

Policy 8301: School Safety

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Revised Date:** 06/06/2023 | **Last Reviewed Date:** 06/06/2023

District Safety

For purposes of this policy, "disaster means the occurrence or imminent threat of damage, injury, or loss of life or property".

The Board recognizes that safety and health standards should be incorporated into all aspects of the operation of the District. Rules for safety and prevention of accidents shall be posted in compliance with the Montana Safety Culture Act and the Montana Safety Act. Injuries and accidents shall be reported to the District office.

The Board has identified local hazards which may exist within the boundaries of the District include but are not limited to fire, natural disasters, intruders, weapons, and man-made disasters. The Board shall adopt a school safety plan or emergency operations plan for such hazards relating to school buildings and facilities, communications systems, and school grounds with the input from the local community and that addresses coordination, with the county or regional interdisciplinary child information and school safety team provided for in Policy 4410. The plan shall be reviewed annually.

The plan must include the following threat assessment practices:

- the adoption of a threat assessment protocol, outlining policies and procedures for implementation when there is notification of a student threat of harm to others or property; and
- an identified threat assessment team, composed of key staff, that meets at least monthly and may include behavioral threat assessment addressing students in need of academic and behavioral supports or interventions.

[OPTIONAL] The plan will include installation of temporary door lock devices that may be used to secure a door to a room that may be used during a shelter-in-place or emergency lockdown situation.

A temporary door locking device may be used to secure a fire exit, hallway, corridor, or entranceway leading to a fire exit if the temporary door locking device:

- (a) is used only during a shelter-in-place or emergency lockdown situation; and
- (b) is approved by the local fire department, law enforcement agency, or code official that has jurisdiction over the building.

"Temporary door locking device" means a device that prevents a door from opening, provided that the device:

- (a) is meant only for temporary emergency use during an active threat situation;
- (b) can be engaged or removed without opening the door;

- (c) can be engaged and removed from the egress side of the door without the use of a key and removed from the ingress side of the door with the use of a key or other credential;
- (d) does not modify the door closer, panic hardware, or fire exit hardware;
- (e) is not permanently mounted to the door assembly, although individual parts of the device assembly, including but not limited to bolts, stops, brackets, and pins that do not prevent normal function of the door, may be permanently mounted;
- (f) is installed at a height not to exceed 48 inches above the floor;
- (g) does not affect the fire rating of the door and complies with national fire protection association fire rating standards;
- (h) can be removed with a single operation when engaged;
- (i) is applied only for a finite period of time during an emergency situation, including but not limited to a shelter-in-place or emergency lockdown situation or drill; and
- (j) is integrated into building safety plans, drills, and training programs that include inservice training on the use of the device for building staff and first responders.

The Superintendent or designee shall design and incorporate drills in its school safety or emergency operations plan to address the above stated hazards. The trustees shall certify to the office of public instruction that a school safety or emergency operations plan has been adopted. There shall be at least eight (8) disaster drills a year in a school. All teachers shall discuss safety drill procedures with their class at the beginning of each year and shall have them posted in a conspicuous place next to the exit door. Drills must be held at different hours of the day or evening to avoid distinction between drills and actual disasters. A record shall be kept of all fire drills.

The trustees shall review the school safety or emergency operations plan annually review 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 that the plan has been reviewed, the trustees may transfer funds pursuant to Section 20-9-236, MCA to make improvements to school safety and security.

The Superintendent shall develop safety and health standards which comply with the Montana Safety Culture Act. **[Optional]**: The Superintendent shall ensure District employees are provided equipment, tools, and devices designed to ensure a safe and health 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. **[End Optional Language]**

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 DPHHS.
- g. Playground inspection results must be made available for review by the local health authority or 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.

Montana Code Annotated

20-1-401

Description

School Safety Teams

20-1-401

Disaster drills to be conducted regularly – districts to identify disaster risks and adopt school safety plan

20-1-402

Number of disaster drills required - time of drills to vary

39-71-1501, et seq.

Montana Safety Culture Act

Administrative Rules of Montana

37.111.812

Description

Safety Requirements

Cross References

Code

1006FE

Description

[Transfers for School Safety](#)

4301

[Visitors to School](#)

4315

[Visitors and Spectator Conduct](#)

4332

[Conduct on School Property](#)

4410

[Relations With Law Enforcement and Child Protective Agencies](#)

5122

[Fingerprints and Criminal Background Investigations](#)

5122-F(1)

[Fingerprints and Criminal Background Investigations - Applicants Rights and Consent to Fingerprints](#)

**Procedure 5120-P(1): Hiring Process and Criteria - Federal Background Status: ADOPTED
Check, Fingerprint, and Information Handling Procedure**

Original Adopted Date: 09/09/2022 | **Last Reviewed Date:** 09/09/2022

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, **chaperones**, or recommended for hire by the School District **who will have unsupervised access to students** need to be fingerprinted under the National Child Protection Act and Volunteers for Children's Act (NCPA/VCA) **and § 20-3-323, MCA.**
2. The School District will obtain a signed waiver from all applicants and provide written communication of Applicant Rights and Consent to Fingerprint Form at 5122F. Applicants shall also be provided the Applicant Privacy statement at 5120F. The Applicant Rights and Consent to Fingerprint Form will be kept on file for 5 years or for the length of employment, which ever is longer. The form will be filed in the employees Personnel File.

Basis to Collect and Submit Fingerprints for Purposes of Federal Background Check - **Boards will Select One Option**

OPTION 1: Ink fingerprints are captured in house by agency personnel that have completed and passed the certification course provided by CRISS. All applicants must provide a current government issued photo identification at the time of fingerprinting for identification verification. Two ink fingerprint cards are captured for each applicant and all data fields are completed and checked for accuracy. Complete fingerprint cards are then mailed to DOJ/CRISS along with payment.

OR

OPTION 2: Livescan fingerprints are captured in house by agency personnel that have completed and passed the certification course provided by CRISS. All applicants must provide a current government issued photo identification at the time of fingerprinting for identification verification. Fingerprints are then submitted to CRISS via the Livescan.

OR

OPTION 3: Fingerprints are obtained via local law enforcement agencies: _____.

A spreadsheet of those fingerprinted is kept by the School District to identify the individual, position being hired for, date of fingerprint, date print received and date print billed.

The School District staff that have received training by CRISS will process the fingerprints and send them to the DOJ.

LASO

(First and last name) has been appointed as the Local Agency Security Officer and acts as the primary point of contact between the School District and CRISS. (Name of LASO) is responsible for ensuring CJIS Policy compliance by all authorized recipients within the School District. LASO is also responsible for any Privacy and Security Agreements with those who do not use CHRI on a regular basis. Any change in appointment of the LASO or other authorized personnel will be reported to CRISS immediately.

Access of CHRI

All background results are received by (first and last name) 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 (name), Principal (name), and the Business manager (name).

Printed background checks are reviewed by the Business Manager (name) 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. (Entity Name) 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. **Boards will Select One Option:**

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.

