their choosing.

The printed program for a commencement exercise will include the following paragraphs:

> *Any presentation by participants of graduation exercises is the private expression of an individual participant and does not necessarily reflect any official position of the District, its Board, administration, or employees, nor does it necessarily indicate the views of any other graduates.*
>
> *The Board recognizes that at graduation time and throughout the course of the educational process, there will be instances when religious values, religious practices, and religious persons will have some interaction with the public schools and students. The Board, while not endorsing any religion, recognizes the rights of individuals to have the freedom to express their individual political, social, or religious views.*

Legal Reference:
Art. II, Sec. 5, Montana Constitution - Freedom of religion
Art. X, Sec. 7, Montana Constitution - Nondiscrimination in education
Art. X, Sec. 1(2), Montana Constitution – Educational Goals and Duties
§ 20-1-308, MCA Religious instruction released time program
§ 20-5-201(3), MCA Duties and sanctions
§ 20-7-112, MCA Sectarian publications prohibited and prayer permitted

Policy History:
Adopted on: February 2007
Revised on: January 20, 2009, March 2018

Note: Reference to 20-5-201(3) was added. 2018 lines 13 thru 17 added

Health Enhancement

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

The Board believes HIV/AIDS and other STD instruction is most effective when integrated into a comprehensive health education program. Instruction must be appropriate to grade level and development of students and must occur in a systematic manner. The Board particularly desires that students receive proper education about HIV and other STD's, before they reach the age when they may adopt behaviors which put them at risk of contracting the disease.

In order for education about HIV and other STD's to be most effective, the Superintendent will 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, will receive basic information about HIV/AIDS and other STD's and instruction in use of universal precautions when dealing with body fluids.

In accordance with Board policy, parents will have an opportunity to review the HIV/STD education program, before it is presented to students.

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

Policy History:
Adopted on: February 2007
Revised on:

Advancement Requirements (9-12)

The District has established a set of advancement requirements for 9-12 grade students which will act as a guide in helping students move methodically and purposefully on a course that will eventually lead to high school graduation. Therefore, the following advancement requirements are required in the District:

Students may not be allowed to advance to the next grade level, unless the following year requirements are met by August 30:

- A minimum of six (6) credits is required for advancement into the 10th grade.
- A minimum of twelve (12) credits is required for advancement into the 11th grade.
- A minimum of seventeen (17) credits is required for advancement into the 12th grade.

A student will not be allowed to participate in senior activities, if the student does not start the year with seventeen (17) credits.

Policy History:
Adopted on: February 2007
Revised on:

High School Graduation Requirements

The Board will award a regular high school diploma to every student enrolled in the District who meets graduation requirements established by the District. The official transcript will indicate the specific courses taken and level of achievement.

The Board will establish graduation requirements which, at a minimum, satisfy those established by the Board of Public Education (A.R.M. 10.55.904 and 905). Generally, any change in graduation requirements promulgated by the Board will become effective for the next class to enter ninth grade. Exceptions to this general rule may be made, when it is determined by the Board that proposed changes in graduation requirements will not have a negative effect on students already in grades nine (9) through twelve (12). The Board will approve graduation requirements as recommended by the Superintendent.

To graduate from Jefferson High School, a student must have satisfactorily completed the last quarter prior to graduation as a Jefferson High School student. Highly unusual exceptions may be considered by the principal, such as a student exchange program in a recognized school.

A student with a disabling condition will satisfy those competency requirements incorporated into the individualized education program (IEP). Satisfactory completion of the objectives incorporated in the IEP will serve as the basis for determining completion of a course.

A student may be denied participation in graduation ceremonies in accordance with § 20-5-201(3), MCA. In such instances the diploma will be awarded after the official ceremony has been held.

Legal Reference:	§ 20-5-201, MCA	Duties and sanctions
	10.55.904, ARM	Basic Education Program Offerings – High School
	10.55.905, ARM	Graduation Requirements
	10.55.906, ARM	High School Credit

Policy History:
Adopted on: February 2007
Revised on: January 20, 2009

Note: The addition of lines 23-25 were added based on legislative action.

High School Graduation Requirements

Publication of Graduation Requirements

Prior to registering in high school, each student will be provided with a copy of the current graduation requirements. Graduation requirements shall also be included in the student handbook.

Credits

Students shall be expected to earn a total of twenty-two (22) units in order to complete graduation requirements. Special education students who have successfully completed their IEP leading to completion of high school will be awarded a diploma.

Waiver of Requirement

Graduation requirements generally will not be waived under any circumstances. The Board 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.

Alternative Programs

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. Credit toward graduation requirements may be granted for planned learning experiences from accredited programs, such as summer school, university courses, and correspondence courses, extension, and distance learning courses, adult education, summer school, work study, work-based learning partnerships, and other experiential learning opportunities, custom-designed courses, and challenges to current courses. The District shall accept units of credit taken with the approval of the District and which appear on the student's official school transcript.

Credit for work experience may be offered, when the work program is a part of and supervised by the school.

All classes attempted at Jefferson High School and all acceptable transfer credits shall be recorded on the transcript. All grades earned, including failures and retakes, shall be recorded as such and utilized in the calculation of Grade Point Average and class rank. Credit shall be awarded only once, regardless of repetition of the course.

Dual Credit

Dual credit allows high school students to simultaneously earn credit toward both a high school diploma and college coursework that can lead to a postsecondary degree or certificate, or toward transfer to another college. As noted in the Student Handbook, the District will assign the grade given by the classroom teacher to the student's report card. The primary purpose of offering dual credit courses is to deliver high quality, introductory, college level courses to high-performing high school students. The Jefferson High School district has dual credit partnerships with post-

secondary institutions. Students interested in dual credit opportunities must meet with their building administration to determine available options.

Students should be aware of Montana High School Association on-campus attendance eligibility requirements for activity participation.

Honor Roll

A student must have a minimum grade-point average of 3.00 to be placed on the regular honor roll. Specific information regarding honors at graduation are included in the student handbook.

Class Rank (Grade Point Average)

Class Rank is compiled from semester grades. Courses not eligible for GPA are designated with an asterisk on the report card.

Early Graduation

Students who want to complete their high school career prior to eight semesters or the equivalent amount of attendance may do so under the following conditions:

1. They present a written request for early graduation to the principal prior to their last semester in attendance.

2. They have completed all classes for graduation either at JHS or in residence at an accredited high school.

3. No diploma will be issued until the date of normal graduation during the school year in which they complete their requirements.

4. They will be allowed to participate in graduation ceremonies during that year provided that they notify the school in writing not less than two (2) weeks prior to the date of graduation and that they attend scheduled rehearsals.

In accordance with provisions of § 20-9-313, MCA, the ANB of a school may be increased when a high school district provides early graduation for a student who completes graduation requirements in less than eight semesters or the equivalent amount of secondary school enrollment. The increase must be established by the trustees as though the student had attended to the end of the school fiscal year and must be approved, disapproved, or adjusted by the superintendent of public instruction.

The Board hereby authorizes the administration to grant permission to students who have completed the minimum requirements for graduation in less than eight semesters.

Post-Graduation

The Board may admit an individual who has graduated from high school but is not yet 19 years of age even though no special circumstances exist for waiver of the age requirements outlined in

Policy 3310. The Board authorizes the administration to notify parents and students of this opportunity to enroll after earning a diploma for post-secondary purposes or career preparation. Any student enrolled under this provision shall be included in the District's ANB calculation.

Educational Disruption

If a student who has experienced an educational disruption meets the minimum high school credit requirement for graduation as established by administrative rules of the Board of Public Education but will not meet a higher credit requirement established by the Board of Trustees, the District shall award the student a diploma. The District may distinguish the diploma in a reasonable manner from standard diplomas issued under this policy.

For the purposes of this policy, "educational disruption" means a disruption experienced during grades nine through twelve caused by homelessness, involvement in the child welfare system or juvenile justice system, a medical or mental health crisis, or another event considered a qualifying educational disruption by the District.

Cross Reference: Policy 1005FE – Proficiency Based Learning
Policy 2600 – Work Based Learning
Policy 3125 – Homeless Students

Legal Reference:	§ 20-9-313, MCA	Circumstances under which regular average number belonging may be increased
	10.55.906, ARM	High School Credit
	10.55.905, ARM	Graduation Requirements
	§ 10-1-1402, MCA	Montana Youth Challenge
	Chapter 80 – 2021 General Legislative Session	
	HB 246 – 2021 General Legislative Session	

Procedure History:
Promulgated on: February 2007
Revised on: January 2016, March 2020, June 2021

January 2016 Revision note: Removed Honors and Award restriction, added early graduation provisions.

Credit Transfer and Assessment for Placement

Grades 9-12

Requests for transfer of credit or grade placement from any non-accredited, nonpublic school will be subject to examination and approval before being accepted by the District. This will be done by a credit evaluation committee consisting of a counselor, a staff member from each subject area in which credit is being requested, parents/guardians, and the principal.

The parents/guardians must supply the following information prior to committee review:

1. Dates of instruction throughout the student's school career;

2. Verification that the student has spent approximately the same amount of classroom hours in the non-accredited school;

3. Academic grades for each completed course and verification that the content is essentially similar;

4. Current achievement scores and related data;

5. County superintendent's verification of school registration if a home school; and

6. Medical records and other pertinent data deemed necessary by the evaluation committee.

The credit evaluation committee will:

1. Document that the student has spent approximately the same number of classroom hours in home school as would have been spent in a regular class in the District;

2. Document that the student followed a curriculum essentially similar to that of a course for which credit is requested;

3. Document that in the event of a credit request in a lab, industrial arts, or music course, equipment and facilities were sufficient to meet required learning activities of the course;

4. Require that the student has satisfactorily passed, in all courses in which a final exam normally is given, a final exam prepared and administered by a District staff member.

The District will give credit only for home schools which have met all requirements specified in Montana law. Credit from home schools will be accepted only when a like course is offered in the District.

The school transcripts will record courses taken in home schools or non-accredited schools by indicating the title of the course, the school where the course was taken, and the grade.

For the purpose of calculation of class rank, only those courses taken in an accredited school will be used.

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: February 2007
Revised on:

Grading and Progress Reports

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

The issuance of grades and progress reports on a regular basis serves as a basis for continuous evaluation of student performance and for determining changes that should be made to effect improvement. These reports will be designed to provide information helpful to the students, teachers, counselors, and parents.

The Board directs the Superintendent to establish a system of reporting student progress and will require all staff to comply with such a system as part of their teaching responsibility. Staff and parents will be involved.

Policy History:
Adopted on: February 2007
Revised on:

Homework

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.

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 to 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; and

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

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

Policy History:
Adopted on: February 2007
Revised on:

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	Recognition of American Indian cultural heritage - legislative intent
	10.55.603 ARM	Curriculum Development and Assessment
	10.55.701 ARM	Board of Trustees
	10.55.803 ARM	Learner Access

Policy History:
Adopted on: February 2007
Revised on:

Limited English Proficiency Program

In accordance with the Board's philosophy to provide a quality educational program to all students, the District shall provide an appropriate planned instructional program for identified students whose dominant language is not English. The purpose of the program is to increase the English proficiency of eligible students, so they can attain academic success. Students who have limited English proficiency (LEP) will be identified, assessed, and provided appropriate services.

The Superintendent or his/her designee shall implement and supervise an LEP program which ensures appropriate LEP instruction and complies with applicable laws and regulations.

At the beginning of each school year, the District shall notify parents of students qualifying for LEP programs about the instructional program and parental options, as required by law. Parents will be regularly apprised of their student's progress. Whenever possible, communications with parents shall be in the language understood by the parents.

The District shall maintain an effective means of outreach to encourage parental involvement in the education of their children.

Legal Reference: Title VI, Civil Rights Act of 1964
Equal Education Opportunities Act as an amendment to the Education Amendments of 1974 Bilingual Education Act
20 U.S.C. §§ 7401, et seq., as amended by the English Language Acquisition, Language Enhancement, and Academic Achievement Act
Title III, §§ 3001-3304 of HRI, No Child Left Behind Act of 2001, P.L. 107-110

Policy History:
Adopted on: February 2007
Revised on:

Jefferson High School District #1

INSTRUCTION 2510

School Wellness

The Jefferson High School District is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Therefore, it is the policy of the Jefferson High School District that:

- The District will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies and procedures.
- All students in grades 9-12 will have opportunities, support, and encouragement to be physically active on a regular basis.
- Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*.
- Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods which meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- To the maximum extent practicable, the school will participate in available federal school meal programs (including the School Breakfast Program and National School Lunch Program).
- The school will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity and will establish linkages between health education and school meal programs, and with related community services.

The Superintendent or designee will develop procedures based on the following five (5) areas of requirement:

a. Nutrition Education Goals
b. Physical Activity Goals
c. Nutrition Standards for All Foods and Beverages
d. Other School-Based Wellness Activities
e. Governance and Evaluation

Legal Reference: P.L. 108-265 Child Nutrition and WIC Reauthorization Act of 2004

Policy History:
Adopted on: February 2007
Revised on:

Work Based Learning Program

The Board recognizes that education should be making classroom experiences a meaningful process of learning about all practical aspects of life. The Board believes that the inclusion of career education in the basic curriculum will provide students with information about the many career opportunities available and will establish a relationship between what is taught in the classroom and the world of work.

Work-based learning must provide all participating students with on-the-job experience and training along with career and complimentary vocational/technical classroom instruction to contribute to each student's employability. The students' classroom activities and on-the-job experiences must be planned and supervised by the school and the employer to ensure that both activities contribute to the student's employability. Students enrolled in a work-based learning program must receive credit for related classroom instruction and on-the-job training. In the absence of a proficiency model, the time requirement for students in work-based learning must be converted and is equivalent to the time requirement for credit to be earned.

Students may submit a proposal for a tailored Work Based Learning program that divides their time between instruction in school and specific learning at a job. Each proposed program will be planned by Work Based Learning coordinators and the employer (or employer groups) and shall be in accordance with state and federal laws and regulations governing employment of students under age 18. The Work Based Learning coordinators will communicate with employers on a monthly basis and will visit work sites to determine if the placement is appropriate for student employment.

The particular program designed for each student shall be set forth in a written protocol approved by the student, his or her parents or guardians, the work-experience coordinator, and the employer. This shall stipulate the terms of employment and the provision for academic credit.

The Work Based Learning coordinator shall make such arrangements as necessary with employers for evaluating the student's on-the-job performance and for keeping records of job attendance.

The employer or supervisor shall complete the District volunteer agreement form and satisfy a name-based and fingerprint criminal background check in accordance with District Policies 5120 and 5122. The employee and District shall also complete workers compensation insurance and general liability insurance requirements in accordance with the attached procedure in a manner consistent with the Work Based Learning opportunity provided to the student.

Cross Reference:	2600F	Work Based Learning Affiliation Agreement and Consent Form
	2600P	Work Based Learning Procedures

Legal Reference:	Title 41, Chapter 2, MCA	
	Fair Labor Standards Act 29 U.S.C. 212 and 213, et seq.	
	Chapter 247	2021 General Legislative Session
	Section 29-71-118(7), MCA	Employee, worker, volunteer, volunteer firefighter, and volunteer emergency care provider defined – election of coverage

Policy History:
Adopted on: August 2021
Revised on:

Revision Note:

WORK BASED LEARNING AFFILIATION AGREEMENT

This Affiliation Agreement is entered into between _____ (high school) and _____ (workplace learning site).

WHEREAS High School has established a _____ Work Based Learning program for students interested in career exploration opportunities; and

WHEREAS High School wishes to affiliate with _____ (workplace learning site) for the purpose of providing Career Exploration and Assessment experiences for students enrolled in the _____ Work Based Learning Program; and

WHEREAS the Workplace Learning Site is willing to permit the Career Exploration experience on its premises with the terms set forth in this Affiliation Agreement;

NOW THEREFORE, the parties agree as follows:

1. The High School shall assume full responsibility for planning and execution of the student program of instruction including curriculum content, Work Based Learning orientation, emergency contact information, and pare/guardian consent.
2. The High School shall ensure participating students have completed safety instruction specific to the work site prior to participation in the Work Based Learning experience.
3. The High School shall provide a Work Based Learning Coordinator responsible for instruction and coordination with appropriate Workplace Learning Site personnel for the planning, selecting, and evaluating of students' experiences.
4. The Work Based Learning Coordinator, Workplace Supervisor, and student will work collaboratively to determine the career readiness, employability skills, and proficiency guidelines set forth in the personalized work based learning program.
5. The Workplace Learning Site agrees to designate a Workplace Supervisor, who has completed the Volunteer Agreement Form, and whose responsibility it shall be to assist the Work Based Learning Coordinator in selection and coordination of student experiences appropriate to the level of learning.
6. The Workplace Learning Site professional practitioners shall be responsible for overseeing the students' experiences and training activities.They shall orient the students to their activities, direct their activities, and supervise their activities to assure safe and satisfactory experiences and performance.
7. The High School shall be responsible for assigning students to the Workplace Learning Site for experience. The High School shall notify the Workplace Learning Site at least one (1) month in advance of its planned schedule of students and types of experiences to be provided. This schedule shall be subject to approval of the Workplace Learning Site.

8. The Workplace Learning Site shall make available the necessary equipment and supplies as determined by the Workplace Learning Site in conjunction with the High School.
9. The Workplace Learning Site shall provide the Work Based Learning Coordinator with frequent student performance evaluations in the manner and frequency so designated by the High School.
10. The High School shall work with the Workplace Learning Site regarding the removal of any student from the Workplace Learning Site whenever the student is not performing or meeting the workplace requirements. Responsibility for student disciplinary measures, if any, shall be with the High School and not with the Workplace Learning Site.

Workplace Supervisor initials the selection specific to this Work Based Learning placement:

_____ Employer pays the student to work for them in a paid capacity. Student learns from the employer like a newly hired employee and skill sets are acquired through doing actual work for the employer. Student may earn school credit for employment as documented in the Work Based Learning plan. Employer is required to show proof of workers compensation coverage for the student via a copy of a current workers compensation policy if the Work Based Learning plan shows the student will receive school credit for the employment. Medical costs and other related workers compensation claim expenses for accepted workers compensation claims due to injury to the student while working in the course and scope as part of the Work Based Learning opportunity shall be covered by the employer's workers compensation coverage.

_____ Employer does not pay the student. Student does not earn school credit as part of a Work Based Learning plan but student may be assigned credit as part of another course. Employer has a volunteer endorsement added to their workers compensation policy and pays that premium to their carrier. School District requires the employer to show proof of workers compensation coverage with the volunteer endorsement added via a copy of a current workers compensation policy. Medical costs and other related workers compensation claim expenses for accepted workers compensation claims due to injury to the student while working in the course and scope as part of the Work Based Learning opportunity shall be covered by the employer's workers compensation coverage.

_____ Employer does not pay student. Student earns school credit for the Work Based Learning opportunity as outlined in the Work Based Learning plan. School district adds a school to work endorsement onto the school workers' compensation policy. School District pays the workers compensation premium costs for the endorsement and other required insurance coverage. Parent liability risk forms should be signed in advance to recognize the inherent risks present with this learning opportunity and to clearly state the student has personal medical insurance coverage in place. Medical costs and other related workers compensation claim expenses for accepted workers compensation claims due to injury to the student while working in

the course and scope as part of the Work Based Learning opportunity shall be covered by the School District's workers compensation coverage.

_____ School District provides a work-based learning opportunity off school grounds. The learning opportunity takes place during school period hours, awards school credit hours toward graduation requirements, and is led by a teacher of the school district and/or co-taught by a trade person or general contractor. No worker's compensation coverage being provided. School District is responsible for general liability coverage for the students and parent liability risk forms should be signed in advance to recognize the inherent risks present with this learning opportunity and to clearly state the students has personal medical insurance coverage in place.

_____ _____
Workplace Supervisor Date

_____ _____
Work Based Learning Coordinator Date

PARENT/GUARDIAN CONSENT FOR WORK BASED LEARNING EXPERIENCE

I, (full name)_____, as legal guardian of _____ (child's full name), a student enrolled in the Jefferson High School, acknowledge the following:

The program of study includes opportunities for my child to participate in an off-campus Work Based Learning opportunity, and I give my consent to my child participating in the offsite Work Based Learning component, and I agree to support and assist with enforcement of the content included in the Work Based Learning placement.

I agree to accept responsibility for my student's participation in the above-referenced activity. I understand any negligence arising out of the student's participation in the program shall be attributed to me as comparative negligence within the meaning of Section 27-1-702, MCA. I agree to counsel my child to abide by the rules and regulations set forth by the workplace learning site.

I have signed the Parent/Guardian Consent and agree to the stated conditions.

_____ _____
Parent/Guardian signature Date

_____ _____
Parent/Guardian printed name Phone number

_____
Address, City, State, Zip code

Legal Reference:

Policy History:
Adopted on: August 2021
Revised on:

Revision Note:

Work Based Learning Program – Insurance

The School District Work Based Learning coordinator will work with the School District administration to identify the appropriate insurance coverage for a student's tailored work-experience opportunity. A student will not commence a Work Based Learning opportunity until the appropriate insurance option has been identified and implemented by all parties. The option selected will be noted as part of the student's Work Based Learning plan.

Option 1

Employer pays the student to work for them in a paid capacity. Student learns from the employer like a newly hired employee and skill sets are acquired through doing actual work for the employer. Student earns school credit for employment as documented in the Work Based Learning plan. Employer is required to show proof of workers compensation coverage for the student via a copy of a current workers compensation policy if the Work Based Learning plan shows the student will receive school credit for the employment. Medical costs and other related workers compensation claim expenses for accepted workers compensation claims due to injury to the student while working in the course and scope as part of the Work Based Learning opportunity shall be covered by the employer's workers compensation coverage.

Option 2

Employer does not pay the student. Student earns school credit part of a Work Based Learning plan but student may be assigned credit as part of another course. Employer has a volunteer endorsement added to their workers compensation policy and pays that premium to their carrier. School District requires the employer to show proof of workers compensation coverage with the volunteer endorsement added via a copy of a current workers compensation policy. Medical costs and other related workers compensation claim expenses for accepted workers compensation claims due to injury to the student while working in the course and scope as part of the Work Based Learning opportunity shall be covered by the employer's workers compensation coverage.

Option 3

Employer does not pay student. Student earns school credit for the Work Based Learning opportunity as outlined in the Work Based Learning plan. School district adds a school to work endorsement onto the school workers' compensation policy. School District pays the workers compensation premium costs for the endorsement and other required insurance coverage. Parent liability risk forms should be signed in advance to recognize the inherent risks present with this learning opportunity and to clearly state the student has personal medical insurance coverage in place. Medical costs and other related workers compensation claim expenses for accepted workers compensation claims due to injury to the student while working in the course and scope as part of the Work Based Learning opportunity shall be covered by the School District's workers compensation coverage.

Option 4
School District provides a work-based learning opportunity off school grounds. The learning opportunity takes place during school period hours, awards school credit hours toward graduation requirements, and is led by a teacher of the school district and/or co-taught by a trade person or general contractor. No workers compensation coverage being provided. School District is responsible for general liability coverage for the students and parent liability risk forms should be signed in advance to recognize the inherent risks present with this learning opportunity and to clearly state the student has personal medical insurance coverage in place.

Legal Reference:

Policy History:
Adopted on: August 2021
Revised on:

Revision Note:

3000 Series Students

3000 Series
"Students"
Table of Contents

Req.	Policy	Policy Description
	3110	Entrance, Placement, and Transfer
	3110F	Educational Authorization Affidavit
R	3120	Compulsory Attendance
	3121	Enrollment and Attendance Records
	3121P	Enrollment and Attendance Records
	3122	Attendance Policy
	3122P	Attendance Policy
R	3123	Attendance Policy – Truancy
R	3124	Military Compact Waiver
R	3125	Education of Homeless Children
	3125F	McKinney-Vento Homeless Education Assistance Dispute Resolution Form
	3126FE	Proficiency-Based ANB
	3130	Students of Legal Age
	3141	Discretionary Nonresident Student Attendance Policy
	3145	Foreign Exchange Students
	3145P	Foreign Exchange Students
	3150	Part-Time Attendance
	3200	Student Rights and Responsibilities
R	3210	Equal Education, Nondiscrimination, and Sex Equity
	3221	Student Publications

	3222	Distribution and Posting of Student Materials
	3224	Student Dress
R	3225	Sexual Harassment of Students
	3225F	Sexual Harassment Reporting/Intake Form for Students
	3225P	Sexual Harassment Grievance Procedure - Students
R	3226	Bullying/Harassment/Intimidation/Hazing
	3231	Searches and Seizure
	3231P	Searches and Seizure
	3233	Student Use of Buildings: Equal Access
	3235	Video Surveillance
R	3300	Suspension and Expulsion – Corrective Actions and Punishment
	3300P	Corrective Actions and Punishment
R	3310	Student Discipline
	3310P	Discipline of Students With Disabilities
R	3311	Firearms and Other Weapons
	3340	Extra- and Co-Curricular Alcohol, Drug, and Tobacco Use
	3345	Gambling
R	3410	Student Health/Physical Screenings/Examinations
	3413	Student Immunization
	3413F1	Immunization Form 1 – Medical Exemption Statement
	3413F2	Immunization Form 2 – Affidavit of Exemption on Religious Grounds from Montana School Immunization Law and Rules
R	3415	Management of Sports Related Concussions

	3415F	Student-Athlete & Parent/Legal Guardian Concussion Statement
R	3415P	Management of Sports Related Concussions
	3416	Administering Medication to Students
	3416F	Montana Authorization to Carry and Self-Administer Medication
	3417	Communicable Diseases
	3431	Emergency Treatment
	3440	Removal of Student During School Day
	3440P	Removal of Student During School Day
	3510	School-Sponsored Student Activities
R	3520	Student Fees and Fines
	3550	Student Clubs
	3550F	Student Club Application
	3600	Student Records
	3600F	Student Records
	3600P	Student Records
	3606	Transfer of Student Records
	3608	Receipt of Confidential Records
	3610	Programs for At-Risk/Disadvantaged Students
R	3612	District-Provided Access to Electronic Information, Services, and Networks
R	3612F	Internet Access Conduct Agreement
R	3612P	District-Provided Access to Electronic Information, Services, and Networks

3630 Cell Phones, Smart Phones, iPods and Other Electronic Equipment

3650 Pupil Online Personal Information Protection

Entrance, Placement, and Transfer

Entrance, Date, and Age

All waivers are granted in the sole discretion of the Trustees. Non-resident students may be admitted at the discretion of the Trustees. Children will be enrolled in the grade identified in accordance with District policy or at the discretion of the administration in consultation with the student's parents or guardians. 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 5 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. The trustees may also admit an individual who has graduated from high school but is not yet 19 years of age even though no special circumstances exist for waiver of the age provision of this Policy.

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.

2. To be admitted to the District school, 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 of Health and Human Services or the local county health department. Immunizations may not be required if a child qualifies for conditional attendance or an exemption is filed as provided by Montana law.

3. The above requirements are not to serve as barriers to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The District shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain necessary enrollment documentation and ensure a student receives education services in the best interests of the child. The superintendent or designee shall serve as point of contact with all applicable agencies to review records, facilitate services, and resolve disputes.

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

1 For the purposes of this section "proof of identity" means a certified copy of a birth certificate, a certified transcript or similar student records from the previous school, or any documentary evidence that a school district considers to be satisfactory proof of identity. 44-2-511(6)(a), MCA

considered in the placement of all students. Final disposition of all placement decisions rests with the principal, subject to appeal to the Superintendent or the Board.

Children of Relocated Military Families

The Board shall assign and admit a child whose parent or guardian is being relocated to Montana under military orders to a school in the district and allow the child to preliminarily enroll in classes and apply for programs offered by the District prior to arrival and establishing residency.

The student will be placed in student data management system as soon as enrolled under this provision. The student will attend classes during preliminary enrollment, and the Board authorizes the administration to provide offsite instruction to the student if not present in the District. The District will include a student enrolled under this provision as part of the calculation of ANB.

Transfer

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

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 Standard, along with local alternate procedures for earning credit, in reviewing requests for transfer of credits. The high school principal has 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

1 For the purposes of this section "proof of identity" means a certified copy of a birth certificate, a certified transcript or similar student records from the previous school, or any documentary evidence that a school district considers to be satisfactory proof of identity. 44-2-511(6)(a), MCA

§ 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
10.55.601 et seq., ARM	Accreditation Standards: Procedures
Chapter 20 – 2021 General Legislative Session	
HB 246 – 2021 General Legislative Session	

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Revised on: April 15, 2008
Revised on: January 2016, March 2018, March 2020, June 2021

Note: The revisions included the age range acceptance in lines 7-8 Page 1 as well as the footnote defining "proof of identity".
January 2016 *revisions include addition of varicella and clarification of immunization manner as per 2015 Montana Legislature.*
March 2018 ESSA language added

1 For the purposes of this section "proof of identity" means a certified copy of a birth certificate, a certified transcript or similar student records from the previous school, or any documentary evidence that a school district considers to be satisfactory proof of identity. 44-2-511(6)(a), MCA

EDUCATIONAL AUTHORIZATION AFFIDAVIT
Jefferson High School District #1

The completion and signing of the affidavit before a notary public are sufficient to authorize educational enrollment and services and school-related medical care for the named child. Please print clearly.

The child named below lives in my home, and I am eighteen (18) years of age or older.

Name of child:_____
Child's date of birth:_____
My name (caretaker relative):_____
My date and year of birth:_____
My home address:_____
My relationship to the child:_____
(The caretaker relative must be an individual related by blood, marriage, or adoption by another individual to the child whose care is undertaken by the caretaker relative, but who is not a parent, foster parent, stepparent, or legal guardian of the child.)

I hereby certify that this affidavit is not being used for the purpose of circumventing school residency laws, to take advantage of a particular academic program or athletic activity, or for an otherwise unlawful purpose.

☐ The child was subject to formal disciplinary action, including suspension or expulsion, at the child's previous school. The school may either implement the previous school district's disciplinary action without further due process or hold a hearing and determine whether the student's conduct in the previous school district merits denial of enrollment. If the district decides to enroll the child, then the school may require the child to comply with a behavior contract as a condition of enrollment.

Check the following if true (all must be checked for this affidavit to apply):

☐ A parent of the child identified above has left the child with me and has expressed no definite time period when the parent will return for the child.

☐ The child is now residing with me on a full-time basis.

☐ No adequate provision, such as appointment of a legal custodian or guardian or execution of a notarized power of attorney, has been made for enrollment of the child in school, other educational services, or educationally related medical services.

DO NOT SIGN THIS FORM IF ANY OF THE ABOVE STATEMENTS ARE INCORRECT, OR YOU WILL BE COMMITTING A CRIME PUNISHABLE BY A FINE, IMPRISONMENT, OR BOTH.

Policy History:
Adopted on: February 2007

Compulsory Attendance

To reach the goal of maximum educational benefits for every child requires a regular continuity of instruction, classroom participation, learning experiences, and study. Regular interaction of students with one another in classrooms and their participation in instructional activities under the tutelage of competent teachers are vital to the entire process of education. This established principle of education underlies and gives purpose to the requirement of compulsory schooling in every state in the nation. A student's regular attendance also reflects dependability and is a significant component of a student's permanent record.

Parents or legal guardians or legal custodians are responsible for seeing that their children who are age seven (7) or older before the first day of school attend school until the later of the following dates:

1. Child's sixteenth (16^{th}) birthday; or

2. Completion date of the work of eighth (8^{th}) grade.

Compulsory attendance stated above will not apply when children:

1. Are provided with supervised correspondence or home study; or

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

3. Are enrolled in a non-public or home school; or

4. Are enrolled in a school in another district or state; or

5. Are excused by the Board on a determination that attendance after age of sixteen (16) is not in the best interests of a child and a school.

Legal Reference:	§ 20-1-308, MCA	Religious instruction
	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-103, MCA	Compulsory attendance and excuses
	§ 20-5-104, MCA	Attendance officer
	§ 20-5-106, MCA	Truancy
	§ 20-5-107, MCA	Incapacitated and indigent child attendance
	§ 20-5-108, MCA	Tribal agreement with district for Indian child compulsory attendance and other agreements

Policy History:
Adopted on: February 2007
Revised on:

Enrollment and Attendance Records

Since accurate enrollment and attendance records are essential both to obtain state financial reimbursement and to fulfill the District's responsibilities under the attendance laws, staff shall be diligent in maintaining such records.

A district may only include, for ANB purposes, any student who participates in pupil instruction as defined in Section 20-1-101(17), MCA and for whom ANB may be claimed under Title 20, including but not limited to an enrolled student who is:

- A resident of the district or a nonresident student admitted by trustees under a student attendance agreement and who is attending a school of the district;

- Unable to attend school due to a medical reason certified by a medical doctor and receiving individualized educational services supervised by the district, at district expense, at a home or facility that does not offer an educational program;

- Unable to attend school due to the student's incarceration in a facility, other than a youth detention center, and who is receiving individualized educational services supervised by the district, at district expense, at a home or facility that does not offer an educational program;

- Living with a caretaker relative under § 1-1-215, MCA

- Receiving special education and related services, other than day treatment, under a placement by the trustees at a private nonsectarian school or private program if the student's services are provided at the district's expense under an approved individual education plan supervised by the district;

- Participating in the Running Start Program at district expense under § 20-9-706, MCA;

- Receiving education services provided by the district, using appropriately licensed district staff at a private residential program or private residential facility licensed by the Department of Public Health and Human Services;

- Enrolled in an educational program or course provided at district expense using electronic or offsite delivery methods, including but not limited to tutoring, distance learning programs, online programs, and technology delivered learning programs, while attending a school of the district or any other nonsectarian offsite instructional setting with the approval of the trustees of the district;

- A student of the district completing work on a proficiency basis in accordance with Sections 20-9-311(4)(d) and 20-9-324(18)(b), MCA;

- A student gaining credit for participating in a work-based learning program pursuant to [New Section 8] of Chapter 247, Laws of 2021 and Policy 2600;

- A student participating in an "innovative educational program" as defined in Section 15-30-3102, MCA;

- A resident of the district attending a Montana job corps program under an inter-local agreement with the district under § 20-9-707, MCA.

- A resident of the district attending a Montana Youth Challenge Program under an inter-local agreement with the district under § 20-9-707, MCA.

- A student with a disability who is over 19 years old but under 21 years of age, has been enrolled by the Board of Trustees in accordance with Policy 3110, and qualifies in accordance with Section 20-9-311(7), MCA, to remain enrolled and be served by schools, if the following criteria are satisfied:

    - The student has not graduated;
    - The student is eligible for special education services and is likely to be eligible for adult services for individuals with developmental disabilities due to the significance of the student's disability; and
    - The student's individualized education program has identified transition goals that focus on preparation for living and working in the community following high school graduation since age 16 or the student's disability has increased in significance after age 16.

In order for a student who is served through distance learning or offsite delivery methods to be included in the calculation of average number belonging, the student must meet one or more of the conditions for participating in offsite instruction pursuant to Section 20-7-118, MCA.

<u>Enrollment for Purposes of Participation in Extracurricular Activities by an Unenrolled Child or Part Time Enrolled Student</u>

The District shall include for ANB purposes a child who during the prior school year:

a. Resided in the District;
b. Was not enrolled in the District or was not enrolled full time; and
c. Completed an extracurricular activity with a duration of at least 6 weeks in accordance with Policy 3510.

Each completed extracurricular activity that, inclusive of practices and post-season tournaments, lasts 6 weeks or longer shall be counted as one-sixteenth enrollment. Each completed extracurricular activity lasting longer than 18 weeks may be counted as one-eighth enrollment. A child may not be counted as more than one full-time enrollment for ANB purposes.

For purposes of calculating ANB under this section, "extracurricular activity" means:

a. A sport or activity sanctioned by an organization having jurisdiction over interscholastic activities, contests, and tournaments;
b. An approved career and technical student organization, pursuant to Section 20-7-306, MCA; or
c. A school theater production.

Homeless Youth and Foster Children

Assignment to schools shall be subject to modification when federal law applicable to students placed in foster care or students who are homeless requires that such students be educated in a "school of origin" that differs from the assigned school.

Cross Reference:	Policy 2600	Work Based Learning
	Policy 3510	School Sponsored Activities
Legal Reference:	§ 1-1-215, MCA	Residence – Rules for determining
	§ 20-9-311, MCA	Calculation of average number belonging (ANB) --three-year averaging.
	§ 20-9-706, MCA	Running Start Program
	§ 20-9-707, MCA	Agreement with accredited Montana job corps program
	29 U.S.C. 794	Nondiscrimination under Federal grants and programs
	34 CFR 300.1, et seq.	Individuals with Disabilities Education Act
	Chapter 297	2021 General Legislative Session
	Chapter 269	2021 General Legislative Session
	Chapter 247	2021 General Legislative Session
	Chapter 406	2021 General Legislative Session

Policy History:
Adopted on: February 2007
Revised on: August 2018, August 2021

Revision Note: Added Lines 9 thru 13 on page 2

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 on February 1st (or the next school day if those dates do not fall on a school day), 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. 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

Procedure History:

Promulgated on:	February 2007
Revised on:	July 2013
Revised:	January 2016

Note: The revision allows the District to count a student for ANB if they attend less than 180 aggregated hours. The revision also requires a third (3rd) ANB count in December.
January 2016 Revision removes the December count date as per 2015 Montana Legislature

Attendance Policy

To reach the goal of maximum educational benefits for each child requires a regular continuity of instruction, classroom participation, learning experiences, and study. Regular interaction of students with one another in the classroom and their participation in instructional activities under the tutelage of competent teachers are vital to the entire process of education. This established principle of education underlies and gives purpose to the requirement of compulsory schooling in every state in the nation. The good things schools have to offer can only be presented to students in attendance.

A student's regular school attendance also reflects dependability and is a significant component on a student's permanent record. Future employers are as much concerned about punctuality and dependability as they are about academic record. School success, scholarship, and job opportunity are greatly affected by a good attendance record.

Policy History:
Adopted on: February 2007
Revised on:

Attendance Policy

In order to graduate from Jefferson High School, a student must complete twenty-one (21) credits. Completion of a course at Jefferson High School will be defined as receiving a grade of D- or higher and attendance to include not more than eight (8) absences per class per semester. This attendance criteria is based on the theory that prompt and regular attendance in school is the beginning of dependability in adult business, personal, and social life. Furthermore, regular attendance is important, because valuable skills and information gained in the classroom may or may not show up on tests or be reflected in an academic grade. The general welfare of all students is best served by regular attendance.

1. A student will be allowed eight (8) absences per class, per semester. Any absence beyond that number may mean a loss of credit in those subjects missed.

2. The ONLY absences that WILL NOT be used in calculating the attendance record are:

   a. School-sponsored/Co-curricular Activities: Those that occur due to school-sponsored activities, since these are considered an equivalent educational experience. These exemptions will apply to students participating in sports events, cheerleading, music-related events, FFA trips, academic field trips, and others deemed co-curricular.

   b. Bereavement: a death of an immediate family (grandmother, grandfather, father, mother, sister, brother) and the associated activities when properly excused.

   c. College visitations: Juniors and seniors are granted two (2) days of college-organized college visitations per year.

   d. Medical Illness: Illness or hospitalization verified by a doctor's statement.

   e. Failure of a bus/Inclement Weather: Student's absence due to failure of a bus to provide them transportation and/or road closure to the student's swellings.

3. Absences which will be counted in the eight-(8)-day limit will include such areas as: family trips, work days, vacations, visiting friends or relatives, watching tournaments when not an actual participant, hair, medical, dental, or photography appointments, skiing, hunting, court appearances, attending concerts, shopping, or any others not mentioned which are unacceptable to the administration.

4. After the fourth (4th) and sixth (6th) and eighth (8^{th}) absence from school/class, a letter or phone call to the parent or guardian will be made to notify them that their son/daughter is approaching the maximum limit.

5. Following the sixth (6th) absence the student will report to the principal and account for

the history of the six (6) absences.

6. The eighth 8th) absence will result in a conference with the principal, student, parent or guardian, or an adult representative.

7. After the student has exceeded the eight-(8)-day limit, the principal will meet with the student and formulate a plan to make up the excess absence(s). The Plan will be signed by student, parents, and administration.

8. If a student fails to meet the parameters of the Plan, he/she will be denied credit.

9. Any decision to withhold credit can be appealed to the Superintendent.

10. If the appeal is not granted, the student, parent, guardian, or adult representative may appeal the decision to the Board.

Rewards for Good Attendance

Students who have no absences or one (1) absence from a class in any quarter will be given special recognition.

The student/parent handbook further defines the consequences for absences.

Procedure History:
Promulgated on: February 2007
Revised on: August 11, 2009, May 20, 2014

Note: The 2009 revision includes all references to dropping the absences from 10 to 8. The 2014 revision alters the procedure for excess absences.

Attendance Policy – Truancy

Students are expected to attend all assigned classes each day. Teachers shall keep a record of absences and tardiness. Before the end of the school day, each school shall attempt to contact every parent, guardian, or custodian whose childe is absent from school but who has not reported the child as absent for the school day, to determine whether the parent, guardian, or custodian is aware of the child's absence from school.

For the purpose of this policy "truant" or truancy" means the persistent non-attendance without excuse, as defined by this policy, for all or any part of a school day equivalent to the length of one class period of a child required to attend a school under 20-5-13. "Habitual truancy" means recorded unexcused absences of 9 or more days or 54 or more parts of a day, whichever is less, in 1 school year.

The Jefferson High School district's definition of non-attendance without excuse is stated in the Student Handbook.

The Jefferson High School district has appointed the principal as the attendance officer. If the district does not appoint an attendance office, the county superintendent must be the attendance officer.

Upon the board designation one or more of its staff as the attendance officer, the attendance officer shall have the powers and duties as stated in 20-5-105(1) (Section 2), MCA

Legal Reference:	§ 20-5-103, MCA	Compulsory attendance and excuses
	§ 20-5-104, MCA	Attendance officer
	§ 20-5-105, MCA	Attendance officer – Powers and Duties
	§ 20-5-106, MCA	Truancy
	§ 20-5-107, MCA	Incapacitated and indigent child attendance
	§ 41-5-103(22), MCA	Definitions

Policy History:
Adopted on: June, 18, 2013
Revised on:

Revision Note:

Military Compact Waiver

The State of Montana is one of numerous states across the country that is a member of the Interstate Compact on Educational Opportunity for Military Children. As a school district within the State of Montana subject to the laws of the State of Montana, the District shall follow the requirements of the Compact for students who enroll at the District for whom the Compact applies.

Purpose

The purpose of the Interstate Compact on Educational Opportunity for Military Children is to remove barriers to educational success for children of military families due to frequent relocation and deployment of their parents. The Compact facilitates educational success by addressing timely student enrollment, student placement, qualification and eligibility for programs (curricular, co-curricular, and extra-curricular), timely graduation, and the facilitation of cooperation and communication between various member states' schools.

Applicability

This Compact applies only to children of:

1. Active duty members of the uniformed services as defined in the Compact, including member of the national guard and reserve on active duty orders pursuant to 10 U.S.C., 12301(d) and 12304;

2. Members of the veterans of the uniformed services who are severely injured and medically discharged or retired for a period of 1 year after medical discharge or retirement; and

3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of 1 year after death.

Educational Records and Enrollment

1. **Hand Carried/Unofficial Educational Records:** In the event that official educational records cannot be released to a parent for the purpose of school transfer, the custodian of records from the sending school shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission.

   Upon receipt of the unofficial educational records, the District shall enroll and appropriately place the student based upon the information the school receives in the unofficial educational records, pending validation by the official records, as soon as possible.

2. **Official Educational Records/Transcripts:** At the time of enrollment and conditional placement of a qualifying student at the District, the District shall request the student's official educational records from their last school of attendance.

   A school receiving such a request shall process the official educational records request and furnish such within a period of ten (10) days, or within the timeline determined to be reasonable by the Interstate Commission.

3. **Immunizations:** The District shall provide a period of thirty (30) days from the date of enrollment, or such other time frame as determined by the rules of the Interstate Commission, within which students may obtain any immunizations required by the District. Where the District's requirements include a series of immunizations, initial vaccinations must be obtained within thirty (30) days, or within the timeline determined to be reasonable by the Interstate Commission.

4. **Entrance Age:** Students shall be allowed to continue their enrollment at grade level at the District, commensurate with their grade level from their receiving school, including kindergarten, at the time of transition. However, the provisions of Montana Code 20-5-101 regarding trustees enrolling a child in kindergarten or in first grade whose fifth (5^{th}) or sixth (6^{th}) birthday occurs on or before the tenth (10^{th}) day of September of the school year in which the child is to enroll but is not yet 19 years of age, shall continue to apply.

   A student who has satisfactorily completed the prerequisite grade level in the sending school shall be eligible for enrollment in the next highest grade level in the District, at the receiving school, regardless of age.

   A student who is transferring into the District after the start of the school year shall enter the District on the student's validated grade level from an accredited school in the sending state.

Placement and Attendance

1. **Course Placement:** Upon transfer of a qualifying student, the receiving District shall place the student in courses consistent with the student's courses in the sending school and/or the school's educational assessments.

   Course placement includes, but is not limited to honors, international baccalaureate, advanced placement, vocational, technical, and career pathways courses.

   Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This requirement does not preclude the District from performing

subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s).

2. **Educational Program Placement:** The District shall initially honor placement of the student in educational programs based on current educational assessments conducted at the sending school or participation/placement in similar programs at the sending school.

   Educational program placement includes, but is not limited to, gifted and talented programs and English as a second language. This requirement does not preclude the District from performing subsequent evaluations to ensure appropriate placement of the student.

3. **Special Education Services:** In compliance with the federal requirements of the Individuals with Disabilities Education Act, the District, as the receiving school, shall initially provide comparable services to a student with disabilities based on his or her current Individual Education Plan.

   In compliance with Section 504 of the Rehabilitation Act and with Title II of the Americans with Disabilities Act, the District, as the receiving school, shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities consistent with his or her existing 504 or Title II Plan.

   This does not preclude the District, as the receiving school, from performing subsequent evaluations to ensure appropriate placement and/or accommodations are made for the student.

4. **Placement Flexibility:** The District's Administration shall have the flexibility to waive course/program prerequisites or other preconditions for placement in courses/programs offered by the receiving District.

5. **Absences Relating to Deployment Activities:** A student whose parent/legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from deployment in a combat zone or combat support position, shall be granted additional excused absences at the discretion of the District's Superintendent to visit with his or her parent/legal guardian relative to such leave or deployment of the parent/guardian.

<u>Eligibility</u>

1. **Eligibility for Enrollment:** A Special Power of Attorney pertaining to the guardianship of a student of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

The receiving District shall not charge tuition to a transitioning military student placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

A transitioning military student, placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he or she was enrolled when residing with the custodial parent.

2. **Eligibility for Extra-Curricular Activity Participation:** The District shall facilitate the opportunity for transitioning military students' inclusion in extracurricular activities, regardless of application deadlines, to the extent the student is otherwise qualified.

Graduation

In order to facilitate the on-time graduation of children of military families, the receiving District shall incorporate the following procedure:

1. **Graduation Course Requirements – Waiver:** The receiving District's Administration, through the Superintendent or designee, shall waive specific courses that are required for graduation if similar coursework has been satisfactorily completed at another school.

   If the District does not waive the specific course requirement for graduation, the District shall provide a reasonable justification for the denial. This justification shall be provided to the parent/legal guardian in writing.

   If the receiving District does not waive the specific course requirement for graduation and the student would have otherwise qualified to graduate from the sending school, the receiving District shall provide an alternative means of acquiring required course work to ensure that the student's graduation will occur on time.

2. **Exit Exams:** In lieu of testing requirements required for graduation at the receiving District, the District and the State of Montana shall accept any or all of the following:

   A. Exit exams or end-of-course exams required for graduation from the sending school;
   B. National norm-referenced achievement tests; or
   C. Alternative testing.

   In the event the above alternatives cannot be accommodated by the receiving District for a student transferring during his or her senior year, subsection 3, below, shall apply.

3. **Transfer During Senior Year of High School:** Should a military student transferring at the beginning of or during the senior year be ineligible to graduate from the receiving

District after all alternatives have been considered, the sending school and the receiving District shall ensure the receipt of a diploma from the sending school if the student meets the graduation requirements of the sending school.

In the event that one of the states in question is not a member of this Compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

Conflicts

All state laws and District policies that conflict with this policy and/or in conflict with the Compact are superseded to the extent of the conflict.

Cooperation

The receiving District, through its administration, shall timely cooperate with all state agency inquiries and other District/school inquiries relating to a student who is covered by the Compact.

Cross Reference:	2333	Participation in Commencement Exercises
	2410 – 2410P	High School Graduation Requirements
	2413	Credit Transfer and Assessment for Placement
	3110	Entrance, Placement, and Transfer
Legal Reference:	20-1-230, MCA	Enactment – interstate Compact on Educational Opportunity for Military Children - provisions

Policy History:
Adopted on: March 2018
Revised on:

Revision Note:

Education of Homeless Children

Every child of a homeless individual and every homeless child are entitled to equal access to the same free, appropriate public education as provided to other students. The District must assign and admit a child who is homeless to a District school regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The District may not require an out-of-District attendance agreement and tuition for a homeless child.

The Superintendent will review and revise as necessary rules or procedures that may be barriers to enrollment of homeless children and youths. In reviewing and revising such procedures, the Superintendent will consider issues of transportation, immunization, residence, birth certificates, school records, and other documentation.

Homeless students will have access to services comparable those offered to other students, including but not limited to:

1. Transportation services;
2. Educational services for which a 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;
5. Programs for gifted and talented students; and
6. School nutrition program.

The Superintendent will give special attention to ensuring the enrollment and attendance of homeless children and youths not currently attending school. The Superintendent will appoint a liaison for homeless children.

A "homeless individual" is defined as provided in the McKinney Homeless Assistance Act.

Anyone having a concern or complaint regarding placement or education of a homeless child will first present it orally and informally to the District homeless liaison. To further ensure that the District is removing barriers to the educational access and success of children and youths who are homeless, and to ensure that Title 1 funding is expended in an appropriate manner, the District has adopted the dispute resolution form at 3125F.

Cross Reference:	1700 Uniform Complaint Procedure	
	3125F McKinney-Vento Homeless Educational Assistance Dispute Resolution Form	
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 on: February 2007
Revised on: March 2018, March 2020

Office of Public Instruction Elsie Arntzen
Superintendent PO Box 202501
Helena, MT 59620-2501

McKinney-Vento Homeless Education Assistance Dispute Resolution Form

School District: _____ Liaison: _____

Telephone: _____

Date of first contact by homeless individual, guardian, or representative: _____

Homeless Student's Name: _____

Describe the issue(s) in question: _____

_____

_____

_____

_____

_____

School District Contact: _____ Telephone: _____
(Superintendent / Principal)

Date: _____ (within 7 business days)
Resolution at the Liaison/School District Level (describe below) _____ or
Forwarded to OPI Homeless Coordinator *[please contact at (406) 444-2036]* _____

Date: _____ (within 15 business days)
Resolution at OPI Homeless Coordinator Level (describe below) _____ or
Forwarded to Superintendent of Public Instruction _____

Describe Resolution Results: _____

_____

_____

_____

_____

_____

Homeless Coordinator Signature: _____

This form must be filed with

Heather Denny,
Homeless Coordinator
Office of Public Instruction
P.O. Box 202501
Helena, MT 59620-2501

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.

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

Policy History:
Adopted on: August 2018
Revised on: March 2020

Revision Note:

Students of Legal Age

Every student eighteen (18) years of age or older like all other students, will comply with the rules established by the District, pursue the prescribed course of study, and submit to the authority of teachers and other staff members as required by policy and state law. The administration is authorized to make exceptions to this policy for students related to reasons that include but are not limited to homelessness, emancipation, or applicable court order.

Forms

Adult students who reside with parents or guardians and/or are classified as dependents of parents or guardians for tax purposes must have applicable forms completed by parents or guardians.

Admission to School

The residence of an adult student who is not residing with a parent or guardian will be considered the residence for school purposes.

Field Trips/Athletic Programs

Approved forms for participation will be required of all students. The form should indicate that the signature is that of the parent.

Absence/Lateness/Truancy

Absence notes will be signed by parents or guardians. Excessive absences will result in consequences according to policy 3122P and will be reported on the report card.

Suspension/Expulsion

All suspension and/or expulsion proceedings will conform to the requirements of state statutes. Notification of all such proceedings will be sent to parents or guardians.

Withdrawal from School

Adult students may withdraw from school under their own cognizance. Counselors will guide and counsel potential dropouts and encourage their continued attendance. Parents will be notified of impending dropouts by the school.

Permission to Inspect Student Records

A student that attains the age of legal majority is an “eligible student” under FERPA. An eligible student has the right to access and inspect their student records. An eligible student may not

prevent their parents from accessing and inspecting their student records if they are a dependent of their parents in accordance with Internal Revenue Service regulations.

Report Cards

Progress reports will be sent to the parent or legal guardian.

Excuses from School

The school will verify requests from students who wish to leave school early for reasons such as job interviews, college visits, driver testing, etc., with the organization being visited. Permission to leave school early may be denied for what is considered a non-valid reason.

Financial Responsibility

Students of legal age can be held financially responsible for damage to school property.

Policy History:

Adopted on: February 2007

Revised on: January 2016, March 2020, May 2021

January 2016 revision notes: Replaced paragraph in Permission to Inspect Student Records section.

Discretionary Nonresident Student Attendance Policy

The parents or guardians of the student must complete and submit to the Superintendent an out-of-district attendance agreement form preceding the requested admission. The Superintendent may accept a late application if good cause is shown.

1. Except as required by § 20-5-321, MCA, the District will admit nonresident students at its discretion.

2. The Superintendent will recommend to the Board any nonresident student admission in accordance with this policy, with the Board making the final decision on admission.

3. The District will examine a student's records from this District and other school districts before any Board approval for admission. Review of the records and decisions regarding admission cannot be inconsistent with District policies regarding nondiscrimination.

4. The District will not admit nonresident students when doing so would cause the district to exceed the class size standards under 10.55.712 and 10.55.713, ARM.

5. All resident students who become nonresidents because their parents or guardians move out of the District may continue attendance for the school year, barring registration in another District. At the completion of the semester, a student must apply as a nonresident student.

6. The Board reserves the right to charge tuition for nonresident students. At its discretion, the Board may charge or waive tuition for all students whose tuition is required to be paid by one kind of entity, defined as either a parent or guardian or a school district. Any waiver of tuition will be applied equally to all students whose tuition is paid by the same kind of entity (i.e., if the District charges tuition in those circumstances where a resident district pays but waives tuition in those circumstances where a parent or guardian is responsible for tuition, the tuition waiver will be applicable to all students whose parents or guardians bear the responsibility for payment).

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

8. The Board will not admit any student who is expelled from another school district.

9. Nonresident students enrolled under this policy are subject to all District policies, rules, and regulations on the same basis as resident students.

Cross Reference:	Policy 2161 -2161P	Special Education
	Policy 3110	Entrance, Placement, and Transfer
	Policy 3125	Education of Homeless Children
	Policy 3210	Equal Education, Nondiscrimination and Sex Equity
Legal Reference:	§ 20-5-314, MCA	Reciprocal attendance agreement with adjoining State or province
	§ 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
	10.10.301B, ARM	Out-of-District Attendance Agreements
	10.55.713, ARM	Teacher Load and Class Size – High School

Policy History:
Adopted on: February 2007
Revised on: December 2018

Revision Note: 2018 Revision to clarify responsibilities of District and ensures conformity with ARM rules.

Foreign Exchange Students

It is the policy of the Board to recognize the benefits from foreign exchange students in the District. The Board does not, however, sponsor foreign exchange programs or provide financial contributions to any foreign exchange students. The Board assumes no responsibility or control over items such as travel, living accommodations, funding, insurance, etc., which remain the responsibility of the sponsor and/or student.

J-1 visa holders (students sponsored by an approved foreign exchange organization) are eligible to attend Jefferson High School. Any sponsoring organization must have a local representative, be a nonprofit organization, and be approved by the Council on Standards for International Education Travel. F-1 visa holders (individual foreign students sponsored by relatives or friends) may not attend the District.

Legal Reference: 20 U.S.C. 221, et seq.

Policy History:
Adopted on: February 2007
Revised on:

Foreign Exchange Students

Admission Requirements

1. Foreign exchange students must be eighteen (18) years of age or younger at the time of enrollment.

2. Foreign exchange students must reside with a legal resident of the District. Limited exceptions may be granted at the discretion of the Board.