OR

OPTION 2: Printed CHRI is kept (SPECIFIC TIME FRAME) and then destroyed 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 **Boards will Select One Option:**

OPTION 1: Applicants wishing to obtain a copy of their background report may make a request to the LASO. A current government photo identification must be presented at the time of the request. A copy of the background report is made and marked as a "copy" and provided to the applicant. The dissemination is then logged. Dissemination logs include, what record was shared, the date it was shared, the method of sharing, and the agency personnel that shared the record. The dissemination log is stored in a locked filing cabinet for at least 3 years or between audits, whichever is longer.

OR

OPTION 2: The 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 **Boards will Select One Option:**

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 (authorized personnel name).

OR

OPTION 2: At the end of the retention and storage period outlined in this document, all CHRI and related information is shredded on site by a company that come to our location. Authorized personnel witness the shredding of the CHRI.

Applicant procedures for challenging or correcting their record **Boards will Select One Option:**

All applicants are given the opportunity to challenge or complete their record before a final determination is made.

OPTION 1: Applicants wishing to challenge their record are given a copy of the background report.

OR

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 agencies plan to ensure that this incident does not get repeated.

Training Procedure

- Local Agency Security Officer (LASO)
 - Signed user agreement between district and CRISS
- Privacy and Security Training
 - CRISS training on CHRI required to receive background reports

Montana Code Annotated

20-3-324

Description

Powers and duties

20-4-202

Teacher and specialist certification registration

39-29-102

Point preference or alternative preference in initial hiring for certain applicants – substantially equivalent selection procedure

44-5-301

Dissemination of public criminal justice information

44-5-302

Dissemination of criminal history record information that is not public criminal justice information

44-5-303

Dissemination of confidential criminal justice information – procedure for dissemination through court

United States Code

Public Law 105-251

Description

Volunteers for Children Act

Cross References

Code

1000

Description

Legal Status, Operation and Organization

1512

Conflict of Interest

1512-F(1)

Conflict of Interest - Relationships Defined and Chart

1521

Board/Superintendent Relationship

5122

Fingerprints and Criminal Background Investigations

5122-F(1)

Fingerprints and Criminal Background Investigations -
Applicants Rights and Consent to Fingerprints

Notice Form 5430-NF(1): Volunteers - Volunteer Agreement Form

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Revised Date:** 04/14/2025 | **Last Reviewed Date:** 04/14/2025

VOLUNTEER AGREEMENT FORM

COACH/HELPER/AIDE/CHAPERONE

I, _____ (the Volunteer) hereby agree to serve 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 maybe 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 law 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 of age or older.

_____ The Volunteer understands that his 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

United States Code

Public Law 105-251

Description

Volunteers for Children Act

Cross References**Code**

5122

5122-F(1)

Description

[Fingerprints and Criminal Background Investigations](#)

[Fingerprints and Criminal Background Investigations -
Applicants Rights and Consent to Fingerprints](#)

**Notice Form 2165-NF(1): Early Literacy Targeted Intervention -
Evaluation Consent Form**

Status: ADOPTED

Original Adopted Date: 03/19/2024 | **Last Reviewed Date:** 03/19/2024

Policy 2165F – Early Literacy Targeted Intervention Consent

Dear Parent/Guardian,

The School District is providing notice required under the provisions of District Policies 2132, 2158, and 2165; Title 20, Chapter 7, Part 18, MCA; and Title 40, Chapter 6, Part 7, MCA. Copies of these provisions are available upon request. This notice is being provided to inform you of the opportunity to have your child evaluated for an early literacy targeted intervention programs and services which will be provided to children as described in Policy 2165 whose parents who provide written consent.

Notice of Your Rights

This notice is intended to inform parents that the following early literacy targeted intervention evaluation will be provided at the school: _____. This evaluation will be provided on _____ at _____ in _____.

As a parent/guardian of a student, you have the right to authorize your child to attend or receive the evaluation in accordance with Montana law and District policy by completing, signing, and submitting the attached form prior to the date identified in the above notice.

Early Literacy Targeted Evaluation Consent Form

A family who wants their student to receive an early literacy evaluation offered at the school may provide consent to such evaluation by completing this form.

I, _____, Parent or Guardian of, _____, request my child receive an early literacy targeted intervention evaluation for _____ to be held at the above noted date and time. This request will be handled in a manner consistent with the methods identified by the School District as specified in of District Policies 2132, 2158, and 2165; Title 20, Chapter 7, Part 18, MCA; and Title 40, Chapter 6, Part 7, MCA. The results of the evaluation will be provided to the parent.

I understand my student will receive the early literacy targeted intervention evaluation. I also understand my student may be eligible receive any services from school district staff based on the results of the evaluation. I understand I will be provided information about those services prior to my child receiving any literacy services. I agree to accept responsibility for my student's participation in the evaluation and services. Participation is strictly voluntary.

A student seeking such services whose parents have not completed this form will not receive the evaluation.

I acknowledge I have received notification of my rights in this area under District Policies 2132, 2158, and 2165; Title 20, Chapter 7, Part 18, MCA; and Title 40, Chapter 6, Part 7, MCA and have been provided an opportunity to review related information and materials on this topic.

I provide consent for my student to receive the evaluation described above at the School District.

Parent

Date

Received by:

School Official

Date

Montana Code Annotated

20-9-311

Title 20, Chapter 7, Part 18

Description

Calculation of Average Number Belonging

Early ~~Literacy~~ Targeted Intervention

Administrative Rules of Montana

Title 10, Chapter 63

Description

Early Childhood Standards

Policy 1015FE: Personalized Learning Opportunities

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Reviewed Date:** 09/09/2022

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~~ and 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.
3. ~~Creating and filling the job position of "advanced opportunity facilitator" as defined in § 20-7-1503, MCA, or assigning the duties of the "advanced opportunity facilitator" to a current employee of the District. The primary duties of the advance opportunity facilitator shall be~~

to coordinate between the District, a qualifying student and the student's family, postsecondary institutions, employers, industry associations, community organizations, and/or any other individual or entity that provides an advanced opportunity for students of the District.

Montana Code Annotated

20-7-1501 – 20-7-1510

Description

Advanced Opportunity Act

20-7-1601

Transformational Learning - Legislative Intent

Cross References**Code**

2158

Description

Parent and Family Engagement and Educational Involvement

Policy 1015FE: Personalized Learning Opportunities

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Reviewed Date:** 09/09/2022

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.

"Transformational learning" means a flexible system of pupil-centered and proficiency-based learning that is designed to develop the full educational potential of each pupil that:

- (i) is customized to address each pupil's strengths, needs, and interests; and
- (ii) actively engages each pupil in determining what, how, when, and where each pupil learns.

Montana Code Annotated

20-7-1501

Description

Advanced Opportunity Act

20-7-1601

Transformational Learning - Legislative Intent

Cross References**Code**

2158

Description[Parent and Family Engagement and Educational Involvement](#)

**Policy 1009FE: Recruitment and Retention - Flexible Instructor
Licensing**

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Revised Date:** 06/06/2023 | **Last Reviewed Date:**
06/06/2023

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 public school from November 2002 to 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.
 - A retired teacher with a date of termination through December 31, 2023, may not be employed under this provision until the retired teacher has a break in service of 150 calendar days unless the retired teacher is employed as a substitute classroom teacher to carry on the duties of a regular, licensed teacher who is temporarily absent or is employed to mentor a newly hired teacher. A retired teacher with a date of termination of January 1, 2024, or later, may not be employed under this provision until the employee has a break in service of 120 calendar days unless the retired teacher is employed as a substitute classroom teacher to carry on the duties of a regular, licensed teacher who is temporarily absent or is employed to mentor a newly hired 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 10.57.414 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
- Alternative Teacher Credentialing
 - The District may employ a teacher possessing a Class 2 certificate issued after completing a certification and endorsement program that meets the requirements of alternative teacher credentialing consistent with Montana law and has been approved by the board of public education upon recommendation of the superintendent of public instruction.

Teacher Residency Program

In accordance with Montana law, the District may participate in a teacher residency program consistent with the terms established by the Office of Public Instruction, professional educator preparation program, and Board of Trustees in order to recruit and retain high-quality teachers.

Loan Repayment Program

The District may assist any quality educator who meets the qualifications for the state's loan repayment program at the discretion of the Board of Trustees. Loan repayment assistance may be provided on behalf of a quality educator who: (1) is employed newly hired in an identified impacted school experiencing a critical quality educator shortage area outlined in Section 20-4-503, MCA; 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 a lifetime total of no more than 3 years and an additional 1 year of loan 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 school 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.

Montana Code Annotated

19-20-72

Description

Reemployment of Certain Teachers

19-20-732

Reemployment of certain retired teachers, specialists and administrators – procedure –

20-4-120

Alternative Teacher Credentialing

20-4-501

Educator Loan Repayment Assistance

20-4-504

Quality Educator Loan Assistance Program

Administrative Rules of Montana**Description**

10.55.607

Internships

10.55.716

Substitute Teachers

10.57.107

Emergency Authorization of Employment

10.57.215

Renewal Requirements

10.57.420

Class 4 Career and Technical Education License

10.57.424

Class 5 Provisional License

Cross References**Code****Description**

1635

[Internships](#)

5440

[Student Teachers](#)

Policy 2158: Parent and Family Engagement and Educational Involvement

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Revised Date:** 06/06/2023 | **Last Reviewed Date:** 06/06/2023

Parent/Family Engagement and Involvement in Education

The 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.

This policy shall be made available to all interested individuals upon request and posted on the District's website.

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.

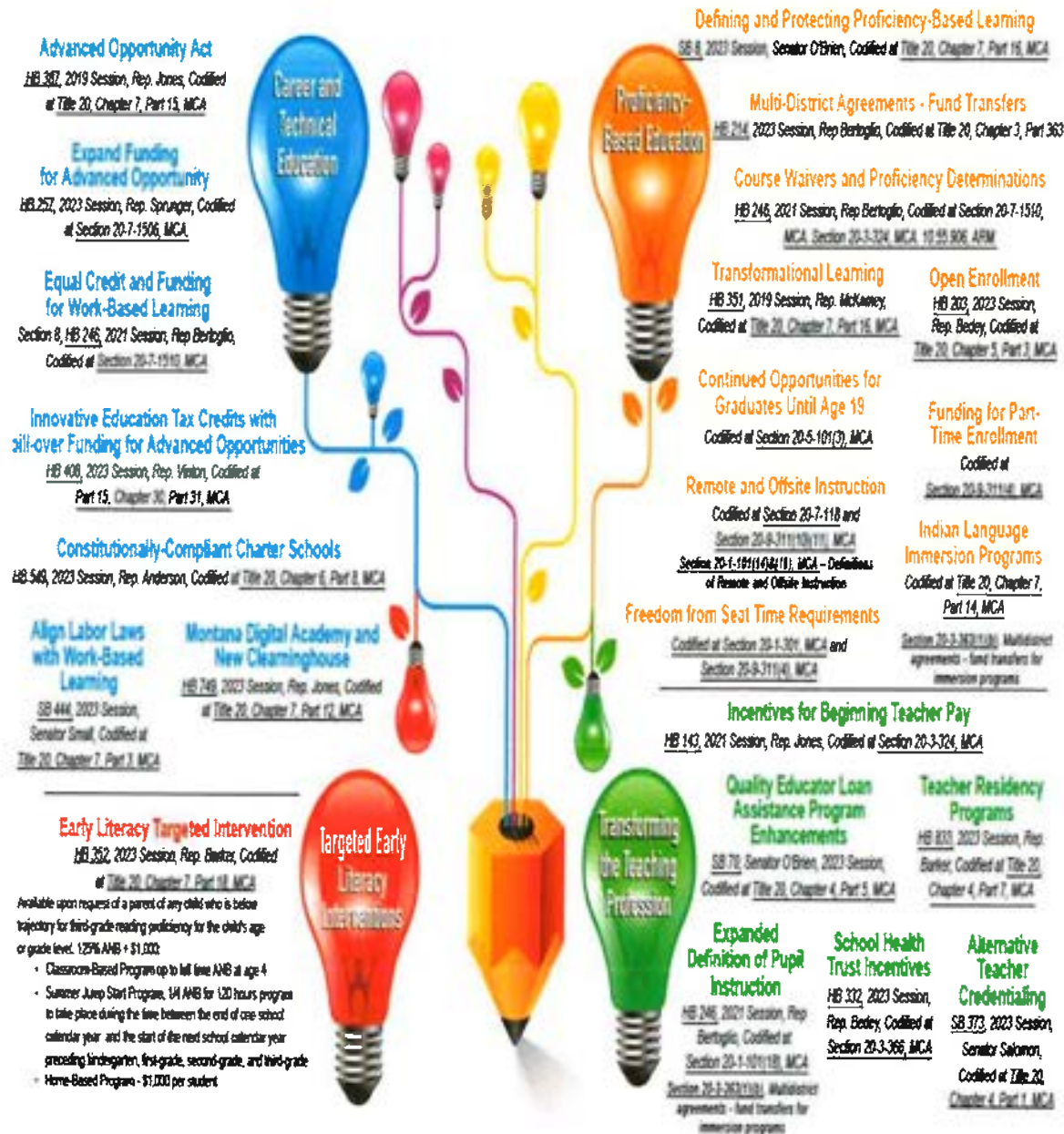
The Board of Trustees, in consultation with parents, teachers administrators, and students has adopted this District plan for meeting these parent/family involvement goals