3. Foreign exchange students must have sufficient knowledge of the English language to enable effective communication and to use instructional materials and textbooks printed in English.

    a. An English proficiency test of the District's own choosing may be administered and will supersede all other tests.

    b. If an organization places a student who, upon arrival, is deemed by the District to be deficient in English language proficiency, the organization will do one of the following:

        i. Terminate the student's placement.
        ii. Provide, and pay for, tutorial help until the student reaches proficiency, as determined by the District.

Academic Standards and Graduation

1. Foreign exchange students will be expected to meet all appropriate standards required of any student enrolled in the District.

2. Foreign exchange students who attend the full senior class school year may graduate from or receive a diploma from the Jefferson High School provided they meet or exceed the minimum of 21 credits as required by the State of Montana and Jefferson High School and as verified by the school guidance counselor. All other foreign exchange students may participate in approved ceremonies.

Student Opportunities/Responsibilities

1. Foreign exchange students will be expected to enroll in the following academic classes while attending Jefferson High School:
    a. One (1) English class;
    b. One (1) United States history class or one (1) government class;
    c. Maintain enrollment in at least six (6) classes.

2. Foreign exchange students are eligible to participate in the High School Activities Program. Guidelines for participation are set by District policy and by the Montana High School Association, as follows:

   a. RECOGNITION. The student must be a participant of an "official Foreign Exchange Program" as defined in the publication from the National Association of Secondary School Principals, entitled, "Advisory List of International Educational Travel and Exchange Programs".

3. Foreign exchange students are expected to pay all yearbook fees, lab fees, prom tickets, yearbook costs, athletic fees, cap and gown fees, lunch prices, and all other school incurred expenses that are expected of other students enrolled in the High School.

4. Foreign exchange students must maintain passing grades in all classes, follow rules and regulations of District student policies, and show satisfactory discipline and attendance. Failure to comply with these expectations shall result in dismissal of the student from the District's Foreign Exchange Program.

5. Jefferson High School will accept a maximum of three (3) individually sponsored exchange students, on a first come, first serve basis based on administrative recommendations.

Procedure History:
Promulgated on: February 2007
Revised on: February 15, 2011

Note: Changes to this revision include #2 in the "Academic and Standards" section, the striking of "B" under #2 of page 2, and inclusion of "based on administrative recommendations" at the end of #5.

Part-Time Attendance

The District will review requests for part-time enrollment of students for purposes of academic courses on a case-by-case basis, with a building principal making a preliminary decision pursuant to the criteria set forth in this Policy. Denial of part-time enrollment may be appealed pursuant to policy 1700.

Criteria for accepting students for part-time enrollment are the following:

1. Accepting a student will not create excess student enrollment in a requested class;
2. Accepting a student will not create need for an additional staff member;
3. Accepting a student will not cause a new section of a course to be created.

The District will accept on a first-come, first-served basis students wishing to enroll in the same course. Whenever the enrollment position of a part-time student is needed for a regular, full-time student during the year, a full-time student has priority for the position beginning with the next semester.

Participation in District Extracurricular Activities by Unenrolled Children

This policy does not restrict or limit the ability of unenrolled children to seek to participate in extracurricular activities in accordance with Policy 3510. The District may secure ANB for unenrolled children participating in identified extracurricular activities in accordance with Policy 3121.

Cross Reference:	Policy 3121	Enrollment and Attendance
	Policy 3510	School Sponsored Activities
Legal Reference:	§ 20-9-311(a), MCA	Calculation of average number belonging (ANB)
	Chapter 297	2021 General Legislative Session
	Chapter 269	2021 General Legislative Session

Policy History:
Adopted on: February 2007
Revised on: May 2014 (Allowing for attainment of a diploma), August 2021

Student Rights and Responsibilities

The District recognizes fully that all students are entitled to enjoy the rights protected under federal and state constitutions and law for persons of their age and maturity in a school setting. The District expects students to exercise these rights reasonably and to avoid violating the rights of others. The District may impose disciplinary measures whenever students violate the rights of others or violate District policies or rules.

Cross Reference:	3231	Searches and Seizure
	3310	Student Discipline
Legal Reference:	§ 20-4-302, MCA	Discipline and punishment of pupils – definition of corporal punishment
	§ 20-5-201, MCA	Duties and sanctions
	Tinker v. Des Moines Ind. Sch. Dist., 89 S.Ct. 733 (1969)	

Policy History:
Adopted on: February 2007
Revised on:

Equal Education, Nondiscrimination and Sex Equity

The District will make equal educational opportunities available for all students without regard to race, color, national origin, ancestry, sex, ethnicity, language barrier, religious belief, physical or mental handicap or disability, economic or social condition, OPTIONAL (recommended by committee) – gender identity, sexual orientation, or failure to conform to stereotypical notions of masculinity or femininity, or actual or potential marital or parental status.

No student will be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, or advantage, or denied equal access to educational and extracurricular programs and activities.

Inquiries regarding sexual harassment, sex discrimination, or sexual intimidation should be directed to the district Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both. The Board designates the following individual to serve as the District's Title IX Coordinator:

Title: School Counselor_____ _____
Office address: 312 S. Main St. Boulder, MT 59632_____
Email: joe.michaud@jhs.k12.mt.us _____
Phone number: (406) 225-3317 _____

Inquiries regarding discrimination on the basis of disability or requests for accommodation should be directed to the District Section 504 Coordinator. The Board designates the following individual to serve as the District's Section 504 Coordinator:

Title: School Counselor_____ _____
Office address: 312 S. Main St. Boulder, MT 59632_____
Email: joe.michaud@jhs.k12.mt.us _____
Phone number: (406) 225-3317 _____

Any individual may file a complaint alleging violation of this policy, Policy 3200-Student Rights and Responsibilities, Policy 3225-Sexual Harassment/Intimidation of Students, or Policy 3226-Bullying/Harassment/Intimidation/Hazing by following those policies or Policy 1700-Uniform Complaint Procedure.

The District, in compliance with federal regulations, will notify annually all students, parents, staff, and community members of this policy and the designated coordinator to receive inquiries. This annual notification will include the name and location of the coordinator and will be included in all handbooks.

The District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence against students, staff, or volunteers with disabilities. The District will consider such behavior as constituting discrimination on the basis of disability, in violation of state and federal law.

Cross Reference:
- 1700 Uniform Complaint Procedure
- 3200 Student Rights and Responsibilities
- 3225 Sexual Harassment/Intimidation of Students
- 3226 Bullying/Harassment/Intimidation/Hazing

Legal Reference:
- Art. X, Sec. 7, Montana Constitution- Nondiscrimination in education
- § 49-2-307, MCA — Discrimination in education
- 24.9.1001, et seq., ARM — Sex discrimination in education
- Title IX of the Educational Amendments, 20 U.S.C. § 1681, et seq.
- 34 CFR Part 106 — Nondiscrimination on the basis of sex in education programs or activities receiving Federal financial assistance

Policy History:
Adopted on: February 2007
Revised on: February 2018, November 2020

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 Superintendent shall develop guidelines to implement these standards and shall establish procedures for the prompt review of any materials which appear not to comply with the standards.

Policy History:
Adopted on: February 2007
Revised on:

Distribution and Posting of Student Materials

District policy allows distribution of materials for student curricular clubs and non-curricular groups.

The Superintendent, building principal, or designee must approve all materials before they may be distributed or posted. Materials distributed or posted will include a notation to inform the recipient if the material is from a curricular student club or non-curricular student group.

To facilitate the distribution of materials with information about student activities, each school may maintain a centrally located bulletin board for the posting of materials, and/or maintain a table available to students for placing approved materials. Materials may also be posted on designated walls in the school buildings.

Materials from a curricular student club or non-curricular student group which provide information valued or needed by the students of the school district may be distributed, except those that would:

A. Disrupt the educational process;
B. Violate the rights of others;
C. Invade the privacy of others;
D. Infringe on a copyright;
E. Violate District policy, procedure, or administrative directive;
F. Be obscene, vulgar, or indecent,; or
G. Promote violence, discriminatory conduct, the use of drugs, alcohol, tobacco, nicotine, and any other tobacco innovation, firearms, or certain products that create community concerns.

All non-student community materials must be reviewed and approved by the Superintendent, building principal, or designee in accordance with Policy 4331.

Policy History:
Adopted on: February 2007
Revised on:

Jefferson High School District #1

STUDENTS 3224

Student Dress

The District recognizes that a student's choice of dress and grooming habits demonstrate personal style and preference. The District has the responsibility to ensure proper and appropriate conditions for learning, along with protecting the health and safety of its student body. Even though the schools will allow a wide variety of clothing styles, dress and grooming must not materially or substantially disrupt the educational process of the school or create a health or safety hazard for students, staff, or others.

The building administrator shall establish procedures for the monitoring of student dress and grooming in school or while engaging in extracurricular activities. Students attending public events sponsored by the school district are permitted to honor their American Indian heritage through the display of culturally significant tribal regalia at a public event sponsored by the school district. Any item that promotes drug use, weapon use, threats of violence, sexual harassment, bullying, or other intimidation, or violates another district policy, state, or federal law may not be worn at a public event sponsored by the school district. Specific regulations shall be published annually in student handbooks.

Cross Reference: Policy 2333 Participation in Commencement Exercises

Legal Reference: SB 319-Chapter 229 Tribal regalia and objects of cultural significance allowed at public events

Policy History:
Adopted on: February 2007
Revised on: March 2018

Revision Note: lines 11 thru 16 and references added.

Sexual Harassment of Students

The District does not discriminate on the basis of sex in any education program or activity that it operates. The District is required by Title IX of the Education Amendments of 1972 and the regulations promulgated through the U.S. Department of Education not to discriminate in such a manner. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The Board designates the following individual to serve as the District's Title IX Coordinator:

Title: School Counselor_____ _____
Office address: 312 S. Main St. Boulder, MT 59632_____
Email: joe.michaud@jhs.k12.mt.us _____
Phone number: (406) 225-3317 _____

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made in person, by mail, by telephone, or by electronic mail using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or serve of the District on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or

3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 24 USC12291(a)(8), or "stalking" as defined in 34 USC 12291(a)(30).

When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator directs the individual to the applicable sex discrimination process for the investigation.

An individual is not required to submit a report of sexual harassment involving the Title IX Coordinator. In the event the Title IX Coordinator is responsible for or a witness to the alleged harassment, the individual may report the allegations to the building principal, superintendent, or other unbiased school official.

Retaliation Prohibited

The District prohibits intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

Confidentiality

The district must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any individual who has been alleged to be the victim or perpetrator of conduct that could constitute sexual harassment, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Notice Requirements

The District provides notice to applicants for admission and employment, students, parents, or legal guardians of elementary and secondary school students, employees and the union(s) with the name or legal title, office address, email address, and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the District website and in all handbooks made available by the District.

Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, when applicable, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The District also ensures that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All

materials used to train individuals who receive training under this section must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment and are made publicly available on the District's website.

Conflict of Interest and Bias

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Determination of Responsibility

The individual who has been reported to be the perpetrator od conduct that could constitute sexual harassment is presumed not responsible for alleged conduct. A determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation in accordance with the process outlined in Policy 3225P. No disciplinary sanctions will be imposed unless and until a final determination of responsibility is reached.

Cross Reference:	3210	Equal Educational Opportunity, Nondiscrimination, and Sex Equity
	3225P	Sexual Harassment Procedures
Legal References:	Art. X, Sec. 1, Montana Constitution – Educational goals and duties	
	§§ 49-3-101, et seq., MCA	Montana Human Rights Act
	Civil Rights Act, Title VI; 42 USC 2000d et seq.	
	Civil Rights Act, Title VII; 42 USC 2000e et seq.	
	Education Amendments of 1972, Title IX; 20 U.S.C. § 1681, et seq.	
	34 CFR Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance
	10.55.701(1)(f), ARM	Board of Trustees
	10.55.719, ARM	Student Protection Procedures
	10.55.801(1)(1), ARM	School Climate

Policy History:
Adopted on: February 2007
Revised on: July 2018, March 2020, November 2020

Revision note: Expanded Sexual Harassment to include Intimidation and Misconduct

Sexual Harassment Reporting/Intake Form for Students

This form is not required. Complaints may be submitted in any manner noted in Policy 5012. The form may be used by the Title IX Coordinator to document allegations.

School _____ Date _____

Student's name _____

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

- Who was responsible for the harassment or incident(s)? _____

_____

- Describe the incident(s). _____

_____

_____

- Date(s), time(s), and place(s) the incident(s) occurred. _____

_____

_____

- Were other individuals involved in the incident(s)? __ yes __ no

If so, name the individual(s) and explain their roles. _____

_____

_____

_____

- Did anyone witness the incident(s)? __ yes __ no

If so, name the witnesses. _____

_____

_____

_____

- Did you take any action in response to the incident? __ yes __ no

If yes, what action did you take? _____

_____

_____

_____

- Were there any prior incidents? __ yes __ no

If so, describe any prior incidents. _____

_____

_____

Signature of complainant _____

Signatures of parents/legal guardians _____

Turn this form in to the principal or superintendent's office. The form, addressed to the principal or superintendent, may be placed in a blank sealed envelope if you wish to remain anonymous.

Retaliation is prohibited by federal law and district policy. The identity of the individual signing this form will remain confidential in accordance with law and policy.

Revised: May 15, 2012, November 2020

Sexual Harassment Grievance Procedure – Students

The Board requires the following grievance process to be followed for the prompt and equitable resolution of student complaints alleging any action that would be prohibited as sexual harassment by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

Definitions

The following definitions apply for Title IX policies and procedures:

"Actual knowledge": notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary or secondary school.

"Education program or activity": includes locations, events, or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, and the context in which the sexual harassment occurs.

"Complainant": an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Respondent": an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Formal complaint": a document filed by a Complainant or signed by the title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation of sexual harassment.

"Supportive measures": non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

District Requirements

When the District has actual knowledge of sexual harassment in an education program or activity of the District, the District will respond promptly in a manner that is not deliberately indifferent. When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator will direct the individual to the applicable sex discrimination process, bullying and harassment policy, or public complaint procedure for investigation.

The district treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sexual harassment equitably by offering supportive measures. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, changes in work locations, and other similar measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaints, and explain to the Complainant the process for filing a formal complaint. If the District does not provide the Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Timelines

The District has established reasonably prompt time frames for the conclusion of the grievance process, including time frames for filing and resolving appeals and informal resolution processes. The grievance process may be temporarily delayed or extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the event the grievance process is temporarily delayed for good cause, the District will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

Response to a Formal Complaint

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or other means designated by the District.

The District must follow the formal complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures. However, nothing in this policy precludes the District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and

provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. A period of removal may include the opportunity for the student to continue instruction in an offsite capacity. The District may also place a non-student employee Responded on administrative leave during the pendency of the grievance process. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Upon receipt of a formal complaint, the District must provide written notice to the known parties including:

1. Notice of the allegations of sexual harassment, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;

2. An explanation of the District's investigation procedures, including any informal resolution process;

3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;

4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence; and

5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or Respondent that are not included in the notice initially provided, notice of the additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties;

2. Provide an equal opportunity for the parties to present witnesses and evidence;

3. Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;

4. Allow the parties to be accompanied with an advisor of the party's choice who may be, but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate, with sufficient time for the party to prepare to participate;

6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;

7. Objectively evaluate all relevant evidence without relying on sex stereotypes;

8. Ensure that Title IX Coordinators, investigators, decision-makers, and individuals who facilitate an informal resolution process do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;

9. Not make creditability determinations based on the individual's status as Complainant, Respondent, or witness;

10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

<u>Dismissal of Formal Complaints</u>

If the conduct alleged in the formal complaint would not constitute sexual harassment, even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. A Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;

2. The Respondent is no longer enrolled or employed by the District; or

3. Specific circumstances prevent the District from gathering evident sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties. The grievance process will close in the event a notice of dismissal is provided to the parties. Support measure may continue following dismissal.

Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.

Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold a hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up

questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting sexual harassment;

2. Describe the procedural steps taken, including any notifications to the parties, interviews with the parties and witnesses, site visits, methods used to gather evidence, and hearings held;

3. Include the findings of fact supporting the determination;

4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;

5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant; and

6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination of responsibility for sexual harassment has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include

supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may implement disciplinary sanctions in accordance with State or Federal law and/or the negotiated agreement. For students, the sanctions may include disciplinary action, up to and including permanent exclusion.

Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint on the following bases:

1. Procedural irregularity that affected the outcome of the matter;

2. New evidence that was not reasonably available at the time that could affect the outcome; and

3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent that affected the outcome.

The District also may offer an appeal equally to both parties on additional bases.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

Informal Resolution Process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:

    a. The allegations;

    b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint; and

    c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days, unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.

Recordkeeping

The District must maintain for a period of seven years records of:

1. Each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;

2. Any appeal and the result therefrom;

3. Any informal resolution and the result therefrom; and

4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its

response was not deliberately indifferent, and document that it has taken measure designed to restore or preserve equal access to the District's education program or activity.

Cross Reference:	Policy 3210	Equal Education, Nondiscrimination, and Sex Equity
	Policy 3225	Sexual Harassment
	Policy 3310	Student Discipline
Legal Reference:	Art. X, Sec. 1, Montana Constitution – Educational goals and duties	
	Section 49-3-101, et seq., MCA, Montana Human Rights Act	
	Civil Rights Act, Title VI; 42 USC 2000d et seq.	
	Civil Rights Act, Title VII; 42 USC 2000e et seq.	
	Education Amendment of 1972, Title IX; 20 USC 1681 et seq.	
	Section 20-5-201, MCA Duties and Sanctions	
	Section 20-5-202, MCA, Suspension and Expulsion	
	34 CFR Part 106	Nondiscrimination on the basis of sex in education programs or activities receiving Federal financial assistance
	10.55.701(1)(f), ARM	Board of Trustees
	10.55.719, ARM	Student Protection Procedures
	10.55.801(1)(a), ARM	School Climate

Policy History:
Adopted on: November 2020
Revised on: May 2021

Revision Note:

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

1. "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.

2. "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.

3. "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.

4. "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:

   a. Physically harming a student or damaging a student's property;
   b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property.
   c. Creating a hostile educational environment.
   d. Substantially and materially disrupts the orderly operation of a school.

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

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. As part of the investigation, the guidance counselor will meet with the victim to make sure he/she is comfortable with the resolution of the problem.

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.

When an employee has actual knowledge that behavior in violation of this policy is sexual harassment, the employee must contact the Title IX Coordinator. The Title IX sexual harassment grievance process will be followed, if applicable, prior to imposing any discipline that cannot be imposed without resolution of the Title IX process.

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:	3225	Sexual Harassment
	3225F	Harassment Reporting Form for Students
	3225P	Sexual Harassment Grievance Procedure

Legal Reference:	§ 20-5-207, MCA	"Bully-Free Montana Act"
	§ 20-5-208, MCA	Definition
	§ 20-50-209, MCA	Bullying of student prohibited
	§ 20-5-210, MCA	Enforcement – exhaustion of administrative remedies
	10.55.701(2)(f), ARM	Board of Trustees
	10.55.801(1)(d), ARM	School Climate
	10.55.719, ARM	Student Protection Procedures

Policy History:
Adopted on: February 2007
Revised on: April 21, 2009; June 2012, January 2016, November 2020

Note: The revisions included the addition of lines 5-6 and #5 of page 1.
June 2012 revision added page 2 line 8 thru 10 last sentence.
January 2016 revision clarifies "Bullying" and adds section on Exhaustion of administrative remedies.

Searches and Seizure

The goal of search and seizure with respect to students is meeting the educational needs of children and ensuring their security. The objective of any search and/or seizure is not the eradication of crime in the community. Searches may be carried out to recover stolen property, to detect illegal substances or weapons or to uncover any matter reasonably believed to be a threat to the maintenance of an orderly educational environment. The Board authorizes school authorities to conduct reasonable searches of school property and equipment, as well as of students and their personal effects, to maintain order and security in the schools

The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified at its inception, and (2) reasonably related in scope to the circumstances which justified the interference in the first place.

School authorities are authorized to utilize any reasonable means of conducting searches, including but not limited to the following:

1. A "pat down" of the exterior of the student's clothing.
2. A search of the student's clothing including pockets;
3. A search of any container or object used by, belonging to or otherwise in the possession or control of a student; and/or
4. Devices or tools identified in school district policy or the student handbook or deemed necessary by the Superintendent or designee.

School Property and Equipment and Personal Effects of Students

School authorities may inspect and search school property and equipment owned or controlled by the District (such as lockers, desks, and parking lots).

The Superintendent may request the assistance of law enforcement officials, including their use of specially trained dogs, to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or material. The "pat down" or "search" of a student, if conducted, will be conducted by a school official or employee of the same gender as the student being searched.

Students

School officials may search any individual student, his/her property, or district property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on district property, cellular phones, or other electronic communication devices.

Students may not use, transport, carry, or possess illegal drugs or any weapons in their vehicles on school property. While on school property, vehicles may be inspected at any time by staff, or by contractors employed by the District utilizing trained dogs, for the presence of illegal drugs, drug paraphernalia, or weapons. In the event the school has reason to believe that drugs, drug paraphernalia, or weapons are present, including by alert trained dogs, the student's vehicle will be searched, and the student expressly consents to such a search.

Also, by parking in the school parking lots, the student consents to having his/her vehicle searched if the school authorities have any other reasonable suspicion to believe that a violation of school rules or policy has occurred.

Seizure of Property

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

Legal Reference: Redding v. Safford Unified School District,
---F.3d----, 2007 WL 2743594(C.A. 9 (Ariz.))
Terry v. Ohio, 392 U.S. 1, 20 (1968)
B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260

Policy History:
Adopted on: February 2007
Revised on: April 21, 2009, January 2016

Note" The revision included the addition of lines 10-21 on page 1.
January 2016 revision note: Clarified pat down and search process.

Jefferson High School District #1

STUDENTS 3231P

Searches and Seizure

The following rules shall apply to any searches and the seizure of any property by school personnel:

1. The Superintendent, principal, and the authorized assistants of either shall be authorized to conduct any searches or to seize property on or near school premises, as further provided in this procedure.
   If the authorized administrator has reasonable suspicion to believe that any locker, car, or other container of any kind on school premises contains any item or substance which constitutes an imminent danger to the health and safety of any person or to the property of any person or the District, the administrator is authorized to conduct a search of any car, locker, or container and to seize any such item or substance of any kind on school premises without notice on consent.

2. No student shall hinder, obstruct, or prevent any search authorized by this procedure.

3. Whenever circumstances allow, any search or seizure authorized in this procedure shall be conducted in the presence of at least one (1) adult witness, and a written record of the time, date, and results shall be made by the administrator. A copy shall be forwarded to the Superintendent as soon as possible.

4. In any instance where an item or substance is found which would appear to be in violation of the law, the circumstance shall be reported promptly to the appropriate law enforcement agency.

Procedure History:
Promulgated on: February 2007
Revised on: January 2016

January 2016 revision note: Moved search requirements to section 1.

Student Use of Buildings: Equal Access

Non-curricular groups of students not previously recognized as curricular student organization under Policy 3510 or 3550 may gather on school premises under the following guidelines without restriction on the basis of the religious, political, philosophical, or other content of the meeting. Students wishing to form curricular groups or organizations recognized by the school administration may do so in accordance with Policy 3510 or 3550.

The following criteria must be met:

1. The meeting is voluntary and student-initiated.

2. There is no sponsorship of the meeting by the school, the government, or its agents or employees.

3. The meeting must occur during non-instructional time on regular school days.

4. Employees or agents of the school or government are present only in a non-participatory capacity.

5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school.

6. Non-school persons may not direct, conduct, control, or regularly attend activities.

Although the school assumes no sponsorship of these kinds of meetings, all meetings held on school premises must be scheduled and approved by the principal.

This policy pertains to student meetings. The school has the authority, through its agent or employees, to maintain order and discipline on school premises and to protect the well-being of students and faculty.

Legal Reference: 20 U.S.C. 4071 Equal Access Act
Board of Education v. Mergens, 110 S.Ct. 2356 (1990)

Policy History:
Adopted on: February 2007
Revised on: August 2021

Jefferson High School District #1

STUDENTS 3235

Video Surveillance

The Board authorizes the use of video cameras on District property to ensure the health, welfare, and safety of all staff, students, and visitors to District property and to safeguard District buildings, grounds, and equipment. The Superintendent will approve appropriate locations for video cameras.

The Superintendent will notify staff and students through staff and student handbooks or by other means that video surveillance may occur on District property. A notice will also be posted at the main entrance of all school district buildings, and on all buses, indicating the use of video surveillance.

The District may choose to make video recordings a part of a student's educational record or of a staff member's personnel record. The District will comply with all applicable state and federal laws related to record maintenance and retention. The administration will have access to the system for monitoring, maintenance, and necessary retention. Responsibilities governing access to the system will be outlined in the employee's respective job description.

Video recordings will be totally without sound.

Cross-Reference: 3600 Student Records

Legal Reference: § 45-8-213, MCA Privacy in Communications

Policy History:
Adopted on: February 2007
Revised on:

2nd Reading

Suspension and Expulsion – Corrective Actions and Punishment

The Board recognizes that every student is entitled to due process rights that are provided by law.

Suspension

- "Suspension" means the exclusion of a student from attending individual classes or school and participating in school activities for an initial period not to exceed ten (10) school days. An administrator may order suspension of a student.

The procedure set forth below will be followed when a proposed punishment of a student is to include denial of the right of school attendance from any single class or from a full schedule of classes for at least one (1) day.

Before any suspension is ordered, a building administrator will meet with a student to explain charges of misconduct, and the student will be given an opportunity to respond to the charges.

When a student's presence poses a continuing danger to persons or property or poses an ongoing threat of disruption to the educational process, a pre-suspension conference will not be required, and an administrator may suspend a student immediately. In such cases, a building administrator will schedule a conference as soon as practicable following the suspension and notify the student and parent or guardian of the conference.

A building administrator will report any suspension immediately to a student's parent or legal guardian. An administrator will provide a written report of suspension that states reasons for a suspension, including any school rule that was violated, and a notice to a parent or guardian of the right to a review of a suspension. An administrator will send a copy of the report and notice to the Superintendent.

The Superintendent will conduct a review of any suspension on request of a parent or legal guardian. A student and parent or legal guardian may meet with the Superintendent to discuss suspension. After the meeting and after concluding a review, the Superintendent will take such final action as appropriate.

Upon a finding by a school administrator that the immediate return to school by a student would be detrimental to the health, welfare, or safety of others or would be disruptive of the educational process, a student may be suspended for one (1) additional period not to exceed ten (10) school days, if the student is granted an informal hearing with the school administrator prior to the additional suspension, and if the decision to impose the additional suspension does not violate the Individuals with Disabilities Education Act (IDEA) or Rehabilitation Act.

Students who are suspended from any class or from school entirely have the right to make up any work missed according to the student handbook.

- 'Expulsion" is any removal of a student for more than twenty (20) school days without

the provision of educational services. Expulsion is a disciplinary action available only to the Board.

The Board, and only the Board, may expel a student from school and may do so only after following due process procedures set forth below.

The Board will provide written notice to a student and parent or legal guardian of a hearing to consider a recommendation for expulsion, which will be sent by registered or certified mail at least five (5) school days before the date of the scheduled hearing. The notice will include time and place of hearing, information describing the process to be used to conduct the hearing, and notice that the Board intends to conduct the hearing in closed session unless a parent or legal guardian waives the student's right to privacy.

Within the limitation that a hearing must be conducted during a period of student suspension, a hearing to consider expulsion may be rescheduled when a parent or legal guardian submits a request showing good cause to the Superintendent at least two (2) school days before a hearing date as originally scheduled. The Superintendent will determine if a request shows good cause to reschedule a hearing.

At hearing the student may be represented by counsel, present witnesses and other evidence, and cross-examine witnesses. The Board is not bound by formal rules of evidence in conducting the hearing.

Each school shall maintain a record of any disciplinary action that is educationally related, with explanation, taken against the student. When the Board of Trustees takes disciplinary action against a student, the Board must keep a written record of the action taken, with detailed explanation, even if the disciplinary action is decided during a closed session. A disciplinary action that is educationally related is an action that results in the expulsion or out-of-school suspension of the student. This record must be maintained/destroyed consistent with Montana Local Government Records Schedule 7, and is subject to transfer to a local education agency, accredited school, or nonpublic school pursuant to 20-1-213, MCA.

Procedures for Suspension and Expulsion of Students with Disabilities

The District will comply with provisions of the Individuals with Disabilities Education Act (IDEA) and Rehabilitation Act when disciplining students. The Board will not expel any special education student when the student's particular act of gross disobedience or misconduct is a manifestation of the student's disability. The Board may expel pursuant to its expulsion procedures any special education student whose gross disobedience or misconduct is not a manifestation of the student's disability. A disabled student will continue to receive education services as provided in the IDEA or Rehabilitation Act during a period of expulsion.

A building administrator may suspend a child with a disability from the child's current placement for not more than ten (10) consecutive school days for any violations of school rules, and additional removals of not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change

of placement under 34 CFR 300.519(b), whether or not a student's gross disobedience or misconduct is a manifestation of a student's disabling condition. Any special education student who has exceeded or who will exceed the (10) days of suspension may temporarily be excluded from school by court order or by order of a hearing officer, if the District demonstrates that maintaining the student in the student's current placement is substantially likely to result in injury to the student or to others. After a child with a disability has been removed from his or her placement for more than ten (10) school days in the same school year, during any subsequent days of removal the public agency must provide services to the extent required under 34 CFR300.121(d).

An administrator may remove from current placement any special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function. The District will place such student in an appropriate interim alternative education setting for no more than forty-five (45) school days in accordance with the IDEA or Rehabilitation Act.

The trustees shall annually, at the regularly scheduled June meeting, review this policy and update this policy as determined necessary by the trustees based on changing circumstances pertaining to school safety

Legal Reference:

20 U.S.C. 1400, et seq.	Individuals with Disabilities Education Act
34 CFR 300.519-521	Procedural Safeguards
§ 20-1-213, MCA	Transfer of School Records
§ 20-4-302, MCA	Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
§ 20-4-402, MCA	Duties of district superintendent or county high school principal
§ 20-5-105, MCA	Attendance officer – powers and duties
§ 20-5-106, MCA	Truancy
§ 20-5-201, MCA	Duties and sanctions
§ 20-5-202, MCA	Suspension and expulsion
ARM 10.16.3346	Aversive Treatment Procedures
ARM 10.55.910	Student Discipline Records
Goss v. Lopez, 419 US 565 (1975)	
Section 504 IDEA	

Policy History:

Adoption on: February 2007

Revised on: July 2013, January 2016

Note: Revisions included lines 9-14, 19-24 and 29-31.

January 2016 revisions were a substantial rewrite of this policy in conformance with language from statute. Of particular note is the insertion of a paragraph regarding maintenance of records even if done in closed session.

Corrective Actions and Punishment

The Board recognizes that every student is entitled to due process rights that are provided by law.

Suspension

The procedure set forth below will be followed when a proposed punishment of a student is to include denial of the right of school attendance from any single class or from a full schedule of classes for at least one (1) day.

Before any suspension is ordered, a building administrator will meet with a student to explain charges of misconduct and a student will be given opportunity to respond to the charges.

When a student's presence poses a continuing danger to persons or property or poses an ongoing threat of disruption to the educational process a pre-suspension conference will not be required and an administrator may suspend a student immediately. In such cases, a building administrator will provide notice of and schedule a conference as soon as practicable following the suspension.

A building administrator will report any suspension immediately to a student's parent or legal guardian. An administrator will provide a written report of suspension that states reasons for a suspension, including any school rule that was violated, and a notice to a parent or guardian of the right to a review of a suspension. An administrator will send a copy of the report and notice to the Superintendent.

The Superintendent will conduct a review of any suspension on request of a parent or legal guardian. A student and parent or legal guardian may meet with the Superintendent to discuss suspension. After the meeting and after concluding a review the Superintendent will take such final action as appropriate.

Specific discipline measures, regarding make-up work, for students who are suspended from any class or from school entirely can be found in the student handbook.

Expulsion

The Board and only the Board may expel a student from school and may do so only after following due process procedures set forth below.

The Board will provide written notice to a student and parent or legal guardian of a hearing to consider a recommendation for expulsion, which will be sent by registered or certified mail at least five (5) school days before the date of the scheduled hearing. A notice will include time and place of a hearing, information describing the process to be used to conduct a hearing and notice that the Board intends to conduct a hearing in closed session unless a parent or legal guardian waives a student's right to privacy.

Within the limitation that a hearing must be conducted during a period of student suspension, a hearing to consider expulsion may be rescheduled when a parent or legal guardian submits a request showing good cause to the Superintendent at least two (2) school days before a hearing

date as originally scheduled. The Superintendent will determine if a request shows good cause to reschedule a hearing.

The student has the right to be present for the duration of the hearing. At hearing the student may be represented by counsel and ask questions, present perspectives, and provide witnesses or documentation. The Board is not bound by formal rules of evidence in conducting the hearing.

Procedures for Suspension and Expulsion of Students with Disabilities

The District will comply with provisions of the Individuals with Disabilities Education Act (IDEA) when disciplining students. The Board will not expel any special education student when a student's particular act of gross disobedience or misconduct is a manifestation of a student's disability. The Board may expel pursuant to its expulsion procedures any special education student whose gross disobedience or misconduct is not a manifestation of a student's disability. A disabled student will continue to receive education services as provided in the IDEA during a period of expulsion.

The building administrator may suspend a child with a disability from the child's current placement for not more than ten (10) consecutive school days for any violation of school rules, and additional removals of not more than ten (10) consecutive schools days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement under 34 CFR 300.519(b), whether or not a student's gross disobedience or misconduct is a manifestation of a student's disabling condition. Any special education student who has exceeded or who will exceed ten (10) days of suspension may temporarily be excluded from school by court order or by order of a hearing officer, if the District demonstrates that maintaining a student in a student's current placement is substantially likely to result in injury to a student or to others. After a child with a disability has been removed from his or her placement for more than ten (10) school days in the same school year, during any subsequent days of removal the public agency must provide services to the extent required under 34 CF 300.121(d).

An administrator may remove from current placement any special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function or inflicts serious bodily injury on another person while at school, on school premises, or at a school function under the jurisdiction. A serious bodily injury is one that involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or faculty.
The District will place such student in an appropriate interim alternative educational setting for no more than forty-five (45) school days in accordance with the IDEA.

Procedure History:
Promulgated on: February 2007
Revised on: November 20, 2007, April 2019

Student Discipline

The Board grants authority to a teacher or principal to hold a student to strict accountability for disorderly conduct in a school building, on property owned or leased by a school district, on a school bus, 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:

- Using, possessing, distributing, purchasing, or selling tobacco products including alternative nicotine and vapor products as defined in 16-11-302, MCA.
- Using, possessing, distributing, purchasing, or selling alcoholic beverages. 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.
- Using, possessing, distributing, purchasing, or selling drug paraphernalia, illegal drugs, marijuana, 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.
- Using, possessing, controlling, or transferring a firearm or other weapon in violation of Policy 3311.
- Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon as referred to in Policy 3311.
- Disobeying directives from staff members or school officials or disobeying rules and regulations governing student conduct.
- Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct.
- Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person’s property.
- Engaging in any activity that constitutes an interference with school purposes or an educational function or any other disruptive activity.
- Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic and habitual truants.
- Intimidation, harassment, sexual harassment, sexual misconduct, hazing, bullying, or retaliation against any person who alleged misconduct under Policy 3225 or 3226 or participated in an investigation into alleged misconduct under Policy 3225 or 3226.
- Defaces or damages any school building, school grounds, furniture, equipment, or book belonging to the district.
- 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.

- Engaging in academic misconduct which may include but is not limited to: cheating; unauthorized sharing of exam responses or graded assignment work; plagiarism; accessing websites or electronic resources without authorization to complete assigned coursework; and any other act designed to give unfair academic advantage to the student

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:

- On, or within sight of, school grounds before, during, or after school hours or at any other time when school is being used by a school group.
- Off school grounds at a school-sponsored activity or event or any activity or event that bears a reasonable relationship to school.
- Travel to and from school or a school activity, function, or event.
- 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:

- Expulsion
- Suspension from class
- In-School Suspension
- Clean-up duty
- Loss of student privileges
- Loss of bus privileges
- Notification to juvenile authorities and/or police
- 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.

Non-Disciplinary Measures

The Superintendent or designee is authorized to assign a student to non-disciplinary offsite instruction pending the results of an investigation or for reasons related to the safety or well-

being of students and staff. During the period of non-disciplinary offsite instruction, the student will be permitted to complete all assigned schoolwork for full credit. The assignment of non-disciplinary offsite instruction does not preclude the Superintendent or designee from disciplining a student who has, after investigation, been found to have violated a School District policy, rule, or handbook provision.

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	Corrective Actions and Punishment
	3225	Sexual Harassment of Students
	3226	Bullying, Harassment
	5015	Bullying, Harassment

Legal Reference:

§ 20-4-302, MCA	Discipline and punishment of pupils – definition of corporal punishment – penalty - defense
§ 16-11-302(1)(7), MCA	Definitions
§ 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
20 U.S.C. § 8921, et seq.	Gun Free Schools Act of 1994
29 U.S.C. § 701	Rehabilitation Act of 1973
Initiative 190	"Montana Marijuana Regulation and Taxation Act", January 1, 2021

Policy History:
Adopted on: February 2007
Revised on: January 20, 2009, February 15, 2011, January 2016, November 2020, May 2021, July 2021

Revision Note: January 2016 *Clarifies e-Cigarette as alternative nicotine product and references MCA, Legal References updated.*

Discipline of Students With Disabilities

Code of Conduct Violations by Students With Disabilities, Resulting in Disciplinary Consequences of Ten (10) School Days or Less

Student commits code of conduct violation for which the disciplinary consequence would result in removal from the student's placement for ten (10) consecutive school days or less.

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School personnel may assign the consequence applicable to non-disabled students for a similar period of time, not to exceed ten (10) consecutive school days. *Reg. 300.520(a)(1)(i).*

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During the first (1st) ten (10) cumulative school days in one (1) school year, the school does not have to provide any services to the student if non-disabled students would not receive services. *Reg. 300.121(d)(1).*

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School personnel may continue to remove the student for disciplinary reasons for up to ten (10) school days at a time throughout the same school year for separate incidents of misconduct, so long as the removals do not constitute a change of placement under *Reg. 300.519(b)* and are those which would be applied to non-disabled students. *Reg. 300.520(a)(1)(i).*

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A series of disciplinary removals, each for ten (10) consecutive school days or less, may result in a change of placement if they cumulate to more than ten (10) school days in one (1) school year. School personnel should analyze the length of each removal, the proximity of the removals to each other, and the total amount of time the child is removed. *Reg. 300.519(b).* If a removal would result in a change of placement, a manifestation determination review (MDR) must first be done. *Reg. 300.523(a).*

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Beginning with the eleventh (11th) day of disciplinary removals in a school year, educational services must be provided. *Reg. 300.520(a)(1)(ii); Reg. 300.121(d)(2)(i)(A).* If the removal does not result in a change of placement, school personnel, in consultation with the student's special education teacher, determine the services to be provided. *Reg. 300.121(d)(3)(i).*

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The educational services to be provided must meet the standard of enabling the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. *Reg. 300.121(d)(2)(i)(A).*

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Beginning with the eleventh (11th) day of disciplinary removals in a school year, the IEP Team must address behavioral issues. If the removal does not result in a change of placement, the IEP Team must meet within ten (10) business days of first removing the student for more than ten (10) school days in a school year, to develop a plan to conduct a functional behavioral assessment, if one was not conducted before the behavior that resulted in the removal. *Reg. 300.520(b)(1)(i).*

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After the functional behavioral assessment is completed, the IEP Team meets as soon as practicable to develop a behavioral intervention plan to address the behavior and implement the plan. *Reg. 300.520(b)(2).*

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If the student's IEP already includes a behavior intervention plan, within ten (10) business days of first removing the student for more than ten (10) school days in a school year, the IEP Team must meet to review the behavior intervention plan and its implementation, and modify the plan and its implementation as necessary to address the behavior. *Reg. 300.520(b)(1)(ii).*

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If the student is assigned subsequent disciplinary removals in a school year for ten (10) days or less that do not result in a change of placement, the IEP Team members (including the parent) informally review the behavior intervention plan and its implementation to determine if modifications are necessary. *Reg. 300.520(c)(2).*

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If one or more team members believe modifications are needed, the IEP Team must meet to modify the plan and its implementation to the extent the IEP Team deems necessary. *Reg. 300.520(c)(2).*

Code of Conduct Violations by Students With Disabilities for Which Recommended Disciplinary Consequences Would Result in Change of Placement for More Than Ten (10) School Days (Excluding Drug and Weapon Offenses)

Student violates code of conduct, and the recommended disciplinary consequence would result in a removal from the current educational placement for more than ten (10) consecutive school days (alternate placement, expulsion). This constitutes a change of placement. *Reg. 300.519(a).*

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The recommended disciplinary consequence may be for a removal from the current educational placement for less than ten (10) consecutive school days, but may constitute a change of placement because the student has already been removed for disciplinary reasons for ten (10) or more school days in the current school year, and the length of each removal, their proximity to each other, and the total amount of time the student has been removed result in a change of placement. *Reg. 300.519(b).*

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School personnel may remove from current educational placement for ten (10) school days or less (*Reg. 300.520(a)(1)(i)*) and recommend further discipline according to the code of conduct. (The ten-(10)-day-or-less alternative must be one equally applicable to non-disabled. See pp. 1-2 for educational services to be provided during a short removal.) If a criminal act has been committed, charges may be filed, and law enforcement authorities to whom the crime was reported must be provided special education and disciplinary records to the extent disclosure is permitted by FERPA. *Sec. 1415(k)(9). Reg. 300.529.*

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At the time the decision is made to take this action, school personnel must notify parent of decision and provide procedural safeguards notice in *Reg. 300.504. Sec. 1415(k)(4)(A)(i); Reg. 300.523(a)(1).*

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Within ten (10) business days, IEP Team and other qualified personnel must meet and review relationship between disability and the behavior subject to disciplinary action (manifestation determination review – MDR). *Sec. 1415(k)(4)(A); Reg. 300.523(a)(2), (b).* If there has been no previous functional behavioral assessment and creation of a behavior intervention plan, the IEP Team must develop an assessment plan. *Reg. 300.520(b)(1)(i).* As soon as practicable after the assessment, the IEP Team must meet again to develop and implement the behavior intervention plan. *Reg. 300.520(b)(2).* If the IEP contains a behavior intervention plan, the IEP Team reviews the plan and its implementation and modifies them as necessary to address the behavior. *Reg. 300.520(b)(1)(ii).*

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For the MDR, the IEP Team must look at all information relevant to the behavior subject to discipline, such as evaluation and diagnostic results, including such results and other relevant information from the parent, observation of the student, and the student's IEP and placement. The misbehavior is not a manifestation of the disability, if the IEP Team finds that in relationship to the misbehavior subject to discipline:

- The IEP and placement were appropriate;
- Consistent with the content of the student's IEP and placement, special education services, supplementary aids, and behavior intervention strategies were actually provided;
- The disability did not impair the ability of the student to understand the impact and consequences of the misbehavior; and
- The disability did not impair the ability of the student to control the misbehavior.

Sec. 1415(k)(4)(C); Reg. 300.523(c).

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If the IEP Team determines any of the standards were not met, the misbehavior was a manifestation of the disability, and no punishment may be assessed. *Reg. 300.523(d).* If IEP Team identified deficiencies in IEP, placement, or implementation, it must take immediate steps to remedy. *Reg. 300.523(f).*

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Parent may appeal a finding that the misbehavior was not a manifestation of the disability. The hearing is expedited before a special education hearing officer, who applies the same standards as the IEP Team. *Sec. 1415(k)(6); Reg. 300.525(a), (b).*

Parent may appeal decision to place student in forty-five-(45)-day interim placement. The hearing is expedited before a special education hearing officer, who applies the standards regarding a dangerous student in *Reg. 300.521*. *Sec. 1415(k)(6)(B)(ii); Reg. 300.525(b)(2).*

When a parent requests a hearing in a drug or weapon case to challenge the interim alternative placement or the manifestation determination, student remains in interim placement until decision of hearing officer or forty-five (45) days expires, whichever comes first, unless the parent and school agree otherwise. *Reg. 300.526(a).* Then student returns to current placement (defined as placement prior to interim alternative educational setting). School can ask for expedited hearing before special education hearing officer to prevent this return, if the student is substantially likely to injure self or others. *Reg. 300.526(b), (c).* The hearing officer applies the standards in *Reg. 300.121*. *Reg. 300.526(c).* Hearing officer can order another placement for up to forty-five (45) days. *Reg. 300.526(c)(3).* This procedure may be repeated as necessary. *Sec. 1415(k)(7); Reg. 300.526(c)(4).*

If the IEP Team determines the misbehavior was not a manifestation of the disability, regular disciplinary consequences may be applied to the student, except that the student must continue to be provided a free appropriate public education. *Sec. 1415(k)(5)(A); Sec. 1412 (a)(1)(A); Reg. 300.121(a); Reg. 300.524(a).* The campus must ensure that special education and disciplinary records are transmitted for consideration by the school district person making the final determination regarding the disciplinary action. *Sec. 1415(k)(5)(B); Reg. 300.524(b).*

The standard the educational services must meet is to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. *Reg. 300.121(d)(2)(i)(B); Reg. 300.524(a).* The IEP Team must determine what services are necessary to meet this standard. *Reg. 300.121(d)(3)(ii).*

Drug and Weapon Offenses by Students With Disabilities

Student carries weapon to school, or possesses, uses, sells, or solicits sale of illegal or controlled substance on school property or at a school function.

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Illegal drug – controlled substance. Excludes legally used and possessed prescription drugs. *Sec. 1415(k)(10)(B); Reg. 300.520(d)(2).*

Controlled substance – drug or substance in 21 U.S.C. § 812(c), Schedules I-V. *Sec. 1415(k)(10)(A); Reg. 300.520 (d)(1).*

Weapon – A firearm and more. Something used for or readily capable of causing death or serious bodily injury. Excludes pocket knife with blade of 2½ inches or less. *Sec. 1415(k)(10)(D); Reg. 300.520(d)(3).*

School personnel may remove from current educational placement for ten (10) school days or less, and recommend further discipline according to the code of conduct. *Sec. 1415(k)(1)(A)(i); Reg. 300.520(a)(1)(i).* (The ten-(10)-day-or-less alternative must be one equally applicable to non-disabled students. See pp. 1-2 for education services to be provided during a short removal.) If a criminal act has been committed, charges may be filed, and special education and disciplinary records will be transmitted to law enforcement authorities to whom the crime was reported, to the extent disclosure is permitted by FERPA. *Sec. 1415(k)(9); Reg. 300.529.*

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At time decision is made to take this disciplinary action, school personnel must notify parent of decision and provide procedural safeguards notice in *Reg. 300.504*. *Sec. 1415(k)(4)(A)(i); Reg. 300.523(a)(1).*

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Within ten (10) business days, IEP Team must meet and may extend the removal by placing student in appropriate interim alternative educational setting applicable to non-disabled student for same amount of time non-disabled student would be assigned, but not more than forty-five (45) calendar days. *Sec. 1415 (k)(1)(A)(ii) and (3)(A); Reg. 300.520(a)(2); Reg. 300.522(a).* IEP Team must review the behavior intervention plan, if one exists, and its implementation and modify, as necessary, to address behavior. *Reg. 300.520(b)(1)(ii).* If there has been no previous functional behavioral assessment and creation of behavior intervention plan, IEP Team must develop assessment plan. *Sec. 1415(k)(1)(B); Reg. 300.520(b)(1)(i).* As soon as practicable after the assessment, the IEP Team must meet again to develop and implement the behavior intervention plan. *Reg. 300.520(b)(2).* The IEP Team and other qualified personnel must review the relationship between disability and the behavior subject to disciplinary action (manifestation determination review-MDR). *Sec. 1415(k)(4)(A); Reg. 300.523 (a)(2)(b).*

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The forty-five-(45)-day alternative interim placement must:

- Enable student to progress in general curriculum, although in another setting;
- Enable student to continue to receive those services and modifications, including those described in the student's IEP, that will enable the student to meet the goals set out in that IEP; and
- Include services and modifications designed to address the drug or weapon offense so that it does not recur. *Sec. 1415(k)(3)(B); Reg. 300.522; Reg. 300.121 (d)(2)(ii).*

Comments to regulations: Students may be subject to multiple forty - five - (45) - day interim placements for separate drug and weapon offenses. The forty - five - (45) - day interim placement may be completed even if drug or weapon offense was manifestation of disability. If misbehavior was not a manifestation of disability, regular disciplinary consequence can be applied in addition to forty - five - (45) - day interim placement.

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For the MDR, the IEP Team must look at all information relevant to the behavior subject to discipline, such as evaluation and diagnostic results, including such results and other relevant information from the parent, observation of the student, and the student's IEP and placement. The misbehavior is not a manifestation of the disability if the IEP Team finds that, in relationship to the misbehavior subject to discipline:

- The IEP and placement were appropriate;
- Consistent with the content of the student's IEP and placement, special education services, supplementary aids and services, and behavior intervention strategies were actually provided;
- The disability did not impair the ability of student to understand the impact and consequences of the misbehavior; and
- The disability did not impair the ability of the student to control the misbehavior.

Sec. 1415(k)(4)(C); Reg. 300.523(c).

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If the IEP Team determines any of the standards were not met, the misbehavior was a manifestation of the disability, and no punishment may be assessed. *Reg. 300.523(d).* If IEP Team identifies deficiencies in IEP, placement, or implementation, it must take immediate steps to remedy. *Reg. 300.523(f).*

- or -

If the IEP Team determines the misbehavior was not a manifestation of the disability, regular disciplinary consequences may be applied to the student, except that the student must continue to be provided a free appropriate public education. *Sec. 1415(k)(5)(A); Sec. 1412(a)(1)(A). Reg. 300.121(a). Reg. 300.524(a).* The campus must ensure that special education and disciplinary record are transmitted for consideration by the school district person making the final determination regarding the disciplinary action. *Sec. 1415(k)(5)(B); Reg. 300.524(b).*

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Parent may appeal a finding that the misbehavior was not a manifestation of the disability. The hearing is expedited before a special education hearing officer, who applies the same standards as the IEP Team. *Sec. 1415(i)(6); Reg. 300.525 (a), (b).*

If IEP Team finds no manifestation and changes placement to comply with the disciplinary recommendation, parent may appeal the placement decision. The hearing is expedited before a special education hearing officer. *Sec. 1415(k)(6)(A); Reg. 300.525(a)(2).*

During appeals, stay put applies. *Reg. 300.524(c).* If child is substantially likely to injure self or others in the current placement, the school can request an expedited hearing and request the hearing officer to remove to an interim alternative educational placement for up to forty-five (45) days. Standards to be met are those in *Sec. 1415(k)(2)* and *Reg. 300.521*.

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The standard the education services must meet is to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. *Reg. 300.121 (d)(2)(i)(B); Reg. 300.524(a).* The IEP Team must determine what services are necessary to meet this standard. *Reg. 300.121 (d)(3)(ii).*

Students Dangerous to Self or Others

IDEA discipline procedures are followed for a non-drug or weapon offense, the penalty for which would result in expulsion or removal from the student's placement for more than ten (10) school days.

IEP Team meets, determines no manifestation and recommends discipline proceed. Parent disagrees and requests a due-process hearing. Stay put applies, and child stays in the current placement, unless school acts to change the placement. *Reg. 300.524.*

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School requests hearing officer to change the placement during the pendency of the hearing because of the likelihood of injury to self or others. *Sec. 1415(k)(2); Reg. 300.521.*

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Hearing officer holds expedited hearing to consider request. School has burden of proof to show by more than a preponderance of the evidence that maintaining the child in the current placement is substantially likely to result in injury to self or others. *Sec. 1415(k)(2)(A), (10)(D); Reg. 300.521(a).* Hearing officer must also:

- Consider the appropriateness of the current placement.
- Consider whether the school has made reasonable effort to minimize the risk of harm in the current placement, including the use of supplemental aids and services.
- Determine that the interim alternative setting proposed by the school personnel, in consultation with special education teacher:
    - Enables the student to participate in the general curriculum, although in another setting;
    - Enables the student to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in the IEP; and
    - Include services and modification designed to address the behavior so that it does not recur.

Sec. 1415(k)(2); Reg. 300.521(b), (c), (d); Reg. 300.522(b); Reg. 300.121(d)(2)(ii)(B).

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If parent appeals forty-five-(45)-day interim alternative placement by IEP Team in drug or weapon case, hearing officer applies these standards in expedited hearing. *Sec. 1415(k)(6)(B)(ii); Reg. 300.525 (b)(2).*

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If all requirements are met, hearing officer may order a change of placement to the interim alternative educational setting for up to forty-five (45) days. *Sec. 1415(k)(2); Reg. 300.521.*

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Student returns to his or her current placement (the placement prior to the interim alternative educational setting) at end of forty-five (45) days, if no decision has been issued by hearing officer in pending due-process hearing. If school believes it would be dangerous for student to return to current placement while hearing is still pending, school may request another expedited hearing to again place student in forty-five-(45)-day interim placement while hearing continues to be pending. *Reg. 300.526(b), (c)(4).* Hearing officer holds same type of hearing initially held when hearing officer ordered first forty-five-(45)-day interim placement. *Sec. 1415(k)(7); Reg. 300.526.* Any subsequent forty-five-(45)-day interim setting must meet the standards in *Reg. 300.522.*

Procedure History:
Promulgated on: February 2007
Revised on:

Firearms and Other Weapons

Firearms

It is the policy of Jefferson High School District to comply with the federal Gun Free Schools Act of 1994 and state law 20-5-202 (2), MCA, pertaining to students who bring a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district.

The District does not allow students to possess firearms on District property or at any setting that is under the control and supervision of the District. In accordance with 20-5-202 (3), MCA, a teacher, superintendent, or principal shall suspend immediately for good cause a student who is determined to have brought a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district. The Policy does not govern conduct in a student's home, a locked vehicle, a parking lot, or a commercial business when the student is participating in an online, remote, or distance-learning setting. In accordance with Montana law, a student who is determined to have brought a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district must be expelled from school for a period of not less than 1 year.

For the purposes of the firearms section of this policy, the term "firearm" means (A) any weapon (including a starter gun) which will, is designed to, or may be readily converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device pursuant to 18 U.S.C. 921 (4). Such term does not include an antique firearm pursuant to 18 U.S.C. 921 (16).

Option 1: However, on a case-by-case basis, the Board of Trustees will convene a hearing to review the underlying circumstances and, in the discretion of the Board, may authorize the school administration to modify the requirement for expulsion of a student.

A decision to change the placement of a student with a disability who has been expelled pursuant to this section must be made in accordance with the Individuals with Disabilities Education Act.

Before holding a hearing to determine if a student has violated this Policy, the Board shall, in a clear and timely manner, notify the tudent if the student is an adult or notify the parent or guardian of a student if the student is a minor that the student may waive the student's privacy interest by requesting that the hearing be held in public and invite other individuals to attend the hearing.

Before expelling a student under this Policy, the Board shall hold a due process hearing that includes presentation of a summary of the information leading to the allegations and an opportunity for the student to respond to the allegations. The student may not be expelled unless the trustees find that the student knowingly, as defined in Section 1-1-204, MCA, brought a firearm to school or possessed a firearm at school.

When a student subject to a hearing is found to have not violated this Policy, the student's school record must be expunged of the incident.

The provisions of this Policy do not require the Board to expel a student who has brought a firearm to school or possesses a firearm at school if the firearm is secured in a locked container approved by the school district or in a locked motor vehicle the entire time the firearm is at school, except while the firearm is in use for a school-sanctioned instructional activity.

Possession of Weapons other than Firearms

The District does not allow students to possess other weapons on District property or at any setting that is under the control and supervision of the District. Any student found to have possessed, used, or transferred a weapon on school property will be subject to discipline in accordance with the District's discipline policy. For purpose of this section, "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury, including but not limited to air guns; pellet guns; BB guns; fake (facsimile) weapons; all knives; blades; clubs; metal knuckles; numchucks (also known as nunchucks); throwing stars; explosives; fireworks; mace or other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

No student shall possess, use, or distribute any object, device, or instrument having the appearance of a weapon, and such objects, devices, or instruments shall be treated as weapons, including but not limited to weapons listed above which are broken or non-functional, look-alike guns, toy guns; and any object that is a facsimile of a real weapon. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs pencils, files, scissors, etc.) to inflict bodily harm and or intimidate, and such use will be treated as the possession and use of a weapon.

Definitions, Exceptions, and Referral to Law Enforcement

The District may refer to law enforcement for immediate prosecution any student who possesses, carries, or stores a weapon in a school building as specified in Section 45-8-361, MCA. In addition, the District will refer for possible prosecution a parent or guardian of any minor violating this policy on grounds of allowing a minor to possess, carry, or store a weapon in a school building. For the purposes of this section only, "school property" means within school buildings, in vehicles used for school purposes, or on owned or leased school land or grounds. "Building" specifically means a combination of any materials, whether mobile, portable, or fixed, to form a structure and the related facilities for the use or occupancy by persons or property owned or leased by a school district that are used for instruction or for student activities as specified in Section 50-60-101(2), MCA and Section 45-8-361, MCA. The term is construed as though followed by the words "or part or parts of a building" and is considered to include all stadiums, bleachers, and other similar outdoor facilities, whether temporary or permanently fixed.

The Board of Trustees may grant person and entities advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry, or store a weapon in a school building must request permission of the Board at a regular meeting. The Board has sole discretion in deciding whether to allow a person to possess, carry, or store a weapon in a school building. (45-8-361 (3b))

This section does not apply to a law enforcement officer acting in the officer's official capacity or an individual previously authorized by the Board of Trustees to possess a firearm or weapon in a school building.

The Board of Trustees shall annually review this policy and update this policy as determined necessary by the trustees based on changing circumstances pertaining to school safety.

Cross Reference:	Policy 3310	Student Discipline
	Policy 4332	Conduct on School Property
Legal Reference:	§ 20-5-202, MCA	Suspension and Expulsion
	§ 45-8-361, MCA	Possession or allowing possession of a weapon in a school building
	20 U.S.C. §7151, et seq.	Gun Free Schools Act of 1994
	18 U.S.C. § 921	Definitions
	NCLB, Section 4141	Gun Free Requirements

Policy History:
Adopted on: July 2013
Revised on: July 2021, August 2021

Revision Note:

Extra- and Co-Curricular Alcohol, Drug, and Tobacco Use

Students participating in extra- and co-curricular activities, whether or not sponsored by the MHSA, will not use, have in possession, sell, or distribute alcohol, tobacco, or illegal drugs or abuse prescription or nonprescription drugs, or be in attendance where alcohol, tobacco, or drugs are being used during their extra- and co-curricular activities. These rules are in effect twenty-four (24) hours a day. If a student is seen using, or in attendance where, tobacco, alcohol, or illicit drugs are being used, the student will be disciplined in accordance with the activities and student handbooks.

Policy Coverage

This policy applies to high school students involved in the extra- and co-curricular activities program.

Policy Duration

This policy is in effect each school year, from the first date of the first (1st) practice for fall activities until the last day of school or activities, whichever is later. The participation rules and disciplinary measures will be published annually in the activities and student handbooks.

Student and Parent/Legal Guardian Due Process

Once a determination that a violation of this policy has occurred, the student and parent/legal guardian will be notified by telephone where possible and also by mail. Notification will include the violation and the time set for a conference with the principal. Any decision to suspend the student from an extra- or co-curricular event may be appealed to the Superintendent. The student and/or parent/legal guardian may appeal the decision of the Superintendent to the Board.

Only the trustees of a high school district may **exclude** a high school student from participating in school activities.

Legal Reference: §20-5-201, MCA Duties and sanctions

Policy History
Adopted on: February 2007
Revised on:

Gambling

Students are not permitted to gamble for money while in school, on school property, in school vehicles, while on school-sponsored trips, or when representing the school during activity or athletic functions. Students who are found to be betting, playing cards, rolling dice for money, playing keno or poker machines, gambling on the Internet, or involved in any other form of gambling shall be reported to the principal. Appropriate discipline will be administered in accordance with the District's student discipline policies.

Legal Reference:	§ 23-5-112, MCA	Definitions
	§ 23-5-158, MCA	Minors not to participate – penalty – exception

Policy History:
Adopted on: February 2007
Revised on:

Student Health/Physical Screenings/Examinations

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

1. Development of procedures at each building for 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 Public Health and Human Services or the local county health department.

Parents/guardians will receive written notice of any screening result which indicates a condition that might interfere or tend to interfere with a student's progress.

In general, the District will not conduct physical examinations of a student without parental consent to do so or by court order, unless the health or safety of the student or others is in question. Further, parents will be notified of the specific or approximate dates during the school year when screening administered by the District is conducted, which is:

1. Required as a condition of attendance.

2. Administered by the school and scheduled by the school in advance.

3. Not necessary to protect the immediate health and safety of the student or other students.

Parents or eligible students will be given the opportunity to opt out of the above-described screenings.

Students who wish to participate in certain extracurricular activities may be required to submit to a physical examination to verify their ability to participate in the activity. Students participating in activities governed by the Montana High School Association will be required to follow the rules of that organization, as well as other applicable District policies, rules, and regulations.

All parents will be notified of requirements of the District's policy on physical examinations and screening of students, at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy.

Legal Reference:	§ 20-3-324(20), MCA	Powers and duties
	20 U.S.C. 1232h(b)	General Education Provisions Act

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 revision note: removed references to non-emergency invasive physical examination

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 of Public Health and Human Services or the local county health 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 licensed or certified health care provider in a manger provided by Section 20-5-405, MCA. Exemptions for religious reasons must be filed in a manner provided by Section 20-5-404, MCA.. The statement for an exemption shall be maintained as part of the student's immunization record in accordance with FERPA as specified in Policy 3600P.

All students who are enrolled under an exemption and have a disease listed in this Policy, have been exposed to a disease listed in this Policy, or may be exposed to a disease listed in this Policy while attending school may be excluded from the school by the local health officer or the DPHHS until the excluding authority is satisfied that the student no longer risks contracting or transmitting that disease.

The Superintendent 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 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.

This policy does not apply to or govern vaccinations against COVID-19. The Board does not require immunization against COVID-19 in order to enroll in the District in accordance with Montana law. District officials shall not inquire about the COVID-19 vaccination status of students, employees, or visitors. District officials shall not make decisions regarding access to District services for students, employees, or visitors based upon an individual's COVID-19 vaccination status. Students enrolled in dual credit courses in accordance with District policies may be subject to distinct immunization requirements of the applicable post-secondary institution.

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
	Chapter 418	2021 General Legislative Session

Policy History:
Adopted on: February 2007
Revised on: January 2016, July 2021, August 2021

January 2016 *Revision: Revision updates with 2015 Montana Legislative Session*

This form is managed by Montana Department of Public Health and Human Services and can change without intent or knowledge of the District. Please refer to Montana DPHHS form number IZ HES101A, "Medical Exemption Statement"

Legal Reference:

Policy History:
Adopted on:
Revised on:

Revision Note:

This form is managed by Montana Department of Public Health and Human Services and can change without intent or knowledge of the District. Please refer to Montana DPHHS form number HES-11, "Affidavit of Exemption on Religious Grounds From Montana School Immunization Law and Rules"

Legal Reference:

Policy History:
Adopted on: March 2018
Revised on:

Revision Note:

Management of Sports Related Concussions

The Jefferson High School District recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and other recreational activities. The Board acknowledges the risk of catastrophic injuries or death is significant when a concussion or head injury is not properly evaluated and managed. Therefore, all K-12 competitive sport athletic activities in the District will be identified by the administration.

Consistent with guidelines provided by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, the National Federation of High School (NFHS) and the Montana High School Association (MHSA), the District will utilize procedures developed by the MHSA and other pertinent information to inform and educate coaches, athletic trainers, officials, youth athletes, and their parents and/or guardians of the nature and risk of concussions or head injuries, including the dangers associated with continuing to play after a concussion or head injury. Resources are available on the Montana High School Association Sports Medicine page at www.mhsa.org; U.S. Department of Health and Human Services page at: www.hhs.gov; and; the Centers for Disease and Prevention page at www.cdc.gov/concussion/sports.index.html.

Annually, the district will distribute a head injury and concussion information and sign-off sheet to all parents and guardians of student-athletes in competitive sport activities prior to the student-athlete's initial practice or competition.

All coaches, athletic trainers, officials, including volunteers participating in organized youth athletic activities, shall complete the training program at least once each school year as required in the District procedure. Additionally, all coaches, athletic trainers, officials, including volunteers participating in organized youth athletic activities will comply with all procedures for the management of head injuries and concussions.

Reference: Montana High School Association, Rules and Regulations Section 4, Return to Play

Legal Reference: Dylan Steigers Protection of Youth Athletes Act

Cross Reference: 3415F Student-Athlete & Parent/Legal Custodian Concussion Statement

Policy History:
Adopted on: July 2013
Reviewed on:
Revised on:

Student-Athlete & Parent/Legal Guardian Concussion Statement

Because of the passage of the Dylan Steigers' Protection of Youth Athletes Act, schools are required to distribute information sheets for the purpose of informing and educating student-athletes and their parents of the nature and risk of concussion and head injury to student athletes, including the risks of continuing to play after concussion or head injury. Montana law requires that each year, before beginning practice for an organized activity, a student-athlete and the student-athlete's parent(s)/legal guardian(s) must be given an information sheet, and both parties must sign and return a form acknowledging receipt of the information to an official designated by the school or school district prior to the student-athletes participation during the designated school year. The law further states that a student-athlete who is suspected of sustaining a concussion or head injury in a practice or game shall be removed from play at the time of injury and may not return to play until the student-athlete has received a written clearance from a licensed health care provider.

Student-Athlete Name: _____
This form must be completed for each student-athlete, even if there are multiple student-athletes in each household.

Parent/Legal Guardian Name(s): _____
□ We have read the *Student-Athlete & Parent/Legal Guardian Concussion Information Sheet.*
If true, please check box

After reading the information sheet, I am aware of the following information:

Student-Athlete Initials		Parent/Legal Guardian Initials
	A concussion is a brain injury, which should be reported to my parents, my coach(es), or a medical professional if one is available.	
	A concussion can affect the ability to perform everyday activities such as the ability to think, balance, and classroom performance.	
	A concussion cannot be "seen." Some symptoms might be present right away. Other symptoms can show up hours or days after an injury.	
	I will tell my parents, my coach, and/or a medical professional about my injuries and illnesses.	*N/A*
	If I think a teammate has a concussion, I should tell my coach(es), parents, or licensed health care professional about the concussion.	*N/A*
	I will not return to play in a game or practice if a hit to my head or body causes any concussion-related symptoms.	*N/A*
	I will/my child will need written permission from a licensed health care professional to return to play or practice after a concussion.	
	After a concussion, the brain needs time to heal. I understand that I am/my child is much more likely to have another concussion or more serious brain injury if return to play or practice occurs before concussion symptoms go away.	
	Sometimes, repeat concussions can cause serious and long-lasting problems.	
	I have read the concussion symptoms on the Concussion fact sheet.	

_____ _____
Signature of Student-Athlete Date

_____ _____
Signature of Parent/Legal Guardian Date

A Fact Sheet for **ATHLETES**

WHAT IS A CONCUSSION?
A concussion is a brain injury that:
• Is caused by a bump or blow to the head
• Can change the way your brain normally works
• Can occur during practices or games in any sport
• Can happen even if you haven't been knocked out
• Can be serious even if you've just been "dinged"

WHAT ARE THE SYMPTOMS OF A CONCUSSION?
• Headache or "pressure" in head
• Nausea or vomiting
• Balance problems or dizziness
• Double or blurry vision
• Bothered by light
• Bothered by noise
• Feeling sluggish, hazy, foggy, or groggy
• Difficulty paying attention
• Memory problems
• Confusion
• Does not "feel right"

WHAT SHOULD I DO IF I THINK I HAVE A CONCUSSION?
• **Tell your coaches and your parents.** Never ignore a bump or blow to the head even if you feel fine. Also, tell your coach if one of your teammates might have a concussion.

• **Get a medical checkup.** A doctor or health care professional can tell you if you have a concussion and when you are OK to return to play.
• **Give yourself time to get better.** If you have had a concussion, your brain needs time to heal. While your brain is still healing, you are much more likely to have a second concussion. Second or later concussions can cause damage to your brain. It is important to rest until you get approval from a doctor or health care professional to return to play.

HOW CAN I PREVENT A CONCUSSION?
Every sport is different, but there are steps you can take to protect yourself.
• Follow your coach's rules for safety and he rules of the sport.
• Practice good sportsmanship at all times.
• Use the proper sports equipment, including personal protective equipment (such as helmets, padding, shin guards, and eye and mouth guards). In order for equipment to protect you, it must be:

> The right equipment for the game, position, or activity
> Worn correctly and fit well
> Used every time you play

Remember, when in doubt, sit them out!

A Fact Sheet for **PARENTS**

WHAT IS A CONCUSSION?

A concussion is a brain injury. Concussions are caused by a bump or blow to the head. Even a "ding," "getting your bell rung," or what seems to be a mild bump or blow to the head can be serious.

You can't see a concussion. Signs and symptoms of concussion can show up right after the injury or may not appear or be noticed until days or weeks after the injury. If your child reports any symptoms of concussion, or if you notice the symptoms yourself, seek medical attention right away.

WHAT ARE THE SIGNS AND SYMPTOMS OF A CONCUSSION?

Signs Observed by Parents or Guardians

If your child has experienced a bump or blow to the head during a game or practice, look for any of the following signs and symptoms of a concussion:

- Appears dazed or stunned
- Is confused about assignment or position
- Forgets an instruction
- Is unsure of game, score, or opponent
- Moves clumsily • Answers questions slowly
- Loses consciousness (even briefly)
- Shows behavior or personality changes
- Can't recall events prior to hit or fall
- Can't recall events after hit or fall

Symptoms Reported by Athlete

- Headache or "pressure" in head
- Nausea or vomiting
- Balance problems or dizziness
- Double or blurry vision
- Sensitivity to light
- Sensitivity to noise
- Feeling sluggish, hazy, foggy, or groggy
- Concentration or memory problems
- Confusion
- Does not "feel right"

HOW CAN YOU HELP YOUR CHILD PREVENT A CONCUSSION?

Every sport is different, but there are steps your children can take to protect themselves from concussion.

- Ensure that they follow their coach's rules for safety and the rules of the sport.
- Encourage them to practice good sportsmanship at all times.
- Make sure they wear the right protective equipment for their activity (such as helmets, padding, shin guards, and eye and mouth guards). Protective equipment should fit properly, be well maintained, and be worn consistently and correctly.
- Learn the signs and symptoms of a concussion.

WHAT SHOULD YOU DO IF YOU THINK YOUR CHILD HAS A CONCUSSION?

1. Seek medical attention right away. A health care professional will be able to decide how serious the concussion is and when it is safe for your child to return to sports.

2. Keep your child out of play. Concussions take time to heal. Don't let your child return to play until a health care professional says it's OK. Children who return to play too soon—while the brain is still healing—risk a greater chance of having a second concussion. Second or later concussions can be very serious. They can cause permanent brain damage, affecting your child for a lifetime.

3. Tell your child's coach about any recent concussion. Coaches should know if your child had a recent concussion in ANY sport. Your child's coach may not know about a concussion your child received in another sport or activity unless you tell the coach.

Remember, when in doubt, sit them out!
It's better to miss one game than the whole season.

Be Prepared

A concussion is a type of traumatic brain injury, or TBI, caused by a bump, blow, or jolt to the head that can change the way your brain normally works. Concussions can also occur from a blow to the body that causes the head to move rapidly back and forth. Even a "ding," "getting your bell rung," or what seems to be mild bump or blow to the head can be serious. Concussions can occur in any sport or recreation activity. So, all coaches, parents, and athletes need to learn concussion signs and symptoms and what to do if a concussion occurs.

SIGNS AND SYMPTOMS OF A CONCUSSION

SIGNS OBSERVED BY PARENTS OR GUARDIANS

•Appears dazed or stunned
•Is confused about events
•Answers questions slowly
•Repeats questions
•Can't recall events prior to the hit, bump, or fall
•Can't recall events after the hit, bump, or fall
•Loses consciousness (even briefly)
•Shows behavior or personality changes
•Forgets class schedule or assignments

SYMPTOMS REPORTED BY YOUR CHILD OR TEEN

Thinking/Remembering:
•Difficulty thinking clearly
•Difficulty concentrating or remembering
•Feeling more slowed down
•Feeling sluggish, hazy, foggy, or groggy

Physical:
•Headache or "pressure" in head
•Nausea or vomiting
•Balance problems or dizziness
•Fatigue or feeling tired
•Blurry or double vision
•Sensitivity to light or noise
•Numbness or tingling
•Does not "feel right"

Emotional:
•Irritable
•Sad
•More emotional than usual
•Nervous

Sleep*:
•Drowsy
•Sleeps less than usual
•Sleeps more than usual
•Has trouble falling asleep

**Only ask about sleep symptoms if the injury occurred on a prior day.*

LINKS TO OTHER RESOURCES

• CDC –Concussion in Sports
  o http://www.cdc.gov/concussion/sports/index.html

• National Federation of State High School Association/ Concussion in Sports - What You Need To Know
  o http://www.nfhslearn.com

• Montana High School Association – Sports Medicine Page
  o http://www.mhsa.org/SportsMedicine/SportsMed.htm

Management of Sports Related Concussions

A. Athletic Director or Administrator in Charge of Athletic Duties:

1. *Updating:* Each spring, the athletic director, or the administrator in charge of athletics if there is no athletic director, shall review any changes that have been made in procedures required for concussion and head injury management or other serious injury by consulting with the MHSA or the MHSA Web site, U.S. DPHHS, and CDCP web site. If there are any updated procedures, they will be adopted and used for the upcoming school year.

2. *Identified Sports:* Identified sports include all organized youth athletic activity sponsored by the school or school district.

B. *Training:* All coaches, athletic trainers, and officials, including volunteers shall undergo training in head injury and concussion management at least once each school year by one of the following means: (1) through viewing the MHSA sport-specific rules clinic; (2) through viewing the MHSA concussion clinic found on the MHSA Sports Medicine page at www.mhsa.org; or by the district inviting the participation of appropriate advocacy groups and appropriate sports governing bodies to facilitate the training requirements.

C. *Parent Information Sheet:* On a yearly basis, a concussion and head injury information sheet shall be distributed to the student-athlete and the athlete's parent and/or guardian prior to the student-athlete's initial practice or competition. This information sheet may be incorporated into the parent permission sheet which allows students to participate in extracurricular athletics and should include resources found on the MHSA Sports Medicine page at www.mhsa.org, U.S. DPHHS, and CDCP websites.

D. *Responsibility:* An athletic trainer, coach, or official shall immediately remove from play, practice, tryouts, training exercises, preparation for an athletic game, or sport camp a student-athlete who is suspected of sustaining a concussion or head injury or other serious injury.

E. *Return to Play After Concussion or Head Injury:* In accordance with MHSA Return to Play Rules and Regulations Dylan Steigers Protection of Youth Athletes Act a student athlete who has been removed from play, practice, tryouts, training exercises, preparation for an athletic game, or sport camp may not return until the athlete is cleared by a licensed health care professional (registered, licensed, certified, or otherwise statutorily recognized health care professional). The health care provider may be a volunteer.

Policy History:
Adopted on: July 2013
Reviewed on:
Revised on:

Administering Medication to Students

"Medication" means prescribed drugs and medical devices that are controlled by the U.S. Food and Drug Administration and are ordered by a health care provider. It includes over-the-counter medications prescribed through a standing order by the school physician or prescribed by the student's health care provider.

The building principal or other administrator may authorize, in writing, any school employee:

To assist in self-administration of any drug that may lawfully be sold over the counter without a prescription to a student in compliance with the written instructions and with the written consent of a student's parent or guardian; and

To assist in self-administration of a prescription drug to a student in compliance with written instructions of a medical practitioner and with the written consent of a student's parent or guardian.

Except in an emergency situation, only a qualified health care professional may administer a drug or a prescription drug to a student under 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 administration of medication to students in schools in its jurisdiction. A school nurse (who has successfully completed specific training in administration of medication), pursuant to written authorization of a physician or dentist and that of a parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian, may administer medication to any student in the school or may delegate this task pursuant to Montana law.

Emergency Administration of Medication

In the event of an emergency, a school nurse or trained staff member, exempt from the nursing license requirement under § 37-8-103(1)(c), MCA, may administer emergency medication to any student in need thereof on school grounds, in a school building, at a school function, or on a school bus according to a standing order of an authorized physician or a student's private physician. In the event that emergency medication is administered to a student, the school nurse or staff member shall call emergency responders and notify the student's parents/guardians.

A building administrator or school nurse will enter any medication to be administered in an emergency on an individual student medication record and retain the documentation.

Assisting Students with Self-Administration of Medication

A building principal or other school administrator may authorize, in writing, any school employee:

To assist in self-administration of any drug that may lawfully be sold over the counter without a prescription to a student in compliance with the written instructions and with the written consent of a student's parent or guardian; and

To assist in self-administration of a prescription drug to a student in compliance with written instructions or standing order of an authorized physician or a student's private physician and with the written consent of a student's parent or guardian.

A school employee authorized, in writing, to assist students with self-administration of medications, may only rely on the following techniques:

- Making oral suggestions, prompting, reminding, gesturing, or providing a written guide for self-administering medications;
- Handing to a student a prefilled, labeled medication holder or a labeled unit dose container, syringe, or original marked and labeled container from a pharmacy;
- Opening the lid of a container for a student;
- Guiding the hand of a student to self-administer a medication;
- Holding and assisting a student in drinking fluid to assist in the swallowing of oral medications;
  and
- Assisting with removal of a medication from a container for a student with a physical disability that prevents independence in the act.
- Other guidance or restrictions previously provided in writing to the school by a student's parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian is on file.

Self-Administration or Possession of Asthma, Severe Allergy, or Anaphylaxis Medication

Students with allergies or asthma may be authorized by the building principal or Superintendent, in consultation with medical personnel, to possess and self-administer emergency medication during the school day, during field trips, school-sponsored events, or while on a school bus. The student shall be authorized to possess and self-administer medication if the following conditions have been met.

- A written and signed authorization from the parents, an individual who has executed a caretaker relative educational authorization affidavit, or guardians 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.
- The student must have the prior written approval of his/her primary health care provider. The written notice from the student's primary care provider must specify the name and purpose of the medication, the prescribed dosage, frequency with which it may be administered, and the circumstances that may warrant its use.
- Documentation that the student has demonstrated to the health care practitioner and the school nurse, if available, the skill level necessary to use and administer the medication.
- Documentation of a doctor-formulated written treatment plan for managing asthma, severe allergies, or anaphylaxis episodes of the student and for medication use by the student during school hours.

Authorization granted to a student to possess and self-administer medication shall be valid for the current school year only and must be renewed annually.

A student's authorization to possess and self-administer medication may be limited or revoked by the building principal or other administrative personnel.

If provided by the parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian, and in accordance with documentation provided by the student's doctor, backup medication must be kept at a student's school in a predetermined location or locations to which the student has access in the event of an asthma, severe allergy, or anaphylaxis emergency.

Immediately after using epinephrine during school hours, a student shall report to the school nurse or other adult at the school who shall provide follow up care, including making a 9-1-1 emergency call.

<u>Self-Administration of Other Medication</u>

The District shall permit students who are able to self-administer specific medication to do so provided that all of the following have occurred:

- A physician, dentist, or other licensed health care provider provides a written order for self-administration of said medication;
- Written authorization for self-administration of medication from a student's parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian is on file; and
- A principal and any appropriate teachers are informed that a student is self-administering prescribed medication.

Administration of Glucagons

School employees may voluntarily agree to administer glucagons to a student pursuant to § 20-5-412, MCA, only under the following conditions: (1) the employee may administer glucagon to a diabetic student only in an emergency situation; (2)the employee has filed the necessary designation and acceptance documentation with the District, as required by § 20-5-412(2), MCA, and (3) the employee has filed the necessary written documentation of training with the District, as required by § 20-5-412(4), MCA. Designation of staff is to be made by a parent, an individual who has executed a caretaker relative authorization affidavit, or guardian of a diabetic student, and school employees are under no obligation to agree to designation. Glucagon is to be privded by the parent or guardian. All documentation shall be kept on file.

Handling and Storage of Medications

The Board requires that all medications, including those approved for keeping by students for self-medication, be first delivered by a parent, an individual who has executed a caretaker relative educational authorization affidavit, or other responsible adult to a nurse or employee assisting with self-administration of medication. A nurse or assistant:

- Shall examine any new medication to ensure it is properly labeled with dates, name of student, medication name, dosage, and physician's name;
- Shall develop a medication administration plan, if administration is necessary for a student, before any medication is given by school personnel;
- Shall record on the student's individual medication record the date a medication is delivered and the amount of medication received;
- Shall store medication requiring refrigeration at 36° to 46° F;

- Shall store prescribed medicinal preparations in a securely locked storage compartment; and
- Shall store controlled substances in a separate compartment, secured and locked at all times.
- All non-emergency medication shall be kept in a locked, nonportable container, stored in its original container with the original prescription label. Epnephrine, naloxone, and student emergency medication may be kept in portable containers and transported by the school nurse or other authorized school personnel.
- Food is not allowed to be stored in refrigeration unit with medications.
- Shall notify the building administrator, school district nurse, and parent or guardian of any medication error and document it on the medication administration record.

The District will permit only a forty-five-(45)-school-day supply of a medication for a student to be stored at a school; and all medications, prescription and nonprescription, will be stored in their original containers.

The District will limit access to all stored medication to those persons authorized to administer medications or to assist in the self-administration of medications. The District requires every school to maintain a current list of those persons authorized by delegation from a licensed nurse to administer medications.

The District may maintain a stock supply of auto-injectable epinephrine to be administered by a school nurse or other authorized personnel to any student or nonstudent as needed for actual or perceived anaphylaxis. If the district intends to obtain an order for emergency use of epinephrine in a school setting or at related activities, the district shall adhere to the requirements stated in 20-5-420, Section2 MCA.

The District may maintain a stock supply of an opioid antagonist to be administered by a school nurse or other authorized personnel to any student or nonstudent as needed for an actual or perceived opioid overdose. A school that intends to obtain an order for emergency use of an opioid antagonist in a school setting or at related activities shall adhere to the requirements in law.

Disposal of Medication, Medical Equipment, Personal Protective Equipment

The District requires school personnel either to return to a parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian or, with permission of the parent, an individual who has executed a caretaker relative educational authorization

affidavit, or guardian, to destroy any unused, discontinued, or obsolete medication. A school nurse, in the presence of a witness, will destroy any medicine not repossessed by a parent or guardian within a seven-(7)-day period of notification by school authorities.

Medical sharps shall be disposed of in an approved sharps container. Building administrators should contact the school nurse or designated employee when such a container is needed. Sharps containers are to be kept in a secure location in the school building. Disposal of sharps containers, medical equipment, and personal protective equipment is the responsibility of the school nurse or designated employee in accordance with the Montana Infectious Waste Management Act and the manufacturer guidelines specific to the container or equipment.

Legal Reference:	§ 20-5-412,	MCA Definition – parent-designated adult administration of glucagons training
	§ 20-5-420, MCA	Self-administration or possession of asthma, severe Allergy, or anaphylaxis medication
	§ 20-5-421, MCA	Emergency use of epinephrine in school setting
	§ 37-8-103(1)(c), MCA	Exemptions – limitations on authority
	ARM 24.159.1601, et seq	Delegation of Nurse Duties
	§ 20-5-426, MCA	Emergency use of an opioid antagonist in school setting – limit on liability
	§ 75-10-1001, et seq	Infectious Waste Management Act
	37.111.812, ARM	Safety Requirements
	10.55.701(s), ARM	Board of Trustees

Policy History:
Adopted on: February 2007
Revised on: April 2008, October, 2011, July 2013, March 2018, July 2021

Note: The revision adds references to caretaker relative. It removed the specification of epipen or asthma inhalers and added severe allergy references. It also defined the administration of glucagons.
Note: The revision re-defined that an employee may administer glucagon ONLY in an emergency situation.
Note: July 2013 revision adds the ability of the district to have a stock supply of auto-injectable epinephrine on hand.
Note: 2018 revision adds the ability of the district to have a stock of Opioid antagonist on hand.

Montana Authorization to Carry and Self-Administer Medication

For this student to carry and self-administer 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 City/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 this 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 named 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 has my permission to self medicate as listed above if needed. If he/she has used an auto-injectable epinephrine, he/she understands the need to alert an adult that emergency medical personnel need to be called. If he/she has used his/her asthma 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 or nonpublic school 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 harmless the school district or nonpublic school 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 conduct, 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)

Communicable Diseases

***Note**: For purposes of this policy, the term "communicable disease" refers to the diseases identified in 16.28.202, 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. All applicable district policies and handbook provision governing confidentiality of student medical information remain in full effect.

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 District shall provide soap, and disposable towels or other hand-drying devices shall be available at all handwashing sinks. Common-use cloth towels are prohibited. Sanitary napkin disposal shall be provided for girls of age ten or older and in teachers' toilet rooms and nurses' toilet rooms. The District shall provide either sanitary napkin dispensers in the girls', nurses', and teachers' toilet rooms or some other readily available on-site access to sanitary napkins.

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 shall manage common communicable diseases in accordance with DPHHS guidelines and communicable diseases control rules. If a student develops symptoms of any reportable communicable or infectious illness as defined while at school, the responsible school officials shall do the following:

(a) Isolate the student immediately from other students or staff; and
(b) Inform the parent or guardian as soon as possible about the illness and request him or her to pick up the student; and
(c) Consult with a physician, other qualified medical professional, or the local county health authority to determine if the case should be reported to the local health officer.

Students who express feelings 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 may temporarily exclude from onsite school attendance a student who exhibits symptoms of a communicable disease that is readily transmitted in a school setting. Offsite instruction will be

provided during the period of absence in accordance with Policy 2050. The District reserves the right to require a statement from a student's primary care provider authorizing a student's return to onsite instruction.

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, shall 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.

Healthy Hand Hygiene Behavior

All students, staff, and others present in any school building shall engage in hand hygiene at the following times, which include but are not limited to:

(a) Arrival to the facility and after breaks
(b) Before and after preparing, eating, or handling food or drinks
(c) Before and after administering medication or screening temperature
(d) After coming in contact with bodily fluid
(e) After recess
(f) After handling garbage
(g) After assisting students with handwashing
(h) After use of the restroom

Hand hygiene includes but is not limited to washing hands with soap and water for at least 20 seconds. If hands are not visibly dirty, alcohol-based hand sanitizers with at least 60% alcohol can be used if soap and water are not readily available.

Staff members shall supervise children when they use hand sanitizer and soap to prevent ingestion. Staff members shall place grade level appropriate posters describing handwashing steps near sinks.

Legal Reference:	37.114.101, et seq., ARM	Communicable Disease Control
	37.111.825, ARM	Health Supervision and Maintenance

Policy History:

Adopted on: February 2007
Revised on: July 2021

Emergency Treatment

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

The District requires that every parent or guardian provide a telephone number where a parent or designee of a parent may be reached in case of an emergency.

When a student is injured, staff will provide immediate care and attention until relieved by a superior, a nurse, or a doctor. The District will employ its normal procedures to address medical emergencies without regard to the existence of a do not resuscitate (DNR) request. A principal or designated staff member will call a parent or parental designee so that the parent may arrange for care or treatment of an injured student.

When a student develops symptoms of illness while at school, a responsible school official will do the following:

Isolate the student from other children to a room or area segregated for that purpose;

Inform a parent or guardian as soon as possible about the illness and request a parent or guardian to pick up the child; and

Report each case of suspected communicable disease the same day by telephone to a local health authority or as soon as possible thereafter if a health authority cannot be reached the same day.

When a parent or guardian cannot be reached, and it is the judgment of a principal or other person in charge that immediate medical attention is required, an injured student may be taken directly to a hospital. Once located, a parent or a guardian is responsible for continuing treatment or for making other arrangements.

Legal Reference: ARM 37.111.825 Health Supervision and Maintenance

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 Revision note: Removed “immediately” because each case will be different, removed instructions for what the doctor might/should do because we don’t make that call.

Removal of Student During School Day

The Board recognizes its responsibility for the proper care of students during a school day. In accordance with District procedures, only a duly authorized person may remove a student from school grounds, any school building, or school function during a school day. A person seeking to remove a student from school must present evidence satisfactory to a principal of having proper authority to remove a student. A teacher should not excuse a student from class to confer with anyone unless a request is approved by a principal. The Superintendent will establish procedures for removal of a student during a school day.

Policy History:
Adopted on: February 2007
Revised on:

Removal of Student During School Day

Schools must exercise a high order of responsibility for the care of students while in school. 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 Policies 4410 and 4411.

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 Public Health and Human 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 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: 4410 Relations with the Law Enforcement and Child Protective Agencies
4411 Investigations and Arrests by Police

Procedure History:
Promulgated on: February 2007
Revised on:

School-Sponsored Student Activities

1. Student Organizations:

    a. All curricular student clubs or organizations must be approved by the administration. Secret or clandestine organizations or groups will not be permitted.
    b. Bylaws and rules of curricular student clubs or organizations must not be contrary to Board policy or to administrative rules and regulations.
    c. Procedures in curricular student clubs or organizations must follow generally accepted democratic practices in the acceptance of members and nomination and election of officers.

2. Social Events

    a. Social events must have prior approval of the administration.
    b. Social events must be held in school facilities unless approved by the Board.
    c. Social events must be chaperoned at all times.
    d. Attendance at high school social events and dances shall be limited to high school students unless prior permission is received from the principal.

3. Extracurricular Activities

    a. Academic and behavior eligibility rules are established by MHSA rules and District policy.
    b. Any student convicted of a criminal offense may, at the discretion of school officials, become ineligible for such a period of time as the school officials may decide.
    c. In establishing an interscholastic program, the Board directs the administration to:
        i. Open all sports to all students enrolled in the District, with an equal opportunity for participation.
        ii. Open all sports to residents of the school district and who is at least 5 years of age and not more than 19 on or before September 10 of the year in which participation in extracurricular activities is sought by such child in accordance with the provisions of this policy.
        iii. Recommend sports activities based on interest inventories completed by the students.

4. Participation in District Extracurricular Activities by Unenrolled Children

    a. Any child identified in Section 3.c.ii of this policy who is attending a nonpublic or home school meeting the requirements of section 20-5-109:
        i. is eligible to seek to participate in any extracurricular activity of the District that is offered to pupils of the District who are of the same age.
        ii. is subject to the same standards for participation as those required of full-time pupils enrolled in the school and the same rules of any interscholastic

organization of which the school of participation is a member as specified in Section 3.a. and 3.b. of this policy and any related student or activity handbook provisions.

iii. will be assessed for purposes of placement, team formation, and cuts using the same criteria as used for full-time pupils enrolled in the District.

b. In cases where there is more than one school serving the same age group within District boundaries, a child under Section 4 of this policy shall be subject to the same school zone rules applicable to full-time pupils of the District. Participation for one school for one sport and another school for another sport is prohibited.

c. The academic eligibility for extracurricular participation for a student attending a nonpublic school as specified under Section 4.a.ii of this policy shall be attested by the head administrator of the nonpublic school. No further verification shall be required.

d. The academic eligibility for extracurricular participation for a student attending a home school as specified under Section 4.a.ii of this policy shall be attested in writing by the educator providing the student instruction with verification by the school principal for the school of participation. The verification may not include any form of student assessment.

e. Students participating in extracurricular activities under Section 4 of this policy may be considered part-time enrollees for purposes of ANB in accordance with Policy 3150, 3121, and 3121P.

5. Designation of Athletic Teams

Unless otherwise prohibited by Policy 3210 or federal law, District sponsored athletic teams or sports designated for females, women, or girls may not be open to students who are biologically of the male sex. District sponsored athletic teams or events may be designated as one of the following based on biological sex in accordance with applicable MHSA rules, this Policy, federal law, Policy 3210, or the provisions of Section 6 of Chapter 405 (2021):

a. Males, men, or boys;
b. Females, women, or girls; or
c. Coed or mixed.

This section of this Policy is void 21 days after the date the United States Secretary of Education files a written report with the proper committees of the United States House of Representatives and the United States Senate as required by 34 CFR 100.8(c) due to the enforcement of Chapter 405 (2021).

Cross Reference:	Policy 2332	Religion and Religious Activities
	Policy 3121-3121P	Enrollment and Attendance
	Policy 3150	Part Time Attendance
	Policy 3222	Distribution and Posting Materials
	Policy 3233	Student Use of Buildings – Equal Access
	Policy 3550	Student Clubs

	Policy 4331	Use of School Property for Posting Notices
Legal Reference:	Chapter 297	2021 General Legislative Session
	Chapter 269	2021 General Legislative Session
	Chapter 405	2021 General Legislative Session
	34 CFR 100.8(c)	Procedure for Effecting Compliance
	Bostock v. Clayton County Georgia, 140 S.Ct. 1731 (2020)	

Policy History:
Adopted on: February 2007
Revised on: January 2016, August 2021

January 2016 Revision Note: Added cross-reference to policy 3233

Student Fees and Fines

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

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

The Board delegates authority to the Superintendent to establish appropriate fees and procedures governing collection of fees and asks the Superintendent to make annual reports, at the regular June Board meeting, to the Board regarding fee schedules. The Board also may require fees for actual cost of breakage and for excessive supplies used in commercial, industrial arts, music, domestic science, science, or agriculture courses.

The District holds a student responsible for the cost of replacing materials or property that are lost or damaged because of negligence. A building administrator will notify a student and parent regarding the nature of violation or damage, how restitution may be made, and how an appeal may be instituted. The district may not refuse to transfer files to another district because a student owes fines or fees. The District may not withhold the school schedule of a student because the student owes fines or fees.

The district may withhold the grades, diploma, or transcripts of a current or former student who is responsible for the cost of school materials or the loss or damage of school property until the student or the student's parent or guardian pays the owed fines or fees..

In the event a student who owes fines or fees transfers to another school district in the state and the District has decided to withhold the student's grades, diploma, or transcripts from the student and the student's parent or guardian pursuant to the above paragraph, the District shall:

i. Upon receiving notice that the student has transferred to another school district in the state, notify the student's parent or guardian in writing that the school district to which the student has transferred will be requested to withhold the student's grades, diploma, or transcripts until any obligation has been satisfied;
ii. Forward appropriate grades or transcripts to the school district to which the student has transferred;
iii. At the same time, notify the school district to which the student has transferred of any financial obligation of the student and request the withholding of the student's grades, diploma, or transcripts until any obligations are met;
iv. When the student or the student's parent or guardian satisfies the obligation, inform the school district to which the student has transferred.

A student or parent may appeal the imposition of a charge for damages to the Superintendent and to the Board.

Legal reference:	§ 20-1-213(3), MCA	Transfer of school records
	§ 20-5-201, MCA	Duties and sanctions
	§ 20-7-601, MCA	Free textbook provisions
	§ 20-9-214, MCA	Fees

Policy History:
Adopted on: February 2007
Revised on: February 14, 2011, October 2015, May 2016, March 2020

October 2015 revision note: Added process for working with transfer districts.

Student Clubs

The Board recognizes that student clubs are a helpful resource for schools and supports their formation. Student clubs must complete an application process. The Superintendent or designee is delegated the authority to approve or deny club applications.

Curricular Student Clubs

The Board of Trustees authorize the administration to approve and recognize student clubs or organizations in a manner consistent with this policy and administrative procedure. Student clubs that are recognized by the District and permitted to use District facilities, use the District's name, a District school's name, or a District school's team name or any logo attributable to the District, and raise and deposit funds with the District.

In order for the administration to approve and recognize a student club, the group must submit an application to the building administrator containing the following:

1. The organization's name and purpose.

2. The portion of the curriculum that forms the basis of the club. The portion of the curriculum that forms the basis of the club or the course offered at the school enhanced by the club's functions. This step is required for consideration as a curricular club. Applications that do not satisfy this step may be permitted to meet at the school as a non-curricular student group.

3. The staff employee designated to serve as the group's advisor.

4. The rules and procedures under which it operates.

5. A statement that the membership will adhere to applicable Board policies and administrative procedures.

The administration will report to the Board when new student clubs have been approved and recognized.

Upon approval of a new student club, the administration will notify the District clerk so the group may have any funds raised for its operations so designated in accordance with the District's financial practices.

Approved curricular student clubs will appear in the student handbook and other appropriate district publications. Advisors of new student groups may be eligible for a stipend in accordance with applicable collective bargaining agreement provisions and available district resources. Approved curricular student clubs may also have limited access as designated by the

administration to distribute messages through official communications of the district (e.g. intercom announcements, district newsletters, group emails, etc.)

Non-Curricular Student Groups

Student-led and initiated groups of similar interests that do not meet the requirements to be an approved curricular student club as outlined in this policy shall be designated as noncurricular student groups. Non curricular student groups include any student group that does not directly relate to the body of courses offered by the District but has a regular meeting schedule and established operational structure. District employees that are present at meetings in a supervisory capacity are not eligible for a stipend. Student meetings must be supervised by an adult. Employees or agents of the District that are present at student group meetings must only serve in a supervisory capacity.

The District approved a limited open forum, within the meaning of that term as defined by U.S. Code section 4071, for non-curricular student groups to meet on school premises during non-instructional time. Noncurricular student groups wishing to conduct a meeting within this limited forum are subject to the following fair opportunity criteria, which shall be uniformly administered consistent with 20 U.S. Code section 4071:

1. All such meetings must be voluntary and student-initiated;
2. There shall be no sponsorship of the meeting by the District or its agents or employees;
3. Employees or agents of the District that are present at religious meetings must be only in a non-participatory capacity;
4. All meetings must not materially and substantially interfere with the orderly conduct of educational activities within the District; and
5. Non-school persons may not direct, conduct, control, or regularly attend activities of the non-curricular student groups.

Meeting is defined as a gathering of a group of students for the purposes of discussing group beliefs or engaging in group operations. An event that does not meet this definition will be required to comply with the Community Use of District Facilities Policy and Procedure.

Noncurricular student groups may post notice of gatherings in accordance with Policy 3222. Noncurricular student groups may be authorized by the [Board or administration***] to have the name of the school to appear as part of their group's name. A logo attributable to the school or District, the District's name, or the school's team name or mascot may not be used by a noncurricular group. The permission to post notice of gatherings or use the school name does not constitute sponsorship of the group by the District.

Informal Gatherings

Students are permitted to informally gather at the school in accordance with Policy 3233. Informal gatherings of students are not permitted to use the District's name, a District school's name, or a District school's team name or mascot, or any logo attributable to the District, and

raise and deposit funds with the District. Informal student gatherings may not post notices or other materials in accordance with Policy 3222 but may request to post items in accordance with Policy 4331.

Financial Operations

All funds raised by recognized student clubs are subject to applicable School District policies regarding financial management. All funds raised by recognized student clubs that are donated to the School District become public funds when placed in a School District account. All public funds must be monitored in accordance with state law. Deposits must be reviewed to ensure compliance with equity rules, amateur rules and appropriateness under district policy.

Funds spent by the School District will be done in accordance with District purchase order policy and spending limits regardless of the source of the donation. All expenditures should be preapproved to ensure equity and auditing standards are met.

The administration is authorized to develop procedures to implement this policy.

Cross Reference: 2332 – Religion and Religious Activities
3210 - Equal Education and Nondiscrimination
3222 – Distribution and Posting Materials
3233 - Student Use of Buildings - Equal Access
4331 – Use of School Property for Posting Notices

Legal Reference:	20 U.S. Code Section 4071	Denial of equal access prohibited
	Section 20-5-203, MCA	Secret Organization Prohibited

Policy History:
Adopted on: August 2020
Revised on: August 2021

Revision Note:

JEFFERSON HIGH SCHOOL DISTRICT STUDENT CLUB APPLICATION – POLICY 3550F

___ This application is for a new club ___ This application is to renew an existing club

This application is to request approval of a student club at Jefferson High School District #1. The application must be fully completed for the application to be considered. Incomplete or incorrectly prepared applications will not be considered. All applications will be considered in accordance with District Policy 3550 and District guidelines. Copies of the policy and guidelines can be obtained at the District Office or online at jhs.k12.mt.us. Approved clubs that violate District Policy, Montana law, or federal law are subject to suspension or termination.

Step 1. General Club Information

Proposed Club Name: _____

Proposed Club Supervisor Name: _____

Faculty supervisors do not sponsor or participate in non-curricular clubs; however, an adult supervisor must be present.

Step 2. Club's Bylaws, Charter, or Statement of Purpose

Please attach any documents outlining the rules and procedures under which the club will operate. These documents may include but are not limited to bylaws, membership expectations, or a national charter. If the documents are not yet available, drafts may be attached, or a detailed statement of purpose can be provided until documents are available.

Step 3. Basis for Curriculum Related Status *(For consideration as a curricular club. Groups that do not satisfy this step may be permitted to operate as a non-curricular student group.)*

To be approved as a curricular club, the club must be based upon an aspect of the school's curriculum or the functions of the club must enhance a course offered at the school. Please attach a description of why the proposed club should be designated as a curricular club providing specific facts supporting such status.

Step 4. Time, Frequency, Location, and Notice of Anticipated Club Meetings and Functions

Please attach a statement of the proposed use of school facilities, including at the specific areas or facilities of the school for which use is requested and the proposed nature of the use of those facilities. Attach or describe any examples of materials which the club plans to use to tell students about the club's existence or to invite students to join.

Step 5. Submission and Acknowledgement

By signing this application form, the students and advisor acknowledge that the club's members and operations will adhere to applicable Board policies and administrative procedures governing curricular clubs.

_____ _____
Requesting Student Date Proposed Supervisor Date

FOR SCHOOL DISTRICT USE ONLY

Application Received by: _____ Date: _____

Approved as Curricular Club By: _____ Date: _____

Operating as Non-Curricular Student Group by: _____ Date: _____

NOTES:

_____

_____

The administration will retain all records related to this application. The administration will report to the requesting students, advisor, and Board of Trustees when new curricular student clubs have been approved.

Legal Reference:

Policy History:
Adopted on: August 2021
Revised on:

Revision Note:

School student records are confidential, and information from them will not be released other than as provided by law. State and federal laws grant students and parents certain rights, including the right to inspect, copy, and challenge school records.

The District will ensure information contained in student records is current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services will be directly related to the provision of services to that child. The District may release directory information as permitted by law, but parents will have the right to object to release of information regarding their child. Military recruiters and institutions of higher education may request and receive the names, addresses, and telephone numbers of all high school students, unless the parent(s) notifies the school not to release this information.

The Superintendent will implement this policy and state and federal law with administrative procedures. The Superintendent or designee will inform staff members of this policy and inform students and their parents of it, as well as of their rights regarding student school records.

Each student's permanent file, as defined by the board of public education, must be permanently kept in a secure location. Other student records must be maintained and destroyed as provided in 20-1-212, MCA

Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. 99
§ 20-1-212, MCA Destruction of records by school officer.
§ 20-5-201, MCA Duties and sanctions
§ 40-4-225, MCA Access to records by parent
10.55.909, ARM Student Records
No Child Left Behind Act of 2001, P.L. 107-334

Policy History:
Adopted on: February 2007
Revised on: July 2013

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 will maintain two (2) sets of school records for each student: a permanent record and a cumulative record. The permanent record will include:

- Basic identifying information
- Academic work completed (transcripts)
- Level of achievement (grades, standardized achievement tests)
- Immunization records (per § 20-5-506, MCA)
- Attendance record
- Statewide student identifier assigned by the Office of Public Instruction
- Record of any disciplinary action taken against the student, which is educationally related

The cumulative record may include:

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

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over eighteen (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 from the day the District receives a request for access.**

   Students less than eighteen (18) years of age have the right to inspect and copy their permanent record. Parents/guardians or students should submit to the school principal (or appropriate school official) a written request identifying the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent(s)/ guardian(s) or eligible student of the time and place the records may be inspected. The District charges a nominal fee for copying, but no one will be denied their right 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 has been entered concerning a student.

2. **The right to request amendment of the student's education records which 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 they believe is inaccurate, misleading, irrelevant, or improper. They should write the school principal or records custodian, 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 parent(s)/guardian(s) or eligible student, the District will notify the parent(s)/guardian(s) or eligible student of the decision and advise him or her of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

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 interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational 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 paragraph, the parent(s)/guardian(s) will receive written notice of the nature and substance of the information and an opportunity to inspect, copy, and challenge such records. The right to challenge school student records does not apply to: (1) academic grades of their child, and (2) references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student 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 parent(s)/guardian(s) 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's/ guardian's child.**

Throughout the school year, the District may release directory information regarding students, limited to:

Student's name
Address
Telephone listing
Photograph (including electronic version)
Date and place of birth
Major field of study
Dates of attendance
Grade level
Enrollment status (e.g., undergraduate or graduate; full-time or part-time)
Participation in officially recognized activities and sports
Weight and height of members of athletic teams
Degrees
Honors and awards received
Most recent educational agency or institution attended

Any parent(s)/guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering written objection to the building principal within ten (10) 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 are specifically informed otherwise. When a student transfers, leaves the District, or graduates, the school must continue to honor a decision to opt-out, unless the parent or student rescinds the decision.

A parent or student 18 years of age or an emancipated student, may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their name [identifier, institutional email address in a class in which the student is enrolled] or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy.

6. **The right to request that information not be released to military recruiters and/or institutions of higher education.**

Pursuant to federal law, the District is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request.

Parent(s)/guardian(s) or eligible students may request that the District not release this information, and the District will comply with the request.

7. **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, DC 20202-4605

Student Records

Maintenance of School Student Records

The District maintains two (2) sets of school records for each student – a permanent record and a cumulative record.

The permanent record will include:

- Basic identifying information
- Academic work completed (transcripts)
- Level of achievement (grades, standardized achievement tests)
- Immunization records (per § 20-5-506, MCA)
- Attendance record
- Statewide student identifier assigned by the Office of Public Instruction

Each student's permanent file, as defined by the board of public education, must be permanently kept in a secure location.

The cumulative record may include:

- Intelligence and aptitude scores
- Psychological reports
- Participation in extracurricular activities
- Honors and awards
- Teacher anecdotal records
- Verified reports or information from non-educational persons
- Verified information of clear relevance to the student's education
- Information pertaining to release of this record
- Disciplinary information
- Camera footage only for those students directly involved in the incident

Information in the permanent record will indicate authorship and date and will be maintained in perpetuity for every student who has been enrolled in the District. Cumulative records will be maintained for eight (8) years after the student graduates or permanently leaves the District. Cumulative records which may be of continued assistance to a student with disabilities, who graduates or permanently withdraws from the District, may, after five (5) years, be transferred to the parents or to the student if the student has succeeded to the rights of the parents.

The building principal will be responsible for maintenance, retention, or destruction of a student's permanent or cumulative records, in accordance with District procedure established by the Superintendent.

Access to Student Records

The District will grant access to student records as follows:

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

2. The parents of a student under eighteen (18) years of age will be entitled to inspect and copy information in the child's school records. Such requests will be made in writing and directed to the records custodian. Access to the records will be granted within fifteen (15) days of the District's receipt of such request. Parents are not entitled to records of other students. If a record contains information about two students, information related to the student of the non-requesting parent will be redacted from the record.

   In situations involving a record containing video footage, a parent of a student whose record contains the footage is allowed to view the footage contained in the record but is not permitted to receive a copy unless of the parents of the other involved students provide consent. The footage is not a record of students in the background of the image or not otherwise involved in the underlying matter.

   Where the parents are divorced or separated, both will be permitted to inspect and copy the student's school records, unless a court order indicates otherwise. The District will send copies of the following to both parents 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 and other major school events, including pupil-parent interaction.

A student that attains the age of legal majority is an "eligible student" under FERPA. An eligible student has the right to access and inspect their student records. An eligible student may not prevent their parents from accessing and inspecting their student records if they are a dependent of their parents in accordance with internal Revenue Service regulations.

Access will not be granted to the parent or the student to confidential letters and recommendations concerning admission to a post-secondary educational institution, applications for employment, or 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.

3. The District may grant access to or release information from student records without prior written consent to school officials with a legitimate education interest in the information. A school official is a person employed by the district in an administrative, supervisory, academic or support staff position (including but not limited to administrators, teachers, counselors, paraprofessionals, coaches, and bus drivers), and the board of trustees. A school official may also include a volunteer or contractor not employed by the district but who performs an educational service or function for which the District would otherwise use its own employees and who is under the direct control of the district with respect to the use and maintenance of personally identifying information from education records, or such other third parties under contract with the District to provide professional services related to the District's educational mission, including, but not limited to, attorneys and auditors. A school official has a legitimate educational interest in student education information when the official needs the information in order to fulfill his or her professional responsibilities for the District. Access by school officials to student education information will be restricted to that portion of a student's records necessary for the school official to perform or accomplish their official or professional duties.

4. The District may grant access to or release information from student records without parental consent or notification to any person, for the purpose of research, statistical reporting, or planning, provided that no student or parent can be identified from the information released, and 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 may grant release of a child's education records to child welfare agencies without prior written consent of the parents.

6. The District will grant access to or release information from a student's records pursuant to a court order.

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

8. The District will grant access to or release information from student records to any person possessing a written, dated consent, signed by the parent or eligible student, with particularity as to whom the records may be released, the information or record to be released, and reason for the release. One (1) copy of the consent form will be kept in the records, and one (1) copy will be mailed to the parent or eligible student by the Superintendent. Whenever the District requests consent to release certain records, the records custodian will inform the parent or eligible student of the right to limit such consent to specific portions of information in the records.

9. The District may release student records to the superintendent or an official with similar responsibilities in a school in which the student has enrolled or intends to enroll, upon written request from such official.

10. Prior to release of any records or information under items 5, 6, 7, and 8, and 9, above, the District will provide prompt written notice to the parents or eligible student of this intended action. This notification will include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.

11. 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 will 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 will notify the parents or eligible student, as soon as possible, of the information released, date of the release, the person, agency, or organization to whom the release was made, and the purpose of the release.

12. The District may disclose, without parental consent, student records or information to the youth court and law enforcement authorities, pertaining to violations of the Montana Youth Court Act or criminal laws by the student.

13. The District will comply with an ex parte order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or consent of the student's parent(s)/guardian(s).

14. The District charges a nominal fee for copying information in the student's records. No parent or student will be precluded from copying information because of financial hardship.

15. A record of all releases of information from student records (including all instances of access granted, whether or not records were copied) will be kept and maintained as part of such records. This record will be maintained for the life of the student record and will be accessible only to the parent or eligible student, records custodian, or other person. The record of release will include:

    a. Information released or made accessible.
    b. Name and signature of the records custodian.
    c. Name and position of the person obtaining the release or access.
    d. Date of release or grant of access.
    e. Copy of any consent to such release.

Directory Information

The District may release certain directory information regarding students, except that parents may prohibit such a release. Directory information will be limited to:

- Student's name
- Address
- Telephone listing
- Photograph (including electronic version)
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Enrollment status (e.g., undergraduate or graduate; full-time or part-time)
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees
- Honors and awards received
- Most recent educational agency or institution attended

The notification to parents and students concerning school records will inform them of their right to object to the release of directory information. The School District will specifically include information about the missing children electronic directory photograph repository permitting parents or guardians to choose to have the student's photograph included in the repository for that school year; information about the use of the directory photographs if a student is identified as a missing child; and information about how to request the student's directory photograph be removed from the repository.

Military Recruiters/Institutions of Higher Education

Pursuant to federal law, the District is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request.

The Montana Superintendent of Public Instruction may release student information to the Montana Commissioner of Higher Education and Montana Department of Labor and Industry for research purposes after entering into agreement with Commissioner and Department. If the Superintendent of Public Instruction offers a statewide assessment that serves as a college entrance exam, the student's personally identifiable information may be released to colleges, state-contracted testing agencies, and scholarship organizations with student consent.

The notification to parents and students concerning school records will inform them of their right to object to the release of this information.

Student Record Challenges

The District shall give a parent or eligible student, on request, an opportunity for a hearing to challenge content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student.

The hearing required by 34 CFR 99.21 must meet, at a minimum, the following requirements:

- The District shall hold the hearing within a reasonable time after it has received the request for the hearing from the parent or eligible student.
- The District shall give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.
- The hearing may be conducted by any individual including an official of the District who does not have direct interest in the outcome of the hearing.
- The District shall make its decision in writing within a reasonable amount of time after the hearing.
- The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

The parent or eligible student 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 parents may insert a written statement of reasonable length describing their position on disputed information. The school will maintain the statement with the contested part of the record for as long as the record is maintained and will disclose the statement whenever it discloses the portion of the record to which the statement relates.