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, and laws regarding parent/family rights including:
 - Keeping parents/families informed of opportunities for involvement and encouraging participation in various programs.
 - Providing access to all District policies, District handbooks, Board and Committee meeting agendas, the District grievance procedure and contact methods for District administrators and Trustees on the District's website.
 - Providing access to educational resources for parents/families to use together with their children.
 - Keeping parents/families informed of the objectives of district educational and activity programs their child's participation and progress within these programs and methods to opt out of such programs and instruction consistent with parent/family rights.
 - Promoting parents/families and teacher cooperation in homework, attendance, and discipline.
 - Providing information about the nature and purpose of student clubs and groups meeting at the school in accordance with Policy 3233 and 3550 and methods to consent to participation or opt out of participation consistent with parent/family rights.
 - Providing explanation of rights regarding student name and pronoun use consistent with Family Educational Rights and Privacy Act and Policy 3600.
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 at each school and at the district level.
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. Provide annual notification of educational opportunities of the District consistent with Section 20-3-326, MCA, in the form of the student handbook, the District policy manual as posted on the District website, or other accessible format on topics which include:
 - The District's options for delivery of personalized instruction to students consistent with Policies 1015FE and 2050, the legislature's findings at Section 20-7-1601, MCA. and Article X, Section 1 of the Montana Constitution.
 - Evaluation, identification, and services provided to students with disabilities consistent with Section 20-7-411, MCA, Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and Policies 2161 and 2162.
 - Admission of students to kindergarten consistent with Sections 20-5-101 and 20-7-117, MCA, and Policy 3110.
 - Proficiency based learning and other forms of personalized learning including course equivalency waiver consistent with Section 20-3-324, MCA and Policies 1005FE, 1015FE, 2050, 2410, and 3121.
 - Participation in extracurricular activities, including participation by nonpublic and home school students consistent with Section 20-5-112, MCA, and Policy 3150.
 - Access to remote instruction, including through the Montana Digital Academy pursuant to Title 20, chapter 7, part 12, non-District sources, and through other school districts as provided in Section 20-7-118, MCA, and Policies 2050, 2168, 2170, and 2167;
 - Out-of-district attendance consistent with Title 20, chapter 5, part 3 MCA and Policies 3110, 3121, and 3141.
 - early **literacy** targeted interventions in accordance with Title 20, MCA and Policy 1010FE.
 - Part-time enrollment of a student who is otherwise enrolled at a nonpublic or home school consistent with Section 20-5-101, MCA and Policy 3150.
 - Availability of funding to support student access to advanced opportunities, if applicable to a district consistent with Section 20-7-1506, MCA and Policy 1015FE;
 - Career and technical education pursuant to Title 20, chapter 7, part 3, including the attainment of industry-recognized credentials and work-based learning, consistent with Section 20-7-1510, MCA, and Policies 2050, 2410, and 2600.
 - Early college, dual enrollment, and running start opportunities, consistent with Section 20-9-706, MCA, and District Policy 2168 and 2410.
 - Other opportunities for school-age children through Montana public schools which parents/families and students may rely upon as specified in Policy 2140 which:
 - support the development of a child's full educational potential;
 - assist in reducing the costs of postsecondary education and workforce preparation; and
 - foster life success.

Innovations and Choices in Montana's Public Schools

Forms of Personalized Learning Protected Under 20-7-1601



Montana Code Annotated

20-3-324

Description

Powers and duties

20-3-326

Information On Educational Opportunities -- Duties Of Trustees

20-5-101

Admittance of child to school

20-5-112	Participation in extracurricular activities
20-5-314	Reciprocal attendance agreement with adjoining state or province
20-5-320	Attendance with discretionary approval
20-5-321	Attendance with mandatory approval – tuition and transportation
20-5-322	Residency determination – notification – appeal for attendance agreement
20-7-117	Kindergarten and preschool programs
20-7-118	Offsite Provision of Educational Services
20-7-1510	Credit for participating in work based learning partnerships
20-7-1601	Transformational Learning - Legislative Intent
20-9-706	Running start program
40-6-701	Interference with fundamental parental rights restricted
40-6-702	Fundamental Parental Rights
40-6-703	Increase parental involvement in education
Title 20, Chapter 7, part 12	Montana digital academy
Title 20, chapter 7, part 3	Vocational and Technical Education
Administrative Rules of Montana	Description
10.55.601	Accreditation Standards: Procedures
10.55.701	Board of Trustees
10.55.722	Family and Community Engagement
10.55.723	Integrated Strategic Action Plan
United States Code	Description
20 U.S.C. § 1232g, et seq.	Family Education Rights and Privacy Act
20 USC 6318	Parent and Family Engagement

Cross References

Code	Description
1005FE	Proficiency-Based ANB
1015FE	Personalized Learning Opportunities

1700	<u>Uniform Complaint Procedure</u>
2050	<u>Innovative Student Instruction</u>
2132	<u>Student and Family Privacy Rights</u>
2140	<u>Guidance and Counseling</u>
2160	<u>Title I Parent Involvement</u>
2160-P(1)	<u>Title I Parent Involvement - Title I - Equivalency/Comparability</u>
2168	<u>Remote Instruction from Non-District Sources</u>
2170	<u>Digital Academy Classes</u>
2170-P(1)	<u>Digital Academy Classes</u>
2335	<u>Health Enhancement</u>
2335-NF(1)	<u>Health Enhancement - Annual Notice</u>
2335-NF(2)	<u>Health Enhancement - Special Notice</u>
2410	<u>High School Graduation Requirements</u>
2410-P(1)	<u>High School Graduation Requirements</u>
2410-P(2)	<u>High School Graduation Requirements - Graduate Profile</u>
2410-NF(1)	<u>High School Graduation Requirements - Commitments and Intentions</u>
2600	<u>Work Based Learning</u>
2600-P(1)	<u>Work Based Learning - Insurance</u>
2600-NF(1)	<u>Work Based Learning - Affiliation Agreement</u>
3110	<u>Entrance, Placement, and Transfer</u>
3110-NF(1)	<u>Entrance, Placement, and Transfer - Education Authorization Affidavit</u>
3120	<u>Compulsory Attendance</u>
3121	<u>Enrollment and Attendance Records</u>
3121-P(1)	<u>Enrollment and Attendance Records</u>
3141	<u>Nonresident Student Enrollment</u>
3141-F(1)	<u>Nonresident Student Enrollment - Application Form</u>
3150	<u>Part-Time Enrollment</u>

3226	<u>Bullying</u>
3233	<u>Student Use of Buildings</u>
3305	<u>Seclusion and Restraint</u>
3310	<u>Student Discipline</u>
3310-P(1)	<u>Student Discipline - Student Risk Assessments</u>
3310-P(2)	<u>Student Discipline - Academic Honesty and Responsible Use of Resources</u>
3310-F(1)	<u>Student Discipline - Discipline of Students with Disabilities</u>
3410	<u>Student Health</u>
3410-NF(1)	<u>Student Health</u>
3413	<u>Student Immunization</u>
3413-F(1)	<u>Student Immunization - Medical Exemptions</u>
3413-F(2)	<u>Student Immunization - Religious Exemptions</u>
3431	<u>Emergency Treatment</u>
3431-NF(1)	<u>Emergency Treatment - Accident Report</u>
3510	<u>School-Sponsored Activities</u>
3550	<u>Student Clubs</u>
3550-NF(1)	<u>Student Clubs - School District Student Club Application</u>
3600	<u>Student Records</u>
3600-P(1)	<u>Student Records - Maintenance of School Student Records</u>
3600-NF(1)	<u>Student Records - Notification to Parents and Students of Rights Concerning a Student's School Records</u>
3600-F(1)	<u>Student Records</u>

Policy 3310: Student Discipline

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Revised Date:** 06/06/2023 | **Last Reviewed Date:** 06/06/2023

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, and alternative nicotine and vapor products as defined in 16-11-302, MCA.
- Using, possessing, distributing, purchasing, or selling alcoholic beverages, including powdered alcohol. Students who may be under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession.
- 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, violating state or federal law, or not honoring 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 unless such force is determined, following investigation, to be for self-defense or defense of others as defined by law.
- 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 or 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.
- Records or causes to be recorded a conversation by use of a hidden electronic or mechanical device which may include any combination of audio or video that reproduces a human conversation without the knowledge of all parties to the conversation.
- 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 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 bullying of a staff member or student, or an interference with school purposes or an educational function.