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 parent
	§ 41-5-215, MCA	Youth court and department records – notification of school
	10.55.909, ARM	Student records
	10.55.910, ARM	Student Discipline Records

Procedure History:

Promulgated on: February 2007

Revised on: July 2013, January 2016, March 2020

January 2016 revision note: added reference to parents retaining access to student records past age of majority if the student is a dependent of the parent. Also compared our policy with the full MTSBA recommended policy and added information we were missing.

Transfer of Student Records

The District will forward by mail or by electronic means a certified copy of a permanent or cumulative file of any student and a file of special education records of any student to a local educational agency or accredited school in which a student seeks to or intends to enroll within five (5) working days after receipt of a written or electronic request. The files to be forwarded must include education records in a permanent file – that is, name and address of a student, name of parent or legal guardian, date of birth, academic work completed, level of achievement (grades, standardized tests), immunization records, special education records, and any disciplinary actions taken against a student that are educationally related.

When the District cannot transfer records within five (5) days, the District will notify a requestor, in writing or electronically, and will provide reasons why the District is unable to comply with a five-(5)-day time period. The District also will include in that notice the date by which requested records will be transferred. The District will not refuse to transfer records because a student owes fines or fees.

Cross Reference:	3413	Student Immunization
	3600 - 3600P	Student Records
Legal Reference:	§ 20-1-213, MCA	Transfer of school records

Policy History:
Adopted on: February 2007
Revised on:

STUDENTS 3608

Receipt of Confidential Records

Pursuant to Montana law, the District may receive 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. The District will keep these records confidential as required by law and will not include them in a student's permanent file.

The Board authorizes the individuals listed below to receive information with respect to a District student who is a client of the Department of Public Health and Human Services:

- District Superintendent
- High School Principal
- High School Counselor

When the District receives information pursuant to law, the Superintendent will prevent unauthorized dissemination of that information.

Cross Reference: 3600 - 3600P Student Records

Legal Reference: § 41-3-205, MCA Confidentiality – disclosure exceptions

Policy History:
Adopted on: February 2007
Revised on:

Programs for At-Risk/Disadvantaged Students

The District will designate one (1) at-risk coordinator to collect and disseminate data regarding dropouts in the District and to coordinate the District's program for students who are at high risk of dropping out of school.

Each school year in September, the at-risk coordinator will prepare a dropout reduction plan that identifies:

1. The number of District students who dropped out in the preceding regular school term;

2. The number of students in grades 9-12 who are at risk of dropping out;

3. The District's dropout rate goal for the next school year;

4. The dropout reduction programs, resources, and strategies to be used during the school year.

The Board will review and approve the plan, at the regular October Board meeting, and will make it available to the public.

The District is not required to prepare a dropout reduction plan if fewer than five percent (5%) of its students are identified as "at risk" of dropping out.

At-Risk Students

In determining whether a student is at high risk of dropping out of school, the District will consider the student's academic performance as well as whether the student is adjudged delinquent; abuses drugs or alcohol; is a student of limited English proficiency; receives compensatory or remedial education; is sexually, physically, or psychologically abused; is pregnant; is a slow learner; enrolls late in the school year; stops attending school before the end of the school year; is an underachiever; is unmotivated; or exhibits other characteristics that indicate the student is at high risk of dropping out of school.

Programs and District Plan

The District will provide a remedial and support program for any student who is at risk of dropping out of school.

The District will have a plan designed to retain students in a school setting. The District plan will be the responsibility of the Superintendent or the designated at-risk coordinator and will:

1. Emphasize a comprehensive team approach that includes the Superintendent, principal,

parent/guardian, teacher, student, community service provider, business representative, or others;

2. Include objectives designed to meet the identified needs of at-risk students and to retain those students in school;

3. Be designed to use community resources that are available to serve at-risk youth;

4. Provide for parental involvement, such as participation in developing student academic plans and training programs for parents; and

5. Provide for review of individual profiles for at-risk students.

The District plan may also:

1. Include alternatives; and

2. Provide for the referral of students who drop out to programs such as adult basic education, Job Training Partnership Act programs, or other options.

Policy History:
Adopted on: February 2007
Revised on: February 15, 2011

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 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.

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 revision note: Substantially revised policy. Moved use rules and agreement to a new 3612F – student forms. Added Warranties/Indemnification section and Violations section.

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 Jefferson High 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: 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.

Form History:
Adopted on: January 2016
Revised on:
Revision Note:

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 virus free;
   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;
   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
   c inappropriate language.
   d Do not reveal personal information, including the addresses or telephone numbers, of students or colleagues.
   e 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. 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.

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.

Internet Safety

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

Legal Reference:

Policy History:
Adopted on: January 2016
Revised on:

Revision Note:

Jefferson High School District #1

STUDENTS 3630

Cell Phones, Smart Phones, iPods and Other Electronic Equipment

Student cell phones, smart phones, iPods and other electronic devices are permitted to be used during transition periods within the hallway setting.

Upon entering the classroom, all devices must be set to silent (no vibration) and placed on the student desk in view of the classroom teacher. At no point during the classroom time is a student permitted to access his/her cell phone unless for use within the confines of the lesson with teacher permission. If the phone is in use during class time, it must be for educational purposes only.

Cell phones, smart phones, iPods and other electronic devices are prohibited from use in all locker rooms and bathrooms at all times and places.

Administration will develop guidance and discipline procedures as necessary for this policy. Such guidance and discipline procedures will be included in the student handbook.

Policy History:
Adopted on: February 2007
Revised on: May 2013

Revision Notes: Policy was substantially revised to allow rather than prohibit cell phone use at school and establish parameters for such use.

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 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: Policy 3600 – Student Records
Policy 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: March 2020
Revised on:

Revision Note:

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4000 Series
Community Relations

4000 Series
"COMMUNITY RELATIONS"
Table of Contents

Req.	Policy	Policy Description
	4000	Goals
R	4120	Public Relations
	4125	District Social Media Presence
	4210	School-Support Organizations, Boosters and Fundraising
	4210P	School-Support Organizations
	4211	District and School Name, Logo, Imagery, and Colors
R	4301	Visitors to Schools
R	4310	Public Complaints and Suggestions
	4313	Disruption of School Operations
	4315	Visitor and Spectator Conduct
R	4316	Accommodating Individuals With Disabilities
	4320	Contact With Students
	4321	Distribution of Fund Drive Literature Through Students
R	4330	Community Relations, Community Use of School Facilities
	4330F1	Private Individual or Organization School Facility Use Agreement
	4330F2	School Facility Use Agreement Rules and Regulations
	4330F3	School Facility Use Approved Supervisor Training List
	4330P1	Insurance Requirements for Facility Use Application / Permit

4330P2	Language Regarding Facility Use to be Included in all Handbooks
4330P3	Language for Informational Sign at Entrance to School and Entrance to South Gym
4331	Use of School Property for Posting Notices
4332	Conduct on School Property
4340	Public Access to District Records
4410	Relations with Law Enforcement and Child Protective Agencies
4411	Investigations and Arrests by Police
4520	Cooperative Programs With Other Districts, Public Agencies, and Businesses
4550	Registered Sex Offenders

Jefferson High School District #1

COMMUNITY RELATIONS 4000

Goals

The Board, through the leadership of the Superintendent and with the assistance of the total staff, will seek to enhance the District's community relations by striving to achieve the following goals:

1. To encourage and enhance communications, understanding, trust, and mutual support between the District and the people it serves;

2. To increase both the quality and quantity of public participation in school affairs, activities, and programs;

3. To strengthen and improve relations and interactions among staff, trustees, citizens, parents, and students;

4. To promote understanding and cooperation between the schools and community groups.

Legal Reference :	10.55.701, ARM	Board of Trustees
	10.55.801, ARM	School Climate

Policy History:
Adopted on: February 2007
Revised on:

COMMUNITY RELATIONS 4120

Public Relations

The District will strive to maintain effective two-way communications with the public to enable the Board and staff to interpret schools needs to the community and provide a means for citizens to express their needs and expectations to the Board and staff.

The Superintendent will establish and maintain a communication process within the school system and between it and the community. Such public information program will provide for news releases at appropriate times, arrange for media coverage of district programs and events, provide for regular direct communications between individual schools and the citizens they serve, and assist staff in improving their skills and understanding in communicating with the public.

The District may solicit community opinion through parent organizations, parent-teacher conferences, open houses, and other events or activities which may bring staff and citizens together.

Legal Reference: Art. II, Sec. 8, Montana Constitution - Right of participation
Art. II, Sec. 9, Montana Constitution - Right to know

Policy History:
Adopted on: February 2007
Revised on:

District Social Media Presence

The District social media accounts are provided for communication with the community. The School District will update these accounts as often as possible to share as much as necessary about the School District and the achievements of the students and staff as well as other relevant district community information.

All posting of comments on these accounts are at the discretion of the page administrators. The intent of this policy is to protect the privacy and rights of School District's staff and students. The account administrators will review all postings to make sure they do not violate the rules nor the District's Acceptable Use Guidelines regarding Internet access and practices. All posts will be accompanied by an explanation of how to communicate with the School District in a manner consistent with District policy.

The School District uses social media in conjunction with the School District's website. Staff members assigned to access/post information are:

1) Superintendent
2) Principal
3) Activities Director
4) Appointed staff

These staff members will complete training as needed to ensure use of the social media accounts is consistent with this and other District policies.

The Board authorizes the Superintendent to take necessary steps to implement this policy.

Legal Reference:

Policy History:
Adopted on:
Revised on:

Revision Note:

School-Support Organizations, Boosters and Fundraising

The Board recognizes that parent, teacher, and student organizations are an invaluable resource to District schools and supports their formation and vitality. While parent, teacher, and student organizations have no administrative authority and cannot determine District policy, their suggestions and assistance are always welcome.

School-Support Organizations

Parent or booster organizations are recognized by the Board and permitted to use the District's name, a District school's name, or a District school's team name or any logo attributable to the District, provided they first receive the Board's approval during a duly constituted Board meeting. Unauthorized use of the District school's team name, logo, or imagery is strictly prohibited. The District reserves the right to seek all available legal remedies for unauthorized use of the District school's name, logo, or imagery.

In order for the School District to comply with the federal law, state law and MHSA By-Laws, Rules and Regulations, Board recognition as a parent or booster organization along with consent to use one of the above-mentioned names or logos will be granted if the organization has approved and submitted bylaws containing the following:

1. The organization's name and purpose. Acceptable purposes may include enhancement of students' educational experiences, assistance to meet educational needs of students, support of academic clubs, or enrichment of extracurricular activities.

2. The rules and procedures under which it operates.

3. A statement that the membership will adhere to applicable Board policies and administrative procedures when working on District premises or with District officials or programs.

4. A statement that membership is open and unrestricted and the organization will not engage in discrimination based on someone's innate characteristics or membership in a protected classification.

5. A statement that the District is not, and will not be, responsible for the organization's business or the conduct of its members.

6. A designation of the organization's treasurer. A statement that the organization will maintain finances consistent with General Finance Principles in a manner open to review by any member of the organization or the school district.

7. A recognition that money given to a school cannot be earmarked for any particular expense. Booster organizations may make recommendations, but cash or other valuable consideration must be given to the District to use at its discretion. The Board's legal obligation to comply with Title IX by providing equal athletic opportunity for members of both genders will supersede an organizations recommendation.**1**

8. A recognition that the School District reserves the right to reject any and all donations.

Permission to use one of the above-mentioned names, logos or imagery may be suspended by the administration and rescinded by the Board for failure to comply with this policy. Authorization to use one of the above-mentioned names, logos, or imagery does not constitute permission to act as the District's representative. At no time does the District accept responsibility for the actions of any parent or booster organization, regardless of whether it was recognized and/or permitted to use any of the above-mentioned names or logos.**2** The Superintendent shall designate an administrative staff member to serve as the liaison to parent or booster organization. The liaison will serve as a resource person and provide information about school programs, resources, policies, problems, concerns, and emerging issues. Building staff may be encouraged to participate in the organizations.

Individual Boosters or Donors

Individual boosters or donors not covered by the bylaws of an organization governed by this policy may still assist in school operations. The Board encourages the involvement of local communities in school activities and operations. In order for the School District to comply with the federal law, state law and MHSA By-Laws, Rules and Regulations, individual boosters or donors must honor the following provisions:

1. The individual must have prior approval must be granted by the Board for use of the District's name, logo, or imagery.

2. The individual must comply with Board policies and administrative procedures when submitting donations.

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1 The School District may not accept booster organization assistance that creates vast gender differences or a school board may face claims that it has violated Title IX. Title IX's focus is on equal funding opportunities, equal facility availability, similar travel and transportation treatment, comparable coaching, and comparable publicity (34 C.F.R. Part 106).

2 Booster organizations present potential liabilities to a school district beyond loss of funds, because they seldom are properly organized (they generally are not incorporated or otherwise legally recognized), carry no insurance, raise and handle large sums of money, and organization members hold themselves out as agents of the school (after all, no funds could be raised but for the school connection). A disclaimer, such as the one presented here, may not be sufficient. A district may take several actions, after discussion with its attorney, to minimize liability, such as adding a requirement to item 6 above that the organization: (1) operate under the school's authority (activity accounts); or (2) be properly organized and demonstrate fiscal responsibility by being a 501(c)(3) organization, obtaining a bond, and/or arranging regular audits. Ultimately, the best way to minimize liability is to be sure that the district's errors-and-omissions insurance covers parent organizations and booster organizations.

3. The individual may not violate federal law, state law, District policy or MHSA By-Laws, Rules and Regulations.

4. The individual acknowledges the District is not, and will not be, responsible for the individual booster or donor's business or their conduct.

5. The individual acknowledges that donations cannot be earmarked for any particular expense. Individual boosters or donors may make recommendations, but cash or other valuable consideration must be given to the District to use at its discretion in accordance with applicable laws. The Board's legal obligation to comply with Title IX by providing equal athletic opportunity for members of both genders will supersede any individual's recommendation.

6. The District reserves the right to reject any and all donations.

Fundraising

All donations completed by recognized organizations are subject to applicable School District policies regarding financial management. Funding endeavors are generally viewed as beneficial when coordinated with district goals, initiatives, and existing plans. The District reserves the right to reject any and all donations.

All funds raised by recognized organizations that are donated to the School District become public funds when placed in a School District account. All public funds must be monitored in accordance with state law. Donations must be reviewed to ensure compliance with equity rules, amateur rules and appropriateness under district policy. Donations may be conditional under state law if conditions are in compliance.

Funds spent by the School District will be done in accordance with District purchase order policy and spending limits regardless of the source of the donation. All expenditures should be preapproved to ensure equity and auditing standards are met.

Legal Reference:	§ 20-6-601, MCA	Power to accept gifts
	§ 2-2-103-2(3)., MCA	Definitions
	§ 2-2-104, MCA	Rules of conduct for public officers, legislators, and public employees

Policy History:
Adopted on: February 2007
Revised on: April 15, 2008 March 2018

Note: School-support Organization section was revised to add language on open and unrestricted membership, language regarding parent organizations and booster clubs use of School District logo,and adds language regarding person designated as liaison for these organizations. It also encourages building staff participation.

School-Support Organizations

Persons proposing to establish a school-connected organization shall submit a request to the Board of Trustees for authorization to operate at the school. The request for authorization shall contain:

1. The name and purpose of the organization
2. The date of application
3. Bylaws, rules, and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership qualifications, if any, and an agreement that the group will not engage in unlawful discrimination
4. The names, addresses, and phone numbers of all officers
5. A list of specific objectives
6. An agreement to grant the district the right to audit the group's financial records at any time, either by district personnel or a certified public accountant
7. The name of the bank where the organization's account will be located and the names of those authorized to withdraw funds
8. The signature of the Superintendent of the supporting school
9. Planned use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future
10. An agreement to provide evidence of liability insurance as required by law (BP 4330 - Use of School Facilities)

Requests for subsequent authorization shall be presented to the Superintendent or designee annually, along with a financial statement showing all income and expenditures from fund-raisers. If the Superintendent or designee proposes to deny the request for reauthorization, he/she shall present his recommendation to the Board for approval.

School-connected organizations are prohibited from hiring or directly paying district employees. Organizations may make donations to the district to cover the costs of additional employees, but only if such positions are approved in advance by the Board. At their discretion, employees may volunteer to perform activities for school-connected organizations during non-working hours.

Legal Reference:

Policy History:
Adopted on: April 15, 2008
Revised on:

Revision Note:

District and School Name, Logo, Imagery, and Colors

Use of the District's name, a District school's name, or a District school's team name or mascot or any logo or imagery attributable to the District by any group, individual, business, entity, or organization may occur only after securing the Board's written approval as documented during a duly constituted Board meeting. Unauthorized use of the District school's team name, mascot, logo, or imagery is strictly prohibited. The District reserves the right to seek all available legal remedies for unauthorized use of the District school's name, logo, mascot, or imagery.

Legal Reference:

Policy History:
Adopted on: August 2021
Revised on:

Revision Note:

Visitors to Schools

The District encourages visits by Board members, parents, and citizens to all District buildings. All visitors shall report to the principal's office on entering any District building and comply with any other applicable school safety and security policy, procedure, or protocol. School visitors shall not interfere with school operations or delivery of educational services for students. Conferences with teachers should be held outside school hours or during the teacher's conference or preparation time.

Cross Reference: 4313 Disruption of School Operations

Policy History:
Adopted on: February 2007
Revised on: March 2020

Public Complaints and Suggestions

The Board is interested in receiving valid complaints and suggestions. Public complaints and suggestions shall be submitted by the Uniform Complaint Procedure to the appropriate-level staff member or District administrator. Each complaint or suggestion shall be considered on its merits.

Unless otherwise indicated in these policies or otherwise provided for by law, no appeal may be taken from any decision of the Board.

Cross Reference: 1700 Uniform Complaint Procedure

Policy History:
Adopted on: February 2007
Revised on:

Disruption of School Operations

The staff member in charge will immediately notify local law enforcement authorities, 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 of any student, official, employee, or invitee of the District.

The staff member in charge will make a written report detailing the incident no later than twenty-four (24) hours after the incident occurs. A copy of the report will be given to the staff member's immediate supervisor.

Cross Reference: 4301 Visitors to Schools

Legal Reference:	§ 20-1-206, MCA	Disturbance of school - penalty
	§ 20-5-201, MCA	Duties and sanctions
	§ 45-8-101, MCA	Disorderly conduct

Policy History:
Adopted on: February 2007
Revised on:

Visitor and Spectator Conduct

Any person, including an adult, who behaves in an unsportsmanlike or inappropriate manner during a visit to the school or a school event may be ejected from the event and/or denied permission to access school buildings or property or school events as determined by the Board of Trustees. Examples of unsportsmanlike or inappropriate conduct include but are not limited to:

- Using vulgar or obscene language or gestures;
- Possessing or being under the influence of any alcoholic beverage;
- Possessing or consuming any illegal substance or marijuana;
- Possessing a weapon or firearm in violation of Policy 4332;
- Fighting or otherwise striking or threatening another person;
- Failing to obey instructions of a security officer or District employee; and
- Engaging in any illegal or disruptive activity.
- Other violations of District Policy

The Superintendent is authorized to temporarily restrict access to school buildings or property and recommend to the Board of Trustees denial of future admission to any person by delivering or mailing a notice by certified mail with return receipt requested, containing:

1. Date, time, and place of a Board hearing;

2. Description of the unsportsmanlike conduct; and

3. Proposed time period admission to school events will be denied.

Legal Reference:	§ 20-1-206, MCA	Disturbance of school – penalty
	§ 20-4-303, MCA	Abuse of teachers
	§ 45-8-101, MCA	Disorderly conduct
	§ 45-8-351, MCA	Restriction on Local Government Regulation of Firearms
	Article X, section 8	Montana Constitution
	Initiative 190	"Montana Marijuana Regulation and Taxation Act", January 1, 2021

Policy History

Adopted on: February 2007

Revised on: March 2020, May 2021, July 2021

Accommodating Individuals With Disabilities

Individuals with disabilities will be provided opportunity to participate in all school-sponsored services, programs, or activities on a basis equal to those without disabilities and will not be subject to illegal discrimination.

The District may provide auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

The Superintendent is designated the Americans with Disabilities Act Title II Coordinator and, in that capacity, is directed to:

1. Oversee District 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 for at least three (3) years after its completion date (*for districts having fifty (50) or more full- or part-time employees*).

2. Institute plans to make information regarding Title II protection available to any interested party.

An individual with a disability should notify the Superintendent or building principal if they have a disability which will require special assistance or services and what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or of federal law by reporting it to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Uniform Complaint Procedure.

Cross Reference: 1700 Uniform Complaint Procedure

Legal Reference: Americans with Disabilities Act, 42 U.S.C. §§ 12111, et seq., and 12131, et seq.; 28 C.F.R. Part 35.

Policy History:
Adopted on: February 2007
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 not employed by the District for educational purposes.

Teachers may arrange for guest speakers on appropriate topics relative to the curriculum. The principal may approve school assemblies on specific educational topics of interest and relevance to the school program. The District normally does not permit other types of contact by non-school personnel.

Unless authorized by the building administrator or otherwise required by District policy or state and federal law, the District will not allow access to the schools by outside individuals, entities, businesses, service providers, or organizations desiring to use the captive audience in a school for information, sales material, or special interest purposes or delivery of services to students or groups of students that are unrelated to District operations.

Policy History:
Adopted on: February 2007
Revised on: March 2020

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.

Policy History:
Adopted on: February 2007
Revised on:

JHS Policy 4330, Community Relations, Community Use of School Facilities

The District recognizes the importance and value of the school facilities to the public and is committed to providing public access to district facilities to the greatest extent possible while still

- providing primary facility availability for school activities
- being mindful of district budget and expense limitations
- providing adequate safeguards for the care and maintenance of the facilities and persons using the facilities.

Other than the regular conduct of school district teaching, athletics and activities for students, the types of use that can be approved in District facilities and their requirements include but are not limited to:

	Current District Students Only	Open to anyone	Must be 16 or older	Requires paid district employee supervision	Requires approved supervisor	Covered by District Insurance	May require private insurance	Requires facilities agreement	Student Coaching can occur	May require rental fee
Student Open Gym	**X**			**X**		**X**				
Community Open Gym		**X**		**X**		**X**				
MHSA Open Gym	**X**			**X**		**X**				
Adult Education activity			**X**		**X**	**X**				
Private individual					**X**		**X**	**X**		**X**
Private organization					**X**		**X**	**X**		**X**

Student Open Gym and **Adult Education** activities are scheduled and coordinated through the regular instructional and activities/athletics program.

Generally, Montana High School Association (MHSA) Rules and Regulations preclude coaching of a student at events other than school practices and contests. Exceptions do exist, however, and the interested person should contact the Activities Director for more information or consult the MHSA Official handbook.

Community Open Gym is scheduled and coordinated through the office of the Activities Director as part of planning for all school activities. As a school-sponsored event, Community Open Gym must be supervised by a non-student adult supervisor paid by the district. Due to this expense, the availability of Community Open Gym will be limited. The District goal is to provide at least one two-and-a-half hour Community Open Gym on a regular basis per month

or more as facility availability and budget permit.

Private individual and private organization use of district facilities is coordinated through the office of the Activities Director. A facilities agreement is required (Form 4330F1). Private general liability insurance may be required. Rental fees, deposits and cleaning fees may be required. On-site supervision provided by an approved non-student adult supervisor for the setup, event and clean-up may be required. Organizations or individuals found to have violated this policy or its associated Facility Use Agreement, Rules and Regulations for Facility Use, or any other district policy while using a district facility may have their privilege to use the facility suspended for a period of time or revoked indefinitely at the discretion of administration. Appeal of a suspension or revocation decision may be made to the Board but the Board decision is final.

Each spring, the Activities Director will publish the dates during the upcoming summer and school year for which the school south gym may be available for non-school use and will coordinate the schedule and use of the gym throughout the year and maintain an updated schedule. Availability of other District facilities and grounds will be determined by the Activities Director upon request. The Activities Director will maintain a list of non-student adult individuals approved to act as event facility supervisors.

The current facility schedule will be posted by the Activities Director at the front entrance to the school and at the entrance to the south gym at all times.

A permanent sign will be displayed at the entrance to the school and at the entrance to the south gym with information on how to arrange for facility use and the most important rules and regulations for facility use.

Policy History:
Original Revoked: October 24, 2011
Adopted on: October 24, 2011
Revised on: May 14, 2013

Revision notes: Revision added the phrase "non-student adult" to the requirements for supervision, added contact information and "additional items" section to training checklist and to other areas of policy to match, added policy history to pages.

PRIVATE INDIVIDUAL OR ORGANIZATION SCHOOL FACILITY USE AGREEMENT

Name of Organization or Individual		Facility Requested	
Address		Date and Hours of Use	
Phone		Purpose of Use	
Email Address		Anticipated # of Participants	
Attendance or Admission Fees		Dollar Amount of Attendance or Admission	
Does User have liability insurance for this event		Liability Insurance Carrier and Policy Number, Agent Name	

The organization or individual signing this agreement (hereinafter referred to as "User") assumes responsibility for seeing that the terms of this agreement and the rules and regulations as specified on the accompanying "Rules and Regulations" sheet are followed.

User agrees to pay the District $_____as rent for the facility and as payment for special services, if any, plus the amount of $_____as a cleaning deposit. This shall be due ten days in advance of the event. All costs for damage to the building or its contents resulting from this use of the facility will be reimbursed to the district by User at the actual cost of repair or replacement within 10 days of User being presented with a request for reimbursement by the District. User agrees to additionally pay the District for custodial services needed to return the facility to its regular condition. The charge for these custodial services is $30 per labor hour with a one-hour minimum. Should the User vacate the facility already cleaned and in its regular condition, the cleaning deposit if any will be refunded.

User agrees to provide adequate non-student adult supervision of the facility and event attendees to insure proper use and care of the facilities including at least one non-student adult District-approved supervisor whose name must be confirmed to the school prior to the event. The list of approved non-student adult supervisors is available from the Activities Director. User and/or supervisor shall ensure that only the portion of the District facility specified above in "Facility Requested" shall be used unless permission is given by a school official. Supervisor will be in attendance during the entire event including setup and cleanup.

User required to provide separate liability insurance: Yes No

If "yes," refer to "Insurance Requirements for Facility Use" document and attach required information to this application.

If "No," initial to acknowledge that User understands and accepts all risk and liability for

damage or injury to the facility and its contents, any property of any kind, and/or any person resulting from User's or attendees use of the facility and that the District will not be liable and District liability insurance will not apply. (initial)

User guarantees that they shall indemnify, defend, and hold harmless the District and any of its employees or agents, from any and all liability, expenses, costs (including attorneys' fees), damages, and/or losses arising out of injury or death to any person or persons or damage to any property of any kind in connection with the Users' use of the District facility. User agrees to abide by non- discrimination clauses as contained in the Montana Human Rights Act and the Governmental Code of Fair Practices.

Additional requirements if any:

Additional needs (AV equipment, kitchen, microphones):

The District reserves the right to cancel this agreement if at any time it is determined by the District that the facilities are needed for school purposes.

Signed: Approved by:

User (date) JHS Administrator (date)

Form History:

Promulgated on: October 24, 2011, Revised on: May 14, 2013

SCHOOL FACILITY USE AGREEMENT RULES AND REGULATIONS

The organization or individual (the "User") signing this assumes responsibility for seeing that these rules and regulations are followed during the course of their use of a school facility:

1) Rental Fees are $200 for each main area rented. Fees may be waived for private non-profit groups or individuals that do not charge attendance or admission fees. Cleaning deposits and fees for cleaning may not be waived.
2) The use of the school premises may be denied when in the opinion of the Superintendent or the Board of Trustees the use may be construed to be solely for commercial purposes, there is a probability of damage or injury to school property, or if the activity is deemed to be improper to hold in a school.
3) In case of loss or damage to school property or any person, in connection with the User's use of the facility, the organization or individual signing the "School Facility Use Agreement" shall be fully responsible and liable.
4) The District reserves the right to require a certificate of insurance from the User. If a certificate is required, said certificate requirements are specified on the "Insurance Requirements for Facility Use" document.
5) No alcoholic beverages, tobacco, nicotine products or other drugs are sold or consumed on the premises by the requesting organization or individual or any of its employees, patrons, agents, members, guests or attendees.
6) No profanity or other disrespectful or disruptive language or gestures may be used, no quarrelling, fighting or gambling is permitted.
7) No illegal games of chance or lotteries will be permitted.
8) No handguns, knife blades or weapons or any kind may be brought to or used in a District facility without prior administrative approval.
9) Middle school, elementary and younger kids must be accompanied by an adult.
10) No horseplay. No dunking or hanging on the rims. Only clean gym shoes may be worn on the gym floor.
11) No alteration of the premises or changes in the use of such premises or movement of fixtures or furniture shall be made without specific written consent of the District.
12) Premises to be left in clean condition. All doors are to be locked before leaving.
13) Adequate non-student adult supervision must be provided by the User to ensure proper care and use of District facilities including the use of a District-approved event supervisor if required in the Facility Use Agreement for this event. The User and/or Supervisor must remain in attendance during the event including setup and cleanup. If the superintendent finds it necessary that police or other security personnel be retained for crowd control, such requirement may be added as a condition of use of the facility at User expense.
14) Doors will not be propped open. Only the portion of the building arranged to be used may be entered. Locker rooms are to remain locked.
15) No hazardous materials, including but not limited to, flammable materials or liquids, fireworks, pyrotechnic devices, explosives, poisonous materials or plants, strong acids or caustics, or dangerous animals will be bought on to the premises or used in any way

while occupying any portion of any District property unless permission is given in advance by a school official.

16) Wax or other preparations ordinarily used on dance floors is not to be used on gymnasium floors.

17) User must give written notice to the District of any accident resulting in bodily injury or damage to property of the School or others occurring on the premises or in any way connected with the use of School premises within 24 hours of the accident. The notice must include details of the time, place and circumstances and the names and addresses of any person(s) witnessing the accident.

18) Persons or groups not following these rules must be made to immediately leave the facility by the event Supervisor.

19) Organizations or individuals found to have violated the District Facility Use Policy, the Facility Use Agreement, Rules and Regulations for Facility Use, or any other district policy while using a district facility may have their privilege to use the facility suspended for a period of time or revoked indefinitely at the discretion of administration. Appeal of a suspension or revocation decision may be made to the Board but the Board decision is final.

20) User(s) are to observe the following additional conditions:

_____

_____

_____

_____

Signed: Approved by:

_____ _____

User (date) JHS Administrator (date)

Form History:

Promulgated on: October 24, 2011

Revised on: May 14, 2013

SCHOOL FACILITY USE APPROVED SUPERVISOR TRAINING LIST

Name:	
Address:	
Phone and Email:	

JHS Facilities Approved for:

- ☐ All JHS buildings and grounds
- ☐ South Gym
- ☐ North Gym and Cafeteria
- ☐ Classroom wing
- ☐ Grounds

Contact Phone Numbers

- ☐ Safety and Health emergencies: 911
- ☐ Jefferson County Sheriff: 225-3694
- ☐ Principal _____
- ☐ Activities Coordinator: _____ _____

Training Areas

- ☐ **Security**
  - ☐ Access Codes/Keys
  - ☐ Doors
  - ☐ Alarms
  - ☐ Gates, Barriers
  - ☐ Fire escape and response plan
  - ☐ Exits
  - ☐ MSDS/Hazmat
  - ☐ Emergency procedures and contact information
  - ☐ Appropriate methods for dealing with individuals or groups that break rules
- ☐ **Facility Use Agreement and Rules and Regulations**
- ☐ **Maintenance**
  - ☐ Supplies and Equipment location and use
  - ☐ Heating/Cooling
  - ☐ Lighting
- ☐ **Special Equipment**
  - ☐ Location and use
  - ☐ Approval for use requirements
  - ☐ Setup and take down

Additional Items

- ☐ Use/turn-in a sign-in sheet
- ☐ No foul language
- ☐ Locker rooms are to remain locked
- ☐ Clean gym shoes only
- ☐ No tobacco use or alcohol
- ☐ Middle school, elementary and younger kids must be accompanied by an adult
- ☐ Report all incidents to school administration including accidents or damage
- ☐ No dunking or hanging on rims
- ☐ No horseplay
- ☐ Make sure area is clean before leaving
- ☐ Check all doors to make sure they are locked.

By initialing below, Supervisor indicates that they understand and agree that when they are the designated Supervisor for an event they must remain on duty and present in the facility for the entire event including any setup or cleanup prior to or after the event.

_____Supervisor initials

Facility Use Supervisor training provided on_____ by: _____

Approved by:

_____

JHS Administrator (date)

Form History:

Promulgated on: October 24, 2011
Revised on: May14, 2013

INSURANCE REQUIREMENTS FOR FACILITY USE APPLICATION/PERMIT

The District may, in the sole discretion of the Superintendent or the Board of Trustees, require a User of District facilities to provide proof of insurance coverage for the event. In determining whether to require such insurance, the Superintendent or Board will consider such factors as whether the event is being held for commercial purposes and/or if there is a probability of damage or injury to school property and any other factors having to do with the facility and its contents or individuals using the facility.

When required by the District, the User of the facility shall provide the School District with a certificate of insurance. Said certificate shall name the School District as an additional insured. Such certificate shall show coverage for comprehensive general liability insurance for injuries to or death of any person or damage to or loss of property arising out of or in any way resulting from the use of the facility. Said insurance shall provide for amounts not less than $1,000,000 for bodily injury or death to any one person, $1,000,000 for all bodily injuries and death resulting from any one accident and $1,000,000 for property damage in any one accident or the policy may provide a combined single limit for bodily injury and property damage of $1,000,000. Said certificate shall also contain information regarding the coverage for worker's compensation or self insured status as per Montana insurance guidelines. Said certificate shall contain a provision that the insurer not cancel or refuse to renew without giving the School District written notice at least 10 days before the effective date of the cancellation or non-renewal.

In an effort to give guidance to administration and the community regarding when separate insurance might be required, the Board has compiled the following examples. This is not a definitive list and these decisions will be made by administration or the Board on a case by case basis.

Types of events that would not usually require insurance include but are not limited to:

- District resident or group use (individuals, families, bake sales, Scouts, 4H, County Health, local funerals, community public forums)
- Local non-profit organizations (Booster Club, Local Development Corporation, Boulder Area Chamber, Christmas Bazaar)
- Similar low risk events

Types of events that would usually require insurance include but are not limited to: Commercial for profit or revenue-generating events (Tool sales event, professional performance events)

- Any event with potential risk to the district facilities (Donkey Basketball, circuses)
- Any event for any organization that maintains event or medical liability insurance so that their insurance is primary to ours
- Events with some risk but that provide proof of their own organization's insurance

that would cover this event (Little Guy Wrestling, Collegiate-sponsored or other sports camps or clinics, Helena Titans, Spay/Neuter Clinic, Red Cross Blood Drawing, other school's events)

Procedure History:

Promulgated on: October 24, 2011

Revised on: May 14, 2013

LANGUAGE REGARDING FACILITY USE TO BE INCLUDED IN ALL HANDBOOKS

This language regarding Open Gym, Facility Use, Weight Room will be used in all Handbooks (Coaches, Student, Student Activity and any others)

District Facility Use

Use of all District facilities, including the school building, gyms, weight room, playing fields and gym is coordinated through the office of the Activities Director. District policy requires that all use of District facilities be pre-approved by the Activities Director. Facility use for events not sponsored by the District may require rental fees, cleaning deposits and separate insurance. Contact the Activities Director to find out when any Open Gym's are scheduled or to arrange for use of any District facility by calling the main school number 225-3317.

Procedure History:

Promulgated on: October 24, 2011

Revised on: May14, 2013

LANGUAGE FOR INFORMATIONAL SIGN AT ENTRANCE TO SCHOOL AND ENTRANCE TO SOUTH GYM

Welcome to Jefferson High School.

Use of District facilities and grounds by the public for non-school purposes is encouraged but must be pre-arranged through the office of the Activities Director. You may contact the Activities Director by calling the main school number at 225-3317.

Ground Rules for District Facility Use

- Use of the facility must be pre-approved by the Activities Director.
- Use of District facilities must be supervised by an approved non-student adult District facility supervisor.
- Facility use fee may be required. Cleaning deposits are required.

- Only the portion of the facility and/or equipment that has been approved for use may be used.
- Only those persons or group who have been approved may use the facility.
- Middle school, elementary and younger children must be accompanied by an adult.
- Care and respect for District property must be observed.

- No profanity or other disrespectful or disruptive language or gestures may be used.
- No alcohol, tobacco, nicotine products or any illegal substance may be used or brought to a District facility.
- No handguns, knife blades or weapons of any kind may be brought to or used in a District facility without prior administration approval.
- No door may be left propped open during facility use.
- Only clean gym shoes may be worn on the gym floor.
- No horseplay, no hanging or dunking on rims.
- Facilities must be left in good and clean condition and all doors locked.

- The school reserves the right to cancel approval for use of the facility on short notice if needs for school use arise.

- Persons or groups not following these rules or those rules contained in the Facility Agreement will be made to immediately leave the facility.
- Organizations or individuals found to have violated these Ground Rules, the District Facility Use Policy, the Facility Use Agreement, Rules and Regulations for Facility Use, or any other district policy while using a district facility may have their privilege to use the facility suspended for a period of time or revoked indefinitely .
- ANY DAMAGE OR INJURY TO THE FACILITY, EQUIPMENT OR PERSONS IS THE SOLE RESPONSIBILITY OF THE USER AS AGREED IN THE FACILITY USE AGREEMENT.

Procedure History:

Promulgated on: October 24, 2011

Revised on: May14, 2013

Use of School Property for Posting Notices

Non-school related organizations or individuals that are not associated with student curricular clubs or student non-curricular groups may request permission of the building principal to display posters in the area reserved for community posters or to have flyers distributed to students. The building principal shall only authorize distribution or posting of information that is determined to have a direct benefit or relationship to students enrolled in the school and meets the standards of this policy.

Posters and/or flyers must be student oriented and have the sponsoring organization's name prominently displayed. The District will not permit the posting or distribution of any material that would:

A. Disrupt the educational process;

B. Violate the rights of others;

C. Invade the privacy of others;

D. Infringe on a copyright;

E. Violate District policy, procedure, or administrative directive;

E. Be obscene, vulgar, or indecent; or

F. Promote violence, discriminatory conduct, the use of drugs, alcohol, tobacco, or certain products that create community concerns.

No commercial publication shall be posted or distributed unless the purpose is to further a school activity, such as graduation, class pictures, or class rings. No information from any candidates for non-student elective offices shall be posted in the school, except on election day, or distributed to the students.

If permission is granted to distribute materials, the organization must arrange to have copies delivered to the school. Distribution of the materials will be arranged by administration. Under no circumstances shall individuals not employed by the District be given access to the building for the purposes of posting notices or distributing information.

All student materials must be reviewed and approved by the Superintendent or designee in accordance with Policy 3222.

Cross Reference: Policy 3222 Distribution and Posting of Student Materials

Policy History:

Adopted on: February 2007
Revised on: August 2021

Note: Included "F" in this revision, but Board declined to insert the word "firearms" in "F".

Conduct on School Property

In addition to prohibitions stated in 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, including alternative nicotine and vapor products as defined in 16-11-302, MCA, or other similar products;

5. Consume, possess, or distribute alcoholic beverages, illegal drugs, or marijuana;

7. Impede, delay, or otherwise interfere with the orderly conduct of the District's educational program or any other activity occurring on school property;

8. Enter upon any portion of school premises at any time for purposes other than those which are lawful and authorized by the Board; or

9. Willfully violate other District rules and regulations.

For the purposes of this policy, "school property" means within school buildings, in vehicles used for school purposes, or on owned or leased school land or grounds. District administrators are authorized to appropriate action, as circumstances warrant, to enforce this section of the policy including but not limited to requesting the assistance of law enforcement in accordance with Montana law.

Firearms and Weapons

A person who is not an enrolled student or District employee shall not possess any firearm in a school building at any time.

For the purposes of this policy, the term "firearm" means (a) any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device pursuant to 18 U.S.C. 921 (4). Such term does not include an antique firearm pursuant to 18 U.S.C. 921 (16).

District administrators are authorized to appropriate action, as circumstances warrant, to enforce this section of the policy including but not limited to requesting the assistance of law enforcement in accordance with Montana law.

This section does not apply to a law enforcement officer acting in the officer's official capacity or an individual previously authorized by the Board of Trustees to possess a firearm or weapon in a school building.

The Board of Trustees shall annually review this policy and update this policy as determined necessary by the trustees based on changing circumstances pertaining to school safety.

Definitions

Option 1: For the purposes of this policy, "school building" means a combination of any materials, whether mobile, portable, or fixed, to form a structure and the related facilities for the use or occupancy by persons or property owned or leased by a local school district that are used for instruction or for student activities as specified in Section 50-60-101(2), MCA and Section 45-8-361, MCA. The term is construed as though followed by the words "or part or parts of a building" and is considered to include all stadiums, bleachers, and other similar outdoor facilities, whether temporary or permanently fixed.

Cross Reference: Policy 3311 Firearms and Weapons

Legal Reference:

Pro-Children Act of 1994, 20 U.S.C. § 6081	
Smoke Free School Act of 1994	
16-11-302, MCA	Definitions
§ 20-1-220, MCA	Use of tobacco product in public school building or property prohibited
§ 20-1-206, MCA	Disturbance of School
§ 20-5-410, MCA	Civil penalty
§ 45-6-201, MCA	Definition of enter or remain unlawfully
§ 45-8-101, MCA	Disorderly conduct
§ 45-8-102, MCA	Failure of disorderly persons to disperse
§ 45-8-351, MCA	Restriction on Local Government Regulation of Firearms
§ 45-8-361	Possession or allowing possession of weapon in school building – exceptions – penalties- seizure and forfeiture or return authorized - definitions
Article X, section 8	Montana Constitution
Initiative 190	"Montana Marijuana Regulation and Taxation Act", January 1, 2021

Policy History:

Adopted on: February 2007

Revised on: January 2016, March 2020, May 2021, July 2021

Note: Revision included the insertion of the word "nicotine" in #4 and the change of policy in the Cross Reference.

January 2016 *Revision adds definitions as per 16-11-302 MCA and reference to vapor cigarettes*

Public Access to District Records

Within limits of an individual's right of privacy, the public will be afforded full access to information concerning administration and operations of the District. Public access to District records shall be afforded according to appropriate administrative procedures.

"District records" include any writing, printing, Photostatting, photographing, etc. (including electronic mail), which has been made or received by the District 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. "District records" do not include personal notes and memoranda of staff which remain in the sole possession of the maker and which are not generally accessible or revealed to other persons.

The Superintendent will serve as the 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, the Superintendent will authorize the inspection and copying of District records only in accordance with the criteria set forth in this policy.

In accordance with Title 2, Chapter 6, MCA, the District will make available for public inspection and copying all District records or portions of records, except those containing the following information:

1. Personal information in any file maintained for students. Information in student records will be disclosed only in accordance with 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 will disclosure be denied for more than three (3) years after appraisal.

5. Preliminary drafts, notes, recommendations, and intra-District memoranda in which opinions are expressed or policies formulated or recommended, except a specific record shall not be exempt when publicly cited by the District in connection with any District action.

6. Records relevant to a controversy to which the District is a party, but which would not be available to another party under the rules of pretrial discovery, for cases pending resolution.

7. Records or portions of records, the disclosure of which would violate personal rights of privacy.

8. Records or portions of records, the disclosure of which would violate governmental interests.

9. Records or information relating to individual or public safety or the security of public schools if release of the information jeopardizes the safety of facility personnel, the public students in a public school.

If the District denies any request, in whole or in part, for inspection and copying of records, the District will provide the requesting party with reasons for 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 written explanation for the deletion.

The District will not provide access to lists of individuals, which the requesting party intends to use for commercial purposes or which the District reasonably believes will be used for commercial purposes if such access is provided. However, the District may provide mailing lists of graduating students to representatives of the U.S. armed forces and the National Guard for purpose of recruitment.

The coordinator is authorized to seek an injunction to prevent disclosure of records otherwise suitable for disclosure, when it is determined reasonable cause exists to believe disclosure would not be in the public interest and would substantially or irreparably damage any person or would substantially or irreparably damage vital governmental functions.

Legal Reference:	Title 20, Ch. 6, MCA	School districts
	§ 2-6-109, MCA	Prohibition on distribution or sale of mailing lists – exceptions – penalty
	§ 2-6-1001, MCA, *et seq.*	Public Records

Policy History:
Adopted on: February 2007
Revised on: March 2020

Jefferson High School District #1

COMMUNITY RELATIONS 4410

Relations with Law Enforcement and Child Protective Agencies

The staff is primarily responsible for maintaining proper order and conduct in the schools. 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. When there is substantial threat to the health and safety of students or others, such as in the case of bomb threats, mass demonstrations with threat of violence, individual threats of substantial bodily harm, trafficking in prohibited drugs, or the scheduling of events where large crowds may be difficult to handle, 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 will strive to develop and maintain cooperative working relationships with the law enforcement agencies. Procedures for cooperation between law enforcement, child protective, and school authorities will be established. Such procedures will be made available to affected staff and will be periodically revised.

County Interdisciplinary Child Information and School Safety Team

The District will participate in the Jefferson County interdisciplinary child information and school safety team established by Section 52-2-211, MCA. This team consists of county-level representatives of the youth court, the county attorney, the department of public health and human services, the county superintendent of schools, the sheriff, the chief of any police force, the superintendents of public school districts in the County, and the department of corrections.

The purpose of the team is "to facilitate the exchange and sharing of information that one or more team members may be able to use in serving a child in the course of their professions and occupations, including but not limited to abused or neglected children, delinquent youth, and youth in need of intervention, and of information relating to issues of school safety."

The Superintendent is authorized to participate in the formation of and request information from the interdisciplinary child information and school safety team regarding students in the School District. The Superintendent shall utilize this authority on a regular basis to ensure the safety and security of the District.

Cross Reference: 4313 Disruption of School Operations

Legal Reference: § 20-1-206, MCA Disturbance of school – penalty
§ 52-2-211, MCA County Interdisciplinary Child Information and School Safety Team

Policy History:
Adopted on: February 2007

Jefferson High School District #1

COMMUNITY RELATIONS 4410

Revised on: March 2020

Investigations and Arrests by Police

All contact between the school and the police department on matters involving students shall be made through the administrative office. The District encourages police to talk to a student away from the school and before or after school hours. Law enforcement authorities should only be allowed to conduct an interview in the school, if they can show special circumstances exist or if the interview is at the request of the school. The Superintendent or principal should make this determination.

A. If the police have a warrant for the student's arrest, they must be permitted to arrest the student; however, whenever possible, the arrest should be conducted in the principal's office out of view of other students. Before removing a student from school, the police shall sign a release form in which they assume full responsibility for the student.

B. Law enforcement personnel should not be allowed to roam about the school until the student is found. They should remain in the administration office while school personnel seek out the student.

C. If possible, the educational program of the student should not be disrupted to allow for police questioning.

D. Any questioning by police should be conducted in a private room or area where confidentiality can be maintained.

E. If law enforcement officials are to be allowed to question a student under the age of eighteen (18), a reasonable attempt shall be made to notify the parents, except in cases of suspected child abuse or child neglect involving the parent. The parents should be given the opportunity to come to the school prior to the questioning.

F. If the parents are notified and able to attend, they should be allowed to be present at the interview. The administrator should be present at the interview, but should not take part in any questioning. The administrator should at all times remain a neutral observer.

Policy History:
Adopted on: February 2007
Revised on:

Cooperative Programs With Other Districts, Public Agencies, and Businesses

Whenever it appears to the economic, administrative, and/or educational advantage of the District to participate in cooperative programs with other units of local government, the Superintendent will prepare and present for Board consideration an analysis of each cooperative proposal.

When formal cooperative agreements are developed, such agreements shall comply with requirements of the Interlocal Cooperation Act, with assurances that all parties to the agreement have legal authority to engage in the activities contemplated by the agreement.

The District may enter into interlocal agreements with a unit of the Montana University System, public community college, and/or tribal college, which would allow students enrolled in the 11th and 12th grades to attend and earn credit for classes not available in the District. Tuition and fees, if assessed, will be provided for in the interlocal agreement.

The District may enter into an interlocal agreement providing for the sharing of teachers, specialists, superintendents, or other professional persons licensed under Title 37, MCA. If the District shares a teacher or specialist with another district(s), the District's share of such teacher's or specialist's compensation will be based on the total number of instructional hours expended by the teacher or the specialist in the District.

Legal Reference:	§§ 7-11-101, et seq., MCA	Interlocal Cooperation Act
	§§ 20-7-451 through 456, MCA	Authorization to create full service education cooperatives
	§§ 20-7-801, et seq., MCA	Public recreation

Policy History:
Adopted on: February 2007
Revised on:

Registered Sex Offenders

The State of Montana has determined that perpetrators of certain sex crimes pose a continuing threat to society as a whole even after completion of their criminal sentences. Recognizing that the safety and welfare of students is of paramount importance, the Jefferson High School District declares that, except in limited circumstances, Jefferson High School District should be off limits to registered sex offenders.

Employment

Notwithstanding any other Board policy, individuals listed by the State of Montana as registered sex offenders are ineligible for employment in any position within the Jefferson High School District. However, the Superintendent shall have discretion consistent with other Board policies to recommend an individual whose name has been expunged from the Sex Offender Registry.

School Off Limits

The District hereby declares that no registered sex offender whose victim was a minor may come on, about, or within 1,000 feet of any District owned buildings or property except as otherwise provided in this policy. If an administrator becomes aware that such a sex offender is on, about, or within 1,000 feet of school property, the administrator shall direct the sex offender to leave the area immediately. The School Board authorizes the administrator to request the assistance of the appropriate law enforcement authorities to secure the removal of any registered sex offender from the area. If a registered sex offender disregards the terms of this policy or the directives of the school administrator, then the Superintendent is authorized to confer with counsel and to pursue such criminal or civil action as may be necessary to enforce compliance with this policy.

This policy shall not be construed to impose any duty upon any administrator or any other employee of the District to review the Sex Offender Registry or to screen individuals coming on, or within 1,000 feet of school property to ascertain whether they are on the Registry. This policy shall only apply when administrators are actually aware that the person is question is on the Sex Offender Registry and that the offender's victim was a minor.

The provisions of this policy prohibiting a registered sex offender from coming on, about, or within 1,000 feet of school property shall not apply in the event that a sex offender's name should be expunged from the Registry.

Rights of Parents on the Sex Offender Registry

In the event that a registered sex offender whose victim was a minor has child attending the District, the administrator of the school where the child attends shall be authorized to modify this policy's restrictions to permit the parent to drop off and pick up the child from school and to

come onto campus to attend parent-teacher conferences. However, the parent may not linger on or about school property before or after dropping of his or her child, and the parent is prohibited from being in any part of the school building except the main office.

This policy does not impose a duty upon the administrator of any school or any other employee of the District to review the Sex Offender Registry and the school system's directory information to ascertain whether a registered sex offender may have a child attending school in the District.

The provisions of this policy shall apply only if an administrator actually becomes aware that a parent of a student at the school is a registered sex offender.

To facilitate voluntary compliance with this policy, administrators are encouraged to speak with any affected parents upon learning of their status as registered sex offenders to communicate the restrictions of this policy. At all times, the administrator shall endeavor to protect the privacy of the offender's child.

In the event of a truly exceptional situation such as graduation, a parent on the Sex Offender Registry may ask the Superintendent for a waiver of this policy to permit the parent to attend these special events. It is the intent of the Board, however, that these special circumstances be truly unusual and infrequent occurrences.

Legal Reference: § 46-23-501, MCA Sexual or Violent Offender Registration Act
www.doj.mt.gov/svor/ Sexual or Violent Offender Registry

Policy History:
Adopted on: October 21, 2008
Reviewed on:
Revised on:

Revision Note:

5000 Series Personnel

5000 Series
"PERSONNEL"
Table of Contents

Req.	Policy	Policy Description
R	5002	Accommodating Individuals With Disabilities
R	5010	Equal Employment Opportunity and Non-Discrimination
R	5012	Sexual Harassment of Employees
	5012F	Sexual Harassment Reporting/Intake Form for Employees
	5012P	Sexual Harassment Grievance Procedure - Employees
	5015	Bullying/Harassment/Intimidation
R	5120	Hiring Process and Criteria
	5120F1	Determination of Eligibility for Hire Form
	5120F2	Privacy Act Statement
	5120F3	Dissemination Log
	5120P	Federal Background Check Fingerprint and Information Handling Procedure
	5121	Applicability of Personnel Policies
	5122	Fingerprints and Criminal Background Investigations
	5122F	Applicant Rights and Consent to Fingerprint Form, NCPA/VCA Applicant Form
	5130	Staff Health
	5140	Classified Employment and Assignment
	5141	Staff Recognition Program
	5210	Assignments, Reassignments, Transfers
	5220	Prohibition on Aiding Sexual Abuse
	5221	Work Day
R	5222	Evaluation of Non-Administrative Staff
	5223	Personal Conduct

	5224	Political Activity
	5226	Drug-Free Workplace
R	5228	Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers
	5228F1	Acknowledgement of Receipt of Policies 5228 and 5228P
	5228F2	Request for Records Form
	5228P	Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers
	5230	Prevention of Disease Transmission
	5231	Personnel Records
	5231P	Personnel Records
	5232	Child Abuse, Neglect, and Sex Trafficking Reporting
	5232F	Jefferson High School Report of Suspected Child Abuse or Neglect
R	5240	Resolution of Staff Complaints/Problem-Solving
	5250	Non-Renewal of Employment/Dismissal From Employment
	5251	Resignations
	5253	Retirement Programs for Employees
	5254	Payment of Employer Contributions and Interest on Previous Service
	5254F	Employer Payment Policy
	5255	Disciplinary Action
	5256	Reduction in Force
	5314	Substitutes
	5321	Leaves of Absence
	5321P	Conditions for Use of Leave
	5322	Military Leave
	5325	Breastfeeding in the Workplace

5328	Family Medical Leave
5328P	Family Medical Leave
5329	Long-Term Illness/Temporary Disability
5329P	Long-Term Illness/Temporary Disability
5330	Maternity Leave and Paternity Leave
5331	Insurance Benefits for Employees
5333	Holidays
5334	Vacations
5334P	Vacations
5336	Compensatory Time and Overtime for Classified Employees
5337	Workers' Compensation Benefits
5338	Payment of Interest on Employer Contributions for Workers' Compensation Time
5420	Paraprofessionals
5420F	ESSA Qualification Notifications – Annual Notification – Option to Request Professional Qualifications
5430	Volunteers
5430F	Volunteer Agreement Form
5440	Student Teachers/Interns
5445FE	Flexible Instructor Licensing
5450	Employee Electronic Mail and On-Line Services Usage
5500	Payment of Wages Upon Termination
5510	HIPAA

Accommodating Individuals With Disabilities and Section 504 of the Rehabilitation Act of 1973

It is the intent of the District to ensure that qualified employees with disabilities under Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate accommodations or other positive actions in assistance.

The District will not discriminate against a qualified individual on the basis of disability in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, or other terms, conditions, and privileges of employment.

The Superintendent is designated the Americans with Disabilities Act Title II Coordinator and, in that capacity, is directed to:

1. Oversee District compliance efforts, recommend to the Board necessary modifications, and maintain the District's final Title II self-evaluation document and keep it available for public inspection.

2. Make information regarding Title II protection available to any interested party.

3. Coordinating and monitoring the district's compliance with Section 504 and Title II of the ADA, as well as state civil rights requirements regarding discrimination and harassment based on disability.

4. Overseeing prevention efforts to avoid Section 504 and ADA violations by necessary actions, including by not limited to, scheduling Section 504 meetings, implementing and monitoring Section 504 plans of accommodation and providing information to employees and supervisors.

5. Implementing the district's discrimination complaint procedures with respect to allegations of Section 504/ADA violations, discrimination based on disability, and disability harassment; and

6. Investigating complaints alleging violations of Section 504/ADA, discrimination based on disability, and disability harassment.

The District's procedure for resolution of complaints alleging violation of this policy is set forth in Policy 1700.