Exceptions: A student may not be subject to a disciplinary action for declining to: (a) identify the student's pronouns; or (b) address a person by using a name other than the person's legal name or a derivative of the person's legal name or by using a pronoun or a title that is inconsistent with the person's sex.

Disciplinary Measures

Disciplinary measures include but are not limited to:

- Expulsion
- Suspension

- Detention, including Saturday school
- 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.

Montana Code Annotated	Description
16-11-302	Definition of tobacco and vapor products
16-12-108	Limitations of Marijuana Regulation Act
20-3-324	Powers and duties
20-4-302	Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
20-5-202	Suspension and expulsion
20-7-118	Offsite Provision of Educational Services
20-9-205	Self-defense in schools

40-6-701	Interference with fundamental parental rights restricted
45-5-624	Possession of intoxicating substance
45-5-637	Possession of tobacco products
45-8-213	Privacy in communications
45-8-361	Possession of weapon in a school building

Administrative Rules of Montana
10.16.3346

Description
Aversive Treatment Procedures

United States Code
20 U.S.C. § 1232g, et seq.
20 USC 1232h
29 USC 701, et seq

Description
Family Education Rights and Privacy Act
Protection of pupil rights
Section 504 of the Rehabilitation Act

Cross References

Code
2158

Description
[Parent and Family Engagement and Educational Involvement](#)

3225

[Sexual Harassment of Students](#)

3225-P(1)

[Sexual Harassment of Students - Procedure](#)

3225-NF(1)

[Sexual Harassment of Students - Sexual Harassment Reporting/Intake Form for Students](#)

3226

[Bullying](#)

3300

[Suspension and Expulsion](#)

3305

[Seclusion and Restraint](#)

3330

[Use of Alcohol Sensor Device](#)

3340

[Extra- and Co-Curricular Alcohol, Drug, and Tobacco Use](#)

3630

[Cell Phone and Other Electronic Devices](#)

4410

[Relations With Law Enforcement and Child Protective Agencies](#)

4411

[Interrogation and Investigations Conducted by School Officials](#)

8124

[Student Conduct on Buses](#)

8225

[Tobacco Free Policy](#)

Policy 3141: Nonresident Student Enrollment

Status:
ADOPTED

Original Adopted Date: 09/09/2022 | **Last Revised Date:** 07/19/2024 |
Last Reviewed Date: 07/19/2024

Nonresident Student Enrollment

For the purposes of this policy, except as provided in Section 20-9-707, MCA, a student's district of residence must be determined on the basis of the provisions of Section 1-1-215, MCA.

Mandatory Nonresident Enrollment for Extenuating Circumstances

The District shall enroll a student who resides outside of the District whenever the extenuating circumstances listed in Section 20-5-321, MCA, exist.

Applying for Nonresident Enrollment with No Extenuating Circumstances

Whenever the extenuating circumstances listed in Section 20-5-321, MCA do not exist and mandatory enrollment of a student who resides outside the District is not required, the District may enroll the nonresident student at the request of the student's parent or guardian as specified in this policy. The District shall serve children who are residents of the district and nonresident children seeking mandatory enrollment for extenuating circumstances prior to enrolling nonresidents students seeking to apply when extenuating circumstances do not exist.

Every nonresident student who seeks to enroll in the District shall apply for admission for the succeeding school year by (date). All applications shall be submitted using the form found at Policy 3141F as developed by the Superintendent of Public Instruction. (Optional) For planning purposes, late applications shall not be considered. (End Optional Language) (Optional) Late applications may be considered. (End Optional Language) Nonresident students shall reapply for admission each school year. Admission in one school year does not infer or guarantee admission in subsequent years. Each application shall be assigned a unique number distinct from a student identification number that does not disclose a student's personally identifiable information consistent with Policy 3600. Within 10 days of the initial application for an attendance, the District shall notify the parent or guardian of the child and district of residence involved in the out-of-district attendance agreement of application the anticipated date for approval or disapproval of the agreement application by the Board of Trustees.

The Board of Trustees authorizes the District Administrator to review the applications for nonresident enrollment consistent with this policy and Section 20-5-320, MCA. Not more than 30 days following the application deadline or the receipt of an application, the District Administrator shall submit to the Board of Trustees a list of students who are recommended

for enrollment and a list of students who are not recommended for enrollment based on the factors established in this policy and the District's integrated strategic action plan. The Board of Trustees shall make the decision to approve or deny requests for nonresident enrollment during a properly noticed meeting of the Board. Each application requiring discussion of confidential student information shall be considered during a closed session consistent with Policy 1400 after giving prior notice to the parents that their application will be considered by the Board of Trustees in a closed session of the Board. Any motion on an application must be made in open session and shall be made referring to the distinct application number.

In reviewing and determining whether to approve an application for attendance by a nonresident child, the District Administrator shall recommend for approval and Board of Trustees shall approve the application unless the Board of Trustees find that the impact of approval of the application will negatively impact the quality of education for resident pupils by grade level, by school, or in the District in the aggregate in one or more of the following ways:

1. The approval would result in exceeding limits of:
 - A. building construction standards pursuant to Title 50, chapter 60, MCA;
 - B. capacity and ingress and egress elements, either by individual room or by school building, of any fire code authorized by Title 50, chapter 3;
 - C. maximum student contact hours for a teacher of the class or maximum class sizes under accreditation standards of the board of public education; or
 - ~~C-D~~ evacuation elements of the district's adopted school safety plan.

The Board authorizes the District Administrator to coordinate with the local fire marshal, law enforcement, health department, and first responders when developing standards under this Subsection 1. Findings shall be adopted by the Board in the District's strategic action plan or plan for continuous improvement specified in Policy 1610.

2. The approval would impede meeting goals, standards, or objectives of quality education adopted by the Board in the District's strategic action plan or plan for continuous improvement specified in Policy 1610. The Board finds that expulsion or suspension from this District would impede in meeting goals standards, or objectives of quality education stated in the plan.

3. The approval would risk jeopardizing the educational quality adopted by the Board in the District's strategic action plan or plan for continuous improvement specified in Policy 1610 because the nonresident child who is applying was:
 - A. truant as defined in Section 20-5-106, MCA, in the last school district attended;
 - B. expelled by another school district at any time; or
 - C. suspended in another school or out of school in any school district in which the nonresident child was enrolled in any of the 3 school fiscal years preceding the school fiscal year for which attendance is requested. This Subsection C does not apply to a student who is eligible for special education or related services.

Review and consideration of applications and the records of applicants as well as decisions regarding admission shall be consistent with District policies regarding nondiscrimination.

In the event the District receives more applications than the District can accommodate, the District shall prioritize applications on the basis of the quality of education for students

who are residents of the district of attendance and the obligations of resident taxpayers. This priority may include applications from children of District employees, applications from previously enrolled students with demonstrated good behavior, and children with siblings who have previously enrolled in the District as nonresident students. This priority is specifically established and shall be implemented on a rational basis to provide a quality education to students enrolled in the District.

Within 10 days of approval or disapproval of an application for non-resident enrollment, District shall provide copies of the approved or disapproved attendance agreement application to the parent or guardian and to the district of residence. In the case of a disapproval, the District shall provide the specific allowable reason for the disapproval consistent with this policy and supporting documentation.

For an approved application and out-of-district attendance agreement application the District shall provide a copy of the completed agreement to the county superintendent of schools of the county of residence, county superintendent of schools of the county of attendance, and the Superintendent of Public Instruction. Whenever a student enrolls in and attends a school outside of the student's district of residence under the provisions of this policy, by July 15 following the year of attendance, the district of attendance shall notify the district of residence of an obligation under Section 20-5-323, MCA.

If an out-of-district attendance agreement application is disapproved or no action is taken, the parent or guardian may appeal the disapproval or lack of action in accordance with Montana law.

Transportation

~~Unless otherwise agreed by the district of residence and the district of attendance, the family of a nonresident child whose application for attendance has been approved is responsible for transportation of the child and the child is not an eligible transportee as defined in Section 20-10-101, MCA. The district of attendance may discretionarily provide transportation pursuant to Section 20-10-122, MCA.~~

~~(a) An attendance agreement established under 20-5-320 or 20-5-321 must set forth the financial obligations, if any, for costs incurred for transportation as provided in § 20-5-323 (6), MCA and Title 20, chapter 10, MCA.~~

~~(b) If the attendance agreement is for a child with a disability who has transportation included in the child's individualized education program, transportation or the costs of transportation must be paid by the child's district of residence.~~

~~(c) Unless the attendance agreement is for a child with a disability who has transportation included in the child's individualized education program and unless otherwise agreed to in the out-of-district attendance agreement:~~

~~(i) when a child has approval to attend a school outside the child's district of residence because of a parent's or guardian's request under the provisions of §§ 20-5-320 or 20-5-321(1)(c), MCA, the parent or guardian of the child is responsible for transportation and the child is not an eligible transportee as defined in § 20-10-101, MCA. The district of attendance may discretionarily provide transportation for a child who is not an eligible transportee pursuant to § 20-10-122, MCA.~~

~~(ii) when a child attends a school outside the child's district of residence under the provisions of § 20-5-321(1)(a) or (1)(b), MCA, the district of residence is responsible for transportation; and~~

(iii) when a child attends a school outside the child's district of residence under the provisions of § 20-5-321(1)(d) or (1)(e), MCA, the district of attendance is responsible for transportation consistent with and subject to the provisions of 20 U.S.C. 6312(c)(5).

(d) The amount, if any, charged for transportation may not exceed the lesser of the average transportation cost for each student in the child's district of residence or 35 cents a mile. The average expenditures for the district transportation fund for the preceding school fiscal year must be calculated by dividing the transportation fund expenditures by the October 1 enrollment count for the preceding fiscal year.

Montana Code Annotated

1-1-215

Description

Residence - rules for determining

20-5-314

Reciprocal attendance agreement with adjoining state or province

20-5-320

Non-Resident Enrollment

20-5-320

Attendance with discretionary approval

20-5-321

Attendance with mandatory approval – tuition and transportation

20-5-322

Residency determination – notification – appeal for attendance agreement

20-5-323

Tuition and transportation rates

Administrative Rules of Montana**Description**

10.10.301B

Out-of-District Attendance Agreements

10.55.712

Class Size Elementary

10.55.713

Teacher load and class size

Cross References**Code****Description**

2158

[Parent and Family Engagement and Educational Involvement](#)

2161

[Special Education](#)

2161-P(1)

[Special Education - Procedure](#)

2413

[Credit Transfer and Assessment for Placement](#)

3110

[Entrance, Placement, and Transfer](#)

3110-NF(1)

[Entrance, Placement, and Transfer - Education Authorization Affidavit](#)

3125

[Education of Homeless Children](#)

3125-NF(1)

[Education of Homeless Children - McKinney-Vento
Homeless Education Assistance Dispute Resolution
Form](#)

3150

[Part-Time Enrollment](#)

Policy 3121: Enrollment and Attendance Records

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Revised Date:** 03/19/2024 | **Last Reviewed Date:** 03/19/2024

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, offsite instructional setting or remote instruction from the public schools 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 Section 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 Section 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 remote instruction consistent with Policies 2050, 2168, and 2170. The student:
- must meet the residency requirements for that district as provided in 1-1-215;

- shall live in the district and must be eligible for educational services under the Individuals With Disabilities Education Act or under 29 U.S.C. 794; or
 - attend school in the district must be enrolled in the educational program or course under a mandatory attendance agreement as provided in 20-5-321; or
 - must be receiving remote instruction under 20-7-118(1)(c).
- A student enrolled on a part time basis consistent with Policy 3110, 3150, 3121P;
 - 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 enrolled by the Board for exceptional circumstances as defined in applicable District policies and in accordance with Section 20-5-101, MCA.
 - A student ~~the child is being~~ admitted into an early ~~literacy~~ targeted intervention classroom or jumpstart program pursuant to Title 20, chapter 7, part 18 and Policy 2165 in a manner consistent with Section 20-9-311(3)(e), MCA. A district providing a jumpstart program shall add one-quarter enrollment for a pupil who participated in the district's early literacy jumpstart program to the pupil's regular enrollment count in both the October and February enrollment counts following the student's participation in the jumpstart program.
 - ;
 - A student gaining credit for participating in a work-based learning program pursuant to Section 20-7-1510, MCA, 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 interlocal agreement with the district under Section 20-9-707, MCA; or
 - A resident of the district attending a Montana Youth Challenge Program under an interlocal agreement with the district under Section 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.

Enrollment for Purposes of Participation in Extracurricular Activities By an Unenrolled Child or Part Time Enrolled Student

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.

Montana Code Annotated	Description
1-1-215	Residence - rules for determining
20-1-101	Definitions
20-3-324	Powers and duties
20-5-101	Admittance of child to school
20-5-112	Participation in extracurricular activities
20-7-118	Offsite Provision of Educational Services
20-7-1510	Credit for participating in work based learning partnerships
20-9-311	Calculation of Average Number Belonging

20-9-706	Running start program
20-9-707	Agreement with Montana youth challenge program or accredited Montana job corps program
Title 20, Chapter 7, Part 18	Early Literacy Targeted Intervention

Administrative Rules of Montana
10.20.102

Description
Calculation of Average Number Belonging

Code of Federal Regulations
34 CFR 300.1, et seq.