An individual with a disability should notify the Superintendent or building principal if they have a disability which will require special assistance or services and what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Cross Reference: 1700 Uniform Complaint Procedure

Legal Reference : Americans with Disabilities Act, 42 U.S.C. §§ 12111, et seq., and 12131, et seq.; 28 C.F.R. Part 35.

Policy History:
Adopted on: February 2007
Revised on: October 2018

Revision Note: Updated to meet 504 standards.

PERSONNEL 5010

Equal Employment Opportunity and Non-Discrimination

The District will provide equal employment opportunities to all persons, regardless of their race, color, religion, creed, political ideas, national origin, genetic information, sex, sexual orientation, gender identity or expression, age, ancestry, marital status, military status, citizenship status, use of lawful products while not at work, physical or mental handicap or disability, and other legally protected categories.

The District will make reasonable accommodation for an individual with a disability known to the District, if the individual is otherwise qualified for the position, unless the accommodation would impose undue hardship on the District.

Inquiries regarding sexual harassment, sex discrimination, or sexual intimidation should be directed to the District Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education or both. The Board designates the following individual to serve as the District's Title IX Coordinator:

Title: School Counselor_____ _____
Office address: 312 S. Main St. Boulder, MT 59632_____
Email: joe.michaud@jhs.k12.mt.us _____
Phone number: (406) 225-3317 _____

Inquiries regarding discrimination on the basis of disability or requests for accommodation should be directed to the District Section 504 Coordinator. The Board designates the following individual to serve as the District's Section 504 Coordinator:

Title: School Counselor_____ _____
Office address: 312 S. Main St. Boulder, MT 59632_____
Email: joe.michaud@jhs.k12.mt.us _____
Phone number: (406) 225-3317 _____

Any individual may file a complaint alleging violation of this policy, Policy 5012/5012P – Sexual Harassment, or Policy 5015 – Bullying/Harassment/Intimidation/Hazing by following those policies or Policy 1700 – Uniform Complaint Procedure.

The District, in compliance with federal regulations, will notify annually all students, parents, staff, and community members of this policy and the designated coordinator to receive inquiries. This annual notification will include the name and location of the coordinator and will be included in all handbooks.

The District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence against students, staff, or volunteers with disabilities. The District will consider such behavior as constituting discrimination on the basis of disability, in violation of state and federal law.

All complaints about behavior that may violate this policy shall be promptly investigated.

Retaliation against an employee who has filed a discrimination complaint, testified, or participated in any manner in a discrimination investigation or proceeding is prohibited.

Cross Reference: 1700 Uniform Complaint 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.
- Equal Pay Act, 29 U.S.C. § 206(d)
- Immigration Reform and Control Act, 8 U.S.C. §§ 1324(a), et seq.
- Rehabilitation Act of 1973, 29 U.S.C. §§ 791, et seq.
- Genetic Information Nondiscrimination Act of 2008 (GINA)
- Title VII of the 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
- Montana Constitution, Art. X, § 1 - Educational goals and duties
- § 49-2-101, et. al., MCA Human Rights Act
- § 49-3-102, MCA What local governmental units affected
- § 49-2-303, MCA Discrimination in Employment
- § 49-3-201, MCA Employment of state and local government personnel.

Policy History:
Adopted on: February 2007
Revised on: March 2018, July 2019, November 2020

Revision Note: 2018- Lines 17, 18, 35, and 36 added.

Sexual Harassment of Employees The district does not discriminate on the basis of sex in any education program or activity that it operates. The District is required by Title IX of the Education Amendments of 1972 and the regulations promulgated through the U.S. Department of Education not to discriminate in such a manner. Inquiries about the application of title IX to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The Board designates the following individual to serve as the District's Title IX Coordinator:

Title: School Counselor_____
Office address: 312 S. Main St. Boulder, MT 59632_____
Email: joe.michaud@jhs.k12.mt.us_____
Phone number: (406) 225-3317_____

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made using the attached form, in person, by mail, by telephone, or by electronic mail using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or

3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8), or "stalking" as defined in 34 USC 12291(a)(30).

When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator shall direct the individual to the applicable sex discrimination process for investigation.

An individual is not required to submit a report of sexual harassment involving the Title IX Coordinator. In the event the Title IX Coordinator is responsible for or a witness to the alleged harassment, the individual may report the allegations to the building principal or superintendent or other unbiased school official.

Retaliation Prohibited

The District prohibits intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

Confidentiality

The District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any individual who has been alleged to be the victim or perpetrator of conduct that could constitute sexual harassment, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing or judicial proceeding arising thereunder.

Notice Requirements

The District provides notice to applicants for admission and employment, students, parents, or legal guardians of elementary and secondary school students, employees and the union(s) with the name or title, office address, email address, and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the district website and in all handbooks made available by the district.

Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, when applicable, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The District also ensure that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All materials used to train individuals who receive training under this section must not rely on sex stereotypes

and must promote impartial investigations and adjudications of formal complaints of sexual harassment and are made publicly available on the District's website.

Conflict of Interest and Bias

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

Determination of Responsibility

The individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment is presumed not responsible for alleged conduct. A determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation in accordance with the process outlined in Policy 3225P. No disciplinary sanctions will be imposed unless and until a final determination of responsibility is reached.

Cross Reference:	1700	Uniform Complaint Procedure	5010	Equal E
	5012P	Sexual Harassment Procedures		

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 the Education Amendments, 20 U.S.C. §§ 1681, et seq.	
	Montana Constitution, Art. X, § 1 - Educational goals and duties	
	§§ 49-2-101, MCA	Montana Human Rights Act
	Harris v. Fork Lift Systems, 114 S.Ct. 367 (1993)	
	Civil Rights Act, title VI; 42 USC 2000d et seq.	
	34 CFR Part 106	Nondiscrimination on the basis of sex in education programs or activities receiving Federal financial assistance
	10.55.701(1)(f), ARM	Board of Trustees
	10.55.719, ARM	Student Protection Procedures
	10.55.801(1)(a), ARM	School Climate

Policy History:
Adopted on: February 2007
Revised on: April 2019, November 2020

Sexual Harassment Reporting/Intake Form for Employees

This form is not required. Complaints may be submitted in any manner noted in Policy 5012. The form may be used by the Title IX Coordinator to document allegations.

School _____ Date _____

Employee's name _____

Who was responsible for the harassment or incident(s)? _____
_____
_____
_____

Describe the incident(s). _____
_____
_____
_____

Date(s), time(s), and place(s) the incident(s) occurred. _____
_____
_____
_____

Were other individuals involved in the incident(s)? ☐ yes ☐ no
If so, name the witnesses. _____
_____
_____
_____

Did you take any action in response to the incident(s)? ☐ yes ☐ no
If yes, what action did you take? _____
_____
_____
_____

Were there any prior incidents? ☐ yes ☐ no
If so, describe any prior incidents. _____
_____
_____

Signature of complainant _____

Retaliation is prohibited by federal law and district policy. The identity of the individual signing this form will remain confidential in accordance with law and policy.

Policy History:
Adopted on: November 2020
Revised on:

Revision Note:

Sexual Harassment Grievance Procedure – Employees

The Board requires the following grievance process to be followed for the prompt and equitable resolution of employee complaints alleging any action that would be prohibited as sexual harassment by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

Definitions

The following definitions apply for Title IX policies and procedures:

"Actual knowledge": notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District or to any employee of an elementary or secondary school.

"Education program or activity": includes locations, events, or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment and the context in which the sexual harassment occurs.

"Complainant": an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Respondent": an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Formal complaint": a document filed by a Complainant or signed by the title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation of sexual harassment.

"Supportive measures": non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

District Requirements

When the District has actual knowledge of sexual harassment in an education program or activity of the District, the District will respond promptly in a manner that is not deliberately indifferent. When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator will direct the individual to the applicable sex discrimination process, bullying and harassment policy, or public complaint procedure for investigation.

The District treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sexual harassment equitably by offering supportive measures. Supportive measures are designed to restore or preserve equal access to the District's e3ducation program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, changes in work locations, and other similar measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. If the District does not provide the Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Timelines

The district has established reasonably prompt time frames for the conclusion of the grievance process, including time frames for filing and resolving appeals and informal resolution processes. The grievance process may be temporarily delayed or extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the event the grievance process is temporarily delayed for good cause, the District will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

Response to a Formal Complaint

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or other means designated by the District.

The District must follow the formal complain process before the imposition of any disciplinary sanctions or other actions that are not supportive measures. However, nothing in this policy precludes the District from placing a non-student employee Respondent on administrative leave during the pendency of the grievance process. The District may also remove a student Respondent alleged to have harassed an employee Complainant from the education setting. The

student may receive instruction in an offsite capacity during the period of removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Upon receipt of a formal complaint, the District must provide written notice to the known parties including:

1. Notice of the allegations of sexual harassment, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;

2. An explanation of the District's investigation procedures, including any informal resolution process;

3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;

4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney and may inspect and review any evident; and

5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice initially provided, notice of the additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties;

2. Provide an equal opportunity for the parties to present witnesses and evidence;

3. Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;

4. Allow the parties to be accompanied with an advisor of the party's choice who may be, but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate with sufficient time for the party to prepare to participate;

6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;

7. Objectively evaluate all relevant evidence without relying on sex stereotypes;

8. Ensure that Title IX Coordinators, investigators, decision-makers, and individuals who facilitate an informal resolution process do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;

9. Not make creditability determinations based on the individual's status as Complainant, Respondent, or witness; and

10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

<u>Dismissal of Formal Complaints</u>

If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the district's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. a Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;

2. the Respondent is no longer enrolled or employed by the District; or

3. specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties. The grievance process will close in the event a notice of dismissal is provided to the parties. Support measures may continue following dismissal.

Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the Title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy for their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.

Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold a hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the

Respondent committed the conduct alleged by the Complainant or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting sexual harassment;

2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearing held;

3. Include the findings of fact supporting the determination;

4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;

5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant; and

6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Whether a determination of responsibility for sexual harassment has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may implement disciplinary sanctions in accordance with State or Federal law and/or the negotiated

agreement. For employees, the sanctions may include any form of responsive discipline, up to and including termination.

Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint on the following bases:

1. Procedural irregularity that affected the outcome of the matter;

2. New evidence that was not reasonably available at the time that could affect the outcome; and

3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent that affected the outcome.

The District also may offer an appeal equally to both parties on additional bases.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of or challenging the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

Informal Resolution Process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:

    a. The allegations;

b. The requirements of the informal resolution process including the circumstances under which is precludes the parties from resuming a formal complaint arising from the same allegations provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint; and

c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days, unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.

Recordkeeping

The District must maintain for a period of seven years records of:

1. Each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;

2. Any appeal and the result therefrom;

3. Any informal resolution and the result therefrom; and

4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The district must create and maintain for a period of seven years records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

Cross Reference: Policy 5010 Equal Employment and Non-Discrimination

Policy 5012	Sexual Harassment
Policy 5255	Employee Discipline

Legal Reference:

Art. X, Sec. 1, Montana Constitution	Educational goals and duties
Section 49-3-101, et seq., MCA	Montana Human Rights Act
Civil Rights Act, Title VI; 42 USC 2000d et seq.	
Civil Rights Act, Title VII; 42 USC 2000e et seq.	
Education Amendments of 1972, Title IX; 20 USC 1681 et seq.	
34 CFR Part 106	Nondiscrimination on the basis of sex in education programs or activities receiving Federal financial assistance
10.55.701(1)(f), ARM	Board of Trustees
10.55.719, ARM	Student Protection Procedures
10.55.801(1)(a), ARM	School Climate

Policy History:
Adopted on: November 2020
Revised on: May 2021

Revision Note:

Bullying/Harassment/Intimidation

The board will strive to provide a positive and productive working environment. Bullying, harassment, intimidation, between employees or by third parties, are strictly prohibited and shall not be tolerated. This includes bullying, harassment, or intimidation via electronic communication devices ("cyberbullying").

Definitions

1. "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.

2. "District" includes District facilities, District premises, and non-District property if the employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events, where the employee is engaged in District business.

3. "Harassment, intimidation, or bullying" means any act that substantially interferes with an employee's opportunities or work performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, or 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, and that has the effect of:
   a. Physically harming an employee or damaging an employee's property;
   b. Knowingly placing an employee in reasonable fear of physical harm to the employee or damage to the employee's property; or
   c. Creating a hostile working environment.

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

Reporting

All complaints about behavior that may violate this policy shall be promptly investigated. Any employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of 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. 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.

Responsibilities

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

When an employee has actual knowledge that behavior in violation of this policy is sexual harassment, the employee must contact the Title IX Coordinator. The Title IX sexual harassment grievance process will be followed, if applicable, prior to imposing any discipline that cannot be imposed without resolution of the Title IX process.

Consequences

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.

Legal Reference:	10.55.701(1)(g), ARM	Board of Trustees
	10.55.801(1)(d), ARM	School Climate

Policy History:

Adopted on: February 2007

Revised on: April 21, 2009, November 2020

Note: Revision included adding cyberbullying (lines 5-6 page 1) and #4 on page 1.

Hiring Process and Criteria

The Superintendent is responsible for recruiting personnel, in compliance with Board policy, and for making hiring recommendations to the Board. The principal will initially screen applicants for educational support positions. The District will hire personnel appropriately licensed and endorsed in accordance with state statutes and Board of Public Education rules, consistent with budget and staffing requirements and will comply with Board policy and state law on equal employment opportunities and veterans' preference. All applicants must complete a District application form to be considered for employment.

Every applicant must provide the District with written authorization for a criminal background investigation. The Superintendent will keep any conviction record confidential as required by law and District policy. The district will create a determination sheet from the criminal history record. The determination sheet will be kept on file at the District Office. The Criminal History Record with no disqualifiers will be shredded on site immediately after review. The Criminal History Record with disqualifiers will be retained on file at the District Office according to law. Every newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.

Certification

The District requires its contracted certified staff to hold valid Montana teacher or specialist certificates endorsed for the roles 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 a staff member, unless a valid certificate for the role to which the teacher has been assigned has been registered with the county superintendent within sixty (60) calendar days after a term of service begins. Every teacher and administrator under contract must bring their current, valid certificate to the personnel office at the time of initial employment, as well as at the time of each renewal of certification.

The personnel office will register all certificates, noting class and endorsement of certificates, and will update permanent records as necessary. The personnel office also will retain a copy of each valid certificate of a contracted certified employee in that employee's personnel file.

Reference Checks

The Board authorizes the Superintendent or the Superintendent's designee to inquire of past employers about an applicant's employment on topics including but not limited to: title, role, reason for leaving, work ethic, punctuality, demeanor, collegiality, putting the interests of students first, and suitability for the position in the District. Responses to these inquiries should be documented and considered as part of the screening and hiring process.

Cross Reference:	5122	Fingerprints and Criminal Background Investigations
Legal Reference:	§ 20-4-202, MCA	Teacher and specialist certification registration
	§ 39-29-102, MCA	Point preference or alternative preference in initial hiring for certain applicants – substantially equivalent selection procedure

Policy History:
Adopted on: February 2007
Revised on: August 2018, January 2020

Jefferson High School District #1

Lorie Carey
Business Manager/District Clerk

312 S. Main St.
PO Box 838
Boulder, MT 59632

Determination of Eligibility for Hire – Policy 5120F

_____
Date

RE: _____
Name of Applicant

In regards to the determination of eligibility for hire/licensure; based on the minimum criteria as specified in the Jefferson High School District Applicant Background Check Procedure, the individual listed below:

Name | Date of Birth

☐ **Meets eligibility criteria**
☐ **Does NOT meet eligibility criteria**

Please contact Jefferson High School District with any questions regarding this determination or to be provided with a copy of the Jefferson High School District Applicant Background Check Procedure.

Determination Completed By:

Signature | Printed Name

Title | Date

Privacy Act Statement - Policy 5120F

This privacy act statement is located on the back of the FD-258 fingerprint card.

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

As of 03/1/2021

Dissemination Log – Policy 5120F

For national criminal history fingerprint-based background checks under Policy 5120P

Date	Person Making Dissemination	Name and Date of Birth on Disseminated Information	Receiving Entity As Verified by CHRI Auditor (Name, Phone Number, Person)	Disseminated by Telephone, Fax, Mail?	Date Qualified Entity Status Verified by ID

Instructions: A log entry must be made every time you share with another qualified entity any information you obtained from a criminal history records check through the Montana Department of Justice (MDOJ) or the FBI. This includes the sharing of "No Record" information. The Dissemination Log must be retained for four (4) years from the date of the entry, and it must be made available to MDOJ and FBI auditors.

Reminder: Criminal history record information received from MDOJ or the FBI under NCPA/VCA and/or Public Law 92-544, shall be used or shared only for the screening of current or prospective Montana employees, volunteers, contractors, and/or vendors of QUALIFIED ENTITIES, pursuant to these laws.

Federal Background Check Fingerprint and Information Handling Procedure

1. Who needs to be fingerprinted: All individuals 18 years of age or older to be volunteers or recommended for hire by Jefferson High School District need to be fingerprinted under the National Child Protection Act and Volunteers for Children's Act (NCPA/VCA).

2. Jefferson High School District will obtain a signed waiver from all applicants and provide written communication of applicant rights (Applicant Rights and Consent to Fingerprint Form 5122F). Applicants shall also be provided the Applicant Privacy Statement (Policy 5120F). The Applicant Rights and Consent to Fingerprint Form will be kept on file for 5 years or for the length of employment, whichever is longer. The form will be filed in the employee's Personnel File.

Basis to Collect and Submit Fingerprints for Purposes of Federal Background Check

OPTION 3: Fingerprints are obtained via local law enforcement agencies: Jefferson County Jail on Thursdays and Sundays from 1:00pm to 6:30pm by appointment only. Call 406.225.4091.

A spreadsheet of those fingerprinted is kept by Jefferson High School District to identify the individual, position being hired for, date of fingerprint, date print received, and date print billed.

Jefferson High School District staff that have received training by CRISS will process the fingerprints and send them to the DOJ.

LASO

Lorie Carey has been appointed as the Local Agency Security Officer and acts as the primary point of contact between the School District and CRISS. Mrs. Carey is responsible for ensuring CJIS Policy compliance by all authorized recipients within the School District. LASO is also responsible of any Privacy and Security Agreements with those who do not use CHRI on a regular basis. Any change in appointment of the LASO or authorized personnel will be reported to CRISS immediately.

Access of CHRI

All background results are received by Lorie Carey through the State File Transfer Service. Results are printed and stored in a locked filing cabinet in the business office until a determination for employment is made. Only authorized personnel that have undergone Privacy and Security Information have access to printed criminal history record information. Authorized recipients of CHRI include Superintendent Tim Norbeck, Principal Mike Moodry, and the Business Manager Lorie Carey.

Printed background checks are reviewed by the Business Manager Lorie Carey and a determination form is completed. If any adverse results are present on the background check, it is given to the Superintendent and Principal for final determination of eligibility. Jefferson High School utilizes a determination form and the CHRI is then shredded.

Determination Procedures

Personnel staff that have been trained by CRISS and granted access to criminal history record information will receive the background results through their Montana State File Transfer account.

a. Results are reviewed for determination of eligibility to hire.
b. Any adverse reports are presented to the appropriate administrator for final approval.
c. Determination is noted on a determination form and kept in a locked file cabinet.

Retention and Storage Procedure (Note: if the School District seeks to store electronically, you must contact DOJ's IT department.)

All criminal history record information is stored in a locked filing cabinet within the business office. Only authorized personnel, Superintendent, Principal, and the Business Manager as noted in this policy have access to this information. Only authorized personnel are present during the determination process when the criminal record is being reviewed.

OPTION 1: Printed background checks are stored until a final determination for employment has been made, two weeks or less. A determination form is then completed and CHRI is then destroyed in accordance with the Destruction Procedure outlined in this document.

Dissemination Logs are maintained for a period of 3 years from the date of dissemination or between audits, and the Applicant Rights and Consent to Fingerprint form is maintained for at least five years or the length of employment, whichever is longer.

Dissemination Procedure

OPTION 2: The Jefferson High School District does not disseminate criminal history record information with any other agency. A copy of our determination form can be provided to outside agencies upon request.

Destruction Procedure

OPTION 1: At the end of the retention and storage period outlined in this document, all CHRI and related information is shredded in house by Lorie Carey.

Applicant Procedures for Challenging or Correcting Their Record (Boards must select one option)

All applicants are given the opportunity to challenge or complete their record before a final determination is made.

OPTION 2: Applicants wishing to challenge their record are advised how to obtain a copy of their background report.

The applicant is then given 10 days to contact the state or agency in which the record was created to make corrections. After the allotted time, the applicant must then provide the School District with a copy of the corrected background report provided by and notarized by the State Identification Bureau. The fee associated for a copy of the state record provided by the State Identification Bureau will be the responsibility of the applicant.

Policy and Procedures for Misuse of CHRI

The School District does not allow dissemination of CHRI to persons or agencies that are not directly involved in the hiring and determination process. If CHRI is disseminated outside of the authorized receiving department, (agency LASO) will report this to CRISS immediately and provide CRISS with an incident response form. The incident response form will include the nature of the incident, any internal reprimands that may have resulted from the incident, as well as our agency's plan to ensure that this incident does not get repeated.

Training Procedure

- Local Agency Security Office (LASO)
    - Signed user agreement between district and CRISS
- Privacy and Security Training
    - CRISS training on CHRI required to receive background reports

Legal Reference:

Policy History:
Adopted on: April 2019
Revised on: May 2021

Revision Note:

PERSONNEL

Fingerprints and Criminal Background Investigations

Board policy requires that any finalist recommended to be employed in a paid or volunteer position with the District, involving regular unsupervised access to students in schools, as determined by the Superintendent, shall submit to a name-based and fingerprint criminal background investigation conducted by the appropriate law enforcement agency before consideration of the recommendation for employment or appointment by the Board. The results of the name-based check will be presented to the Board, concurrent with the recommendation for employment or appointment. Any subsequent offer of employment or appointment will be contingent on results of the fingerprint criminal background check, which must be acceptable to the Board, in its sole discretion.

The following applicants for employment, as a condition for employment, will be required, as a condition of any offer of employment, to authorize, in writing, a name-based and fingerprint criminal background investigation:

- A certified teacher seeking full- or part-time employment with the District;
- An educational support personnel employee seeking full- or part-time employment with the District;
- An employee of a person or firm holding a contract with the District, if the employee is assigned to the District;
- A volunteer assigned to work in the District, who has regular unsupervised access to students; and
- Substitute teachers.

Any requirement of an applicant to submit to a fingerprint background check will be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If an applicant 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 facts must be reviewed by the Superintendent, who will decide whether the applicant will be declared eligible for appointment or employment. Arrests resolved without conviction will not be considered in the hiring process, unless the charges are pending.

Legal Reference:	§ 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
	ARM 10.57.113	Substitute Teachers
	Public Law 105-251, Volunteers for Children Act	

Policy History:

Adopted on: July 14, 2003

Revised on: February 2007

Applicant Rights and Consent to Fingerprint

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for employment or a license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification[8] by Jefferson High School that your fingerprints will be used to check the criminal history records of the FBI.
- You must be provided, and acknowledge receipt of, an adequate Privacy Act Statement when you submit your fingerprints and associated personal information. This Privacy Act Statement should explain the authority for collecting your information and how your information will be used, retained, and shared.
- If you have a criminal history record, the officials making a determination of your suitability for employment, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or updating of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the criminal history record.[9]

You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.[10]

If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at http://www.fbi.gov/services/cjis/identity-history-summary-checks.

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI at the same address as provided above. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency.

If a change, correction, or update needs to be made to a Montana criminal history record, or if you need additional information or assistance, please contact Montana Criminal Records and Identification Services at DOJCRISS@mt.gov or 406-444-3625.

Your signature below acknowledges this agency has informed you of your privacy rights for fingerprint-based background check requests used by the agency.

Signed:

_____ _____

Name Date

[8] Written notification includes electronic notification, but excludes oral notification.
[9] See 28 CFR 50.12(b).
[10] See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

2nd Readings

NCPA/VCA Applicants

To _____:
You have applied for employment with, will be working in a volunteer position with, or will be providing vendor or contractor services to (write in Agency or Entity name)_____ for the position of (please be specific)_____.

The National Child Protection Act of 1993 (NCPA), Public Law (Pub. L.) 103-209, as amended by the Volunteers for Children Act(VCA), Pub. L. 105-251 (Sections 221 and 222 of Crime Identification Technology Act of 1998), codified at 42 United States Code (U.S.C.) Sections 5119a and 5119c, authorizes a state and national criminal history background check to determine the fitness of an employee, or volunteer, or a person with unsupervised access to children, the elderly, or individuals with disabilities.

1. Provide your name, address, and date of birth, as appears on a document made or issued by or under the authority of the United States Government, a State, political subdivision of a State, a foreign government, a political subdivision of a foreign government, an international governmental or an international quasi-governmental organization which, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals. 18 U.S.C. §1028(D)(2).
2. Provide a certification that you (a) have not been convicted of a crime, (b) are not under indictment for a crime, or (c) have been convicted of a crime. If you are under indictment or have been convicted of a crime, you must describe the crime and the particulars of the conviction, if any.
3. Prior to the completion of the background check, the entity may choose to deny you unsupervised access to a person to whom the entity provides care.

The entity shall access and review State and Federal criminal history records and shall make reasonable efforts to make a determination whether you have been convicted of, or are under pending indictment for, a crime that bears upon your fitness and shall convey that determination to the qualified entity. The entity shall make reasonable efforts to respond to the inquiry within 15 business days.
Your Name:

_____

First Middle Maiden Last

Date of Birth: _____

Address: _____

_____

_____

City State Zip

☐ I have been convicted of, or am under pending indictment for, the following crimes [include the dates, location/jurisdiction, circumstances and outcome]:

☐ I have not been convicted of, nor am I under pending indictment for, any crimes

☐ I authorize Montana Department of Justice, Criminal Records and Identification Services Section to disseminate criminal history record information to Jefferson High School.

_____

Signature of Applicant Date

Legal Reference:

Policy History:
Adopted on: March 2018

2nd Reading

Revised on: May 2021

Revision Note:

2nd Reading

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

If a staff member has a communicable disease and has knowledge that a person with compromised or suppressed immunity attends the school, 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 (i.e., those persons with a direct responsibility for the care of or for determining workplace accommodation for the staff person) 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.

Legal Reference:	29 U.S.C. 794, Section 504 of the Rehabilitation Act	
	29 CFR, Section 1630.14(c)(1)(2)(3)	
	42 U.S.C. 12101, et seq.	Americans with Disabilities Act
	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
	ARM 16.28.1005	Employee of School – Day Care Facility Care Provider
	ARM 37.111.825	Health Supervision and Maintenance

Policy History:
Adopted on: February 2007
Revised on: April 21, 2009

Note: Revision expands physical examination section (pre-placement physical program).

Classified Employment and Assignment

Employees designated as "classified" employees include all non-teaching positions or duties in the District.

Each newly hired classified employee will either be hired: (1) as a probationary employee, or (2) immediately be placed on a written contract for a specific term with a beginning and ending date, within the meaning of Section 39-2-912(2), MCA. Employees initially hired on a written contract for a specific term will have no expectation of continued employment beyond the current contract term, and in the absence of Board action to offer a subsequent contract, the employment will automatically conclude at the conclusion of the contract term.

For those employees hired as probationary employees, such employees will be required to complete a probationary period of 6 months. The Board authorizes the Superintendent to extend the probationary period in a manner permitted by law. Any extension of the probationary period by the Superintendent, together with the original probationary period, may not exceed a total of 18 months. Leaves of absence by an employee for a period of more than 5 consecutive working days other than holidays or vacations during the probationary period (select one: will/will not) be counted as part of the probationary period.

During the probationary period of employment, the employment may be terminated at the will of either the School District or the employee on notice to the other for any reason or no reason.Prior to the conclusion of the original or extended probationary period, the Superintendent will determine whether to retain the employee or make a recommendation to the Board for termination of probationary employment. If the employee is retained, the employee will be designated as one of the following types of employees depending on the factors noted.

Designation 1: If, before the probationary period concludes, the employee is placed on a written employment contract, the employment contract shall be a written contract of employment for a specific term with a beginning and ending date, within the meaning of Section 39-2-912(2), MCA. The employee will have no expectation of continued employment beyond the current contract term, and in the absence of Board action to offer a subsequent contract, the employment will automatically conclude at the conclusion of the contract term.

Designation 2: If, after the probationary period concludes, the employee is not placed on a written employment contract for a specific term, the employee's service to the District will be subject to the provisions in Title 39, Chapter 2, Part 9, MCA.

Designation 3: If, after the probationary period concludes, the employee is subject to the provisions of a collective bargaining agreement, the employee's service to the District will be subject to the terms of the collective bargaining agreement within the meaning of Section 39-2-912, MCA.

Subject to any applicable collective bargaining agreement, the District reserves the right to: (1) change employment conditions affecting an employee's duties, assignment, supervisor, or grade and/or (2) determine the salary and benefits for classified employees.

Legal Reference: § 39-2-904, MCA Elements of wrongful discharge – presumptive probationary period
Hunter v. City of Great Falls (2002), 2002 MT 331
Whidden v. Nerison, 294 Mont. 346, 981 P.2d 271 (1999)
Bowden v. The Anaconda Co., 38 St. Rep. 1974 (D.C. Mont. 1981)
Scott v. Eagle Watch Inv., Inc., 251 Mont. 191, 828 P.2d 1346 (1991)
Prout v. Sears, Roebuck & Co., 236 Mont. 152, 722 P.2d 288 (1989)

Policy History:
Adopted on: February 2007
Revised on:

Staff Recognition Program

The trustees of Jefferson High School establish the following procedure for recognizing staff for outstanding achievement or honorary recognition.

Any commendation from any organization or individual regarding any staff member of the district will be honored in the following way:

1. A letter of commendation will be read under communications at the monthly trustee meeting recognizing the candidate.

2. The commendation letter will be placed in the staff file.

Policy History:
Adopted on: February 2007
Revised on:

Assignments, Reassignments, Transfers

The Superintendent may assign, reassign, and/or transfer positions and duties of all staff. Teachers will be assigned at the levels and in the subjects for which they are licensed and endorsed, or for which they are enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of ARM 10.55.607. The Superintendent will provide for a system of assignment, reassignment, and transfer of classified staff, including voluntary transfers and promotions. Nothing in this policy prevents reassignment of a staff member during a school year.

Classified Staff

The District retains the right of assignment, reassignment, and transfer. Written notice of reassignment or involuntary transfer will be given to the employee. The staff member will be given opportunity to discuss the proposed transfer or reassignment with the Superintendent.

Teaching

Notice of their teaching assignments relative to grade level, building, and subject area will be given to teachers before the beginning of the school year. All District employees assigned extracurricular activities as a contract obligation must honor this obligation as a condition of employment unless released from this responsibility by the Board.

Provisions governing vacancies, promotions, and voluntary or involuntary transfers may be found in negotiated agreements or employee handbooks.

Legal Reference	Bonner School District No. 14 v. Bonner Education Association, MEA-MFT, NEA, AFT, AFL-CIO, (2008) 2008 MT 9	
	SS 20-4-402, MCA	Duties of District Superintendent or County High School Principal
	ARM 10.55.602	Definition of Internship
	ARM 10.55.607	Internships

Policy History:
Adopted on: February 2007
Revised on: January 2016
January 2016 revision note: added information regarding internships for teachers

Prohibition on Aiding Sexual Abuse

The district prohibits any employee, contractor or agent from assisting a school employee, contractor or agent in obtaining a new job if the individual or district knows or has probable cause to believe that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or a student in violation of the law. This prohibition does not include the routine transmission of administrative and personnel files.

This prohibition does not apply under certain conditions specified by the Every Student Succeeds Act (ESSA) such as:

1. The matter has been reported to law enforcement authorities and it has been officially closed or the school officials have been notified by the prosecutor or police after an investigation that there is insufficient information to establish probable cause, or;

2. The individual has been acquitted or otherwise cleared of the alleged misconduct, or;

3. The case remains open without charges for more than 4 years after the information was reported to a law enforcement agency.

Legal Reference: ESSA section 8038, § 8546

Policy History:
Adopted on: August 2018
Revised on:

Revision Note:

Work Day

Length of Work Day - Certified Staff

The current collective bargaining agreement sets forth all conditions pertaining to the certified work day, preparation periods, lunches, etc. Arrival time shall generally be as directed by the principal or as stipulated in the agreement.

Length of Work Day - Classified Staff

The length of a work day for classified staff is governed by the number of hours for which the employee is assigned. A "full-time" employee shall be considered to be an eight-(8)-hour-per-day/forty-(40)-hour-per-week employee. The work day is exclusive of lunch but inclusive of breaks unless otherwise and specifically provided for by an individual contract. Supervisors will establish schedules. Normal office hours in the District will be 8:00 a.m. to 4:00 p.m.

Breaks

The District may make available daily morning and afternoon rest periods of fifteen (15) minutes to all full-time, classified employees. Hourly personnel may take one (1) fifteen-(15)-minute rest period for each four (4) hours worked in a day. Breaks normally are to be taken in approximately mid-morning and mid-afternoon and should be scheduled in accordance with the flow of work and with 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
	§ 39-3-405, MCA	Overtime compensation
	§ 39-4-107, MCA	State and municipal governments, school districts, mines, mills, and smelters
	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: February 2007
Revised on:

Evaluation of Non-Administrative Staff

Each non-administrative staff member's job performance will be evaluated by the staff member's direct supervisor. Non-tenured certified staff shall be evaluated, at a minimum, on at least an annual basis. Tenured certified staff members may be evaluated according to the terms stated in the current collective bargaining agreement if applicable. The evaluation model shall be aligned with applicable district goals, standards of the Board of Public Education, and the district's mentorship and induction program. It shall identify what skill sets are to be evaluated, include both summative and formative elements, and include an assessment of the educator's effectiveness in supporting every student in meeting rigorous learning goals through the performance of the educator's duties.

The supervisor will provide a copy of the completed evaluation to the staff member and will provide opportunity to discuss the evaluation. The original should be signed by the staff member and filed with the Superintendent. If the staff member refuses to sign the evaluation, the supervisor should note the refusal and submit the evaluation to the Superintendent.

Legal Reference: ARM 10.55.701(4)(a)(b) Board of Trustees

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 revision notes: Added reference to non-tenured vs. tenured. Added evaluation model and skill set requirements.

Personal Conduct

Employees are expected to maintain high standards of honesty, integrity, and impartiality in the conduct of District business.

All employees are expected to maintain high standards of honesty, integrity, professionalism, decorum, and impartiality in the conduct of District business. All employees shall maintain appropriate employee-student relationship boundaries in all respects, including but not limited to personal, speech, print, and digital communications. Failure to honor the appropriate employee student relationship boundary will result in a report to the Department of Public Health and Human Services and the appropriate law enforcement agency.

While on school property, employees shall not injure or threaten to injure another person, damage another's property, or that of the District. While in a school building, employees shall not use, control, possess, or transfer any weapon or any item that could be reasonably considered to be a weapon as defined in Policies 3310 and 3311. "School property" means within school buildings, in vehicles used for school purposes, or on grounds leased or owned by the school district. "School building" means all buildings owned or leased by a local school district that are used for instruction or for student activities.

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 that creates a conflict of interest with the faithful and impartial discharge of the employee's District duties. A District employee, before acting in a manner which might impinge on any fiduciary duty, may disclose the nature of the private interest which would create 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. Curriculum or materials created within the course of the employee's duties for the District using District resources are considered to be the property of the District.

Further, employees are expected to hold confidential all information deemed not to be for public consumption as determined by state law and Board policy. Employees also will respect the confidentiality of people served in the course of an employee's duties and use information gained in a responsible manner. The Board may discipline, up to and including discharge, any employee who discloses confidential and/or private information learned during the course of the employee's duties or learned as a result of the employee's participation in a closed (executive) session of the Board. Discretion should be used even within the school system's own network of communication.

Administrators and supervisors may set forth specific rules and regulations governing staff conduct on the job within a particular building.

Firearms and Weapons

Employees of the District shall not injure or threaten to injure another person; damage another's property or that of the District; or possess any firearm or other non-firearm weapon on school property at any time.

For the purposes of this policy, the term "firearm" means (A) any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silences; or (D) any destructive device pursuant to 18 U.S.C. 921 (4). Such term does not include an antique firearm pursuant to 18 U.S.C. 921 (16).

District administrators are authorized to appropriate action, as circumstances warrant, to enforce this section of the policy including but not limited to requesting the assistance of law enforcement in accordance with Montana law.

For the purposes of this policy, "school property" means within school buildings, in vehicles used for school purposes, or on owned or leased school land or grounds. "Building" specifically means a combination of any materials, whether mobile, portable, or fixed, to form a structure and the related facilities for the use or occupancy by persons or property owned or leased by a local school district that are used for instruction or for student activities as specified in Section 50-60-101(2), MCA and Section 45-8-361, MCA. The term is construed as though followed by the words "or part or parts of a building" and is considered to include all stadiums, bleachers, and other similar outdoor facilities, whether temporary or permanently fixed.

This section does not apply to a law enforcement officer acting in the officer's official capacity or an individual previously authorized by the Board of Trustees to possess a firearm or weapon in a school building.

The Board of Trustees shall annually review this policy and update this policy as determined necessary by the trustees based on changing circumstances pertaining to school safety.

Cross Reference: Professional Educators of Montana Code of Ethics
Policy 3311 – Firearms and Weapons
Policy 4332 – Conduct on School Property
Policy 5121 – Applicability of Personnel Policies
Policy 5232 – Abused and Neglected Children

Legal Reference:	§ 20-1-201, MCA	School officers not to act as agents
	Title 2, Chapter 2, Part 1	Standards of Conduct
	§39-2-102, MCA	What belongs to employer
	§ 45-8-361, MCA	Possession or allowing possession of a weapon in a school building
	§ 45-5-501, MCA	Definitions
	§ 45-5-502, MCA	Sexual Assault
	ARM 10.55.701(2)(d)	Board of Trustees

Policy History:

Adopted on: February 2007

Revised on: March 2020, May 2021, July 2021

Political Activity

The Board recognizes its employees' rights of citizenship, including but not limited to engaging in political activities. A District employee may seek an elective office, provided the employee does not campaign on school property during working hours, and provided all other legal requirements are met. The District assumes no obligation beyond making such opportunities available. An employee elected to office is entitled to take a leave of absence without pay, in accordance with the provisions of § 2-18-620, MCA.

No person, in or on District property, may attempt to coerce, command, or require a public employee to support or oppose any political committee, the nomination or election of any person to public office, or the passage of a ballot issue.

No District employee may solicit support for or in opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue, while on the job or in or on District property.

Nothing in this policy is intended to restrict the right of District employees to express their personal political views.

Legal Reference:	5 USC 7321, et seq.	Hatch Act
	§ 2-18-620, MCA	Mandatory leave of absence for employees holding public office – return requirements
	§ 13-35-226, MCA	Unlawful acts of employers and employees

Policy History:
Adopted on: February 2007
Revised on:

Drug-Free Workplace

All District workplaces are drug- and alcohol-free. All employees are prohibited from:

- Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under the influence of a controlled substance while on District premises or while performing work for the District, or;
- Distributing, consuming, using, possessing, 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:

- Not legally obtainable;
- Being used in a manner other than as prescribed;
- Legally obtainable but has not been legally obtained;
- Marijuana or marijuana paraphernalia that is possessed or consumed on the grounds of any property owned or leased by a school district, a public or private preschool, school, or postsecondary school or in a school bus;
- Marijuana purchased, consumed, transported, possessed, or used by a person under 21 years of age;
- Marijuana smoked in a location where smoking tobacco is prohibited;
- Marijuana consumed in a manner that endangers others; or
- Referenced in federal or state controlled-substance acts.

As a condition of employment, each employee will:

- 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 District premises or while performing work for the District, no later than five (5) days after such 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, reentry, and any employee-assistance programs.

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 will take disciplinary action with respect to an employee convicted of a drug offense in the workplace, within thirty (30) days of receiving notice of a conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant, the Superintendent will notify the appropriate state or federal agency from which the District receives contract or grant moneys of an employee's conviction, within ten (10) days after receiving notice of the conviction.

Legal Reference:	41 USC 702, 703, 706	Drug Free Workplace Requirements For Federal Grant Recipients
	§ 50-46-205(2)(b), MCA Initiative 190	Limitations of Medical Marijuana Act "Montana Marijuana Regulation and Taxation Act", January 1, 2021

Policy History:
Adopted on: February 2007
Revised on: April 2008, May 2021

Note: Revision includes reference to "medical marijuana card" (line 7-page 1), the legal reference to the Medical marijuana Act, and the elimination of the $5,000 limitation on notice about convictions.

Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

The District will adhere to federal law and regulations requiring a drug and alcohol testing program for school bus and commercial vehicle drivers.

The program will comply with requirements of the Code of Federal Regulations, Title 49, §§ 382, et seq. The Superintendent will adopt and enact regulations consistent with federal regulations, defining the circumstances and procedures for testing.

Legal Reference: 49 U.S.C. § 45101, Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991)
49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs), 382 (Controlled substance and alcohol use and testing), and 395 (Hours of service of drivers)

Policy History:
Adopted on: February 2007
Revised on:

ACKNOWLEDGEMENT OF RECEIPT
POLICY 5228F

I, _____, an employee serving as a commercially licensed driver for Jefferson High School District, complete this form to document that I have received School District Policies 5228 and 5228P and been given the opportunity to ask questions about the policies to fully understand how the policies govern my employment with the School District.

Employee Signature:

Signature: _____ Date: _____

Supervisor Receipt:

Signature: _____ Date: _____

REQUEST FOR RECORDS
POLICY 5228F2

I, _____, an employee serving as a commercially licensed driver for Jefferson High School District, complete this form to request any records pertaining to my use of drugs or alcohol, including any records pertaining to my drug or alcohol tests in accordance with School District Policies 5228 and 5228P. If I chose to have these records forwarded to a third party, I am noting the contact information in the space provided on this form.

Employee Signature:

Signature: _____ Date: _____

Supervisor Receipt:

Signature: _____ Date: _____

☐ I authorize the School District to send the requested records to the following individual or entity in accordance with the authorization outlined on this form.

_____
_____
_____
_____
_____
_____

Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

School bus and commercial vehicle drivers shall be subject to a drug and alcohol testing program that fulfills the requirements of the Code of Federal Regulations, Title 49, Part 382.

Other persons who drive vehicles designed to transport sixteen (16) or more passengers, including the driver, are likewise subject to the drug and alcohol testing program.

Testing procedures and facilities used for the tests shall conform with the requirements of the Code of Federal Regulations, Title 49, §§ 40, et seq.

Pre-Employment Tests

Tests shall be conducted before the first time a driver performs any safety-sensitive function for the District.

Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work, until he/she is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing, or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; performing driver requirements related to accidents; and performing any other work for the District or paid work for any entity.

The tests shall be required of an applicant only after he/she has been offered the position.

Exceptions may be made for drivers who have had the alcohol test required by law within the previous six (6) months and participated in the drug testing program required by law within the previous thirty (30) days, provided that the District has been able to make all verifications required by law.

Post-Accident Tests

Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable on any driver:

1. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life; or

2. Who receives a citation under state or local law, for a moving traffic violation arising from the accident.

Drivers shall make themselves readily available for testing, absent the need for immediate medical attention.

No such driver shall use alcohol for eight (8) hours after the accident, or until after he/she

undergoes a post-accident alcohol test, whichever occurs first.

If an alcohol test is not administered within two (2) hours or if a drug test is not administered within thirty-two (32) hours, the District shall prepare and maintain records explaining why the test was not conducted. Tests will not be given if not administered within eight (8) hours after the accident for alcohol or within thirty-two (32) hours for drugs.

Tests conducted by authorized federal, state, or local officials will fulfill post-accident testing requirements, provided they conform to applicable legal requirements and are obtained by the District. Breath tests will validate only the alcohol test and cannot be used to fulfill controlled substance testing obligations.

Random Tests

Tests shall be conducted on a random basis at unannounced times throughout the year. Tests for alcohol shall be conducted just before, during, or just after the performance of safety-sensitive functions. The number of random alcohol tests annually must equal twenty-five percent (25%) of the average number of driver positions. The number of random drug tests annually must equal fifty percent (50%) of the average number of driver positions. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made.

Reasonable Suspicion Tests

Tests shall be conducted when a supervisor or District official trained in accordance with law has reasonable suspicion that the driver has violated the District's alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The observations may include indications of the chronic and withdrawal effects of controlled substances.

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before, or just after the period of the work day when the driver must comply with alcohol prohibitions. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test. If an alcohol test is not administered within two (2) hours of a determination of reasonable suspicion, the District shall prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests shall terminate after eight (8) hours.

A supervisor or District official who makes observations leading to a controlled substance reasonable suspicion test shall make a written record of his/her observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

Enforcement

Any driver who refuses to submit to a post-accident, random, reasonable suspicion, or follow-up test shall not perform or continue to perform safety-sensitive functions.

Drivers who test positive for alcohol or drugs shall be subject to disciplinary action up to and including dismissal.

A driver who violates District prohibitions related to drugs and alcohol shall receive from the District the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug and alcohol-related problems. The employee shall be evaluated by a substance abuse professional who shall determine what help, if any, the driver needs in resolving such a problem. Any substance abuse professional who determines that a driver needs assistance shall not refer the driver to a private practice, person, or organization in which he/she has a financial interest, except under circumstances allowed by law.

An employee identified as needing help in resolving a drug or alcohol problem shall be evaluated by a substance abuse professional to determine that he/she has properly followed the prescribed rehabilitation program and shall be subject to unannounced follow-up tests after returning to duty.

Return-to-Duty Tests

A drug or alcohol test shall be conducted when a driver who has violated the District's drug or alcohol prohibition returns to performing safety-sensitive duties.

Employees whose conduct involved drugs cannot return to duty in a safety-sensitive function until the return-to-duty drug test produces a verified negative result.

Employees whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the return-to-duty alcohol test produces a verified result that meets federal and District standards.

Follow-Up Tests

A driver who violates the District's drug or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a drug or alcohol problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law. Follow-up alcohol testing shall be conducted just before, during, or just after the time when the driver is performing safety-sensitive functions.

Records

Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, a driver shall receive copies of any records pertaining to his/her use of drugs or alcohol, including any records

pertaining to his/her drug or alcohol tests. Records shall be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver.

Notifications

Each driver shall receive educational materials that explain the requirements of the Code of Federal Regulations, Title 49, Part 382, together with a copy of the District's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify:

1. The person designated by the District to answer driver questions about the materials;

2. The categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382;

3. Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382;

4. Specific information concerning driver conduct that is prohibited by Part 382;

5. The circumstances under which a driver will be tested for drugs and/or alcohol under Part 382;

6. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results, and ensure that test results are attributed to the correct driver;

7. The requirement that a driver submit to drug and alcohol tests administered in accordance with Part 382;

8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;

9. The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation, and treatment;

10. The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04;

11. Information concerning the effects of drugs and alcohol on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a coworker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to an employee assistance program, and/or

referral to management; and

12. The requirement that the following personal information collected and maintained under this part shall be reported to the Commercial Driver's License Drug and Alcohol Clearinghouse:

    A. A verified positive, adulterated, or substituted drug test result;
    B. An alcohol confirmation test with a concentration of .04 or higher;
    C. A refusal to submit to any test required by law;
    D. An employer's report of actual knowledge, as defined in law;
    E. On duty alcohol use;
    F. Pre-duty alcohol use;
    G. Alcohol use following an accident;
    H. Controlled substance use;
    I. A substance abuse professional report of the successful completion of the return-to-duty process;
    J. A negative return-to-duty test; and
    K. An employer's report of completion of follow-up testing.

Drivers shall also receive information about legal requirements, District policies, and disciplinary consequences related to the use of alcohol and drugs.

Each driver shall sign a statement certifying that he/she has received a copy of the above materials.

Before any driver operates a commercial motor vehicle, the District shall provide him/her with post-accident procedures that will make it possible to comply with post-accident testing requirements.

Before drug and alcohol tests are performed, the District shall inform drivers that the tests are given pursuant to the Code of Federal Regulations, Title 49, Part 382. This notice shall be provided only after the compliance date specified in law.

The District shall notify a driver of the results of a pre-employment drug test if the driver requests such results within sixty (60) calendar days of being notified of the disposition of his/her employment application.

The District shall notify a driver of the results of random, reasonable suspicion, and post-accident drug tests if the test results are verified positive. The District shall also tell the driver which controlled substance(s) were verified as positive.

Drivers shall inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Such a substance may be used only if the physician has advised the driver that it will not adversely affect his/her ability to safely operate a commercial motor vehicle.

Clearinghouse

The School District will comply with the requirements of the Commercial Driver's License Drug and Alcohol Clearinghouse. The School District and Transportation service providers are called upon to report DOT drug and alcohol testing program violations to the Clearinghouse. Drivers have been notified that any information subject to disclosure will be submitted to the Clearinghouse in accordance with this policy and applicable regulations.

Legal Reference:	49 C.F.R. Part 40	Procedures for Transportation Workplace Drug and Alcohol Testing
	49 C.F.R. Part 382	Controlled Substances and Alcohol Use and Testing

Policy History:
Adopted on: February 2007
Revised on: May 2021

Revision Note:

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.

The District shall provide soap, and disposable towels or other hand-drying devices shall be available at all handwashing sinks. Common-use towels are prohibited. The District shall provide sanitary napkin disposal in teachers' toilet rooms and nurses' toilet rooms. The District shall provide either sanitary napkin dispensers in the girls', nurses', and teachers' toilet rooms or some other readily available on-site access to sanitary napkins.

If a staff member develops symptoms of any reportable communicable or infectious illness while at school, the responsible school officials shall do the following:

(a) Isolate the staff member immediately from students or staff
(b) Consult with a physician, other qualified medical professional, or the local county health authority to determine if the case should be reported.

Healthy Hand Hygiene Behavior

All staff and volunteers present in any school building shall engage in hand hygiene at the following times, which include but are not limited to:

(a) Arrival to the facility and after breaks
(b) Before and after preparing, eating, or handling food or drinks
(c) Before and after administering medication or screening temperature
(d) After coming in contact with bodily fluid
(e) After recess
(f) After handling garbage
(g) After assisting students with handwashing
(h) After use of the restroom

Hand hygiene includes but is not limited to washing hands with soap and water for at least 20 seconds. If hands are not visibly dirty, alcohol-based hand sanitizers with at least 60% alcohol can be used if soap and water are not readily available.

Staff members shall supervise children when they use hand sanitizer and soap to prevent ingestion. Staff members shall place grade level appropriate posters describing handwashing steps near sinks.

Confidentiality

This policy in no way limits or adjusts the School District's obligations to honor staff privacy rights. All applicable district policies and handbook provision governing confidentiality of staff medical information remain in full effect.

Legal Reference:	37.114.101, et seq., ARM	Communicable Disease Control
	37.111.825, ARM	Health Supervision and Maintenance

Policy History:
Adopted on: February 2007
Revised on: July 2021

Personnel Records

The District maintains a complete personnel record for every current and former employee. The employees' personnel records will be maintained in the District's administrative office, under the Superintendent's direct supervision. Employees will be given access to their personnel records, in accordance with guidelines developed by the Superintendent.

In addition to the Superintendent or other designees, the Board may grant a committee or a member of the Board access to cumulative personnel files. When specifically authorized by the Board, counsel retained by the Board or by the employee will also have access to a cumulative personnel file.

In accordance with federal law, the District shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon request, for any teacher or paraprofessional who is employed by a school receiving Title I funds, and who provides instruction to their child at that school. Access to other information contained in the personnel records of District employees is governed by Policy 4340.

Personnel records must be kept for 10 years after termination.

Cross Reference: 4340 Public Access to District Records

Legal Reference: 10.55.701, ARM Board of Trustees
No Child Left Behind Act of 2001, P.L. 107-334
20-1-212(2),MCA Destruction of records by school officer.

Policy History:
Adopted on: February 2007
Revised on: July 2013

Note: The revision stipulates the length of time personnel records must be kept.

Personnel Records

The District shall maintain a cumulative personnel file in the administrative office for each of its employees, as required by the Office of Public Instruction and current personnel policies. These records are not to leave the administrative office except as specifically authorized by the Superintendent, and then only by signed receipt. Payroll records are maintained separately.

Contents of Personnel Files

A personnel file may contain, but is not limited to, transcripts from colleges or universities, information allowed by statute, a record of previous employment (other than college placement papers for periods beyond active candidacy for a position), evaluations, copies of contracts, and copies of letters of recommendation requested by an employee. All material in the personnel file must be related to the employee's work, position, salary, or employment status in the District. All documents, communications, and records dealing with the processing of a grievance shall be filed separately from the personnel files of the participants.

No material derogatory to an employee's conduct, service, character, or personality shall be placed in the file, unless such placement is authorized by the Superintendent, as indicated by his initials, and unless the employee has had adequate opportunity to read the material. For the latter purpose, the Superintendent shall take reasonable steps to obtain the employee's initials or signature verifying the employee has received a copy of the material. If the employee refuses to sign the document indicating they have had an opportunity to read it, the Superintendent will place an addendum to the document, noting that the employee was given a copy but refused to sign. The Superintendent will date and sign the addendum.

Disposition of Personnel Files

An employee, upon termination, may request transcripts of college and university work. Any confidential college or university placement papers shall be returned to the sender or destroyed at the time of employment. All other documents shall be retained and safeguarded by the District for such periods as prescribed by law.

Record-Keeping Requirements Under the Fair Labor Standards Act

1. Records required for ALL employees:

    A. Name in full (same name as used for Social Security);
    B. Employee's home address, including zip code;
    C. Date of birth if under the age of nineteen (19);
    D. Sex (may be indicated with Male/Female, M/F, Mr./Mrs./Miss/Ms.);
    E. Time of day and day of week on which the employee's workweek begins;

F. Basis on which wages are paid (such as $5/hour, $200/week, etc.);
G. Any payment made which is not counted as part of the "regular rate";
H. Total wages paid each pay period.

2. Additional records required for non-exempt employees:

A. Regular hourly rate of pay during any week when overtime is worked;
B. Hours worked in any workday (consecutive twenty-four-(24)-hour period);
C. Hours worked in any workweek (or work period in case of 207[k]);
D. Total daily or weekly straight-time earnings (including payment for hours in excess of forty (40) per week, but excluding premium pay for overtime);
E. Total overtime premium pay for a workweek;
F. Date of payment and the pay period covered;
G. Total deductions from or additions to wages each pay period;
H. Itemization of dates, amounts, and reason for the deduction or addition, maintained on an individual basis for each employee;
I. Number of hours of compensatory time earned each pay period;
J. Number of hours of compensatory time used each pay period;
K. Number of hours of compensatory time compensated in cash, the total amount paid, and the dates of such payments;
L. The collective bargaining agreements which discuss compensatory time, or written understandings with individual non-union employees.

All records obtained in the application and hiring process shall be maintained for at least two (2) years.

Legal Reference:	29 USC 201, et seq.	Fair Labor Standards Act
	§§ 2-6-101, et seq., MCA	Public Records
	24.9.805, ARM	Employment Records

Procedure History:
Promulgated on: February 2007
Revised on:

Child Abuse, Neglect, and Sex Trafficking Reporting

A District employee who has reasonable cause to suspect, as a result of information they receive in their professional or official capacity, that a child is abused, neglected, or subjected to sex trafficking by anyone regardless of whether the person suspected of causing the abuse, neglect, or trafficking is a parent or other person responsible for the child's welfare, shall report the matter promptly to the Montana Department of Public Health and Human Services and local law enforcement.

Child abuse or neglect means actual physical or psychological harm to a child, substantial risk of physical or psychological harm to a child, exposure to or involvement with sex trafficking, and abandonment. This definition includes sexual abuse and sexual contact by or with a student. The obligation to report suspected child abuse or neglect also applies to actual or attempted sexual or romantic contact between a student and a staff member.

The District administration is authorized to provide access to educational resources for interested parents, teachers, and students on how to prevent and report child abuse, neglect, and sex trafficking; identify the warning signs of child abuse, neglect, and sex trafficking; recognize predatory behaviors; and coordinate efforts with law enforcement, the Department of Public Health and Human Services, and local organizations on these topics.

A District employee who makes a report of child abuse, neglect, or sex trafficking is encouraged to notify the building administrator of the report. An employee does not discharge the obligation to personally report by notifying the Superintendent or principal.

Any District employee who fails to report a suspected case of abuse, neglect, or sex trafficking to law enforcement or the Department of Public Health and Human Services, or who prevents another person from doing so, may be civilly liable for damages proximately caused by such failure or prevention and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination.

When a District employee makes a report, the DPHHS may share information with that individual or others as permitted by law. Individuals in the District who receive information related to a report of child abuse, neglect, or sex trafficking shall maintain the confidentiality of the information.

Cross Reference: Policy 5223 – Personal Conduct
Policy 3225 – Sexual Harassment of Students

Legal Reference:	§ 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
	§ 45-5-501, MCA	Definitions

§ 45-5-502, MCA	Sexual Assault
§ 20-7-1316, MCA	Child Sex Trafficking Prevention

Policy History:
Adopted on: February 2007
Revised on: July 2013, March 2020, May 2021

Note: The revision allows the DPHHS to give information back to the person who reported a possible abuse and neglect case.

Jefferson High School
Report of Suspected Child Abuse or Neglect
Hot Line Number – 866-820-5437

Original to: *Department of Public Health and Human Services*
Copy to: *Building Principal*

From: _____ Title: _____

School: _____ Phone: _____

Persons contacted: ☐ Principal ☐ Teacher ☐ School Nurse ☐ Other _____

Name of Minor: _____ Date of Birth: _____

Address: _____ Phone: _____

Date of Report: _____ Attendance Pattern: _____

Father: _____ Address: _____ Phone: _____

Mother: _____ Address: _____ Phone: _____

Guardian or
Stepparent: _____ Address: _____ Phone: _____

Any suspicion of injury/neglect to other family members: _____

Nature and extent of the child's injuries, including any evidence of previous injuries, and any other information which may be helpful in showing abuse or neglect, including all acts which lead you to believe the child has been abused or neglected: _____
_____
_____

Previous action taken, if any: _____
_____
_____

Follow-up by Department of Public Health and Human Services (DPHHS to complete and return copy to the Building Principal):

Date Received: _____ Date of Investigation: _____

Resolution of Staff Complaints/Problem-Solving

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 District supervisors or administration.

The District will endeavor to promote fair and honest treatment of all employees. Administrators and employees are all 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 administration in a businesslike 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 through the District's grievance procedure. No employee shall be penalized, formally or informally, for voicing a disagreement with the District in a reasonable, businesslike manner or for using the grievance procedure. **An employee filing a grievance under a collective bargaining agreement is required to follow the grievance procedure for that particular agreement.**

Cross Reference: 1700 Uniform Complaint Procedure

Policy History:
Adopted on: February 2007
Revised on:

Non-Renewal of Employment/Dismissal From Employment

The Board, after receiving the recommendations of the Superintendent, will determine the non-renewal or termination of certified and classified staff, in conformity with state statutes and applicable District policy.

Cross Reference: 5140 Classified Employment and Assignment

Legal Reference:	§ 20-4-204, MCA	Termination of tenure teacher services
	§ 20-4-206, MCA	Notification of nontenure teacher reelection – acceptance – termination.
	§ 20-4-207, MCA	Dismissal of teacher under contract

Policy History:
Adopted on: February 2007
Revised on:

Resignations

The Board authorizes the Superintendent [school administrator] to accept on its behalf resignations from any school district employee. The Superintendent [school administrator] shall provide written acceptance of the resignation, including the date of acceptance, to the employee setting forth the effective date of the resignation.

Once the Superintendent [school administrator] has accepted the resignation it may not be withdrawn by the employee. The resignation and its acceptance should be reported as information to the Board at the next regular or special meeting.

Legal Reference: *Booth v. Argenbright, 225 M 272, 731 P2d 1318, 44 St. Rep. 227 (1987)*

Policy History:
Adopted on: February 2007
Revised on: November 20, 2007

Note: Revised entire policy

Retirement Programs for Employees

All District employees shall participate in retirement programs under the Federal Social Security Act and either the Teachers' Retirement System or the Public Employees' Retirement System in accordance with state retirement regulations.

Certified employees who intend to retire at the end of the current school year should notify the Superintendent in writing prior to April 1.

Those employees intending to retire, who are not contractually obligated to complete the school year, should notify the Superintendent as early as possible and no less than sixty (60) days before their retirement date.

The relevant and most current negotiated agreements for all categories of employees shall specify severance stipends and other retirement conditions and benefits.

The District will contribute to the PERS whenever a classified employee is employed for more than the equivalent of one hundred twenty (120) full days (960 hours) in any one (1) fiscal year. Part-time employees who are employed for less than 960 hours in a fiscal year may elect PERS coverage, at their option and in accordance with § 19-3-412, MCA.

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

Policy History:
Adopted on: February 2007
Revised on:

Payment of Employer Contributions and Interest on Previous Service

A Public Employees' Retirement System (PERS) member may purchase (1) all or a portion of the member's employment with an employer prior to the time the employer entered into a contract for PERS coverage and (2) all or a portion of the member's employment for which optional PERS membership was declined (both of which are known as previous service).

The member must file a written application with the PERS Board to purchase all or a portion of the employment for service credit and membership service. The application must include salary information certified by the member's employer or former employer.

The District has the option to pay, or not to pay, the employer's contributions due on previous service and the option to pay, or not to pay, the outstanding interest due on the employer's contributions for the previous service.

It is the policy of this District to not pay the employer's contributions due on previous service.

It is also the policy of this District to not pay the outstanding interest due on the employer's contributions for the previous service.

This policy will be applied indiscriminately to all employees and former employees of this District.

Legal Reference:	§19-3-505, MCA	Purchase of previous employment with employer

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

Revision Note:

Employer Payment Policy

5254F

I. Section 19-3-505, MCA
Payment of Employer Contributions and Interest on Previous Service

A Public Employees' Retirement System (PERS) member may purchase (1) all or a portion of the member's employment with an employer prior to the time the employer entered into a contract for PERS coverage and (2) all or a portion of the member's employment for which optional PERS membership was declined (both of which are known as previous service). PERS employers must establish policies regarding payment of employer contributions and employer interest due for the previous service being purchased by an employee. The policy must be applied indiscriminately to all employees and former employees. Thus, it is our policy to:

not pay the employer's contributions due on previous service.

and to:

not pay the outstanding interest due on the employer's contributions for the previous service.

II. Section 19-3-504, MCA
Payment of Interest on Employer Contributions for Workers' Compensation Time

A PERS member may purchase time during which the member is absent from service because of an employment-related injury entitling the member to workers' compensation payments. PERS employers are required to pay employer contributions and must establish a policy for the payment of interest on employer contributions due for the workers' compensation time being purchased by an employee. The policy regarding payment of interest must be applied to all employees similarly situated. Thus, it is our policy to not pay the outstanding interest due on the employer's contributions for the employee's purchase of workers' compensation time.

NAME OF EMPLOYER _____

Signature of Officer: _____

Printed Name: _____

Title of Officer: _____

Dated: _____, 20___.

Legal Reference:

Policy History:
Adopted on:
Revised on:

Revision Note:

Disciplinary Action

District employees who fail to fulfill their job responsibilities or to follow reasonable directions of their supervisors, or who conduct themselves on or off the job in ways that affect their effectiveness on the job, may be subject to discipline. Behavior, conduct, or action that may call for disciplinary action or dismissal includes but is not limited to reasonable job-related grounds based on a failure to satisfactorily perform job duties, disruption of the District's operation, or other legitimate reasons. The Superintendent or the Board may order an investigation into the employee's conduct when warranted by the circumstances.

Discipline will be reasonably appropriate to the circumstance and will include but not be limited to a supervisor's right to reprimand an employee and the Superintendent's right to suspend an employee, with or without pay, or to impose other appropriate disciplinary sanctions. In accordance with Montana law, only the Board may terminate an employee or non-renew employment.

The District's restrictions on students who have brought to, or possess a firearm at, any setting that is under the control and supervision of the school district and a student who has been found to have possessed, used or transferred a weapon on school district property apply to all employees of the District pursuant to Policy 3311.

The Superintendent is authorized to immediately suspend a staff member.

Legal Reference:	§ 20-3-210, MCA	Controversy appeals and hearings
	§ 20-3-324, MCA	Powers and duties
	§ 20-4-204, MCA	Termination of tenure teacher services
	§ 20-4-207, MCA	Dismissal of teacher under contract
	§ 39-2-903, MCA	Definitions
	Johnson v. Columbia Falls Aluminum Company LLC, 2009 MT 108N.	

Policy History:
Adopted on: February 2007
Revised on:

Reduction in Force

The Board has exclusive authority to determine the appropriate number of employees. A reduction in 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 considerations, or other reasons deemed relevant by the Board.

The Board will follow the procedure stated in the current collective bargaining agreement when considering a reduction in force.

Cross Reference: 5250 Nonrenewal of Employment/Dismissal from Employment

Legal Reference: § 20-4-206, MCA Notification of nontenure teacher reelection – acceptable – termination

Policy History:
Adopted on: February 2007
Revised on: April 2019

Substitutes

The Board authorizes the use of substitute teachers as necessary to replace teachers who are temporarily absent. The principal shall arrange for the substitute to work for the absent teacher. Under no condition is a teacher to select or arrange for a private substitute.

The Board annually, at the regular July Board meeting, establishes an hourly rate of pay for substitute teachers. No fringe benefits are given to substitute teachers.

Substitutes for classified positions will be paid by the hour. When a classified employee is called upon to substitute for a teacher, the teacher sub rate shall apply unless the classified rate of pay is higher.

All substitute teachers will be required to undergo fingerprint and background checks.

Policy History:
Adopted on: February 2007
Revised on: February 15, 2011
Reviewed on: July 10, 2012
Revised on: October 8, 2012

Leaves of Absence

Sick and Bereavement Leave

Certified employees will be granted sick leave according to terms of their collective bargaining agreement.

Classified employees will be granted sick leave according to the terms of their collective bargaining agreement. Sick leave may be used by an employee when they are unable to perform job duties because of:

- A physical or mental illness, injury, or disability;
- Maternity or pregnancy-related disability or treatment, including a prenatal care, birth, or medical care for the employee or the employee's child;
- Parental leave for a permanent employee as provided in 2-18-606, MCA;
- Quarantine resulting from exposure to a contagious disease;
- Examination or treatment by a licensed health care provider;
- Short-term attendance, in an agency's discretion to care for a person (who is not the employee or a member of the employee's immediate family) until other care can reasonably be obtained;
- Necessary care for a spouse, child or parent with a serious health condition, as defined in the Family and Medical Leave Act of 1993; or
- Death or funeral attendance of an immediate family member or, at an agency's discretion, another person.

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 governing collective bargaining agreements.

It is understood that seniority will accumulate while a teacher or employee is utilizing sick leave credits. Seniority will not accumulate, unless an employee is in a paid status. Abuse of sick leave is cause for disciplinary action up to and including termination.

An employee who has suffered a death in the immediate family will be eligible for bereavement leave according to the terms of the current collective bargaining agreement.

Personal Leave

Teachers will be granted personal leave according to terms of the current collective bargaining agreement.

Civic Duty Leave

Leaves for service on either a jury or in the Legislature will be granted in accordance with state and federal law. A certified staff member hired to replace one serving in the Legislature does not acquire tenure.

An employee who is summoned to jury duty or subpoenaed to serve as a witness may elect to receive regular salary or to take annual leave during jury time. An employee who elects not to take annual leave, however, must remit to the District all juror and witness fees and allowances (except for expenses and mileage). The District may request the court to excuse an employee from jury duty, when an employee is needed for proper operation of the school.

Legal Reference:	42 USC 2000e	Equal Employment Opportunities
	§ 2-18-601(10), MCA	Definitions
	§ 2-18-618, MCA	Sick leave
	§ 49-2-310, MCA	Maternity leave – unlawful acts of employers
	§ 49-2-311, MCA	Reinstatement to job following pregnancy- related leave of absence

Policy History:
Adopted on: February 2007
Revised on:

Conditions for Use of Leave

Certified staff may use sick leave for those instances listed in the current collective bargaining agreement. Classified staff may use sick leave for illness; injury; medical disability; maternity-related disability, including prenatal care, birth, miscarriage, or abortion; quarantine resulting from exposure to contagious disease; medical, dental, or eye examination or treatment; necessary care of or attendance to an immediate family member or, at the District's discretion, another relative for the above reasons until other attendants can reasonably be obtained, and death or funeral attendance for an immediate family member. Leave without pay may be granted to employees upon the death of persons not included in this list.

Accrual and Use of Sick Leave Credits

Certified employees will accrue and may use their sick leave credits according to the current collective bargaining agreement.

Classified employees serving in positions that are permanent full-time, seasonal full-time, or permanent part-time are eligible to earn sick leave credits, which will accrue from the first day of employment. A classified employee must be employed continuously for a qualifying period of ninety (90) calendar days in order to use sick leave. Unless there is a break in service, an employee only serves the qualifying period once. After a break in service, an employee must again complete the qualifying period to use sick leave. Sick leave may not be taken in advance nor may leave be taken retroactively. A seasonal classified employee may carry over accrued sick leave credits to the next season if management has a continuing need for the employee or, alternatively, may be paid a lump sum for accrued sick leave credits when the season ends, in accordance with ARM 2.21.141.

Employees, whether classified or certified, simultaneously employed in two (2) or more positions, will accrue sick leave credits in each position according to the number of hours worked or a proration of the contract (in the case of certified) worked. Leave credits will be used only from the position in which the credits were earned and with approval of the supervisor or appropriate authority for that position. Hours in a pay status paid at the regular rate will be used to calculate leave accrual. Sick leave credits will not accrue for those hours exceeding forty (40) hours in a work week, which are paid as overtime hours or recorded as compensatory time. A full-time employee will not earn less than nor more than the full-time sick leave accrual rate provided classified employees.

When an employee who has not worked the qualifying period for use of sick leave takes an approved continuous leave of absence without pay in excess of fifteen (15) working days, the amount of time an employee is on leave of absence will not count toward completion of the qualifying period. The approved leave of absence exceeding fifteen (15) working days is not a break in service, and the employee will not lose any accrued sick leave credits nor lose credit for time earned toward the qualifying period. An approved continuous leave of absence without pay of fifteen (15) working days or less will be counted as time earned toward the ninety-(90)-day qualifying period.

Calculation of Sick Leave Credits

Certified employees will earn sick leave credits at the rate stated in the current collective bargaining agreement.

Full-time classified employees will earn sick leave credits at the rate of twelve (12) working days for each year of service. Sick leave credits will be prorated for part-time employees who have worked the qualifying period. The payroll office will refine this data by keeping records per hour worked.

Sick Leave Banks

Donation of sick leave credits to and use of sick leave credits in the sick leave bank are governed by terms of the current collective bargaining agreement.

Lump-Sum Payment on Termination of Classified Employees

When a classified employee terminates employment with the District, the employee is entitled to cash compensation for one-fourth (¼) of the employee's accrued and unused sick leave credits, provided the employee has worked the qualifying period. The value of unused sick leave is computed based on the employee's salary rate at the time of termination.

Industrial Accident

An employee who is injured in an industrial accident may be eligible for workers' compensation benefits. Use of sick leave must be coordinated with receipt of workers' compensation benefits on a case-by-case basis, by contacting the Montana Schools Group Workers' Compensation Risk Retention Program (WCRRP).

Sick Leave Substituted for Annual Leave

A classified employee who qualifies for use of sick leave while taking approved annual vacation leave, may be allowed to substitute accrued sick leave credits for annual leave credits. Medical certification of the illness or disability may be required.

Procedure History:
Promulgated on: February 2007
Revised on:

Military Leave

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Montana Military Service Employment Rights, the Superintendent shall grant military leave to employees of voluntary or involuntary service in the uniformed services of the United States, upon receipt of the required notice. Benefits shall be maintained for these employees as required by law and/or collective bargaining agreements. A service member who returns to the District for work following a period of active duty must be reinstated to the same or similar position and at the same rate of pay unless otherwise provided by law.

Time spent in active military service shall be counted in the same manner as regular employment for purposes of seniority or District service unless otherwise provided in a collective bargaining agreement.

The District will not discriminate in hiring, reemployment, promotion or benefits based upon membership or service in the uniformed services.

All requests for military leave will be submitted to the Superintendent in writing accompanied by copies of the proper documentation showing the necessity for the military leave request.

Unless otherwise impossible, all requests for military leave will be submitted at least one full month in advance of the date military service is to begin.

Persons returning from military leave are asked to give notice of intent to return to the Superintendent, in writing, as least one full month in advance of the return date.

Legal Reference:	38 U.S.C. §§ 4301-4333	The Uniformed Services Employment and Reemployment Act of 1994
	§10-1-1004, MCA	Rights under federal law
	§10-1-1005, MCA	Prohibition against employment discrimination
	§10-1-1006, MCA	Entitlement to leave of absence
	§10-1-1007, MCA	Right to return to employment without loss of benefits – exceptions – definition
	§10-1-1009, MCA	Paid military leave for public employees

Policy History:
Adopted on: February 2007
Revised on:

Breastfeeding in the School and Workplace

Recognizing that breastfeeding is a normal part of daily life for mothers and infants and that Montana law authorizes mothers to breastfeed their infants where mothers and children are authorized to be, the District will support women who want to continue breastfeeding after returning from maternity leave.

The District shall provide reasonable unpaid break time each day to an employee who needs to express milk for a child. The District is not required to provide break time if to do so would unduly disrupt the District's operations. Supervisors are encouraged to consider flexible schedules when accommodating employees' needs. Building administrators are authorized to work with teachers to provide students necessary time to express milk for a child.

The District will make reasonable efforts to provide a room or other location, other than a toilet stall, where an employee or student can express breast milk and access to a place to store expressed breast milk safely. The available space will include the provision for lighting and electricity for the pump apparatus. If possible, supervisors and building administrators shall ensure that those employees or students in need of such accommodations shall be aware of them prior to maternity leave.

Legal Reference:	§ 39-2-215, MCA	Public employer policy on support of women and breastfeeding – unlawful discrimination
	§ 39-2-216, MCA	Private Place for nursing mothers
	§ 39-2-217, MCA	Break time for nursing mothers
	37.111.811, ARM	Physical Requirements

Policy History:
Adopted on: Unknown
Revised on: July 2021

Revision Note:

Family Medical Leave

Employees are eligible for benefits under the Family Medical Leave Act when the District has fifty (50) or more employees. The Jefferson High School District #1 has less than fifty (50) employees and therefore employees are not eligible for FMLA benefits.

Legal Reference:	29 CFR 825, 29 USC 2601, et seq. - Family and Medical Leave Act of 1993	
	§§2-18-601, et seq., MCA	Leave Time
	§§49-2-301, et seq., MCA	Prohibited Discriminatory Practices

Policy History:
Adopted on: February 2007
Revised on:

Family Medical Leave

Who Is Eligible

Employees are eligible if they have worked for the District for at least one (1) year, and for one thousand two hundred fifty (1,250) hours over the previous twelve (12) months, and if there have been at least fifty (50) District employees within seventy-five (75) miles for each working day during twenty (20) or more workweeks in the current or preceding calendar year.

Benefit

Under certain conditions, eligible employees, if qualified, may be entitled to up to twelve (12) weeks leave with continuing participation in the District's group insurance plan.

Reasons for Taking Leave

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

a. To care for the employee's child after birth, or placement for adoption or foster care;
b. To care for the employee's spouse, child, or parent (does not include parents-in-law) who has a serious health condition;
    i. "son or daughter" includes a biological or adopted child, foster child, stepchild, a legal ward, or a child of a person standing in loco parentis.
c. For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave

1. Military Caregiver Leave
    a. An eligible employee who is a relative of a service member can take up to 26 weeks in a 12 month period in order to care for a covered service member who is seriously ill or injured in the line of duty.

2. Qualified Exigency Leave
    a. An eligible employee can take up to the normal 12 weeks of leave if a family member is on covered active duty. Covered active duty includes duty of a member of a regular component of the Armed Forces during deployment to a foreign country, and duty of a member of a reserve component of the Armed Forces during deployment to a foreign country under a call or order to active duty in support of specified contingency operations.

    Qualifying Exigencies include:
        i. Short-notice deployment
        ii. Military events and related activities
        iii. Childcare and school activities
        iv. Financial and legal arrangements

v. Counseling
vi. Rest and recuperation
vii. Post-deployment activities; and
viii. Additional activities agreed to by the employer and the employee

Substitution of Paid Leave

Paid leave will be substituted for unpaid leave under the following circumstances:

a. Accumulated sick/personal leave will be utilized concurrently with any FMLA leave that is taken for a serious health reason as described in (b) or (c) above.
b. Accumulated vacation/personal leave will be utilized concurrently with any FMLA leave that is taken for a family reason as described in (a) above.
c. Accumulated sick leave will be utilized concurrently with FMLA leave, whenever the FMLA leave is taken for reasons which qualify for sick leave benefits pursuant to District policy or an applicable collective bargaining agreement.
d. Whenever appropriate workers' compensation absences shall be designated FMLA leave.
e. Service member FMLA runs concurrent with other leave entitlements provided under federal, state and local law.

When Both Spouses are District Employees

When spouses work for the same employer and each spouse is eligible to take FMLA leave, the FLMA limits the combined amount of leave they may take for some, but not all, FMLA-qualifying leave reasons.

For purposes of FMLA leave, spouse means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States, if the marriage could have been entered into in at least one state.

Eligible spouses who work for the same employer are limited to a combined total of 12 workweeks of leave in a 12-month period for the following FMLA-qualifying reasons:

- The birth of a son or daughter and bonding with the newborn child,
- The placement of a son or daughter with the employee for adoption or foster care and bonding with the newly-placed child, and
- The care of a parent with a serious health condition.

Eligible spouses who work for the same employer are also limited to a combined total of 26 workweeks of leave in a single 12-month period to care for a covered servicemember with a serious injury or illness (commonly referred to as "military caregiver leave") if each spouse is a parent, spouse, son or daughter, or next of kin of the servicemember. When spouses take military caregiver leave as well as other FMLA leave in the same leave year, each spouse is subject to the combined limitations for the reasons for leave listed above.

The limitation on the amount of leave for spouses working for the same employer does not apply to FMLA leave taken for some qualifying reasons. Eligible spouses who work for the same employer are each entitled to up to 12 workweeks of FMLA leave in a 12-month period, without regard to the amount of leave their spouses use, for the following FMLA-qualifying leave reasons:

- The care of a spouse or son or daughter with a serious health condition;
- A serious health condition that makes the employee unable to perform the essential functions of her or her job; and
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on "covered active duty".

Employee Notice Requirement

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

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

Employers are required to provide employees with notice explaining the FMLA through a poster and either a handbook or information upon hire. If an employee requests FMLA leave, an employer must provide notice to the employee within five (5) business days of whether the employee meets the FMLA eligibility requirements. If an employee is not eligible to take FMLA, the employer must provide a reason. The employer must also provide a rights and responsibilities notice outlining expectations and obligations relating to FMLA leave. If FMLA leave is approved by the employer, it must provide the employee with a designation notice stating the amount of leave that will be counted against an employee's FMLA entitlement.

Notice for Leave Due to Active Duty of Family Member

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

Requests

A sick leave request form is to be completed whenever an employee is absent from work for more than three (3) days or when an employee has need to be absent from work for continuing treatment by (or under the supervision of) a health care provider.

An employer may require that a request for leave be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe. If the Secretary issues a regulation requiring such certification, the employee shall provide, in a timely manner, a copy of such certification to the employer.

Medical Certification

The District will require medical certification to support a request for leave or any other absence because of a serious health condition (at employee expense) and may require second or third opinions (at the employer's expense) and a fitness-for-duty report or return-to-work statement.

Intermittent/Reduced Leave

FMLA leave may be taken "intermittently or on a reduced leave schedule" under certain circumstances. Where leave is taken because of birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only with District approval. Where FMLA leave is taken to care for a sick family member or for an employee's own serious health condition, leave may be taken intermittently or on a reduced leave schedule when medically necessary. An employee may be reassigned to accommodate intermittent or reduced leave. When an employee takes intermittent leave or leave on a reduced leave schedule, increments will be limited to the shortest period of time that the District's payroll.

Insurance

An employee out on FMLA leave is entitled to continued participation in the appropriate group health plan, but it is incumbent upon the employee to continue paying the usual premiums throughout the leave period. An employee's eligibility to maintain health insurance coverage will lapse if the premium payment is more than thirty (30) days late. The District will mail notice of delinquency at least fifteen (15) days before coverage will cease.

Return

Upon return from FMLA leave, reasonable effort shall be made to place the employee in the original or equivalent position with equivalent pay, benefits, and other employment terms.

Recordkeeping

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

Summer Vacation

The period during the summer vacation or other scheduled breaks (i.e., Christmas) an employee would not have been required to work will not count against that employee's FMLA leave entitlement.

SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES

Leave More Than Five (5) Weeks Before End of Term

If an instructional employee begins FMLA leave more than five (5) weeks before the end of term, the District may require the employee to continue taking leave until the end of a semester term, if:

a. The leave is at least three (3) weeks; and
b. The employee's return would take place during the last three-(3)-week period of the semester term.

Leave Less Than Five (5) Weeks Before End of Term

If an instructional employee begins FMLA leave for a purpose other than that employee's own serious health condition less than five (5) weeks before the end of term, the District may require the employee to continue taking leave until the end of a semester term, if:

a. The leave is longer than two (2) weeks; and
b. The employee's return would take place during the last two-(2)-week period of the semester term.

Leave Less Than Three (3) Weeks Before End of Term

If an instructional employee begins FMLA leave for a purpose other than that employee's own serious health condition less than three (3) weeks before the end of term, the District may require the employee to continue taking leave until the end of the academic term if the leave is longer than five (5) days.

Intermittent or Reduced Leave

Under certain conditions, an instructional employee needing intermittent or reduced leave for more than twenty percent (20%) of the total working days over the leave period may be required by the District to:

a. Take leave for a period(s) of particular duration not to exceed the duration of treatment, or
b. Transfer to an alternate but equivalent position.

Procedure History:
Promulgated on: February 2007
Revised on: Unknown, Unknown, Unknown, May 2021

Revision Note:
First revision: Clarified reasons for taking leave (lines 22-30---page 1).

Second Revision: Added "Military Family Leave" section, and clarified "employee" and "employer" notice requirements.
Third Revision: Clarified "Limitations on husband and wife of same employer".

Long-Term Illness/Temporary Disability

Employees may use sick leave for long-term illness or temporary disability, and, upon the expiration of sick leave, the Board may 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.

Leave without pay arising out of any long-term illness or temporary disability 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 shall apply under the same conditions as other long-term illness or temporary disability leaves.

Policy History:
Adopted on: February 2007
Revised on: March 2020

Revision Note: Removes Maternity Leave which becomes its own policy number 5330

Long-Term Illness/Temporary Disability

The following procedures will be used when an employee has a long-term illness or temporary disability, including maternity:

1. When any illness or temporarily disabling condition is "prolonged," an employee will be asked by the administration to produce a written statement from a physician, stating that the employee is temporarily disabled and is unable to perform the duties of his/her position until such a time.

2. In the case of any extended illness, procedures for assessing the probable duration of the temporary disability will vary. The number of days of leave will vary according to different conditions, individual needs, and the assessment of individual physicians. Normally, however, the employee should expect to return on the date indicated by the physician, unless complications develop which are further certified by a physician.

3. An employee who has signified his/her intent to return at the end of extended leave of absence shall be reinstated to his/her original job or an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits, and other service credits.

Procedure History:

Promulgated on: February 2007
Revised on: March 2020

Revision Note: Removed Maternity which became its own policy number 5330

Maternity Leave and Paternity Leave

The School District's maternity leave policy covers employees who are not eligible for FMLA leave at Policy 5328. Maternity leave includes only continuous absence immediately prior to adoption, delivery, absence for delivery, and absence for post-delivery recovery, or continuous absence immediately prior to and in the aftermath of miscarriage or other pregnancy-related complications.

The School District shall not refuse to grant an employee a reasonable leave of absence for pregnancy or require that an employee take a mandatory maternity leave for an unreasonable length of time. The School District has determined that maternity leave shall not exceed 12 weeks unless mandated otherwise by the employee's physician. Employees will be required to use appropriate accumulated paid leave concurrently while on FMLA leave.

The School District shall not deny to the employee who is disabled as a result of pregnancy any compensation to which the employee is entitled as a result of the accumulation of disability or leave benefits accrued pursuant to plans maintained by the employer, provided that the employer may require disability as a result of pregnancy to be verified by medical certification that the employee is not able to perform employment duties.

An employee who has signified her intent to return at the end of her maternity leave of absence shall be reinstated to her original job or an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits, and other service credits.

The School District will review requests for Paternity Leave in accordance with any applicable policy or collective bargaining agreement provision governing use of leave for family purposes.

Legal Reference: § 49-2-310, MCA Maternity leave – unlawful acts of employers
§ 49-2-311, MCA Reinstatement to job following pregnancy-related leave of absence
Admin. R. Mont. 24.9.1201—1207 Maternity Leave

Legal Reference:

Policy History:
Adopted on: March 2020
Revised on:

Revision Note:

Insurance Benefits for Employees

Newly hired employees are eligible for insurance benefits offered by the District for the particular bargaining unit to which an employee belongs.

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 "enrollment period". An eligible employee wishing to discontinue or change health insurance coverage must initiate the action by contacting the personnel office and completing appropriate forms.

Anniversary dates of the health insurance policy for the District shall be June 1st through May 31st .

Legal Reference:	§ 2-18-702, MCA	Group insurance for public employees and officers
	§ 2-18-703, MCA	Contributions

Policy History:
Adopted on: February 2007
Revised on:

Holidays

Holidays for certified staff are dictated in part by the school calendar. Temporary employees will not receive holiday pay. Part-time employees will receive holiday pay on a prorated basis.

The holidays required for classified staff, by are according to the current collective bargaining agreement.

When an employee, as defined above, is required to work any of these holidays, another day shall be granted in lieu of such holiday, unless the employee elects to be paid for the holiday in addition to the employee's regular pay for all time worked on the holiday.

When one of the above holidays falls on Sunday, the following Monday will not be a holiday. When one of the above holidays falls on Saturday, the preceding Friday will not be a holiday.

When a holiday occurs during a period in which vacation is being taken by an employee, the holiday will not be charged against the employee's annual leave.

Legal Reference: § 20-1-305, MCA School holidays

Policy History:
Adopted on: February 2007
Revised on:

Vacations

Classified and 12-month administrative employees will accrue annual vacation leave benefits in accordance with §§ 2-18-611, 2-18-612, 2-18-614 through 2-18-617 and 2-18-621, MCA. Nothing in this policy guarantees approval for granting specific days as annual vacation leave in any instance. The District will judge each request for vacation in accordance with staffing needs.

Employees are not entitled to any vacation leave with pay until they have been continuously employed for a period of six (6) calendar months.

Legal Reference:	§ 2-18-611, MCA	Annual vacation leave
	§ 2-18-612, MCA	Rate earned
	§ 2-18-617, MCA	Accumulation of leave – cash for unused – transfer

Policy History:
Adopted on: February 2007
Revised on:

All classified employees, except those in a temporary status, serving more than six (6) months, are eligible to earn vacation leave credits retroactive to the date of employment. Leave credits may not be advanced nor may leave be taken retroactively. A seasonal employee's accrued vacation leave credits may be carried over to the next season, if management has a continuing need for the employee, or paid out as a lump-sum payment to the employee when the season ends (generally in June). The employee may request a lump-sum payment at the end of each season.

Vacation is earned according to the following schedule:

RATE-EARNED SCHEDULE

Years of Employment	Working Days Credit per Year
1 day - 10 years	15
10 - 15 years	18
15 - 20 years	21
20 years on	24

Time as an elected state, county, or city official, as a school teacher, or as an independent contractor, does not count toward the rate earned. For purposes of this paragraph, an employee of the District or the university system is eligible to have school district or university employment time count toward the rate-earned schedule, if that employee was eligible for annual leave in the position held with the school district or university system.

Maximum Accrual of Vacation Leave

All full-time and part-time employees serving in permanent and seasonal positions may accumulate two (2) times the total number of annual leave credits they are eligible to earn per year, according to the rate-earned schedule.

Sick Leave Bank

An employee may contribute accumulated vacation leave to the sick leave bank provided for in 2-18-618, MCA. Donation of vacation leave credits to and use of vacation leave credits in the sick leave bank are governed by terms of the current collective bargaining agreement.

Annual Pay-Out

The District will, subject to the terms of a collective bargaining agreement, provide cash compensation in January of each year for unused vacation leave in lieu of the accumulation of vacation leave.

Lump-Sum Payment Upon Termination

An employee who terminates employment for reasons not reflecting discredit on the employee shall be entitled, upon the date of such termination, to cash compensation for unused vacation leave, assuming that the employee has worked the qualifying periods set forth in § 2-18-611, MCA. The District shall not pay accumulated leaves to employees who have not worked the qualifying period.

Legal Reference: § 2-18-611 - § 2-18-617, MCA

Procedure History:
Promulgated on: February 2007
Revised on: October, 2013

Note: Revision added "Sick Leave Bank" procedures if the classified have a sick leave bank.
Note: September 2013 revision aligned the policy with the district practice of paying out vacation leave by changing the cash out language from "may" to "will". Line 40 Page 1

Compensatory Time and Overtime for Classified Employees

Non-exempt classified employees who work more than forty (40) hours in a given workweek may receive overtime pay of one and one-half (1½) times the normal hourly rate, unless the District and the employee agree to the provision of compensation time at a rate of one and one-half (1½) times all hours worked in excess of forty (40) hours in any workweek. The Superintendent must approve any overtime work of a classified employee.

Under Montana law and the Federal Fair Labor Standards Act, a classified employee may not volunteer to work without pay in an assignment similar to his or her regular work.

A non-exempt employee who works overtime without authorization may be subject to disciplinary action.

Blended Time

Classified Employees working two or more jobs for the District at different rates of pay shall be paid overtime at a weighted average of the differing wages. This shall be determined by dividing the total regular remuneration for all hours worked by the number of hours worked in that week to arrive at the weighted average. One half that rate is then multiplied times the number of hours worked over 40 to arrive at the overtime compensation due.

Example: Employee works one job at 30 hrs./week at $10.00/hr. The same employee works a different job at 20 hrs./week at $12.00/hr. (Same district). The employee would get $300.00 per week for the 30 *hr/week job ($10.00X30) and $240.00 per week for the 20 hr./week job ($12.00X20). A total of $540.00 (regular remuneration). Divide $540.00 by 50(total hours worked) = $10.8/hr (weighted average). One-half that rate ($10.80/2 = $5.40)is multiplied by 10 (number of hours over 40). $54.00 is the amount of overtime compensation due the employee based on the "blended time".*

NOTE: *Please be advised that comp time is not required. If a district adopts a comp time policy, there are basically two (2) types of employees: 1) Those who are covered before the policy was adopted need to be treated on a case-by-case basis, and the agreement to allow comp time must be entered into before the work is performed. 2) Those hired after the policy is in place – the Department of Labor has determined that the employee agreed to the policy. Some experts have said comp time is a credit card, not a savings account. The employee has broad latitude to decide when the time will be taken.*

Legal Reference: 29 USC 201, et seq. Fair Labor Standards Act

Policy History:
Adopted on: February 2007
Revised on: January 2016
Note: For this revision the word "non-exempt" was added in line 16 to clarify overtime personnel.

January 2016 *revision note: Added calculation of blended overtime.*

Workers' Compensation Benefits

All employees of the District are covered by workers' compensation benefits. In the event of an industrial accident, an employee should:

1. Attend to first aid and/or medical treatment during an emergency;

2. Correct or report as needing correction a hazardous situation as soon as possible after an emergency situation is stabilized;

3. Report the injury or disabling condition, whether actual or possible, to the immediate supervisor, within forty-eight (48) hours, on the Employer's First Report of Occupational Injury or Disease; and

4. Call or visit the administrative office after medical treatment, if needed, to complete the necessary report of accident and injury on an Occupational Injury or Disease form.

The administrator will notify the immediate supervisor of the report and will include the immediate supervisor as necessary in completing the required report.

An employee who is injured in an industrial accident may be eligible for workers' compensation benefits. By law, employee use of sick leave must be coordinated with receipt of workers' compensation benefits, on a case-by-case basis, in consultation with the Workers' Compensation Division, Department of Labor and Industry.

The District will not automatically and simply defer to a report of industrial accident but will investigate as it deems appropriate to determine: (1) whether continuing hazardous conditions exist which need to be eliminated; and (2) whether in fact an accident attributable to the District working environment occurred as reported. The District may require the employee to authorize the employee's physician to release pertinent medical information to the District or to a physician of the District's choice, should an actual claim be filed against the Workers' Compensation Division, which could result in additional fees being levied against the District.

Legal Reference: §§ 39-71-101, et seq., MCA Workers' Compensation Act

Policy History:
Adopted on: February 2007
Revised on:

Payment of Interest on Employer Contributions for Workers' Compensation Time

An employee absent because of an employment-related injury entitling the employee to workers' compensation payments may, upon the employee's return to service, contribute to the retirement system an amount equal to the contributions that would have been made by the employee to the system on the basis of the employee's compensation at the commencement of the employee's absence plus regular interest accruing from one (1) year from the date after the employee returns to service to the date the employee contributes for the period of absence.

The District has the option to pay, or not pay, the interest on the employer's contribution for the period of absence based on the salary as calculated. If the employer elects not to pay the interest costs, this amount must be paid by the employee.

It is the policy of this District to not pay the interest costs associated with the employer's contribution.

Legal Reference: §§ 19-3-504, MCA Absence due to illness or injury.

Policy History:

Adopted on:

Reviewed on:

Revised on:

Paraprofessional Paraprofessionals

Paraprofessionals, as defined in the appropriate job descriptions, are under the supervision of a principal and a teacher to whom the principal may have delegated responsibility for close direction. The nature of the work accomplished by paraprofessionals will encompass a variety of tasks that may be inclusive of "limited instructional duties."

Paraprofessionals are employed by the District mainly to assist the teacher. A paraprofessional 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 each principal and teacher to provide adequate training for a paraprofessional. This training should take into account the unique situations in which a paraprofessional works and should be designed to cover the general contingencies that might be expected to pertain to that situation. During the first thirty (30) days of employment, the supervising teacher or administrator shall continue to assess the skills and ability of the paraprofessional to assist in reading, writing, and mathematics instruction.

The Superintendent shall develop and implement procedures for an annual evaluation of teachers' aides/paraprofessionals. Evaluation results shall be a factor in future employment decisions.

If the school receives Title I funds, the District shall notify parents of students attending the school annually that they may request the District to provide information regarding the professional qualifications of their child's paraprofessionals, if applicable.

Legal Reference: 20 U.S.C. § 6319 Qualifications for teachers and paraprofessionals

Policy History:
Adopted on: February 2007
Revised on: August 2018

ESSA Qualification Notifications

ANNUAL NOTIFICATION - OPTION TO REQUEST PROFESSIONAL QUALIFICATIONS

Dear Parent/Guardian,

Because our District receives federal funds for Title I programs as a part of the Every Student Succeeds Act (ESSA), you may request information regarding the professional qualifications of your child's teacher(s) and paraprofessional(s), if applicable.

If you would like to request this information, please contact the superintendent of Jefferson High School, by phone at (406) 225-3740 or by e-mail at superintendent@jhs.k12.mt.us

Sincerely, _____

Legal Reference:

Policy History:
Adopted on: August 2018
Revised on:

Revision Note:

Volunteers

The District 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 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.

District employees who work with volunteers shall clearly explain duties for supervising children in school, on the playground, and on field trips. An appropriate degree of training and/or supervision of each volunteer shall be administered commensurate with the responsibility undertaken.

Volunteers who have unsupervised access to children are subject to the District's policy mandating background checks.

Chaperones

The Superintendent may direct that appropriate screening processes be implemented to assure that adult chaperones are suitable and acceptable for accompanying students on field trips or excursions.

When serving as a chaperone for the District, the parent(s)/guardian(s), or other adult volunteers, including employees of the District, assigned to chaperone, shall not use tobacco products in the presence of students, nor shall they consume any alcoholic beverages nor use any illicit drug during the duration of their assignment as a chaperone, including during the hours following the end of the day's activities for students. The chaperone shall not encourage or allow students to participate in any activity that is in violation of district policy during the field trip or excursion, including during the hours following the end of the day's activities. Chaperones shall be given a copy of these rules, and sign a letter of understanding verifying they are aware of, and agree to, these District rules before being allowed to accompany students on any field trip or excursion.

Any chaperone found to have violated these rules shall not be used again as a chaperone for any District sponsored field trips or excursions and may be excluded from using District sponsored transportation for the remainder of the field trip or excursion and be responsible for their own transportation back home. Employees found to have violated these rules may be subject to disciplinary action.

Cross Reference: 5122 Fingerprints and Criminal Background Investigations

Policy History:
Adopted on: February 2007
Revised on:

Jefferson High School District #1

VOLUNTEER AGREEMENT FORM 5430F
COACH/HELPER/AIDE/CHAPERONE

I, _____ (the Volunteer), hereby agree to serve Jefferson High School (the District) on a volunteer basis as a _____.
Please initial next to each statement:

_____ The Volunteer understands any volunteer services will not be compensated now or in the future.

_____ The Volunteer has been informed and understands that volunteer services rendered do not create an employee-employer relationship between the Volunteer and the District for the position stated above.

_____ The Volunteer understands that the District may not carry worker's compensation insurance and does not carry medical insurance for a person serving as a volunteer in the position stated above.

_____ The Volunteer understands that the mutually established schedule of services for the position stated above carries no obligation for either party and may be adjusted at any time.

_____ The Volunteer understands that services as a volunteer may be terminated at any time.

_____ The Volunteer understands that they are under the direction of the school district at all times during their service as a volunteer and must follow directives given by district employees.

_____ The Volunteer understands that they are to follow all laws, policies, and rules regarding student and employee confidentiality during their service as a volunteer.

_____ The Volunteer understands that they are to follow district policy as well as local, state, federal, and other applicable laws during their service as a volunteer.

_____The Volunteer understands that they are not to use alcohol, tobacco, or other drugs around students at any time whether on school property or not.

_____ The Volunteer understands that they are not to encourage students to violate district policy. The Volunteer further understands that if they observe a student violating district policy, they are to report the behavior to the supervising district employee immediately.

_____ The Volunteer understands that any violation of this agreement, district policy, or any local, state, federal, or other applicable law can result in permanent termination of volunteer privileges and possible legal action.

_____ The Volunteer is 18 years or older.

_____ The Volunteer understands that this authorization only applies to the _____/_____ school year.

_____ The Volunteer understands that if the position stated above involves regular unsupervised access to students in schools, they shall submit to a name-based and fingerprint criminal background investigation conducted by the appropriate law enforcement agency prior to consideration of this agreement.

I understand that should I have been found to have violated these rules, I will not be used again as a chaperone for any District-sponsored field trips or excursions and may be excluded from using District-sponsored transportation for the remainder of the field trip or excursion and that I will be responsible for my own transportation back home.

_____ _____
DISTRICT REPRESENTATIVE DATE

_____ _____
VOLUNTEER SIGNATURE DATE

Legal Reference:

Policy History:
Adopted on: March 2020
Revised on:

Revision Note:

Student Teachers/Interns

The District 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 Superintendent shall coordinate all requests from cooperating institutions for placement with building principals 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 (1) student teacher/intern per school year;

3. The supervising professional shall remain responsible for the class;

4. The student teacher shall assume the same conditions of employment as a regular teacher with regard to meeting the health examination requirements, length of school day, supervision of co-curricular activities, staff meetings, and in-service training; and

5. The student teacher shall be subject to the District policy regarding background checks, if the student teacher has unsupervised access to children.

Cross Reference: 5122 Fingerprints and Criminal Background Investigations

Legal Reference: § 20-4-101(2) and (3), MCA System and definitions of teacher and specialist certification – student teacher exception

Policy History:
Adopted on: February 2007
Revised on:

Recruitment and Retention

It is the policy of the District to utilize all resources available to meet the District's objective of recruiting and retaining high quality staff focused on the individual success of each student. To meet this objective, the District will utilize the flexible instructor licensure opportunities available to the District.

Flexible Instructor Licensing

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 flexibility in licensure of instructors and as a means of addressing recruitment and retention of staff. Flexibilities in the following areas are available for the District's enhancement of its programs and services with a focus on individual student success:.

- Internships
  - Available to anyone with a current license and endorsement in one subject who wants to move to a new licensed role/endorsed area.
  - Requirements must be satisfied within 3 years
  - Must include a plan between the intern, the school district and an accredited preparation program
- Provisionally Certified
  - May be issued to an otherwise qualified applicant who can provide satisfactory evidence of:
    - The intent to qualify in the future for a class 1 or class 2 certificate and
    - Who has completed a 4-year college program or its equivalent, and
    - Holds a bachelor's degree from a unit of the Montana university system or its equivalent.
- Substitutes
  - Must have a GED or high school diploma
  - Will have completed 3 hours of training by the district
  - Will have submitted a fingerprint background check
    (All requirements can be waived by the district if the substitute has prior substitute teaching experience in another Montana public school from November 2002 and earlier)
  - May not substitute more than 35 consecutive days for the same teacher, however the same substitute can be used for successive absences of different staff as long as each regular teacher for whom the substitute is covering is back by 35 consecutive teaching days
- Retired Educators
  - School district must certify to OPI and TRS that the district has been unable to fill the position due to no qualified applications or no acceptance of offer by a non-retired teacher

- Limited to employment in a second or third class elementary district or a second or third class high school district
- Retired teacher must have 27 years of experience in TRS
- There is a 3-year lifetime limit on the retired individual going to work under this provision

- Class 3 Administrative License
  - Valid for a period of 5 years
  - Appropriate administrative areas include: elementary principal, secondary principal, K-12 principal, K-12 superintendent, and supervisor.
  - Must be eligible for an appropriately endorsed Class 1,2 or 5 license to teach in the school(s) in which the applicant would be an administrator or would supervise, and qualify as set forth in ARM 10.57414 through 10.57.418
  - An applicant for a Class 3 administrative license who completed an educator preparation program which does not meet the definition in ARM 10.57.102(2), who is currently licensed in another state at the same level of licensure, may be considered for licensure with verification of five years of successful administrative experience as defined in ARM 10.57.102 as documented by a recommendation from a state accredited P-12 school employer on a form prescribed by the Superintendent of Public Instruction and approved by the Board of Public Education. The requirements of ARM 10.57.414(1)(c)(i-iii) must be met by an applicant seeking a superintendent endorsement.

- Class 4 for CTE
  - Valid for a period of 5 years
  - Renewable pursuant to the requirements of 10.57.215, ARM and the requirements specific to each type of Class 4 license.
  - 4A – for licensed teachers without a CTE endorsement
  - 4B – for individuals with at least a bachelor's degree
  - 4C – for individuals with a minimum of a high school diploma or GED
- Class 5 alternatives
  - Good for a maximum of 3 years
  - Requirements dependent upon the alternative the district is seeking
- Emergency authorization of employment
  - Individual must have previously held a valid teacher or specialist certificate or have met requirements of rule 10.57.107, ARM
  - Emergency authorization is valid for one year, but can be renewed from year to year provided conditions of scarcity continue to persist

<u>Loan Repayment Program</u>

The District will assist any quality educator who meets the qualifications for the state's loan repayment program. Loan repayment assistance may be provided on behalf of a quality educator who: (1) is employed newly hired in an identified impacted school

described in a critical quality educator shortage area as defined in 10-4-502; and (2) has an educational loan that is not in default and that has a minimum unpaid current balance of at least $1,000 at the time of application.

A quality educator is eligible for state-funded loan repayment assistance for no more than 3 years and an additional 1 year of oan repayment assistance voluntarily funded by the impacted school or the district under which the impacted school is operated, with the maximum annual loan repayment assistance not to exceed:

- $3,000 of state-funded loan repayment assistance after the first complete year of teaching in an impacted school;
- $4,000 of state-funded loan repayment assistance after the second complete year of teaching in the same impacted school or another impacted within the same school district;
- $5,000 of state-funded loan repayment assistance after the third complete year of teaching in the same impacted school or another impacted school within the same school district; and
- Up to $5,000 of loan repayment assistance funded by the impacted school or the district under which the impacted school is operated after the fourth complete year of teaching in the same impacted school or another impacted school within the same school district.

Legal References:	10.55.716, ARM	Substitute Teachers
	10.55.607, ARM	Internships
	10.27.102, ARM	Definitions
	10.57.107, ARM	Emergency Authorization of Employment
	10.57.215, ARM	Renewal Requirements
	10.57.414, ARM	Class 3 Administrative License – Superintendent Endorsement
	10.57.420, ARM	Class 4 Career and Technical Education License
	10.57.424, ARM	Class 5 Provisional License
	19-20-732, MCA	Reemployment of certain retired teachers, specialists and administrators – procedure – definitions
	20-4-501-20-4-505	Loan Repayment Assistance for Quality Educator

Policy History:
Adopted on: March 2018
Revised on: March 2020

Revision Note:

Employee Electronic Mail and On-Line Services Usage

Electronic mail ("e-mail") is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval. Electronic mail includes all electronic messages that are transmitted through a local, regional, or global computer network.

Because of the unique nature of e-mail/Internet, and because the District desires 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 District e-mail and Internet systems are owned by the District and are intended to be used for educational purposes only. While occasional personal use is allowed, employees should have no expectation of privacy when using the electronic mail or Internet systems for any purpose.

Users of district E-mail and Internet systems are responsible for their appropriate use. All illegal and improper uses of the electronic mail and Internet system, including but not limited to extreme network etiquette violations including mail that degrades or demeans other individuals, pornography, obscenity, harassment, solicitation, gambling and violating copyright or intellectual property rights are prohibited. Abuse of the e-mail or Internet systems, through excessive personal use, or use in violation of the law or District policies, will result in disciplinary action, up to and including termination of employment.

All e-mail/Internet records are considered District records and should be transmitted only to individuals who have a need to receive them. If the sender of an electronic mail or Internet message does not intend for the mail or Internet message to be forwarded, the sender should clearly mark the message "Do Not Forward".

In order to keep district electronic mail and Internet systems secure, users may not leave the terminal "signed on" when unattended and may not leave their password available in an obvious place near the terminal or share their password with anyone except the system administrator. The district reserves the right to bypass individual passwords at any time and to monitor the use of such systems by employees.

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, the district retains the right to access stored records in cases where there is reasonable cause to expect wrong-doing or misuse of the system, review, store and disclose all information sent over the district electronic mail systems for any legally permissible reason, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation and to access district information in the employee's absence. E-mail/ Internet messages by employees may not necessarily reflect the views of the District.

Except as provided herein, district employees are prohibited from accessing another employee's electronic mail without the expressed consent of the employee. All district employees should be aware that electronic mail messages can be retrieved even if they have been deleted and that statements made in electronic mail communications can form the basis of various legal claims against the individual author or the district.

Electronic mail sent or received by the district or the district's employees may be considered a public record subject to public disclosure or inspection. All district electronic mail and Internet communications may be monitored.

Policy History:
Adopted on: February 2007
Revised on: April 15, 2008

Note: This revision extensively updated and expanded this policy based on responses from a court decision. Expansion included more definition, tighter security, employee responsibility, disclosure and recordkeeping requirements.

Payment of Wages Upon Termination

When a District employee separates from employment, wages owed will be paid on the next regular pay day for the pay period in which the employee left employment or within fifteen (15) days, whichever occurs first.

In the case of an employee discharged for allegations of theft connected to the employee's work, the District may withhold the value of the theft, provided:

- The employee agrees in writing to the withholding; or

- The District files a report of theft with law enforcement within seven (7) business days of separation.

If no charges are filed within thirty (30) days of the filing of a report with law enforcement, wages are due within a thirty-(30)-day period.

Legal Reference: § 39-3-205, MCA Payment of wages when employee separated from employment prior to payday – exceptions

Policy History:
Adopted on: February 2007
Revised on: March 2020

Note: Revision included the change from 15 days to 30 days in lines 15-16.

HIPAA

Note:

(1) Any school district offering a group "health care plan" for its employees is affected by HIPAA. School districts offering health plans that are self-insured will be entirely responsible for compliance with HIPAA, despite a third party administrator managing the plan. School districts may also be subject to HIPAA as a "health care provider" by either having a school-based health center or a school nurse. School-based health centers staffed and serviced by a hospital or local health department are responsible for complying with HIPAA if there is a sharing of records containing health information. For those districts providing the services of a school nurse, HIPAA regulations issued in 2000 commented that an "educational institution that employs a school nurse is subject to [the] regulations as a health care provider if the school nurse or the school engaged in a HIPAA transaction." This transaction occurs when a school nurse submits a claim electronically.

(2) Any personally identifiable health information contained in an "education record" under FERPA is subject to FERPA, not HIPAA.

Background

Health Insurance Portability and Accountability Act of 1996 (HIPAA)

The District's group health plan is a Covered Entity under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and its implementing regulations, the Standards for the Privacy of Individually Identifiable Information. In order to comply with HIPAA and its related regulations, the District has implemented the following HIPAA Privacy Policy:

The HIPAA Privacy Rule

HIPAA required the federal government to adopt national standards for ***electronic health care transactions***. At the same time, Congress recognized that advances in electronic technology could erode the privacy of health information and determined there was a need for national privacy standards. As a result HIPAA included provisions which mandated the adoption of federal privacy standards for individually identifiable health information.

The standards found in the Privacy Rule are designed to protect and guard against the misuse of individually identifiable health information, with particular concern regarding employers using an employee's (or dependent's) health information from the group health plan to make adverse employment-related decisions. The Privacy Rule states that verbal, written, or electronic information that can be used to connect a person's name or identity with medical, treatment, or health history information is Protected Health Information (PHI) under the HIPAA Privacy Rule.

Under the HIPAA Privacy Rule:

1. Individuals have a right to access and copy their health record to the extent allowed by HIPAA.

2. Individuals have the right to request an amendment to their health record. The plan may deny an individual's request under certain circumstances specified in the HIPAA Privacy Rule.

3. Individuals have the right to an accounting of disclosures of their health record for reasons other than treatment, payment, or healthcare operations.

4. PHI, including health, medical, and claims records, can be used and disclosed without authorization for specific, limited purposes (treatment, payment, or operations of the group health plan). A valid authorization from the individual must be provided for use or disclosure for other than those purposes.

5. Safeguards are required to protect the privacy of health information.

6. Covered entities are required to issue a notice of privacy practices to their enrollees.

7. Violators are held accountable with civil and criminal penalties for improper use or disclosure of PHI.

Compliance

The District Clerk has been designated Privacy Officer. The Privacy Officer will oversee all ongoing activities related to the development, implementation, maintenance of, and adherence to the District's policies and procedures covering the privacy of and access to patient health information in compliance with HIPAA, other applicable federal and state laws, and the District's privacy practices.

As required for a Covered Entity under HIPAA, the plan has developed these internal privacy policies and procedures to assure that PHI is protected and that access to and use and disclosure of PHI are restricted in a manner consistent with HIPAA's privacy protections. The policies and procedures recognize routine and recurring disclosures for treatment, payment, and healthcare operations and include physical, electronic, and procedural safeguards to protect PHI. The procedures include safeguards for sending PHI via mail or fax, receiving PHI for plan purposes, and workstation safeguards and procedures for securing and retaining PHI received by the plan. Plan participants are entitled to receive a copy of the plan's policies and procedures upon request.

Designating a limited number of privacy contacts allows the District to control who is receiving PHI from the contract claims payor for plan operations purposes. The contract claims payor will provide only the minimum PHI necessary for the stated purpose and, as required under the

Privacy Rule, will provide PHI only to individuals with a legitimate need to know for plan operations purposes.

The District has distributed a notice of privacy practices to plan participants. The notice informs plan participants of their rights and the District's privacy practices related to the use and disclosure of PHI. A copy of this notice may be obtained by contacting the Privacy Officer.

The District has reviewed how PHI is used and disclosed by the plan and has limited disclosure of that information to employees who have a legitimate need to know or possess the PHI for healthcare operations and functions. The District will make reasonable efforts to use de-identified information whenever possible in the operations of the plan and will only use the minimum PHI necessary for the stated purpose.

Some of the District's employees need access to PHI in order to properly perform the functions of their jobs. The District has identified these employees and has given them training in the important aspects of the HIPAA Privacy Rule, the privacy policy, and procedures. New employees who will have access to PHI will receive training on the HIPAA Privacy Rule and related policies and procedures as soon as reasonably possible after they are employed. Employees who improperly use or disclose PHI or misuse their access to that information may be subject to discipline, as deemed appropriate.