Description
Individuals with Disabilities Education Act

Cross References

Code

Description

2050	<u>Innovative Student Instruction</u>
2158	<u>Parent and Family Engagement and Educational Involvement</u>
2168	<u>Remote Instruction from Non-District Sources</u>
2170	<u>Digital Academy Classes</u>
2170-P(1)	<u>Digital Academy Classes</u>
2600	<u>Work Based Learning</u>
2600-P(1)	<u>Work Based Learning - Insurance</u>
2600-NF(1)	<u>Work Based Learning - Affiliation Agreement</u>
3110	<u>Entrance, Placement, and Transfer</u>
3110-NF(1)	<u>Entrance, Placement, and Transfer - Education Authorization Affidavit</u>
3122	<u>Attendance Policy</u>
3123	<u>Attendance Policy Procedure-Truancy</u>
3150	<u>Part-Time Enrollment</u>

Policy 3110: Entrance, Placement, and Transfer

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Revised Date:** 03/19/2024 | **Last Reviewed Date:** 03/19/2024

Entrance, Placement, and Transfer

Entrance, Date, and Age

The trustees will enroll and admit a child to a school in the district when the child is 5 years of age or older on or before the tenth (10th) day of September of the school year in which the child is to enroll but is not yet 19 years of age who is a resident of the District. Parents may request a waiver of the age requirement. 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 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. Students enrolled by the Trustees under this provision shall find the student's exceptional circumstances:

- (a) the child under 5 is determined by the trustees to be ready for kindergarten and the child's parents have requested early entry into the district's regular 1-year kindergarten program;
- (b) the child under 5 is being admitted into an early **literacy** targeted intervention classroom or jumpstart program pursuant to Title 20, chapter 7, part 18 and Policy 2165; or
- (c) the adult is 19 years of age or older and in the trustees' determination would benefit from educational programs offered by a school of the district.

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.

The trustees shall assign and admit a child who is enrolled in a nonpublic or home school and who meets the age and residency requirement of this policy on a part-time basis at the request of the child's parent or guardian consistent with the provisions of Policy 3150. A part time enrollee shall be calculated for purposes of ANB consistent with Policy 3121.

School Entrance

1. . The District requires that a student's parents, legal guardian, or legal custodian present proof of identity of the child 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. 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.

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

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 considered in the placement of all students. Final disposition of all placement decisions rests with the principal, subject to review by the Superintendent or the Board.

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.

Elementary Grades (K-8)

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

placement.

Secondary Grades (9-12) Credit Transfer

A transfer of credits from any secondary school is subject to a satisfactory examination of the following:

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

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

Montana Code Annotated

20-1-101

Description

Definitions

20-5-101

Admittance of child to school

20-5-403

Immunization required – release and acceptance of immunization records

20-5-404

Conditional Attendance

20-5-405

Medical or religious exemption

20-5-406

Immunization record

44-2-511

School enrollment procedure

Title 20, Chapter 5, Part 5

Enrollment of Pupil by Caretaker Relative

Administrative Rules of Montana

10.16.3122

Description

Local Educational Agency Responsibility for Students with Disabilities

10.55.712

Class Size Elementary

10.55.713

Teacher load and class size

Title 10, Chapter 55

Accreditation Standards

Cross References

Code

2158

Description

Parent and Family Engagement and Educational

	<u>Involvement</u>
2413	<u>Credit Transfer and Assessment for Placement</u>
3121	<u>Enrollment and Attendance Records</u>
3121-P(1)	<u>Enrollment and Attendance Records</u>
3124	<u>Military Compact Waiver</u>
3125	<u>Education of Homeless Children</u>
3125-NF(1)	<u>Education of Homeless Children - McKinney-Vento Homeless Education Assistance Dispute Resolution Form</u>
3141	<u>Nonresident Student Enrollment</u>
3141-F(1)	<u>Nonresident Student Enrollment - Application Form</u>
3150	<u>Part-Time Enrollment</u>
3413	<u>Student Immunization</u>
3413-F(1)	<u>Student Immunization - Medical Exemptions</u>
3413-F(2)	<u>Student Immunization - Religious Exemptions</u>
3520	<u>Student Fees, Fines, and Charges</u>
3600	<u>Student Records</u>
3600-P(1)	<u>Student Records - Maintenance of School Student Records</u>
3600-NF(1)	<u>Student Records - Notification to Parents and Students of Rights Concerning a Student's School Records</u>
3600-F(1)	<u>Student Records</u>
8100	<u>Transportation</u>

Policy 2600: Work Based Learning

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Revised Date:** 06/06/2023 | **Last Reviewed Date:** 06/06/2023

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 student's work-based experience goals, prioritizing the student's academic commitments, assessment of the work-based learning experience goals..

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 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 student.

Credit for Employment at Congregate Care Facilities, Child Care Facilities, and School-Age Programs

A student of the District who is 16 years of age or older and who is employed on a paid or voluntary basis at a congregate-care facility, child-care facility, or school-age program may earn one unit of credit for graduation for every 8,100 minutes worked at the congregate-care facility, childcare facility, or school-age program.

The Superintendent or his or her designee shall develop conditions and requirements on the type of work the student is performing that the student shall satisfy to earn credit toward graduation and a process for verification of the number of minutes the student works at the congregate-care facility, child-care facility, or school-age program.

To be eligible to receive credit towards graduation, an application must be received by the District on an annual basis prior to [DATE]. Applications will be accepted at a later date in the event the student begins employment with a facility during the school year. Credits will be granted for work performed after the application is received and approved by the District.

For the purposes of this Policy, the following definitions apply:

(a) "Child-care facility" means a day-care center, group day-care home, or family day-care home licensed or registered under the provisions of Title 52, chapter 2, part 7.

(b) "Congregate-care facility" has the same meaning as:

(i) "community residential facility" as defined in 76-2-411;

(ii) "developmental disabilities facility" as defined in 53-20-202;

(iii) "long-term care facility" as defined in 50-5-101; and

(iv) "residential care facility" as defined in 50-5-101.

(c) "School-age program" means a program serving children 5 years of age or older during the school year or summer.

Montana Code Annotated

20-1-101

Description

Definitions

20-7-1510

Credit for participating in work based learning partnerships

39-3-406

Work Based Learning

39-71-118

Employee, worker, volunteer, volunteer firefighter, and volunteer emergency care provider defined --election of coverage.

Title 41, Chapter 2

Child Labor

United States Code

29 USC 212

Description

Fair Labor Standards Act

Cross References

Code	Description
1005FE	<u>Proficiency-Based ANB</u>
2050	<u>Innovative Student Instruction</u>
2158	<u>Parent and Family Engagement and Educational Involvement</u>
2410	<u>High School Graduation Requirements</u>
2410-P(1)	<u>High School Graduation Requirements</u>
2410-P(2)	<u>High School Graduation Requirements - Graduate Profile</u>
2410-NF(1)	<u>High School Graduation Requirements - Commitments and Intentions</u>
3121	<u>Enrollment and Attendance Records</u>
3121-P(1)	<u>Enrollment and Attendance Records</u>

Policy 2450: Indian Education for All

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Revised Date:** 06/06/2023 | **Last Reviewed Date:** 06/06/2023

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 consistent with Article X, Section 1 (2) of the Montana Constitution.

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

- Working ~~cooperatively~~ **in consultation** with Montana Tribes in close proximity to the District, **when developing courses of study**, 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, if an Indian Education for All payment is issued to the District under Section 20-9-329, MCA.

Montana Code Annotated

20-1-501

Description

Indian Education For All

20-1-503

Indian Education for All

Montana Constitution

Article X, section 1

Description

Educational Goals and Duties

Administrative Rules of Montana

10.55.603

Description

Curriculum and Assessment

10.55.701

Board of Trustees

Cross References

Code	Description
2000	Goals

Policy 5255: Disciplinary Action

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Reviewed Date:** 09/09/2022

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 school operations, 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.

No employee, regardless of the scope of the employee's official duties, may be subjected to an adverse employment action for declining to: (a) identify the employee's pronouns while acting within the scope of employment; or (b) address a person by using a name other than the person's legal name or a derivative of the person's legal name or by using a pronoun or a title that is inconsistent with the person's sex.

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 or building principal's right to suspend an employee, without pay, or to impose other appropriate disciplinary sanctions. Disciplinary sanctions, including all forms of reprimands, will be documented and placed in the employee's personnel file in accordance with Policy 5231. In accordance with Montana law, only the Board may terminate an employee or non-renew employment.

The Superintendent or building principal is authorized to immediately suspend a staff member, with pay, in a non-disciplinary manner.

Montana Code Annotated	Description
20-3-324	Powers and duties
20-4-204	Termination of tenure teacher services
20-4-207	Dismissal of teacher under contract
39-2-903	Definitions
39-2-904	Elements of wrongful discharge – presumptive probationary period
39-2-912	Exemptions
Title 39, Chapter 31	Collective bargaining for public employees

Policy 5122: Fingerprints and Criminal Background Investigations

Status: ADOPTED

Original Adopted Date: 09/09/2022 | **Last Reviewed Date:** 09/09/2022

It is the policy of the Board that any finalist recommended for hire to 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 [federal fingerprint-based criminal history record check] conducted by the appropriate law enforcement agency prior to consideration of the recommendation for employment or appointment by the Board.

Any requirement of an applicant to submit to a fingerprint background check shall 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 shall decide whether the applicant shall be declared eligible for appointment or employment in a manner consistent with the expectations and standards set by the board.

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 employee seeking full- or part-time employment with the District;
- A non-certified or classified 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, **including a chaperone**, who has **regular** unsupervised access to students; and
- Substitute teachers.

Montana Code Annotated

44-5-301

Description

Dissemination of public criminal justice information

44-5-302

Dissemination of criminal history record information that is not public criminal justice information

44-5-303

Dissemination of confidential criminal justice information – procedure for dissemination through court

20-3-323

District Policy and Record of Acts

Administrative Rules of Montana

10.55.716

United States Code

Public Law 105-251

Description

Substitute Teachers

Description

Volunteers for Children Act

Cross References**Code**

1000

1521

5120

5120-P(1)

5120-F(1)

5120-F(2)

5120-F(3)

5120-F(4)

5120-F(5)

5120-F(6)

5430

5430-NF(1)

8300

8301

Description[Legal Status, Operation and Organization](#)[Board/Superintendent Relationship](#)[Hiring Process and Criteria](#)[Hiring Process and Criteria - Federal Background Check, Fingerprint, and Information Handling Procedure](#)[Hiring Process and Criteria - Determination Form](#)[Hiring Process and Criteria - Privacy Act Statement](#)[Hiring Process and Criteria - Determination Of Eligibility for Hire](#)[Hiring Process and Criteria - Notice of Federal Background Check Determination](#)[Hiring Process and Criteria - Dissemination Log](#)[Hiring Process and Criteria - Re-dissemination of Criminal History to the Individual](#)[Volunteers](#)[Volunteers - Volunteer Agreement Form](#)[Risk Management](#)[School Safety](#)

Policy 3650: Montana Pupil Online Personal Information Protection Act **Status:** ADOPTED

Original Adopted Date: 09/09/2022 | **Last Reviewed Date:** 09/09/2022

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.

Definitions

"K-12 school purposes" means activities that customarily take place at the direction of a school, teacher, or school district or aid in the administration of school activities, including but not limited to instruction in the classroom or at home, administrative activities, and collaboration between pupils, school personnel, or parents, or that are for the use and benefit of a school. The term does not include courses that are provided for the purpose of postsecondary credit or work-based learning courses provided by a work-based learning partner pursuant to 20-7-1510.

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.

Montana Code Annotated
Title 20, Chapter 7, Part 13

Description
Montana Pupil Online Personal Information Protection Act

United States Code
20 U.S.C. § 1232g, et seq.

Description
Family Education Rights and Privacy Act

Cross References

Code
3235

Description
[Video Surveillance](#)

3612

[School-Provided Access to Electronic Information, Services, Equipment, and Networks](#)

3612-P(1)

[School-Provided Access to Electronic Information, Services, Equipment, and Networks](#)

3612-NF(1)

[School-Provided Access to Electronic Information, Services, Equipment, and Networks - Student Internet Access and Equipment Use Conduct Agreement](#)

Policy 3416: Administering Medicines to Students

Status: ADOPTED

Original Adopted Date: 09/09/2022 | Last Revised Date: 11/26/2024 | Last Reviewed Date: 11/26/2024

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 healthcare provider. It includes over-the-counter medications prescribed through a standing order by authorized physician or prescribed by the student's healthcare provider.~~

"Medication" means a medicine, including inhaled bronchodilators, inhaled corticosteroids, and autoinjectable epinephrine, and epinephrine nasal spray, prescribed by a licensed physician as defined in 37-3-102, a physician assistant who has been authorized to prescribe medications as provided in 37-20-404, or an advanced practice registered nurse with prescriptive authority as provided in 37-8-202(1)(h).

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 ~~shall permit~~ permits administration of medication to students in schools in its jurisdiction. A school nurse or other employee 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 shall 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 District or its employees are not liable for injury that results from the student self-administering the medication.~~

A parent or guardian or individual who has executed a caretaker relative educational authorization affidavit has submitted a signed authorization for self-administration of medication, acknowledging that the District and its employees are not liable for injury resulting from the student self-administration of medication.-

- The student shall have the prior written approval of his/her primary healthcare provider. The written notice from the student's primary care provider shall 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 healthcare 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 shall 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 shall 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 call to emergency responders.

Emergency Use of Stock Albuterol

The District may maintain a supply of stock albuterol and single-use disposable holding chambers to be administered by a school nurse or other authorized personnel to a student or nonstudent as needed for respiratory distress. This Policy may not be interpreted to relieve a student's parent or guardian of providing a student's medication or create an expectation that a school will have stock albuterol available.

Definitions

"Stock albuterol" means quick-relief asthma medication that is approved by the United States food and drug administration for the treatment of respiratory distress. The term includes albuterol medication delivered through a metered dose inhaler or dry-powder inhaler that includes a spacer or holding chamber that attaches to a metered dose inhaler to improve the delivery of medication.

"Authorized personnel" means an employee or