In the event the group health plan must disclose PHI in the course of performing necessary plan operations functions or as required by law or a governmental agency, the District has developed a system to record those disclosures and requests for disclosures. An individual may request a list of disclosures of his or her PHI made by the plan for other than treatment or claims payment purposes. All requests for an accounting of PHI disclosures must be made in writing, and the plan may impose fees for the cost of production of this information. Requests will be responded to within sixty (60) days. If the plan is not able to provide the requested information within sixty (60) days, a written notice of delay will be sent to the requesting individual, with the reasons for the delay and an estimated time for response.

In order to comply with the new privacy regulations, the plan has implemented compliant communication procedures. Except for its use in legitimate healthcare operations, written permission will be required in order for the District to disclose PHI to or discuss it with a third party.

The HIPAA Privacy Rule prohibits the District from disclosing medical information without the patient's written permission other than for treatment, payment, or healthcare operations purposes. An authorization signed by the patient and designating specified individuals to whom the District may disclose specified medical information must be on file, before the plan can discuss a patient's medical information with a third party (such as a spouse, parent, group health plan representative, or other individual).

The District has taken the following steps to ensure PHI is safeguarded:

- The District has implemented policies and procedures to designate who has and who does not have authorized access to PHI.

- Documents containing PHI are kept in a restricted/locked area.

- Computer files with PHI are password protected and have firewalls making unauthorized access difficult.

- Copies of PHI will be destroyed when information is no longer needed, unless it is required by law to be retained for a specified period of time.

- The District will act promptly to take reasonable measures to mitigate any harmful effects known to the group health plan, due to a use or disclosure of PHI in violation of the plan's policies, procedures, or requirements of the HIPAA Privacy Rule.

- The District will appropriately discipline employees who violate the District's group health plan's policies, procedures, or the HIPAA Privacy Rule, up to and including termination of employment if warranted by the circumstances.

The District has received signed assurances from the plan's business associates that they understand the HIPAA Privacy Rule, applicable regulations, and the Privacy Policy and will safeguard PHI just as the plan would.

The contract claims payor and certain other entities outside the group health plan require access on occasion to PHI, if they are business associates of the group health plan and in that role need to use, exchange, or disclose PHI from the group health plan. The plan requires these entities to sign an agreement stating they understand HIPAA's privacy requirements and will abide by those rules just as the group health plan does, to protect the PHI to which they have access. For example the plan engages a certified public accountant to audit the plan annually and to make sure payments are made in compliance with the Plan Document. In order for the CPA to complete an audit, the auditor reviews a sample of the claims for accuracy.

The District will ensure health information will not be used in making employment and compensation decisions. The HIPAA Privacy Rule and other applicable laws expressly prohibit an employer from making adverse employment decisions (demotions, terminations, etc.) based on health information received from the group health plan. To the extent possible, the District has separated the plan operations functions from the employment functions and has safeguards in place to prevent PHI from the plan from going to or being used by an employee's supervisor, manager, or superior to make employment-related decisions.

<u>Complaints</u>

If an employee believes their privacy rights have been violated, they may file a written complaint

with the Privacy Officer. No retaliation will occur against the employee for filing a complaint. The contact information for the Privacy Officer is:

District Clerk
Jefferson High School District
PO Box 176
Boulder, MT 59632

Policy History:
Adopted on: February 2007
Revised on:

6000 Series

Administration

6000 Series
"ADMINISTRATION"
Table of Contents

Req.	Policy	Policy Description
	6000	Goals
R	6110	Superintendent
R	6110P	Superintendent
R	6121	District Organization
	6122	Delegation of Authority
R	6140	Duties and Qualifications of Administrative Staff Other Than Superintendent
	6141	Employment Restrictions for Administrative Personnel
	6210	Principals
	6410	Evaluation of Administrative Staff
	6420	Professional Growth and Development

ADMINISTRATION 6000

Goals

The administrative staff's primary functions are to manage the District and to facilitate the implementation of a quality educational program. It is the goal of the Board that the administrative organization:

1. Provide for efficient and responsible supervision, implementation, evaluation, and improvement of the instructional program, consistent with the policies established by the Board;

2. Provide effective and responsive communication with staff, students, parents, and other citizens; and

3. Foster staff initiative and rapport.

The District's administrative organization will be designed so that all divisions and departments of the District are part of a single system guided by Board policies implemented through the Superintendent. Principals and other administrators are expected to administer their facilities in accordance with Board policy and the Superintendent's rules and procedures.

Policy History:
Adopted on: February 2007
Revised on:

Superintendent

Duties and Authorities

The Superintendent is the District's executive officer and is responsible for the administration and management of District schools, in accordance with Board policies and directives and state and federal law. The Superintendent is authorized to develop administrative procedures to implement Board policy and to delegate duties and responsibilities; however, delegation of a power or duty does not relieve the Superintendent of responsibility for that which was delegated.

Qualifications and Appointment

The Superintendent will have the experience and skills necessary to work effectively with the Board, District employees, students, and the community. The Superintendent must be appropriately licensed and endorsed in accordance with state statutes and Board of Public Education rules; or considered appropriately assigned if the Superintendent is enrolled in an internship program as defined in ARM 10.55.602 and meets the requirements of ARM 10.55.607 and ARM 10.55.702..

The Superintendent is required to live within the district boundaries of Jefferson High School District #1. The Board may waive this requirement.

Evaluation

At least annually the Board will evaluate the performance of the Superintendent, using standards and objectives developed by the Superintendent and Board, which are consistent with District mission and goal statements. At the regular January Board meeting a specific time shall be designated for a formal evaluation session. The evaluation will include a discussion of professional strengths, as well as performance areas needing improvement.

Compensation and Benefits

The Board and the Superintendent will enter into a contract which conforms to this policy and state law. The contract will govern the employment relationship between the Board and the Superintendent.

Legal Reference:	§ 20-4-402, MCA	Duties of district superintendent or county high school principal
	ARM 10.55.602	Definition of Internship
	ARM 10.55.607	Internships
	ARM 10.55.702	Licensure and Duties of District Administrator – District Superintendent

Policy History:
Adopted on: February 2007
Revised on: February 15, 2007, January 2016

Revision Note: Line 29 January Board meeting listed specifically.
January 2016 revision note: Added option for internship. Removed search process statements.

Superintendent

The Board will:	**The Superintendent will:**
Select the Superintendent and delegate to him/ her all necessary administrative powers.	Serve as chief executive officer of the District.
Adopt policies for the operations of the school system and review administrative procedures.	Recommend policies or policy changes to the Board and develop procedures which implement Board policy.
Formulate a statement of goals, annually at the regular October Board meeting, reflecting the philosophy of the District.	Provide leadership in the development, operation, supervision, and evaluation of the educational program.
Adopt annual objectives, annually at the regular October Board meeting, for improvement of the District.	Recommend annual objectives for improvement of the District.
Approve courses of study.	Recommend courses of study.
Approve textbooks.	Recommend textbooks.
Approve the annual budget at the regular August Board meeting.	Prepare and submit the annual budget to the Board at the regular August Board meeting.
Employ certificated and classified staff, in its discretion, upon recommendation of the Superintendent.	Recommend candidates for employment as certificated and classified staff.
Authorize the allocation of certificated and classified staff.	Recommend staff needs based on student enrollment, direct and assign teachers and other employees of the schools under his/her supervision; shall organize, reorganize, and arrange the administrative and supervisory staff, including instruction and business affairs, as best serves the District, subject to the approval of the Board.
Approve contracts for major construction, remodeling, or maintenance.	Recommend contracts for major construction, remodeling, or maintenance.
Approve payment of vouchers and payroll.	Recommend payment of vouchers and payroll.
Approve proposed major changes of school plant and facilities.	Prepare reports regarding school plant and facilities needs.

The Board will:	**The Superintendent will:**
Approve collective bargaining agreements.	Supervise negotiation of collective bargaining agreements.
At the regular September Board meeting, assure that appropriate criteria and processes for evaluating staff are in place.	Establish criteria and processes for evaluating staff shall be presented to the Board at the regular September Board meeting.
Appoint citizens and staff to serve on special Board committees, if necessary.	Recommend formation of *ad hoc* citizens' committees.
Conduct regular meetings.	As necessary, attend all Board meetings and all Board and citizen committee meetings, serve as an ex-officio member of all Board committees, and provide administrative recommendations on each item of business considered by each of these groups.
Serve as final arbitrator for staff, citizens, and students.	Inform the Board of appeals and implement any such forthcoming Board decisions.
Promptly refer to the Superintendent all criticisms, complaints, and suggestions called to its attention.	Respond and take action on all criticism, complaints, and suggestions, as appropriate.
Authorize the ongoing professional enrichment of its administrative leader, as feasible.	Undertake consultative work, speaking engagements, writing, lecturing, or other professional duties and obligations.
Approve appropriate District expenditures recommended by the Superintendent for the purpose of ongoing District operations.	Diligently investigate and make purchases that benefit the most efficient and functional operation of the District.

Legal Reference: ARM 10.55.701 Board of Trustees

Procedure History:
Promulgated on: February 2007
Revised on: February 15, 2011, December 2018

Revision Note: 2018 revision adds legal reference

ADMINISTRATION 6121

District Organization

The Superintendent shall develop an organizational chart indicating the channels of authority and reporting relationships for school personnel. These channels should be followed, and no level should be bypassed, except in unusual circumstances.

The organization of District positions of employment for purposes of supervision, services, leadership, administration of Board policy, and all other operational tasks shall be on a "line and staff" basis. District personnel occupying these positions of employment shall carry out their duties and responsibilities on the basis of line and staff organization.

Policy History:
Adopted on: February 2007
Revised on:

Delegation of Authority

Unless otherwise specified, the Superintendent has the authority to designate a staff member to serve in an official capacity for the implementation of District policies or as his/her personal representative. This authorization will include those responsibilities appropriate for the position as designated or directed by the Superintendent.

Policy History:
Adopted on: February 2007
Revised on:

ADMINISTRATION 6140

Duties and Qualifications of Administrative Staff Other Than Superintendent

Duty and Authority

As authorized by the Superintendent, administrative staff will have full responsibility for day-to-day administration of the area to which they are assigned. Administrative staff are governed by Board policies and are responsible for implementing administrative procedures relating to their assigned responsibilities.

Each administrator's duties and responsibilities will be set forth in a job description for that particular position.

Qualifications

All administrative personnel must be appropriately licensed and endorsed in accordance with state statutes and Board of Public Education rules, or be considered appropriately assigned if the administrator is enrolled in an internship as defined in ARM 10.55.602 and meets the requirements of ARM 10.55.607, and must meet other qualifications as specified in their position's job description.

Administrative Work Year

The administrators' work year will correspond with the District's fiscal year, unless otherwise stated in an employment agreement. In addition to legal holidays, the administrators will have vacation periods as approved by the Superintendent.

Compensation and Benefits

Administrators will receive compensation and benefits as stated in their employment agreements.

The administrators (other than Superintendent) are required to live within ten (10) minutes travel time of their schools to have easy year round access to plant and staff.

Legal Reference:	§ 20-4-401, MCA	Appointment and dismissal of district superintendent or county high school principal
	§ 20-4-402, MCA	Duties of district superintendent or county high school principal
	10.55.701, ARM	Board of Trustees
	ARM 10.55.602	Definition of Internship
	ARM 10.55.607	Internships

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 revision note: added provisions for internship

Employment Restrictions for Administrative Personnel

The Superintendent must give prior approval for time taken by administrators from the regularly assigned work schedules, for such paid activities as consulting, college teaching, lecturing, etc.

The amount of time lost to the District will be, but is not restricted to being: deducted from vacation time; granted as additional personal leave as specified by a written contract; or prorated to a dollar amount to be deducted in the next regularly scheduled pay period.

Time taken from the regularly assigned work schedule for non-paid activities shall follow the format established above.

Policy History:
Adopted on: February 2007
Revised on:

ADMINISTRATION 6210

Principals

Principals are the chief administrators of their assigned schools and are responsible for the day-to-day operations of their building. The primary responsibility of Principals is the development and improvement of instruction. The majority of the Principals' time shall be spent on curriculum and staff development through formal and informal activities, establishing clear lines of communication regarding the school rules, accomplishments, practices, and policies with parents and teachers. Principals are responsible for management of their staff, maintenance of the facility and equipment, administration of the educational program, control of the students attending the school, management of the school's budget, and communication between the school and the community. Principals will be evaluated in accordance with ARM 10.55.701(4)(a)(b).

Legal Reference:	§ 20-4-403, MCA	Powers and duties of principal
	10.55.701, ARM	Board of Trustees
	10.55.703, ARM	Licensure and Duties of School Principal

Policy History:
Adopted on: February 2007
Revised on: January 2016

January 2016 revision notes: added day-to-day operations segment of first sentence. Added reference to ARM 10.55.701 which directs us to use the model evaluation instrument developed by OPI.

ADMINISTRATION 6410

Evaluation of Administrative Staff

Each administrator will be evaluated annually, in order to provide guidance and direction to the administrator in the performance of his/her assignment. Such evaluation will be based on job descriptions, accomplishment of annual goals and performance objectives, and established evaluative criteria.

The Superintendent shall establish procedures for the conduct of these evaluations. Near the beginning of the school year, the Superintendent shall inform the administrator of the criteria to be used for evaluation purposes, including the adopted goals for the District. Such criteria shall include performance statements dealing with leadership; administration and management; school financing; professional preparation; effort toward improvement; interest in students, staff, citizens, and programs; and staff evaluation.

Both the evaluator and the administrator involved in the evaluation will sign the written evaluation report and retain a copy for their records. A person being evaluated has the right to submit and attach a written statement to the evaluation within a reasonable time following the evaluation conference.

Cross Reference: 6140 Duties and Qualifications of Administrative Staff Other Than Superintendent

Legal Reference: 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: February 2007
Revised on:

Professional Growth and Development

The Board recognizes that training and study for administrators contribute to skill development necessary to better serve the District's needs. In December each year the Superintendent should develop and present to the Board at the regular December Board meeting an administrative in-service program based on the needs of the District, as well as the needs of individual administrators.

Administrative staff are encouraged to be members of and participate in professional associations which have as their purposes the upgrading of school administration and the continued improvement of education in general.

Legal Reference: § 20-1-304, MCA Pupil-instruction-related day

Policy History:
Adopted on: February 2007
Revised on: February 15, 2011

7000 Series

Financial Management

7000 Series
"FINANCIAL MANAGEMENT"
Table of Contents

Req.	Policy	Policy Description
	7000	Goals
	7008	Tuition
	7110	Budget and Program Planning
	7121	Budget Adjustments
	7210	Revenues
	7215	Obligations and Loans
	7220	Use of Federal Title I Funds
	7220P	Use of Federal Title Funds Methodology
	7251	Disposal and Sale of School District Property
	7260	Endowments, Gifts, and Investments
	7261	Metal Mines Tax Reserve Fund
	7261F	Metal Mines Tax Reserve Fund – A Resolution by the Board of Trustees of Jefferson High School District #1
	7262	Distribution of Excess Senior Class Funds
	7310	Budget Implementation and Execution
	7320	Purchasing
	7325	Accounting System Design
	7326	Documentation and Approval of Claims
	7330	Payroll Procedures/Schedules
	7330F	Payroll Procedures/Schedules
	7332	Advertising in Schools/Revenue Enhancement
	7335	Personal Reimbursements
	7336	Travel Allowances and Expenses

7400	Credit Card Use
7410	Fund Accounting System
7425	Extra- and Co-Curricular Funds
7430	Financial Reporting and Audits
7500	Property Records
7510	Capitalization Policy for Fixed Assets
7515	Fund Balances
7520	Independent Investment Accounts
7525	Lease-Purchase Agreement
7530	Procurement of Supplies or Services
7535FE	Transfers for School Safety
7540FE	Intent to Increase Non-Voted Levy
7540FEF1	Notice of Intent to Impose an Increase in Levies Form

Jefferson High School District #1

FINANCIAL MANAGEMENT 7000

Goals

Because educational programs are dependent on adequate funding and the proper management of those funds, District goals can best be attained through efficient fiscal management. As trustee of local, state, and federal funds allocated for use in public education, the Board shall fulfill its responsibility to see that funds are used to achieve the intended purposes.

Because of resource limitations, fiscal concerns often overshadow the educational program. Recognizing this, the District must take specific action to ensure that education remains primary. This concept shall be incorporated into Board operations and into all aspects of District management and operation.

The Board seeks to achieve the following goals in the District's fiscal management:

1. Engage in advance planning, with staff and community involvement, to develop budgets which will achieve the greatest educational returns in relation to dollars expended.

2. Establish levels of funding which shall provide superior education for District students.

3. Provide timely and appropriate information to staff who have fiscal responsibilities.

4. Establish efficient procedures in all areas of fiscal management.

Legal Reference: Title 20, Chapter 9, MCA Finance

Policy History:
Adopted on: February 2007
Revised on:

Tuition

Whenever a nonresident student is to be enrolled in the District, either by choice or by placement, an attendance agreement must be filed with the Board. Terms of the agreement must include tuition rate, the party responsible for paying tuition and the schedule of payment, transportation charges, if any, and the party responsible for paying transportation costs.

Tuition rates shall be determined annually, consistent with Montana law and approved by the Board at the regular July Board meeting.

Cross Reference:	3141	Discretionary Nonresident Student Attendance Policy
Legal Reference:	§ 20-5-314, MCA	Reciprocal attendance agreement with adjoining state or province
	§ 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	Calculating Tuition Rates

Policy History:
Adopted on: February 2007
Revised on: February 15, 2011

Jefferson High School District #1

FINANCIAL MANAGEMENT 7110

Budget and Program Planning

The annual budget is evidence of the Board's commitment to the objectives of the instruction programs. The budget supports immediate and long-range goals and established priorities within all areas – instructional, noninstructional, and administrative programs.

Before presentation of a proposed budget for adoption, the Superintendent and district clerk will prepare, for the Board's consideration, recommendations (with supporting documentation) designed to meet the needs of students, within the limits of anticipated revenues.

Program planning and budget development will provide for staff participation and the sharing of information with patrons before any action by the Board.

Policy History:
Adopted on: February 2007
Revised on:

FINANCIAL MANAGEMENT 7121

Budget Adjustments

When any budgeted fund line item is in excess of the amount required, the Board may transfer any of the excess appropriation to another line item(s) within the same fund.

The Board authorizes the administration to transfer line items within the same budgeted fund to adjust line item overdrafts or to meet special line item needs. Line item budget transfers to adjust line item overdrafts are at the discretion of the administrators.

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 will 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 for specified reasons by § 20-9-161, MCA. The resolution will state the facts of the budget amendment, the estimated amount of funds needed, and the time and place the Board will meet for the purpose of considering and adopting a budget amendment.

The meeting to adopt a budget amendment will be open and will provide opportunity for any taxpayer to appear and be heard. Budget procedures will be consistent with statutory requirements. When applicable, the District will apply for state financial aid to supplement the amount to be collected from local taxes.

Legal Reference:	§ 20-9-133, MCA	Adoption and expenditure limitations of final budget
	§ 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, MCA	Budget amendment limitation, preparation, and adoption procedures
	§ 20-9-166, MCA	State financial aid for budget amendments
	§ 20-9-208, MCA	Transfers among appropriation items of fund – transfers from fund to fund

Policy History:
Adopted on: February 2007
Revised on:

Jefferson High School District #1

FINANCIAL MANAGEMENT 7210

Revenues

The District will seek and utilize all available sources of revenue for financing its educational programs, including revenues from non-tax, local, state, and federal sources. The District will properly credit all revenues received to appropriate funds and accounts as specified by federal and state statutes and accounting and reporting regulations for Montana school districts.

The District will collect and deposit all direct receipts of revenues as necessary but at least once monthly. The District will make an effort to collect all revenues due from all sources, including but not limited to, rental fees, bus fees, fines, tuition fees, other fees and charges. Uncollectible checks may be turned over to the county attorney for collection.

Legal Reference:	Title 20, Chapter 9, MCA	Finance
	Title 10, Chapter 10, ARM	GASB, Codification of Governmental Accounting and Financial Reporting Standards

Policy History:
Adopted on: February 2007
Revised on:

Obligations and Loans

The District may, without a vote of the electors of the District, secure loans from or issue and sell to the board of investments or a bank, building and loan association, savings and loan association, or credit union that is a regulated lender under Montana law, obligations for the purpose of financing all or a portion of:

A. the costs of vehicles and equipment and construction of buildings used primarily for the storage and maintenance of vehicles and equipment;
B. the costs associated with renovating, rehabilitating, and remodeling facilities, including but not limited to roof repairs, heating, plumbing, electrical systems, and cost-saving measures as defined in Montana law;
C. the costs of nonpermanent modular classrooms necessary for student instruction when existing buildings of the district are determined to be inadequate by the trustees;
D. any other expenditure that the district is otherwise authorized to make including the payment of settlements of legal claims and judgments; and
E. the costs associated with the issuance and sale of the obligations.

Before seeking to secure a loan or issue and sell obligations to a regulated lender, the District shall first offer the board of investments a written notice of the board's right of first refusal. If the board of investments accepts the offer to issue a loan or purchase obligations, the board shall provide a written response to the trustees by the later of:

A. 120 days following delivery of the trustees' offer to the board; or
B. the day after the next meeting of the board of investments.

If the trustees have not received a written acceptance by the deadline the District may seek to secure a loan or issue and sell an obligation to a regulated lender as outlined in this policy and Montana law.

The District may access its major maintenance aid account for school facility projects, including the payment of principal and interest on obligations issued in accordance with this policy and Montana law for school facility projects,

Legal Reference: Section 20-9-471, MCA - Issuance of obligations
Section 20-9-525, MCA - School major maintenance aid account

Policy History:
Adopted on: May 2020
Revised on:

Revision Note:

Use of Federal Title I Funds

The School District will ensure that federal Title I funds are used only to supplement and not supplant state and local funds that would, in the absence of federal funds, be spent on Title I programs or services supported by federal funds.

Title I funds will not take the place of funds supporting education services that are to be provided to all students. The School District uses Title I funds only to supplement funds that would, in the absence of Title I funds, be made available from state and local non-federal sources for the education of children participating in Title I programs.

Cross Reference: 2160 – Title I Family Engagement

Legal Reference: Elementary and Secondary Education Act, Section 1118(b)(1)

Policy History:
Adopted on: May 2021
Revised on:

Revision Note:

Use of Federal Title I Funds Methodology

In accordance with the Every Student Succeeds Act (ESSA), Jefferson High School District has adopted this procedure to ensure that Title I-A federal funds are supplementing District resources and not supplanting District resources. The procedure documents that the School District's neutrally determined distribution of state and local funds to each school within the boundaries of the School District is in compliance with federal law.

Jefferson High School District is a district with a single school and is exempt from the methodology requirement.

Cross Reference: 7220 – Use of Title I Funds

Legal Reference: Elementary and Secondary Education Act, Section 118(b)(1)

Policy History:
Adopted on: June 2021
Revised on:

Revision Note:

Disposal and Sale of School District Property

Without a Vote

The Board is authorized to dispose of a site, building, or any other real or personal property of the District, that is or is about to become abandoned, obsolete, undesirable, or unsuitable for school purposes.

To effect proper disposal, the trustees shall pass a resolution stating their decision concerning property disposal. The resolution will not become effective until fourteen (14) days after the resolution is published in a newspaper of general circulation in the District.

Should any taxpayer properly protest the resolution during the fourteen (14) days after the date of publication, the trustees shall submit testimony to the court with jurisdiction.

Once the resolution is effective, or if appealed the decision has been upheld by the court, the trustees shall sell or dispose of the real or personal property in a reasonable manner determined to be in the best interests of the District. Proceeds from the sale of fixed assets can be deposited to the general, debt service, building, or any other appropriate fund.

With a Vote

Unless the property can be disposed of without a vote, the Board has the power to dispose of all District property only when the qualified electors of the District approve of such action at an election called for such approval in accordance with the provisions in Section 20-6-603, MCA.

The money realized from the sale or disposal of real or personal property of the district must be credited to the debt service fund, building fund, general fund, or other appropriate fund, at the discretion of the trustees.

Legal Reference:	§ 20-6-603, MCA	Trustees' authority to acquire or dispose of sites and buildings – when election required
	§ 20-6-604, MCA	Sale of property when resolution passed after hearing – appeal procedure

Policy History:
Adopted on: February 2007
Revised on:

Jefferson High School District #1

FINANCIAL MANAGEMENT 7260

Endowments, Gifts, and Investments

The Board may accept gifts, endowments, legacies, and devises subject to the lawful conditions imposed by the donor or without any conditions imposed. Unless otherwise specified by the donor, when a district receives a donation, the trustees may deposit the donation in any budgeted or non-budgeted fund at the discretion of the trustees and may thereafter transfer any portion of the donation to any other fund at the discretion of the trustees. If the trustees accept a donation and the donor specifies the donation for an endowment, the trustees shall deposit the donation in the endowment fund. Neither the Board nor the Superintendent will approve any gifts that are inappropriate.

If the District deposited donated funds in an endowment fund without specific instruction by the donor, the Board may move the donated funds and any accumulated interest to any other budgeted or non-budgeted fund of the District and may spend donated funds and any accumulated interest unless restricted by condition imposed by the donor.

The Board authorizes the Superintendent to establish procedures for determining the suitability or appropriateness of all gifts received and accepted by the District.

Once accepted, donated funds are public funds subject to state law. Benefactors may not adjust or add terms or conditions to donated funds after the donation has been accepted.

The Board directs that all school funds be invested in a prudent manner so as to achieve maximum economic benefit to the District. Funds not needed for current obligations may be invested in investment options as set out in Montana statutes, whenever it is deemed advantageous for the District to do so.

Educational Foundations may exist in the community, but are not managed, directed, or approved by the Board of Trustees.

Legal Reference:	§ 20-6-601, MCA	Power to accept gifts
	§ 20-7-803, MCA	Authority to accept gifts
	§ 20-9-212, MCA	Duties of county treasurer
	§ 20-9-213(4), MCA	Duties of trustees
	§ 20-9-604, MCA	Gifts, legacies, devises, and administration of endowment fund

Policy History:
Adopted on: February 2007
Revised on: March 2020

Revision Note: Updated for clarification

Metal Mines Tax Reserve Fund

Revenues received by the district statutorily derived from impact, proceeds or production from metal mining activities and deposited in the district's metal mines or hard rock fund account shall collectively comprise a non-budgeted special revenue metal mines tax reserve fund held by the district trustees for the benefit of the district according to the provisions of this policy.

1. Any amount in this fund may be expended for the specific purpose by affirmative majority vote of the Board of Trustees only after posting on a regular meeting agenda.
2. The Board will designate these funds as assigned for expenditure. The Board may expend any amount, up to 100% of the current balance at the time of appropriating. Authorized expenditures must be approved by the trustees for legitimate purposes consistent with supplementing or supplanting existing programs or obligations, developing new or revised curricula, pilot budget programs and projects, facilities maintenance or improvements, tax impact mitigation in budgeted funds, or other special or innovative uses that, in the opinion of the trustees enrich, enhance or improve the basic mission of the district or any other use authorized by law.
3. Any amount of annual investment earnings not appropriated for use as specified under #2 above will automatically be added to this fund.
4. Expenditure plans for this fund will be adopted by the Board as the Board sees a need for the funds.
5. Money held in the fund cannot be considered as fund balance for the purpose of reducing mill levies.

Policy History:
Adopted on: 4/10/2007
Reviewed on: April 2013
Revised on: May 2013

Revision Note: Increased amount expendable on line 11

A RESOLUTION BY THE BOARD OF TRUSTEES
OF JEFFERSON HIGH SCHOOL DISTRICT #1

7261F

The Board of Trustees of Jefferson High School Boulder, Montana, hereby resolves to authorize the expenditure of funds from Fund 224 Metal Mines in the amount of $_____to be expended during the period of _____to _____for the purpose of

_____

_____

_____.

The motion was duly made by trustee_____.

The motion was seconded by_____.

The motion passed _____for and ____against.

Passed and adopted on this _____day of _____, _____.

Signature _____Chairman of the Board of Trustees

Attest _____ District Clerk/Business Manage

Policy History:
Adopted on: February 2007
Revised on:

Revision Note:

Distribution of Excess Senior Class Funds

The Board authorizes the school administration to distribute any excess senior class funds and monies, whether in whole or in part, to the "Angel Fund", the following year's class fund, and/or the activity fund if the senior class to which it belongs did not designate where the funds should be distributed by the final day of the school year.

Legal Reference:

Policy History:
Adopted on: May 2020
Revised on:

Revision Note:

Jefferson High School District #1

FINANCIAL MANAGEMENT 7310

Budget Implementation and Execution

Once adopted by the Board, the operating budget shall be administered by the Superintendent's designees. All actions of the Superintendent/designees in executing programs and/or activities delineated in that budget are authorized according to these provisions:

1. Expenditure of funds for employment and assignment of staff shall meet legal requirements of the State of Montana and adopted Board policies.

2. Funds held for contingencies may not be expended without Board approval.

3. A listing of warrants describing goods and/or services for which payment has been made must be presented for Board ratification each month.

4. Purchases will be made according to the legal requirements of the State of Montana and adopted Board policy.

Legal Reference:	§ 20-3-332, MCA	Personal immunity and liability of trustees
	§ 20-9-213, MCA	Duties of trustees

Policy History:
Adopted on: February 2007
Revised on:

Purchasing

Authorization and Control

The Superintendent is authorized to direct expenditures and purchases within limits of the detailed annual budget for the school year. The Board must approve purchase of capital outlay items, when the aggregate total of a requisition exceeds $80,000, except the Superintendent shall have the authority to make capital outlay purchases without advance approval when necessary to protect the interests of the District or the health and safety of staff or students. The Superintendent will establish requisition and purchase order procedures to control and maintain proper accounting of expenditure of funds. Staff who obligate the District without proper authorization may be held personally responsible for payment of such obligations.

Bids and Contracts

Whenever the cost of any supplies, equipment, or work shall exceed Eighty Thousand Dollars ($80,000), the District will call for formal bids by issuing public notice as specified in statute. Specifications will be prepared and made available to all vendors interested in submitting a bid. The contract shall be awarded to the lowest responsible bidder, except that the trustees may reject any or all bids. The Board, in making a determination as to which vendor is the lowest responsible bidder, ~~the Board~~ will take into consideration not only the amount of each bid, but will also consider the skill, ability, and integrity of a vendor to do faithful, conscientious work and to promptly fulfill the contract according to its letter and spirit. Bidding requirements do not apply to a registered professional engineer, surveyor, real estate appraiser, or registered architect; a physician, dentist, pharmacist, or other medical, dental, or health care provider; an attorney; a consulting actuary; a private investigator licensed by any jurisdiction; a claims adjuster; or an accountant licensed under Title 37, Chapter 50.

Advertisement for bid must be made once each week for two (2) consecutive weeks, and a second (2^{nd}) publication must be made not less than five (5) nor more than twelve (12) days before consideration of bids.

The Superintendent will establish bidding and contract-awarding procedures. Bid procedures will be waived only as specified in statute. Any contract required to be let for bid shall contain language to the following effect:

> *In making a determination as to which vendor is the lowest responsible bidder, if any, the District will take into consideration not only the pecuniary ability of a vendor to perform the contract, but will also consider the skill, ability, and integrity of a vendor to do faithful, conscientious work and promptly fulfill the contract according to its letter and spirit. References must be provided and will be contacted. The District further reserves the right to contact others with whom*

a vendor has conducted business, in addition to those listed as references, in determining whether a vendor is the lowest responsible bidder. Additional information and/or inquiries into a vendor's skill, ability, and integrity are set forth in the bid specifications.

Cooperative Purchasing

The District may enter into cooperative purchasing contracts with one or more districts for procurement of supplies or services. A district participating in a cooperative purchasing group may purchase supplies and services through the group without complying with the provisions of 20-9-204(3), MCA if the cooperative purchasing group has a publicly available master list of items available with pricing included and provides an opportunity at least twice yearly for any vendor, including a Montana vendor, to compete, based on a lowest responsible bidder standard, for inclusion of the vendor's supplies and services on the cooperative purchasing group's master list.

Purchasing will be done locally when it is in the best interest of the school district.

Legal Reference:	§§ 18-1-101, et seq., MCA	Public Contracts
	§§ 18-1-201, et seq., MCA	Bid Security
	§ 20-9-204, MCA	Conflicts of interest, letting contracts, and calling for bids
	Debcon v. City of Glasgow, 305 Mont. 391 (2001)	

Policy History:
Adopted on: May 6, 2002
Revised on: February 2007, November 15, 2011, December 2018, June 2019

Note: Lines 9-14, Page 2, were added based on the 2011 Legislative session.
2018 revision to clean up contradictory statements and other language.
June 2019 revision changed contradictory dollar amounts to a singular updated amount.

FINANCIAL MANAGEMENT 7325

Accounting System Design

The District accounting system will be established to present, with full disclosure, the financial position and results of financial operations of District funds and account groups in conformity with generally accepted accounting principles. The accounting system must be in compliance with accounting system requirements established by legislative action. The accounting system shall be able to demonstrate compliance with finance-related legal and contractual provisions.

Policy History:
Adopted on: February 2007
Revised on:

Jefferson High School District #1

FINANCIAL MANAGEMENT 7326

Documentation and Approval of Claims

All financial obligations and disbursements must be documented in compliance with statutory provisions and audit guidelines. Documentation will specifically describe acquired goods and/or services, budget appropriations applicable to payment, and required approvals. All purchases, encumbrances and obligations, and disbursements must be approved by the administrator designated with authority, responsibility, and control over budget appropriations. The responsibility for approving these documents cannot be delegated.

The District business office is responsible for developing procedures and forms to be used in the requisition, purchase, and payment of claims.

Policy History:
Adopted on: February 2007
Revised on:

Payroll Procedures/Schedules

The District will establish one (1) or more days in each month as fixed paydays for payment of wages in accord with the current collective bargaining agreement or District practice. Employees may choose to have their salaries paid in full upon the last pay date following completion of their assignments or may annualize their pay. Employees who choose to receive payment of wages beyond the period in which the wages were earned (deferred payment) will be subject to Internal Revenue Service (IRS) penalties unless they provide a written election of such deferral prior to (the first duty day) (July 1) of the year of deferral. Forms for such deferral shall be made available. Any change to the election must be made prior to the first duty day of the fiscal year of the deferment.

When a District employee quits, is laid off, or is discharged, wages owed will be paid on the next regular pay day for the pay period in which the employee left employment or within fifteen (15) days, whichever occurs first.

Cross Reference: BP 5500 Payment of Wages upon Termination

Legal Reference: Section 409A, Internal Revenue Code, Deferred Compensation

Policy History:
Adopted on: April 15, 2008
Reviewed on:
Revised on:

Revision Note:

PAYROLL PROCEDURES / SCHEDULES

(Deferred Wage Payment Election Form)

By my signature I hereby acknowledge that I have read and understand the School District's policy on deferred wages. Furthermore, by my signature on this form I am electing to defer payment of my wages on an annualized basis consisting of _____ payments. I understand that any change from an annualized election of payment requires that I notify the District prior to the beginning of duty for the fiscal year in which the change is being given.

_____ _____
Signature Position

_____ _____
Printed name Date signed

Policy History:
Adopted on: April 15, 2008
Reviewed on:
Revised on:

Revision Note:

Advertising in Schools/Revenue Enhancement

Revenue enhancement through a variety of District-wide and District-approved marketing activities, including, but not limited to, advertising, corporate sponsorship, signage in or on District facilities, is a Board-approved venture. The Board may approve such opportunities subject to certain restrictions in keeping with the community standards of good taste. Advertising will model and promote positive values for District students through proactive educational messages and not be simply traditional advertising of a product. Preferred advertising includes messages encouraging student achievement and establishment of high standards of personal conduct.

All sponsorship contracts will allow the District to terminate the contract on at least an annual basis, if it is determined that it will have an adverse impact on implementation of curriculum or the educational experience of students.

The revenue derived should:

1. Enhance student achievement;
2. Assist in maintenance of existing District athletic and activity programs; and
3. Provide scholarships for students participating in athletic, academic, and activity programs, who demonstrate financial need and merit.

Appropriate opportunities for marketing activities include but are not limited to:

1. Fixed signage.
2. Banners.
3. District-level publications.
4. Television and radio broadcasts.
5. Athletic facilities, including stadiums, high school baseball fields, and high school gymnasiums.
6. District-level projects.
7. Expanded usage of facilities beyond traditional uses (i.e., concerts, rallies, etc.).
8. The interior and exterior of a limited number of District buses, if the advertising is associated with student art selected by the District. The only advertising information allowed will note sponsorship of the student art by the participant. Maintenance for these buses will include but not exceed normal maintenance costs.
9. Individual school publications (when not in conflict with current contracts).

Advertising will not be allowed in classrooms, other than corporate-sponsored curriculum materials approved subject to Board policy.

The following restrictions will be in place when seeking revenue enhancement. Revenue

enhancement activities will not:

1. Promote hostility, disorder, or violence;
1. Attack ethnic, racial, or religious groups;
2. Discriminate, demean, harass, or ridicule any person or group of persons on the basis of gender;
3. Be libelous;
4. Inhibit the functioning of the school and/or District;
5. Promote, favor, or oppose the candidacy of any candidate for election, adoption of any bond/budget issues, or any public question submitted at any general, county, municipal, or school election;
6. Be obscene or pornographic, as defined by prevailing community standards throughout the District;
7. Promote the use of drugs, alcohol, tobacco, firearms, or certain products that create community concerns;
8. Promote any religious or political organization;
9. Use any District or school logo without prior approval.

Cross Reference: 2120 Curriculum Development and Assessment
2309 Library Materials
2311 Instructional Materials

Policy History:
Adopted on: February 2007
Revised on: December 2018

Revision Note: Language change to clarify intent of policy

Personal Reimbursements

While it is recommended that all purchases of goods or services be made within established purchasing procedures, there may be an occasional need for an employee to make a purchase for the benefit of the District from personal funds. In that event, an employee will be reimbursed for a personal purchase under the following criteria:

1. It is clearly demonstrated that the purchase is of benefit to the District;

2. The purchase was made with the prior approval of an authorized administrator;

3. The item purchased was not available from District resources; and

4. The claim for personal reimbursement is properly accounted for and documented with an invoice or receipt.

The District business office is responsible for developing procedures and forms to be used in processing claims for personal reimbursements.

Policy History:
Adopted on: February 2007
Revised on:

FINANCIAL MANAGEMENT 7336

Travel Allowances and Expenses

The District will reimburse employees and trustees for travel expenses while traveling outside the District and engaged in official District business. District employees who are not exempted by another policy will be reimbursed according to the current State levels pursuant to Montana law. All travel expenses must be reported on the established travel expense and voucher forms and approved by the employee's supervisor and the Superintendent.

The District business office is responsible for development of procedures and forms to be used in connection with travel expense claims and reimbursements.

Legal Reference:	§ 2-18-501, MCA	Meals, lodging, and transportation of persons in state service
	§ 2-18-502, MCA	Computation of meal allowance
	§ 2-18-503, MCA	Mileage – allowance

Policy History:
Adopted on: February 2007
Revised on:

Jefferson High School District #1

FINANCIAL MANAGEMENT 7400

Credit Card Use

The Board permits the use of District credit cards by certain school officials and Board members to pay for actual and necessary expenses incurred in the performance of work-related duties for the District. A list of those individuals who will be issued a district credit card will be maintained in the business office and reported to the Board each year at its meeting in July. All credit cards will be pre-approved by the Board and will be in the name of the District.

The District shall establish a credit line not to exceed Fifteen Thousand Dollars ($15,000)for each card issued and an aggregate credit limit of One hundred fifty Thousand Dollars ($150,000) for all cards issued to the District.

Credit/procurement cards may only be used for legitimate District business expenditures. The use of credit/procurement cards is not intended to circumvent the District's policy on purchasing.

Users must take proper care of these credit/procurement cards and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft must be reported immediately to the business office and to the appropriate financial institution. Failure to take proper care of credit cards or to report damage, loss, or theft may subject the employee to financial liability.

Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature, or violate the intent of this policy may result in credit card revocation and discipline of the employee.

Users must submit detailed documentation, including itemized receipts for commodities, services, travel, and/or other actual and necessary expenses which have been incurred in connection with school-related business for which the credit/procurement card has been used.

The Superintendent shall establish regulations governing the issuance and use of credit/procurement cards. Each cardholder shall be apprised of the procedures governing the use of the credit/procurement card, and a copy of this policy and accompanying regulations shall be given to each cardholder.

The District Clerk shall monitor the use of each credit/procurement card every month and report any serious problems and/or discrepancies directly to the Superintendent and the Board.

Cross Reference:	7320	Purchasing
	7335	Personal Reimbursements
	7336	Travel Allowances and Expenses
Legal Reference:	§ 2-7-503, MCA	Financial reports and audits of local government entities

Policy History:
Adopted on: February 2007
Revised on: August 16, 2011; November 2014, February 2018

Fund Accounting System

The accounts of the District are organized on the basis of funds, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for by providing a separate set of self-balancing accounts. The accounts of the District are maintained on the modified accrual basis of accounting. The following funds are maintained by the District:

Fund 01	General Fund
Fund 10	Transportation Fund
Fund 13	Tuition Fund
Fund 50	Debt Service Fund
Fund 14	Retirement Fund
	Insurance Fund
Fund 12	School Food Service Fund
Fund 18	Traffic Education Fund
Fund 24	Metal Mines Fund
Fund 15	Miscellaneous Funds
	Internal Service Funds
Fund 21	Compensated Absences Liability Fund
Fund 27	Litigation Reserve Fund
Fund 81	Private Purpose Trust Fund (Non-Expendable principal)
Fund 82	Inter-local Agreement Fund
Fund 85	Private Purpose Trust Fund (Expendable principal)

Legal Reference: § 20-9-201, MCA Definitions and application

Policy History:
Adopted on: February 2007
Revised on: January 11, 2012 June 2013

Revision Note: January 2012 revision added Fund 85, Jun 2013 revision added Funds 21, 27, 81 & 82

Jefferson High School District #1

FINANCIAL MANAGEMENT 7425

Extra- and Co-Curricular Funds

The Board is responsible for establishment and management of student extra- and co-curricular funds. The purpose of student extra- and co-curricular funds is to account for revenues and disbursements of those funds raised by students through recognized student body organizations and activities. The funds shall be deposited and expended by check, in a bank account maintained by the District for student extra- and co-curricular funds. The use of the student extra- and co-curricular funds is limited to the benefit of the students. Students will be involved in the decision-making process related to use of the funds.

The Board shall follow the *Student Activity Funding Accounting* (published by the Montana Association of School Business Officials (MASBO)) in establishing accounting procedures for administration of student extra- and co-curricular funds and will appoint a fund administrator.

Specific procedures are available in the clerk's office.

Legal Reference:	§ 2-7-503, MCA	Financial reports and audits of local government entities
	§ 20-9-504, MCA	Extracurricular fund for pupil functions

Policy History:
Adopted on: February 2007
Revised on:

Jefferson High School District #1

FINANCIAL MANAGEMENT 7430

Financial Reporting and Audits

The Board directs that financial reports of all District funds be prepared in compliance with statutory provisions and generally accepted accounting and financial reporting standards. In addition to reports required for local, state, and federal agencies, financial reports will be prepared monthly and annually and presented to the Board. Financial reports shall reflect financial activity and status of District funds.

Appropriate interim financial statements and reports of financial position, operating results, and other pertinent information will be prepared to facilitate management and control of financial operations.

The Board directs that District audits be conducted in accordance with Montana law. Each audit shall be a comprehensive audit of the affairs of the District and District funds. The audits shall comply with all statutory provisions and generally accepted governmental auditing standards. Each audit may be made every two (2) years and cover the immediately preceding two (2) fiscal years, or it may be conducted annually.

Legal Reference:	§§ 2-7-501, et seq., MCA	Audits of Political Subdivisions
	§ 20-9-212, MCA	Duties of county treasurer
	§ 20-9-213, MCA	Duties of trustees

Policy History:
Adopted on: February 2007
Revised on:

Property Records

Property and inventory records will be maintained for all land, buildings, and physical property under District control and will be updated annually.

For purposes of this policy, "equipment" means 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 Superintendent will ensure inventories of equipment are systematically and accurately recorded and updated annually. Property records of facilities and other fixed assets will be maintained on an ongoing basis. No equipment will be removed for personal or non-school use except in accordance with Board policy.

Property records will 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 providing appropriate District and equipment identification.

Cross Reference: 7510 Capitalization Policy for Fixed Assets

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: February 2007
Revised on:

Jefferson High School District #1

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: February 2007
Revised on:

Fund Balances

I. PURPOSE

The fund balance policy establishes a framework for the management of all excess funds managed by the Jefferson High School District. The policy is in accordance with GASB Statement 54; management of fund balance. It also provides guidance and direction for elected and appointed officials as well as staff in the use of excess funds at year-end.

II. SCOPE

This fund balance policy applies to all funds in the custody of the School District Business Manager/Clerk of the Jefferson High School District, Boulder, Montana. These funds are accounted for in the District's annual audited financial reports and include, but are not limited to, the following:

- General Fund
- Special Revenue Funds
- Capital Project Funds
- Enterprise Funds
- Any new funds created by the District, unless specifically exempted by the governing body; in accordance with state law or GASB pronouncements.

III. CLASSIFICATION OF FUND BALANCES

The school district shall classify its fund balances in its various funds in one or more of the following five classifications: nonspendable, restricted, committed, assigned, and unassigned.

IV. DEFINITIONS

A. Fund balance---means the arithmetic difference between the assets and liabilities reported in a school district fund.

B. Committed fund balance—amounts constrained to specific purposes by the District itself, using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the District takes the same highest-level action to remove or change the constraint

C. *Assigned fund balance*—amounts a school district *intends* to use for a specific purpose; intent can be expressed by the District or by an official to which the Board of Trustees delegates the authority

D. *Nonspendable fund balance*—amounts that are not in a spendable form (such as inventory) or are required to be maintained intact (such as the corpus of an endowment fund)

E. *Restricted fund balance*—amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation

F. *Unassigned fund balance*—amounts that are available for any purpose; these amounts are reported only in the general fund.

V. MINIMUM FUND BALANCE

The school district will strive to maintain a minimum unassigned general fund balance of 10 percent of the annual budget.

VI. ORDER OF RESOURCE USE

If resources from more than one fund balance classification could be spent, the school district will strive to spend resources from fund balance classifications in the following order (first to last): restricted, committed, assigned, and unassigned.

VII. COMMITTING FUND BALANCE

A majority vote of the school board is required to commit a fund balance to a specific purpose and subsequently to remove or change any constraint so adopted by the board.

VIII. ASSIGNING FUND BALANCE

The school board, by majority vote, may assign fund balances to be used for specific purposes when appropriate. The board also delegates the power to assign fund balances to the following: Business Manager and Superintendent. Assignments so made shall be reported to the school board on a monthly basis, either separately or as part of ongoing reporting by the assigning party if other than the school board.

An appropriation of an existing fund balance to eliminate a projected budgetary deficit in the subsequent year's budget in an amount no greater than the projected excess of expected expenditures over expected revenues satisfies the criteria to be classified as an assignment of fund balance.

IX. REVIEW

The school board will conduct, at a minimum, an annual review of the sufficiency of the minimum unassigned general fund balance level.

Legal Reference: Statement No. 54 of the Governmental Accounting Standards Board

Policy History:

Adopted on: June 29, 2011

Revised on:

Revision Note:

Jefferson High School District #1

FINANCIAL MANAGEMENT 7520

Independent Investment Accounts

The Board may establish independent investment accounts separate and apart from those funds maintained by the county treasurer. The Board may transfer cash into an independent investment account from any budgeted or non-budgeted funds. A separate account shall be established for each fund from which transfers are made. The principal and any interest earned must be reallocated to the fund from which the deposit was originally made. Unless otherwise provided by law, all other revenue may be sent directly to a participating district's investment account.

The District may either:

1. Establish and use the account as a non-spending account, returning sufficient funds to the county treasurer in time to pay all claims against the applicable fund; or

2. Establish a subsidiary checking account and make expenditures from the investment account, provided all transactions are accounted for and reported, as required by applicable accounting principles. If the District desires to establish a subsidiary checking account for purposes of paying for expenditures directly from an investment account, the District must enter into a written agreement with the county treasurer, in accordance with § 20-9-235, MCA.

Legal Reference: § 20-9-235, MCA Authorization for school district investment account

Policy History:
Adopted on: February 2007
Revised on: March 2020

Lease-Purchase Agreement

The trustees of a district can lease property with an option to purchase.

Personal property -- the lease cannot be more than seven (7) years.

Real property -- the lease cannot be more than fifteen (15) years.

The terms of the lease must comply with 20-6-625, MCA. If real property is acquired, the trustees shall comply with 20-6-603, MCA.

The trustees of any district may lease buildings or land suitable for school purposes when it is within the best interests of the district to lease the buildings or land from the county, municipality, another district, or any person. The term of the lease may not be for more than fifteen (15) years unless prior approval of the qualified electors of the district is obtained in the manner prescribed by lase for school elections, in which case the lease may be for a term approved by the qualified electors, but not exceeding ninety-nine (99) years. Whenever the lease is for a period of time that is longer than the current school fiscal year, the lease requirements for the succeeding school fiscal years shall be an obligation of the final budgets for such years.

Cross Reference:	Policy 7251	Disposal of school district property without a vote.
Legal Reference:	§ 20-6-603, MCA	Trustees' authority to acquire or dispose of sites and buildings – when election required.
	§ 20-6-609, MCA	Trustees' authority to acquire property by lease-purchase agreement.
	§ 20-6-625, MCA	Authorization to lease buildings or land for school purposes.

Policy History:
Adopted on: January 2016
Reviewed on:
Revised on:

Revision Note:

Procurement of Supplies or Services

The Board adopts the following provisions of the Montana Procurement Act (i.e., § 18-4-101, et seq., MCA):

1. § 18-4-303, MCA – Competitive sealed bidding. With the exception of construction contracts, allows the District to negotiate an adjustment of the bid price with the lowest responsible bidder in order to bring the bid within the amount of available funds, if, and only if, all bids exceed available funds and the lowest responsible bid does not exceed available funds by more than five percent (5%).

2. § 18-4-306, MCA – Sole source procurement. A contract may be awarded for a supply or service item without competition when, the District determines in writing that:
   (a) there is only one source for the supply or service item;
   (b) only one source is acceptable or suitable for the supply or service item; or
   (c) the supply or service item must be compatible with current supplies or services.

3. § 18-4-307, MCA - Cancellation of invitations for bids or requests for proposals. An invitation for bids, a request for proposals, or other solicitation may be cancelled or any or all bids or proposals may be rejected in whole or in part, as may be specified in the solicitation, when it is in the best interests of the state. The reasons therefor must be made part of the contract file.

Legal Reference:	§ 18-4-121, et seq., MCA	Montana Procurement Act
	§ 18-4-303, MCA	Competitive Sealed Bidding
	§ 18-4-306, MCA	Sole Source Procurement--records
	§ 18-4-307, MCA	Cancellation of invitations for bids or requests for proposals
	2.5.604, ARM	Sole Source Procurement

Policy History:
Adopted on: May 21, 2002
Revised on: February 2007, December 2018

Note: The revision included the addition of lines 15-18 for additional clarification. 2018 revision adds cancellation of bid.

Transfers for School Safety

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 transfers of funds to improve school safety and security.

The District may transfer state or local revenue from any budgeted or non-budgeted fund, other than the debt service fund or retirement fund, to its building reserve fund in an amount not to exceed the school district's estimated costs of improvements to school and student safety and security

The transfer of such funds can be for:

1. planning for improvements to and maintenance of school and student safety, including but not limited to the cost of services provided by architects, engineers, school resource officers, counselors, and other staff or consultants assisting with improvements to school and student safety and security;
2. programs to support school and student safety and security, including but not limited to active shooter training, threat assessments, and restorative justice;
3. installing or updating locking mechanisms and ingress and egress systems at public school access points, including but not limited to systems for exterior egress doors and interior passageways and rooms, using contemporary technologies;
4. installing or updating bullet-resistant windows and barriers; and
5. installing or updating emergency response systems using contemporary technologies.

Any transfers made under this policy and Montana law are not considered expenditures to be applied against budget authority. Any revenue transfers that are not encumbered for expenditures in compliance with the four reasons stated above, within 2 full school fiscal years after the funds are transferred, must be transferred back to the originating fund from which the revenue was transferred.

If transfers of funds are made from a District fund supported by a non-voted levy, the District may not increase its non-voted levy for the purpose of restoring the transferred funds.

Legal Reference:	20-9-503, MCA	Budgeting, tax levy, and use of building reserve fund.
	20-9-236, MCA	Transfer of funds – improvements to school safety and security

Policy History:
Adopted on: March 2018

Revised on: March 2020

Revision Note:

Intent to Increase Non-Voted Levy

The trustees shall adopt a resolution no later than March 31 whenever the trustees intend to impose an increase in a non-voted levy in the ensuing school fiscal year for the purposes of funding any of the funds listed below:

a) Tuition fund under 20-5-324;
b) Adult education fund under 20-7/705;
c) Building reserve fund under 20-9-502 and 20-9-503;
d) Transportation fund under 20-10-143 and 20-10-144; and
e) Bus depreciation reserve fund under 20-10-147.

The trustees shall provide notice of intent to impose an increase in a non-voted levy for the ensuing school fiscal year by:

a) Adopting a resolution of intent to impose an increase in a non-voted levy that includes, at a minimum, the estimated number of increased or decreased mills to be imposed and the estimated increased or decreased revenue to be raised compared to non-voted levies under a-e imposed in the current school fiscal year and, based on the district's taxable valuation most recently certified by the department of revenue under 15-10-202, the estimated impacts of the increase or decrease on a home valued at $100,000 and a home valued at $200,000, and
b) Publish a copy of the resolution in a newspaper that will give notice to the largest number of people of the district as determined by the trustees and posting a copy of the resolution to the school district's website.

The resolution and publication of same must take place via form 7545F no later than March 31.

The Superintendent shall keep the trustees informed of any changes that may have occurred, which may have an effect on the estimated change in the mills and revenue, between the adoption of the resolution and the final adoption of the budget.

Legal Reference: SB 307, 2017 Legislative Session

Policy History:
Adopted on: March 2018
Revised on:

Revision Note:

Notice of Intent to Impose an Increase in Levies Form

As an essential part of its budgeting process, the Jefferson High School Board of Trustees is authorized by law to impose levies to support its budget. The Jefferson High School Board of Trustees estimates the following increases/decreases in revenues and mills for the funds noted below for the next school fiscal year beginning July 1, _____, using certified taxable valuations from the current school fiscal year as provided to the district:

Fund Supported	Estimated Change in Revenues*	Estimated Change in Mills*	Estimated Impact, Home of $100,000*	Estimated Impact, Home of $200,000*
Adult Education	$___increase/decrease	$___increase/decrease	$___increase/decrease	$___increase/decrease
Bus Depreciation	$___increase/decrease	$___increase/decrease	$___increase/decrease	$___increase/decrease
Transportation	$___increase/decrease	$___increase/decrease	$___increase/decrease	$___increase/decrease
Tuition	$___increase/decrease	$___increase/decrease	$___increase/decrease	$___increase/decrease
Building Reserve	$___increase/decrease	$___increase/decrease	$___increase/decrease	$___increase/decrease
Total	$___increase/decrease	$___increase/decrease	$___increase/decrease	$___increase/decrease

***Impacts above are based on** current certified taxable valuations from the current school fiscal year

Regarding the increase in the building reserve levy referenced above, the following are school facility maintenance projects anticipated to be completed at this time:

1. _____
2. _____
3. _____
4. _____

Legal Reference: SB 307, 2017 Legislative Session

Policy History:
Adopted on: March 2018
Revised on:

Revision Note:

8000 Series

Non-Instructional Operations

8000 Series
"NON-INSTRUCTIONAL OPERATIONS"
Table of Contents

Req.	Policy	Policy Description
	8000	Goals
	8100	Transportation
	8102	Contracting for Transportation Services
	8110	Bus Routes and Schedules
	8111	Transportation of Students With Disabilities
	8121	District-Owned Vehicles
	8123	Driver Training and Responsibility
	8124	Student Conduct on Buses
	8125	School Bus Emergencies
	8129	Chemical Safety
	8130	Air Quality Restrictions
	8132	Activity Trips
R	8200	Food Services
	8225	Tobacco Free Policy
	8300	Risk Management
	8301	District Safety
	8302	Noxious Plant and Animal Control
	8303	Cleaning and Disinfecting
	8320	Property Damage
	8400	Sale of Real Property
	8410	Operation and Maintenance of Facilities
	8411	Water Supply Systems
	8420	District-Wide Asbestos Program

8425	Service Animals
8425P	Service Animal Allowance Procedure
8426	Therapy Animals
8426F	Request to Use Therapy Animal in School
8430	Records Management
8440	Computer Software
8450	Automated External Defibrillators (AED)
8502	School Construction and Repairs
8550	Cyber Incident Response

Jefferson High School District #1

NONINSTRUCTIONAL OPERATIONS 8000

Goals

In order for students to obtain the maximum benefits from their educational program, a complex set of support services must be provided by the District. These services are essential to the success of the District, and the staff that provides them is an integral part of the educational enterprise. Because resources are always scarce, all assets of District operations, including noninstructional support services, shall be carefully managed in order to obtain maximum efficiency and economy. To that end, the goal of the District is to seek new ways of supporting the instructional program that shall maximize the resources directly available for students' learning programs.

Policy History:

Adopted on: February 2007

Revised on:

Transportation

The District may provide transportation to and from school for a student who:

1. Resides three (3) or more miles, over the shortest practical route, from the nearest operating public elementary or public high 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 District may provide transportation by school bus or other vehicle or through individual transportation such as paying the parent or guardian for individually transporting the student. The Board may pay board and room reimbursements, provide supervised correspondence study, or provide supervised home study. The Board may authorize children attending an approved private school to ride a school bus, provided that space is available and a fee to cover the per-seat cost for such transportation is collected. The District may transport and charge for an ineligible public school student, provided the parent or guardian pays a proportionate share of transportation services. Fees collected for 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.

Homeless students shall be transported in accordance with the McKinney Homeless Assistance Act and state law.

In-Town Busing

In-town busing is defined as the busing of students within three (3) miles of their school. In-town busing is a privilege the District can discontinue at any time. The Superintendent will establish guidelines under which a student may request in-town busing.

Children in Foster Care

The Superintendent will appoint a Point of Contact (POC) to coordinate activities relating to the District's provisions of services to children placed in foster care, including transportation services. The Superintendent, or designee, will inform the Department of Health and Human Services who is the POC for the District. The District will collaborate with the Department of Health and Human Services when transportation is required to maintain children placed in foster care in a school of origin outside their usual attendance area or District when in the best interest of the student. Under the supervision of the Superintendent/designee, the POC will invite appropriate District officials, the Department of Health and Human Services POC, and officials

from other districts to consider how such transportation is to be arranged and funded in a cost-effective manner.

If there are additional costs to be incurred in providing transportation to maintain a student in the school of origin, the District will provide transportation to such school if:
The Department agrees to reimburse the District for the cost of such transportation or;
The District agrees to pay for the cost of such transportation; or
The District and the Department agree to share the cost of such transportation.

Definitions

"Foster Care" means 24-hour care for children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the Department has placement care and responsibility.

"School of origin" means the school in which a child is enrolled at the time of placement in foster care.

While "Best Interest" is not defined in ESSA, that determination shall take into account all relevant factors, including consideration of the appropriateness of the current educational setting, and the proximity to the school in which the child is enrolled at the time for foster care placement.

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
	10.64.101-700, et seq., ARM	Transportation

Policy History:
Adopted on: February 2007
Revised on: August 2018

NONINSTRUCTIONAL OPERATIONS 8102

Contracting for Transportation Services

If the Board enters into a contract for transportation services, the contractor shall operate such equipment in accordance with District policy and the rules and regulations of the Board of Public Education. The contract shall be in effect for not more than five (5) years. Before entering into the first such contract, the District shall determine that the cost of contracting for the ensuing term will not exceed projected costs of operating its own system. Before any transportation contract is awarded to a private party or contractor, the trustees shall:

1. Secure bids by advertising for a twenty-one-(21)-day period (three (3) consecutive weeks); or

2. Negotiate a new contract with the current contractor, provided the new contract does not exceed by more than twelve percent (12%) per year the basic costs of the previous contract.

No money shall be expended unless a contract with a private carrier has been executed. The Board Chairperson will sign such contracts on behalf of the District.

The District reserves the right to own, operate, and to choose with respect to any other form of transportation, whether it be regular school, co-curricular, extracurricular, or District business programs, the means of transportation which best fits District needs at that particular time, as determined by the Board.

Legal Reference:	§ 20-10-102, MCA	School bus requirements
	§ 20-10-107, MCA	Power of trustees
	§ 20-10-125, MCA	Bid letting for contract bus – payments under transportation contract
	10.7.108, ARM	Bus Contracts

Policy History:
Adopted on: February 2007
Revised on:

Bus Routes and Schedules

The Superintendent's designee is responsible for scheduling bus transportation, including determination of routes and bus stops. Such routes are subject to approval of the county transportation committee. The purpose of bus scheduling and routing is to achieve maximum service with a minimum fleet of buses consistent with providing safe and reasonably 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 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 students in the District's own transportation service area. A district may not transport students from outside its transportation service area.

3. School bus drivers are encouraged to make recommendations in regard to establishing or changing routes.

5. Parents should be referred to the Superintendent for any request of change in routes, stops, or schedules.

The Board reserves the right to change, alter, add, or delete any route at any time 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 principal of each building is responsible for the conduct of students waiting in loading zones.

Delay in Schedule

The driver is to notify the administration of a delay in schedule. The administration will notify parents on routes and radio stations, if necessary.

Responsibilities - Students

Students 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. Students 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 toward making each bus trip a safe and pleasant experience are requested and appreciated. The following suggestions 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 the school bus.

Safety

The Superintendent will develop written rules establishing procedures for bus safety and emergency exit drills and for student conduct while riding 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 Superintendent. 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.

Inclement Weather

The Board recognizes the unpredictability and resulting dangers associated with weather in Montana. In the interest of safety and operational efficiency, the Superintendent is empowered to make decisions as to emergency operation of buses, cancellation of bus routes, and closing of school, in accordance with his or her best judgment. The Board may develop guidelines in cooperation with the Superintendent to assist the Superintendent 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: February 2007
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 that 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 Evaluation Team that 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 District students. Utilizing the District's regular transportation service shall be viewed as a "least restrictive environment."

Mode of Transportation

One of the contracted buses will be the preferred mode of transportation. Exceptions may be made in situations where buses are prohibited from entering certain subdivisions due to inadequate turning space, or when distance from school may seriously impact bus scheduling. In such situations other arrangements, such as an individual transportation contract, may be arranged with parents. Such voluntary agreement will stipulate in writing the terms of reimbursement.

Cross Reference: 3300 Suspension and Expulsion

Legal Reference: 10.16.3820, ARM Transportation for Special Education Students with Disabilities

Policy History:
Adopted on: February 2007
Revised on:

District-Owned Vehicles

The District owns and maintains certain vehicles. Included among them is a pickup and two driver education cars. 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 while operating a District vehicle shall personally pay all fines levied. All citations received while the driver is a District employee, whether operating a District vehicle or not, must be reported and may result in disciplinary action up to and including termination.

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 Superintendent, along with the bus contractor, will establish a specific list of tasks bus drivers will perform on a daily basis. All other District vehicles shall be maintained following established programs developed by the Superintendent.

Policy History:
Adopted on: February 2007
Revised on:

Driver Training and Responsibility

Bus drivers shall observe all state statutes and administrative rules governing traffic safety and school bus operation. At the beginning of each school year, the District will provide the contractor with a copy of the District's written rules for bus drivers and for student conduct on buses. It is the contractor's responsibility to make sure each driver receives a list of the written rules.

Each bus driver will meet the qualifications established by the Superintendent of Public Instruction, including possession of a valid Montana commercial driver's license (with a school bus "S" and passenger "P" endorsements),), receive ten (10) hours of in-service annually, and Department of Transportation-approved physician's certification that he or she is medically qualified for employment as a bus driver. The bus driver shall secure a valid standard first aid certificate from an authorized instructor, within two (2) months after being employed, and maintain a valid first aid certificate throughout employment as a bus driver. The bus driver must have five (5) years driving experience.

A school bus driver is prohibited from operating a school bus while using a cellular phone, including hands free cellular phone devices, except:

(1) During an emergency situation;
(2) To call for assistance if there is a mechanical breakdown or other mechanical problem;
(3) When the school bus is parked.

A teacher, coach, or other certified staff member assigned to accompany students on a bus will have primary responsibility for behavior of students in his or her charge. The bus driver has final authority and responsibility for the bus. The Superintendent will establish written procedures for bus drivers.

Maximum Driving Time

The district recognizes from a risk management and student safety standard the importance of driver safety while transporting students. Therefore, the district will meet the federal standard on maximum driving time for drivers.

Legal Reference:	§ 20-10-103, MCA	School bus driver qualifications
	10.7.111, ARM	Qualification of Bus Drivers
	10.64.201, ARM	Drivers
	§ 50-46-205, MCA	Limitations of Medical Marijuana Act 42
	National Highway Traffic Safety Administration	
	CFR 49, Part 395	Transportation- Hours of Service for Drivers

Policy History:
Adopted on: February 2007
Revised on: April 20, 2010, December 2018

Revision Note: 2018 revision adds Maximum Driving Time

Student Conduct on Buses

The general student code of conduct is applicable to conduct on school buses.

The Superintendent will establish written rules of conduct for students riding school buses. Such rules will be reviewed annually by the Superintendent and revised if necessary. If rules are substantially revised, they will be submitted to the Board for approval.

At the beginning of each school year, a copy of the rules of conduct for students riding buses will be provided to students. A copy of the rules will be posted in each bus and will be available upon request at the District office and in the principal's office.

The bus driver is responsible for enforcing the rules and will work closely with a parent and building principal to modify a student's behavior. Rules shall include consistent consequences for student misbehavior. A recommendation for permanent termination of bus privileges, accompanied by a written record of the incident(s) that led to the recommendation, shall be referred to the principal for final determination. The student's parent or guardian may appeal a termination to the Superintendent and then the Board. No further appeal shall be allowed.

Cross Reference:	3310	Student Discipline
	8111	Transportation of Students With Disabilities
Legal Reference:	§ 20-4-302, MCA	Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
	§ 20-5-201, MCA	Duties and sanctions

Policy History:
Adopted on: February 2007
Revised on: December 2018

School Bus Emergencies

In the event of an accident or other emergency, the bus driver shall follow the emergency procedures developed by the Superintendent. A copy of the emergency procedures will be located in every bus. To ensure the success of such emergency procedures, every bus driver will conduct an emergency evacuation drill within the first nine (9) weeks of each school year. The District will conduct such other drills and procedures as may be necessary.

Policy History:
Adopted on: February 2007
Revised on:

Chemical Safety

The District shall establish and maintain a Chemical Hygiene Plan in all areas that store hazardous chemicals including, but not limited to, science labs and industrial arts classrooms or buildings. Chemical Hygiene Plans shall include plans for appropriate selection, storage, inventory, use, and disposal of hazardous chemicals and biological materials.

The District has designated the facilities manager as the Chemical Hygiene Officer in accordance with the requirements of the Occupational Safety and Health Administration. The Officer has primary responsibility for ensuring the implementation of all components of the Chemical Hygiene Plan.

Safety Data Sheets for all materials in science labs, industrial arts classrooms or buildings, and art labs, and lab storage rooms shall be stores in those rooms and be accessible at all times. The Safety Data Sheets shall also be kept in a secure, remote site outside of the science labs, industrial arts classrooms or buildings, art labs, and lab storage rooms.

All District staff shall ensure storage areas are kept clean and organized. Unused hazardous materials shall be disposed in a timely manner as stated by the manufacturer and approved by DEQ. Schools shall consult with the DEQ and the DPHHS for additional information about how they can properly discard hazardous material.

Legal Reference:	37.111.812, ARM	Safety Requirements
	Section 50-78-101, MCA, et seq	Montana Employee and Community Hazardous Chemical Information Act

Policy History:
Adopted on: July 2021
Revised on:

Revision Note:

Air Quality Restrictions on Outdoor Activities, Practice, and Competition

Each school district is responsible for ensuring the safety of its students and student athletes when participating in physical education, recess, practices or athletic contests.

The Jefferson High School District Board of Trustees and Administration will use the Recommendations for Outdoor Activities Based on Air Quality for Schools guidelines, developed by the Montana Department of Environmental Quality (DEQ) and the DEQ's Air Data Map, as the determining factor when making a decision to allow or not allow students to participate in outdoor activities and contests.

The Jefferson High School District Board of Trustees and Administration have developed the following protocol for determination of allowing students and student athletes to participate in outdoor activities when Air Quality Restrictions have reached the Unhealthy for Sensitive Groups or higher categories as indicated on the DEQ guidelines.

1. The Jefferson School District will use the geographical spot on the todaysair.mt.gov website to determine the air quality for our school district.
2. The following personnel will make the decision to hold or cancel outdoor activities, practices, or contests:
    a. High School practices (all levels) JHS Administration
    b. High School contests (all levels) JHS Administration
    c. All outdoor activities, (all levels) JHS Administration

3. The decision to hold or cancel outdoor activities will be made two hours in advance of the activity.
4. The notice to hold or cancel an outdoor activity will be communicated to:
    a. Students through all electronic means
    b. Staff through all electronic means
    c. Coaches through all electronic means
    d. Parents through all electronic means
    e. Community all electronic means

The superintendent or an employee designated by the superintendent is authorized to establish a procedure to limit the infiltration of outside air into each school during poor air quality conditions.

Legal References:	10.55.701(q), ARM	Board of Trustees
	37.111.827, ARM	Outdoor Air Quality
Other References:	www. todaysair.mt.gov	
	http://svc.mt.gov/deq/todaysair/smokereport/mostRecentUpdate.aspx	

Policy History:
Adopted on: November 2018
Revised on: July 2021

Revision Note:

Activity Trips

Buses will be operated by a qualified bus driver on all activity runs, and only authorized activity participants, professional staff, and chaperones assigned by the administration may ride the bus.

A duplicate copy of the passenger list will be made for all activity trips. One (1) copy will remain with the professional staff member in charge on the bus, and one (1) copy will be given to the Activities Director before the bus departs.

Policy History:
Adopted on: February 2007
Revised on:

NONINSTRUCTIONAL OPERATIONS 8200

Food Services

The District supports the philosophy of the National School Lunch Program and will provide wholesome, appetizing, and nutritious meals for children in District schools. The Board may authorize a portion of federal funds received in lieu of taxes to be used to provide free meals for federally connected indigent pupils.

Because of the potential liability of the District, the food services program will not accept donations of food without approval of the Board. Should the Board approve a food donation, the Superintendent will establish inspection and handling procedures for the food and determine that provisions of all state and local laws have been met before selling the food as part of school meals.

As an integral part of a school, the District's food service is operated in compliance with ARM Title 37, chapter 110, subchapter 2, rules for food service establishments.

Commodities

The District will use food commodities made available under the Federal Food Commodity Program for school meals.

Free and Reduced-Price Food Services

The District will provide free and reduced-price meals to students, according to the terms of the National School Lunch Program and the laws, rules, and regulations of the state. The District will inform parents of the eligibility standards for free or reduced-price meals. Identity of students receiving free or reduced-price meals will be confidential, in accordance with National School Lunch Program guidelines. A parent has the right to appeal to a designated hearing official any decision with respect to his or her application for free or reduced-price food services.

The Board may establish programs whereby meals may be provided in the District in accordance with National School Lunch Program guidelines.

The amount charged for such meals shall be sufficient to cover all costs of the meals, including preparation labor and food, handling, utility, and equipment depreciation costs. Meal fees will be established annually at the June board meeting.

Legal Reference:	§ 20-10-204, MCA	Duties of trustees
	§ 20-10-205, MCA	Allocation of federal funds to school food services fund for federally connected, indigent pupils
	§ 20-10-207, MCA	School food services fund
	37.111.842, ARM	Food Service Requirements

Policy History:
Adopted on: February 2007
Revised on: July 2021

Tobacco Free Policy

The District maintains tobacco-free buildings and grounds. Tobacco includes but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, vapor product, alternative nicotine product, nicotine, electronic cigarettes (containing nicotine or not) and any other tobacco or nicotine delivery 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, that is 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.

Violation of the policy by students and staff will be subject to actions outlined in District discipline policies.

Use of FDA-approved cessation devices may be permitted at school buildings and on school grounds with the approval of the building administrator.

Legal Reference:	§ 20-1-220, MCA	Use of tobacco product in public school building or property prohibited
	§§ 50-40-101, et seq., MCA	Montana Clean Indoor Air Act of 1979
	ARM 37.111.825	Health Supervision and Maintenance

Policy History:
Adopted on: February 2007
Revised on: May 2012, March 2020

Note: Revision adds nicotine (line 4), exception to Native American cultural activities (line 10), and lines 21-22. May 2012 revision added electronic cigarettes on line 4. March 2020 revision added vapor products and alternative nicotine products on line 4 and lines 26-27.

Risk Management

The Board believes the District must identify and measure risks of loss which may result from damage to or destruction of District property or claims against the District by persons claiming to have been harmed by action or inaction of the District, its officers or staff. The District will implement a risk management program to reduce or eliminate risks where possible and to determine which risks the District can afford to assume. Such program will consider the benefits, if any, of joining with other units of local government for joint purchasing of insurance, joint self-insuring, or joint employment of a risk manager. The Board will assign primary responsibility for administration and supervision of the risk management program to a single person and will review the status of the risk management program each year at the regular April Board meeting.

The District will purchase surety bonds for the Superintendent, 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.

Legal Reference:	§ 20-6-608, MCA	Authority and duty of trustees to insure district property
	§ 20-3-331, MCA	Purchase of insurance – self-insurance plan
	§§ 2-9-101, et seq., MCA	Liability Exposure
	§ 2-9-211, MCA	Political subdivision insurance
	§ 2-9-501, MCA	General Provisions Related to Official Bonds

Policy History:

Adopted on: February 2007

Revised on: February 15, 2011

District Safety

For purpose 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 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 exists within the boundaries of its school district: Fire, Earthquake, Avalanche, High Winds, Tornadoes, Intruders, Firearms, Flooding, etc.

The Superintendent **or** building principal shall design and incorporate drills in its school safety or emergency operations plan to address the above stated hazards. The trustees will 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 place next to the exit door. The 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 at its regular June meeting 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. The Superintendent shall ensure District employees are provided equipment, tools, and devices designed to ensure a safe and healthy workplace in accordance with this policy. Failure to use the provided equipment in a suitable or timely manner may be considered a violation of District policy. If a staff member requires equipment that is not available, an employee may submit a request to the administration in accordance with established District practice.

To ensure a safe school setting and to comply with regulations governing schools in Montana, the following safety measures shall be implemented in the District:

(a) Janitorial and other storage areas that contain toxic or hazardous materials must be kept locked between periods of use. Custodial closets, boiler rooms, and other areas where hazardous or poisonous compounds are stored must be inaccessible to

students.

(b) All cleaning compounds and other toxic chemicals not stored in the product container or package in which it was obtained must be stored in a labeled container that clearly identifies the product by name.

(c) Chemicals must be stored as specified by the chemical's Safety Data Sheet.

(d) The school and school site must be free of objects or conditions which create unreasonable or unnecessary dangers to health or safety.

(e) First aid kits and AEDs must be provided and stored in accessible locations that are easily identifiable to staff and trained personnel.

(f) Playground and school yards must be inspected every month by the facility manager or other school personnel, and the inspection must be recorded and records kept on the school site. Inspections must be conducted using a playground safety checklist approved by the DPHHS.

(g) Playground inspection results must be made available for review by the local health authority or the DPHHS upon request.

(h) Periodic maintenance and repair must be performed on playground equipment according to the manufacturer's specifications. Repairs, not including the leveling of fall protection material, must be documented.

(i) Playground equipment must be maintained in a safe condition.

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
	§§ 50-71-311, MCA	Montana Safety Act
	37.111.812, ARM	Safety Requirements

Policy History:
Adopted on: February 2007
Revised on: July 2013, January 2016, July 2021

January 2016 *Revision Note: adds "emergency operations" language, added Board review in June.*

Timeline Index entry: June to review plan

Noxious Plant and Animal Control

Each school and school site shall be maintained free of harborage for insects, rodents, and other pests. Extermination methods and other measures to control pests shall conform with the requirements of the DPHHS or the local health authority.

All areas shall be maintained free of accumulation of debris or standing water which may provide harborage for pests.

Storage areas shall be maintained so as to prevent pest harborage. Lumber, pipe, and other building materials shall be stored neatly.

The growth of brush, weeds, and grass shall be controlled to prevent harborage of pests. School grounds shall be maintained to prevent the growth of noxious weeds considered detrimental to health.

Integrated Pest Management Plan

The District has developed and implemented an Integrated Pest Management (IPM) program. Students, parents, and staff shall be notified when chemicals for IPM are going to be used. The school IPM shall include strategies to prevent the spread of pests.

The facility manager, superintendent, or other staff approved by the superintendent shall, whenever practical, ensure the use of nonchemical methods to control pests, including proper sanitation practices, structural repair, and window screens.

Pesticide Application Notification

Except as otherwise provided in this policy, the District shall notify parents or guardians of students of the application of a pesticide to an area of the school that is used by or is accessible to students at least 24 hours before the application. The notification shall state the following:

(a) A description of the area where the pesticide will be applied;
(b) The date and approximate time of application;
(c) The common or brand name of each pesticide to be used;
(d) The targeted pests to be controlled by the pesticide;
(e) Each active ingredient in the pesticide;
(f) The EPA registration number;
(g) The telephone contact number, if any, on the label of the pesticide for additional information about each pesticide; and
(h) A contact name and telephone number at the school.
(i) If the application will be outdoors, the notification shall also include three dates in chronological order in case the preceding date is canceled due to weather.

During the school year, the notification required by this policy shall be made by individual notice delivered by phone, face-to-face oral communication, electronic mail, postal mail, or facsimile. The Board of Trustees authorizes the superintendent or other staff approved by the superintendent to develop a registration system to provide this notification only to those parents who wish to receive the notification. The registration shall provide written notice to the parents or guardians of the student at the beginning of the school year, or upon a child's enrollment, that pesticides may be used in or around the school. The administrator shall develop methods to permit each parent or guardian how to register to be notified at least 24 hours before a pesticide treatment.

If pesticides are used outside the school year and the school is open or to be accessible by the public, the notification required shall be prominently posted in a conspicuous location on the school premises at least 24 hours before the pesticide application is scheduled to occur.

Immediately before starting the application of a pesticide, the certified applicator shall post in the area of the school where the pesticide is to be applied a sign 8.5x11-inch in size or greater. Fonts shall be no smaller than 26 point (one-fourth inch). The administrator shall ensure the sign remains posted and students are kept out of the treated area until the reentry interval on the label, if any, has expired, or, if the label does not specify a reentry interval, for at least 24 hours.

Emergency Pesticide Application

The superintendent or other staff approved by the superintendent may authorize an immediate pesticide treatment without prior notification if the superintendent determines an emergency exists. An emergency includes an immediate and unanticipated threat to the health and safety of the individuals at the school If a school administrator authorizes an emergency pesticide application, all the information that is required in a notice under this policy shall be included in the record maintained as required by this policy.

Exceptions to the Notice Requirements

The following pesticide applications are not subject to the notification or posting requirements of this rule:

(a) Applications of antimicrobial pesticides;
(b) An application where the school remains unoccupied for a continuous 72-hour period following the application of the pesticide;
(c) Applications of rodenticides in tamper-resistant bait stations or in areas inaccessible to students; and
(d) Applications of silica gels and other ready-to-use pastes, foams, or gels that will be used in areas inaccessible to students.

Record Keeping

The superintendent or other staff approved by the superintendent shall keep records of pesticide applications subject to the notification and posting requirements of this rule. Records shall include:

(a) A copy of each notice issues;
(b) The date of application;
(c) The name and employer of the individual who applied the pesticide, including the individual's certification number;
(d) The rate of application;
(e) The concentration of the pesticide applied; and
(f) The total amount of pesticide used.

Records shall be kept for at least five years and shall be made available to the local health authority, DPHHS, or the public for review upon request.

Legal Reference:	37.111.846, ARM	Noxious Plant and Animal Control
	10.55.701(s), ARM	Board of Trustees

Policy History:
Adopted on: July 2021
Revised on:

Revision Note:

Facility Cleaning and Maintenance

District personnel shall routinely both clean by removing germs, dirt, and impurities and, when necessary, disinfect by using chemicals to kill germs on all surfaces and objects in any school building and on school property that are frequently touched. This process shall include cleaning objects/surfaces not ordinarily cleaned daily.

Personnel shall clean with the cleaners typically used and will use all cleaning products according to the directions on the label. When necessary, personnel shall disinfect with common EPA-registered household disinfectants. Personnel shall follow the manufacturer's instructions for all cleaning and disinfection products.

When necessary, the District shall provide EPA-registered disposable wipes to teachers, staff, and secondary students so that commonly sued surfaces (e.g., keyboards, desks, remote controls) can be wiped down before use. The superintendent or other staff approved by the superintendent are required to ensure adequate supplies to support cleaning and disinfection practices. Specifically, the District shall comply with the following cleaning and maintenance requirements:

(a) Daily cleaning and maintenance services will be provided whenever the school is in use.
(b) Each janitor room will be kept clean, ventilated, lockable, and free from odors.
(c) Soiled mop heads will be changed frequently using laundered replacements.
(d) Toilets, lavatories, and showers will not be used for washing and rinsing of mops, brooms, brushes, or any other cleaning device.
(e) Cleaners used in cleaning showers, lavatories, urinals, toilet bowls, toilet seats, and floors will contain fungicides or germicides.
(f) Deodorizers and odor-masking agents will not be used.
(g) Toilet bowl brushes, mops, and sponges will be used only for cleaning toilet bowls and urinals and will be stored separately from other cleaning devices. Cleaning devices used for lavatories and showers may not be used for any other purposes.
(h) Dry dust mops and dry dust cloths for cleaning purposes are prohibited, except for use on gymnasium floors. Only treated mops, wet mops, treated cloths, moist cloths, or other means approved by the DPHHS or local health authority which will not spread soil from one place to another may be used for dusting and cleaning, with the exception of gymnasium floors.
(i) All furnishings, fixtures, floors, walls, and ceilings will be clean and in good repair as outlined in this Policy.
(j) Cleaning compounds and pesticides will be stored, used, and disposed of in accordance with the manufacturer's instructions.
(k) Safety data sheets will be kept with all cleaning supplies in the area where the cleaning supplies are located.
(l) As current non-green cleaning supplies are depleted, it is recommended that they are replaced with cleaning products that are "Green Products".

(m) All cleaning supplies need to have an EPA registration number, a "use by" reading letter, be stored with approved ventilation, and stored out of the reach of students.
(n) All vomit, blood, and fecal matter including diarrhea will be cleaned using appropriate personal protective equipment. Cleaning supplies and personal protective equipment used for vomit, blood, and fecal matter clean-up will be disposed in accordance with disposal of medical equipment in Policy 3416, if applicable. All affected areas will be disinfected in accordance with this Policy.
(o) All therapeutic whirlpools will be constructed and maintained for easy cleaning. Whirlpools will be drained and sanitized after each use. Individuals with open sores or infections are prohibited from using therapeutic whirlpools.

Assigned Cleaning and Disinfecting

Personnel shall evaluate and identify surfaces and objects to be cleaned and disinfected in accordance with the knowledge, experience, and applicable guidance from federal, state, tribal, and local health officials. Personnel shall have access to or the opportunity to access the latest available guidance upon request to their supervisor.

Personnel shall coordinate with colleagues and supervisors to develop a plan, schedule, and routine to regularly clean identified surfaces and objects. Personnel shall honor this plan, schedule, and routine until adjusted. Reasons for adjustment may include but are not limited to change in school schedule, absence of colleagues, availability of equipment and supplies, and federal, state, tribal, or local health directives and guidance. If adjustment is necessary, personnel shall again coordinate with colleagues and supervisors to improve the plan, schedule, and routine. Personnel shall solicit and accept perspectives from colleagues and other school officials when considering improvements to the plan.

Personnel shall prioritize cleaning frequently touched and indoor surfaces. Hard and non-porous surfaces and objects that are touched daily shall be the top priority for cleaning on a daily basis. Hard and non-porous surfaces and objects that are not indoors or have not been occupied for seven days shall be routinely cleaned. Personnel shall always use chemicals, products, and substances in a manner consistent with the applicable instructions.

Personnel shall thoroughly clean or launder soft, porous, or fabric-based materials as permitted by location and substance. During evaluation and identification of surfaces, personnel shall consider removing soft and porous materials in high traffic areas that may increase risk of exposure.

Personnel shall establish and maintain safe work practices in accordance with these procedures and School District policy in order to reduce the risk of exposure. If disinfection of any surface or item is necessary, disinfection shall occur in accordance with stated guidance and stubstance instructions.

Physical Barriers and Guides

Personnel shall review school buildings and identify areas where installation of physical barriers, such as sneeze guards and partitions, shall assist or protect students and staff. Personnel shall coordinate with building or district administrators to complete or install any identified physical barrier.

Legal Reference:	37.111.841, ARM	Cleaning and Maintenance
	10.55.701(s), ARM	Board of Trustees

Policy History:
Adopted on: July 2021
Revised on:

Revision Note:

NONINSTRUCTIONAL OPERATIONS 8320

Property Damage

The District will maintain a comprehensive insurance program which will 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 will maximize the District's protection and coverage while minimizing costs for insurance. This program may include alternatives for sharing the risk between the District and an insurance carrier and through self-insurance plans.

Privately Owned Property

The District will not assume responsibility for maintenance, repair, or replacement of any privately owned property brought to a school or to a District function, unless the use or presence of such property has been specifically requested in writing by the administration.

Legal Reference: § 20-6-608, MCA Authority and duty of trustees to insure district property

Policy History:
Adopted on: February 2007
Revised on:

Sale of Real Property

Unless the property can be disposed of without a vote, the Board has the power to dispose of all District property, 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 a sale of real property shall be placed in the debt service fund, building fund, general fund, or in any combination of these three (3) funds, at the Board's discretion.

Legal Reference:	§ 20-6-603, MCA	Trustees' authority to acquire or dispose of sites and buildings – when election required
	§ 20-6-604, MCA	Sale of property when resolution passed after hearing – appeal procedure

Policy History:
Adopted on: February 2007
Revised on:

NONINSTRUCTIONAL OPERATIONS 8410

Operation and Maintenance of District Facilities

The District seeks to maintain and operate facilities in a safe and healthful condition. The facilities manager, in cooperation with principal, fire chief, and county sanitarian, shall annually inspect plant and facilities or as necessary. The facilities manager shall develop 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 and any such needs arising from an emergency.

The facilities manager shall formulate and implement energy conservation measures. The principal and staff are encouraged to exercise other cost-saving procedures in order to conserve District resources in the buildings.

The District shall permit representatives of DPHHS or local health authority to enter any school at any reasonable time for the purpose of making inspections to determine compliance with applicable regulations. DPHHS or local health authority may determine that special circumstances or local conditions warrant inspections with greater or less frequency. Upon reciving a complaint, the local health authority may determine if more inspections are necessary.

Inspections of school facilities shall be done using forms approved by the DPHHS. Inspection records shall be kept on file at the school for at least three years from the time of inspection. Following each inspection, representatives of the DPHHS or local health authority shall give the school administration a copy of an inspection report which notes any deficiencies and sets a time schedule for compliance. The report shall document deficiencies.

The District shall comply with the Building and Fire Safety Codes administered by the State Building Codes Division and the State Fire Marshal or by local building officials.

Laundry Facilities

Laundries operated in conjunction with or utilized by the District shall be provided with:

(a) A mechanical washer and hot air tumble dryer. Manual washing and line drying of towels and other laundry items is prohibited. Dryers shall be properly vented to prevent maintenance problems and buildup of moisture.
(b) A hot water supply system capable of supplying water at a temperature of 120 degrees F to the washer during all periods of use.
(c) Sufficient separation between the area used for sorting and storing soiled laundry and the area used for folding and storing clean laundry to prevent the possibility of cross-contamination.
(d) Separate carts for transporting soiled and clean laundry.
(e) Handwashing facilities including sink, soap, and disposable towels. A soak sink may double as a handwashing sink.

Towels and other laundry items shall be machine washed at a minimum temperature of 120 degrees F for a minimum time of ten minutes and dried to greater than or equal to 130 degrees F for ten minutes in a hot air tumble dryer.

Solid Waste and Recycling

In order to ensure that solid waste, including recycling material, is safely stored and disposed of, the School District shall:

(a) Store all solid waste between collections in containers which have lids, are corrosion-resistant, and are constructed o minimize pest attraction and harborage;
(b) Clean all solid waste containers with sufficient frequency to maintain them in a condition which minimizes pest attraction;
(c) For exterior containers other than dumpsters or compactors, utilize stands which prevent the containers from being tipped, protect them from deterioration, and allow easy cleaning below and around them. Further, dumpsters or compactors shall be located on or above a smooth surface of non-absorbent material, such as concrete or asphalt, that is maintained in clean and good condition;
(d) Transport, or utlizie a private or municipal hauler to transport, the solid waste at least weekly to a landfill site approved by the DEQ in a covered vehicle or covered containers.

Physical Requirements

The School District shall comply with the following physical requirements:

(a) Floors, walls, and ceilings in toilet, locker, and shower rooms, laundries, janitorial closets, and similar rooms subject to large amounts of moistures shall be maintained in a smooth and non-absorbent condition. Non-abosrbent, non-skid floor matting may be used where appropriate to prevent injury.
(b) Adequate coat/jacket and book storage for each student shall be provided;
(c) Livestock and poultry shall be located more than 50 feet from food service areas, offices, or classrooms except those offices and classrooms associated with animal husbandry activities or other demonstrations as approved by the school administration. In classrooms, offices, or food service areas where livestock and poultry are approved by the administrator, animals shall not have contact with eating or serving surfaces.

Legal Reference:	10.55.908, ARM	School Facilities
	37.111.834, ARM	Solid Waste
	37.111.840, ARM	Laundry Facilities
	37.111.811, ARM	Physical Requirements
	37.111.810, ARM	Inspections

10.55.701(s), ARM Board of Trustees
10.55.701(l), ARM Board of Trustees

Policy History:
Adopted on: February 2007
Revised on: July 2021

Water Supply Systems and Wastewater

The District shall ensure an adequate and potable supply of water for school buildings and properties by either:

(a) Connecting to a compliant public water supply system; or
(b) Utilizing a non-public system whose construction and use meet the standards published by the DPHHS if the school is not utilized by more than 25 persons daily at least 60 days out of the calendar year, including staff and students, and a compliant public water supply system is not accessible. When using a system outlined in this subsection (b), a school shall submit a water sample at least quarterly to a laboratory licensed by the DPHHS to perform microbiological analysis of the water supplied in order to determine that the water does not exceed the maximum microbiological contaminant levels acceptable to DPHHS.

A water supply system of a type other than described in subsections (a) or (b) may be utilized only if it is designed by a professional engineer and offers equivalent sanitary protection as determined by DPHHS or local health authority. When using a system outlined in this paragraph, the District shall submit a water sample at least quarterly to a laboratory licensed by DPHHS to perform microbiological analysis of the water supplied in order to determine that the water does exceed the maximum microbiological contaminant levels acceptable to DPHHS, DEQ, or local health authority.

The District shall replace or repair the water supply system serving it whenever the water supply:

(a) Contains microbiological contaminants in excess of the maximum levels acceptable to DPHHS, DEQ, or local health authority.
(b) Does not have the capacity to provide adequate water for drinking, cooking, personal hygiene, laundry, and water-carried waste disposal.

If the District cannot make water under pressure available, the drinking water from an approved source shall be stored in a clean and sanitized container having a tight-fitting lid and a suitable faucet apparatus for filling individual cups. In this situation, single service drinking cups shall be provided.

Flushing and Testing

The District shall review water systems and features including but not limited to sink faucets, drinking fountains, and decorative fountains to ensure they are safe to use after a prolonged facility shutdown. Drinking fountains shall be regularly cleaned and sanitized. The District shall create and implement a flushing program unless it meets the established waiver requirements established by DEQ. Flushing shall be required following any period of time during which the school is inactive.

The District shall maintain a schematic and inventory of fixtures in accordance with DEQ protocols as part of the District's water testing program. The District shall sample all water fountains and sinks used for food preparation. All other potential human consumption fixtures shall be sampled, unless the District receives approval for a testing plan from DEQ to test a representative sample of potential fixtures in the school in accordance with DEQ protocols. All samples shall be analyzed by a Montana certified lab using EPA-approved standard drinking water methods for the detection and quantification of lead. All test results will be considered public records.

Wastewater

The District shall ensure wastewater is completely and safely disposed of by:

(a) Connecting to a compliant public wastewater system; or
(b) If the school is not utilized by more than 25 persons daily at least 60 days out of the calendar year, including staff and students, and a compliant public wastewater system is not available, utilizing a non-public system whose construction and use meet DEQ construction and operation standards.

If the District uses pit privies, the privies shall be operated and maintained in compliance with the standards specified in DEQ Circular 4. If the District uses a wastewater system design of a type other than described in this policy, it shall be designed by a professional engineer and offers equivalent sanitary protection as determined by the DPHHS, DEQ, or local health authority.

Legal Reference:	37.111.832, ARM	Water Supply System
	ARM Title 17, chapter 38, subchapter 1	
	17.38.207, ARM	Maximum Microbiological Containment Levels
	DEQ Circular FCS 1-2016.	
	DEQ Circular 4	
	10.55.701(s), ARM	Board of Trustees
	10.55.701(l), ARM	Board of Trustees
	10.55.701(q), ARM	Board of Trustees

Policy History:
Adopted on: July 2021
Revised on:

Revision Note:

District-Wide Asbestos Program

It is the intent of the District that the Asbestos Hazard Emergency Response Act (AHERA) and all of its amendments and changes are complied with by all District employees, vendors, and contractors.

Legal Reference: 15 USC § 2641 Congressional findings and purpose

Policy History:
Adopted on: February 2007
Revised on:

Service Animals

For the purposes of this policy, state law defines a service animal as a dog or any other animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Federal law definition of a disability includes a physical, sensory, psychiatric, intellectual, or other mental disability.

The District shall permit the use of a miniature horse by an individual with a disability, according to the assessments factors as outlined in Policy 8425P, if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

The Jefferson High School District will permit the use of service animals by an individual with a disability according to state and federal regulations. The School District will honor requests for service animals in accordance with the applicable Section 504 or Special Education policy adopted by the Board of Trustees. The work or tasks performed by a service animal must be directly related to the handler's disability.

Examples of work or tasks performed by the service animal to accommodate an identified disability include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal´s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

The District may ask an individual with a disability to remove a service animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it;

or

- The animal is not housebroken

The District is not responsible for the care or supervision of the service animal.

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the District's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

Cross Reference: Policy 8425P Procedure for allowance of service animals
Policy 2161 Special Education
Policy 2162 Section 504 of the Rehabilitation Act of 1973

Legal Reference: 28 CFR 35.136 Service Animals
28 CFR 35.104 Definitions
49-4-203(2), MCA Definitions

Policy History:
Adopted on: October 2011
Revised on: May 2019

Revision Note:

Service Animal Allowance Procedure

The School District will honor requests for service animals by students or staff in accordance with the applicable Section 504 or Special Education policy adopted by the Board of Trustees. The following procedures have been developed which will help guide the administration when a request for the use of a service animal has been presented by an individual with a disability.

Inquiries: The administration shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. The administration may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. The administration shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, the administration may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (*e.g.*, the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

Exclusions: The administration may ask the individual to remove the service animal from the premises if the animal is out of control and the handler does not take effective action to control it, or if the animal is not housebroken. If the administration properly excludes the service animal, it shall give the individual the opportunity to participate in the service, program, or activity without having the service animal on the premises.

Surcharges: The administration shall not ask or require the individual to pay a surcharge, even if people who are accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If the District normally charges individuals for the damage they cause, the individual may be charged for damage caused by his or her service animal.

Miniature horses assessment factors: In determining whether reasonable modifications can be made to allow a miniature horse into a specific facility, the District shall consider:

- The type, size, and weight of the miniature horse
- Whether the miniature horse is housebroken, and
- Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

Legal Reference:

Policy History:
Adopted on: October 2011
Revised on: May 2019
Revision Note:

The District supports the use of therapy dogs and other therapy animals by teachers or other qualified school personnel ("Owner") for the benefit of its students, subject to the conditions of this policy.

Therapy Animals

Therapy dogs and other therapy animals are family pets that are trained and registered or certified through therapy organizations. They are only half of the therapy team. The handler is the other half. Therapy teams enter the school by invitation or prior approval.

A therapy animal is not a service animal, and unlike a service animal, a therapy animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. Therapy animals do not have legal rights.

Requirements of Therapy Animals and User/Owners

Individuals with disabilities using therapy or companion animals are responsible for their animals at all times and must comply with the following requirements:

Request: An Owner must submit a written request to the Superintendent. The request must be renewed each school year or whenever a different therapy animal will be used.

Registration, Training and Certification: The Owner must register the therapy animal and provide documentation of the registration, certification, and training to the Superintendent. The registration and certification must remain current at all times.

Health and Vaccination: The therapy animal must be clean, well groomed, in good health, house broken, and immunized against diseases common to dogs. The Owner must submit proof of current licensure from the local licensing authority and proof of the therapy animal's current vaccinations and immunizations from a licensed veterinarian.

Control: A therapy animal must be under the control of the "Owner", at all times, through the use of a leash or other tether unless the use of a leash or other tether would interfere with the therapy animals' safe, effective performance of its work or tasks.

Identification: The therapy animals must wear appropriate visible identification that identifies in writing that the animal is a therapy animal.

Behavior: The Owner must take responsibility for the behavior of the animal in private and public places, and for due care and diligence in the use of the animal on school district property.

Health and Safety: The therapy animal must not pose a health and safety risk to any student, employee, or other person at the school.

Supervision and Care of Therapy Animals: The Owner is solely responsible for the supervision and care of the therapy dog, including any feeding, exercising, and clean-up while the animal is in the school building or on school property. The school district is not responsible for providing any care, supervision, or assistance for a therapy animal.

Authorized Areas: The Owner shall only allow the therapy animal to be in areas in school buildings or on school property that are authorized by the school administrators.

Insurance: The Owner must submit a copy of an insurance policy that provides liability coverage for the therapy animal while on school property.

Exclusion or Removal from School. A therapy animal may be excluded from school property and buildings if a school administrator determines that:

(1) A handler does not have control of the therapy animal;
(2) The therapy animal is not house broken;
(3) The therapy animal presents a direct and immediate threat to others in the school; or
(4) The animal's presence otherwise interferes with the educational process.

The Owner shall be required to remove the therapy animal from school premises immediately upon such a determination.

Allergic Reactions. If any student or school employee assigned to a classroom in which a therapy animal is permitted, and suffers an allergic reaction to the therapy animal, the Owner of the animal will be required to remove the animal to a different location designated by an administrator.

Damages to School Property and Injuries: The Owner of a therapy animal is solely responsible and liable for any damage to school property or injury to personnel, students, or others caused by the therapy animal.

Therapy Animals in Training; This policy shall also be applicable to therapy animals in training that are accompanied by a bona fide trainer.

Policy History:
Adopted on: November 2018
Revised on:

Revision Note:

Jefferson High School District #1

Request to use Therapy Animal in School **8426F**

Board Policy 8426 governs the use of therapy animals in school. The request shall be submitted to the Superintendent for approval each school year and/or whenever the Owner wishes to use a different therapy animal.

Name of Owner: _____
Name of Handler (if different from Owner): _____
Owner address: _____
Handler address (if different from Owner): _____
Owner email: _____
Handler email (if different from Owner): _____

Building(s) where animal will be used: _____

Please describe, in detail, what the animal will do at the school. _____
_____
_____

Date: _____ Owner Phone Number: _____
Handler Phone Number: _____

Name of Therapy Animal: _____

Please attach the following to this form:
Proof of registration as a therapy animal handler with the individual animal to be used *(Note: Such registration shall be from an organization that requires an evaluation of the therapy animal and handler prior to registration and at least every two years)*

Proof from a licensed veterinarian that the therapy animal is in good health and has been immunized against diseases common to the particular animal. Such vaccinations shall be kept current and up to date at all times.

Proof of licensure from the local licensing authority.

Copy of an insurance policy that provides liability coverage for the work of the handler and therapy animal while the two are on school district property.

Owner's Signature: _____ Date: _____
Handler's Signature (if different from Owner): _____ Date: _____

Superintendent's Signature: _____ Date: _____

Legal Reference:

Policy History:
Adopted on: November 2018
Revised on:

Revision Note:

NONINSTRUCTIONAL OPERATIONS 8430

Records Management

The District will retain, in a manner consistent with applicable law and the state's *Rules for Disposition of Local Government Records,* such records as are required by law or regulations to be created and/or maintained, and such other records as are related to students, school personnel, and the operations of the schools.

For the purpose of this policy, "records" are all documentary materials, regardless of media or characteristics, made or received and maintained by the school unit in transaction of its business. Records include email and other digital communications sent and received.

Records may be created, received, and stored in multiple formats, including but not limited to print, microfiche, audio and videotapes, and various digital forms (on hard drives, computer disks and CDs, servers, flash drives, etc.).

The Superintendent will be responsible for developing and implementing a records management program for the cataloging, maintenance, storage, retrieval, and disposition of school records. The Superintendent will also be responsible for developing guidelines to assist school employees in understanding the kinds of information that must be saved and those which can be disposed of or deleted. The Superintendent may delegate records-management responsibilities to other school personnel at his/her discretion to facilitate implementation of this policy.

Litigation Holds for Electronic Stored Information (ESI)

The school district will have an ESI Team. The ESI Team is a designated group of individuals who implement and monitor litigation holds, a directive not to destroy ESI that might be relevant to a pending or imminent legal proceeding. The ESI Team will include a designated school administrator, an attorney, and a member from the Technology Department. In the case of a litigation hold, the ESI Team shall direct employees and the Technology Department, as necessary, to suspend the normal retention procedure for all related records.

Inspections of ESI

Any requests for ESI records should be made in writing and will be reviewed by the Superintendent or designee, in consultation with an attorney if needed, and released in accordance with Montana public records law.

Delegated Authority

The Board delegates to the Superintendent or designees the right to implement and enforce additional procedures or directives relating to ESI retention consistent with this policy, as needed.

Cross Reference:	1402	School Board Use of Electronic Mail
	3600, 3600P	Student Records

	5231, 5231P	Personnel Records
	5450	Employee Electronic Mail

Legal Reference:	Montana Secretary of State (Rules for Disposition of Local Government Records)	
	Federal Rules of Civil Procedure (FRCP)	
	§ 2-6-403, MCA	Duties and responsibilities
	§ 20-1-212, MCA	Destruction of records by school officer
	§ 20-7-101(2), MCA	Standards of accreditation
	§ 20-9-215, MCA	Destruction of certain financial records
	24.9.805 (4), ARM	Employment Records

Policy History:
Adopted on: February 2007
Reviewed on:
Revised on: Unknown modified as per MCA requirements

Revision Note: Significantly expanded the record keeping requirements and procedures.

Computer Software

Unauthorized copying of any computer software licensed or protected by copyright is theft. Failure to observe software copyrights and/or license agreements may result in disciplinary action by the District and/or legal action by a copyright owner.

No District-owned computing resources should be used for unauthorized commercial purposes.

Policy History:
Adopted on: February 2007
Revised on:

Automated External Defibrillators (AED)

The Board of Trustees of the Jefferson High School District recognizes that from time to time emergencies may arise that justify the use of an Automated External Defibrillator (AED). The Board has purchased one or more of these units for use by qualified personnel. The Board of Trustees approves the use of AED units, subject to the following conditions:

1. Establish a program for the use of an AED that includes a written plan that must specify:
   - Where the AED will be placed;
   - The individuals who are authorized to operate the AED;
   - How AED use will be coordinated with an emergency medical service providing
   - services in the area where the AED is located;
   - The medical supervision that will be provided;
   - The maintenance that will be performed on the AED;
   - Records that will be kept by the program;
   - Reports that will be made of AED use;
   - The name, location, and telephone number of a Medical Supervisor designated to provide medical supervision of the AED program; and
   - Other matters as specified by the Department of Public Health and Human Services;
2. Adhere to the written plan required by subsection (1);
3. Ensure that before using the AED, an individual authorized to operate the AED receives appropriate training approved by the DPHHS in cardiopulmonary resuscitation and the proper use of an AED;
4. Maintain, test, and operate the AED according to the manufacturer's guidelines and maintain written records of all maintenance and testing performed on the AED;
5. Each time an AED is used for an individual in cardiac arrest, require that an emergency medical service is summoned to provide assistance as soon as possible and that the AED use is reported to the supervising physician or the person designated by the physician and to the District as required by the written plan;
6. Before allowing any use of an AED, provide the following to all licensed emergency services and any public safety answering point or emergency dispatch center providing services to the area where the AED is located:
   a. A copy of the plan prepared pursuant to this section; and
   b. Written notice, in a format prescribed by the DPHHS rules, stating:
      i. That an AED program has been established by the District;
      ii. Where the AED is located; and
      iii. How the use of the AED is to be coordinated with the local emergency medical service system?

Liability Limitations

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability for a personal injury that results from that care or treatment.

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability as a result of any act or failure to act in providing or arranging further medical treatment for the individual upon whom the AED was used, unless the individual using the AED or the person providing CPR, as applicable, acts with gross negligence or with willful or wanton disregard for the care of the person upon whom the AED is or may be used.

The following individuals or entities are immune from civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence, if applicable provisions of this part have been met by the individual or entity:

a. A person providing medical oversight of the AED program, as designated in the plan;
b. The entity responsible for the AED program, as designated in the plan;
c. An individual providing training to others on the use of an AED.

Legal Reference: Title 37, Chapter 104, subchapter 6, ARM – Automated External Defibrillators (AED)
§50-6-501, MCA Definitions
§50-6-502, MCA AED program – requirements for AED use
§50-6-503, MCA Rulemaking
§50-6-505, MCA Liability limitations

Policy History:
Adopted on: July 20, 2010
Revised on:

Revision Note:

Construction and Repairs

Before commencing new school construction or repairs, the District shall submit plans for construction of a new school or an addition to or an alteration of an existing school to DPHHS or the local health authority for review and approval. Plans shall include the following where applicable:

(a) Location and detail of classrooms used for science or science laboratories, consumer science, art classrooms, art supply rooms, mechanic/carpentry, and industrial arts, including location and ventilation detail of lockable storage area of chemicals and other hazardous products;
(b) Location and detail of janitorial facilities;
(c) Specifications for the sewage treatment and disposal system to serve the school unless previously approved;
(d) Specifications for the water supply to serve the school unless previously approved;
(e) Locations for all emergency eyewash and shower stations, which shall meet the American National Standard for Emergency Eyewash and Shower Equipment;
(f) Location and detail of laundry facilities including description of equipment and a flow chart indicating the route of laundry through sorting, washing, drying, ironing, folding, and storage;
(g) Specifications for the final finishes of floors, walls, and ceilings in toilet, locker, and shower rooms, laundries, and janitorial closets;
(h) Statement from the designer of the facilities that lighting capable of meeting the minimum requirements of ARM 37.111.830 will be provided;
(i) Location and detail of the solid waste storage facilities;
(j) Name of DEQ-approved sanitary landfill which will receive solid waste from the school;
(k) Specifications for a food service to serve the school unless the food service has been previously approved by the DPHHS and/or local health authority;
(l) Any other information requested by the DPHHS or local health authority relating to the health, sanitation, safety, and physical well-being of the teachers, staff, and students;
(m) Specifications for any new or modified playground equipment, which shall comply with the standards of the United States Consumer Product Safety Commission's 2010 Handbook for Public Playground Safety and the requirements of the 2010 ADA Standards for Accessible Design;
(n) Specifications for any new or modified air intakes;
(o) Specifications for any radon-resistant technique used in the building process;
(p) Documentation reflecting how the topography of the site will permit good drainage of surface water away from the school building to eliminate significant areas of standing water and infiltration of surface water into the school building;
(q) Specifications showing all chemical storage areas in new construction will be constructed to maintain negative air pressure to eliminate contamination of the school's indoor air quality by being vented to the outside of the building;

(r) Specifications showing gas supply lines serving science laboratories, consumer science, industrial arts, and other rooms utilizing multiple outlets will have a master shut-off valve that is readily accessible to the instructor or instructor-in-charge without leaving the classroom or storage area;
(s) Specifications showing industrial arts classrooms or buildings nad other rooms using electrically-operated instruction equipment which presents a significant safety hazard to the student utilizing such equipment shall be supplied with a master electric switch readily accessible to the instructor or instructors-in-charge without leaving the classroom or storage area;
(t) Specifications showing that janitorial storage spaces will be lockable, have sufficient storage for equipment and chemicals, and be vented to the outside of the building;
(u) Specifications showing that hot and cold water shall be provided to handwashing sinks and shower facilities. Hot water shall not be below 100 degrees F nor exceed a temperature of 120 degrees F;
(v) Documentation showing DPHHS the use of radon prevention strategies in new construction.

The District shall not commence construction until all plans required by this policy have been approved by DPHHS or the local health authority. Construction shall be in accordance with the plans as approved unless permission is granted in writing by the DPHHS or the local health authority to make changes.

Change of Use in Existing Building

The District shall not use an existing building not currently utilized as a school without the prior approval of the DPHHS or the local health authority. The District shall comply with this policy when modifying a building in order to be utilized as a school.

The District is authorized to use of modular or mobile buildings in response to temporary or permanent closure of the existing school facility, segments thereof, or classroom overflow when plans are submitted and approved by DPHHS or the local health authority.

Legal Reference:	Section 50-1-206, MCA 50-1-203, 50-1-206, MCA	
	37.111.804, ARM	Preconstruction Review
	37.111.805, ARM	Existing Building – Change of Use
	10.55.701(s), ARM	Board of Trustees
	10.55.701(l), ARM	Board of Trustees

Policy History:
Adopted on: July 2021
Revised on:

Revision Note:

Cyber Incident Response

A cyber incident is a violation or imminent threat of violation of computer security policies, acceptable use policies, or standard computer security practices. An incident response capability is necessary for rapidly detecting incidents, minimizing loss and destruction, mitigating the weaknesses that were exploited, and restoring computing services.

The School District is prepared to respond to cyber security incidents, to protect District systems and data, and prevent disruption of educational and related services by providing the required controls for incident handling, reporting, and monitoring, as well as incident response training, testing, and assistance.

Responsibilities of Specific Staff Members

Individual Information Technology User:
All users of District computing resources shall honor District policy and be aware of what constitutes a cyber security incident and shall understand incident reporting procedures.

District Information Technology Director
Provide incident response support resources that offer advice and assistance with handling and reporting of security incidents for users of School District information systems. Incident response support resources may include, but is not limited to: School District information technology staff, a response team outlined in this policy, and access to forensics services.

Establish a Cyber Security Incident Response Team (CSIRT) to ensure appropriate response to cyber security incidents. The CSIRT shall consist of the administration, the IT director, and the technology committee chair. CSIRT responsibilities shall be defined in the School District position descriptions.

District Superintendent:
Develop organization and system-level cyber security incident response procedures to ensure management and key personnel are notified of cyber security incidents as required.

Procedures

Designated officials within the District shall review and approve incident response plans and procedures at least annually. The incident response plans and/or procedures shall:

- Provide the District with a roadmap for implementing its incident response capability
- Describe the structure and organization of the incident response capability
- Provide a high-level approach for how the incident response capability fits into the overall organization

- Meet the unique requirements of the District, which relate to mission, size, structure, and functions
- Define reportable incidents
- Provide metrics for measuring the incident response capability within the organization
- Define the resources and management support needed to effectively maintain and mature an incident response capability

Upon completion of the latest incident response plan, designated officials shall:

- Distribute copies of the incident response plan/procedures to incident response personnel.
- Communicate incident response plan/procedure changes to incident response personnel and other organizational elements as needed.
- Provide incident response training to information system users consistent with assigned roles and responsibilities before authorizing access to the information system or performing assigned duties, when required by information system changes; and annually thereafter.
- Test the incident response capability for the information systems they support at least annually to determine effectiveness.
- Track and document information system security incidents.
- Promptly report cyber security incident information to appropriate authorities in accordance with reporting procedures.

Legal Reference:

Policy History:
Adopted on: May 2020
Revised on:

Revision Note: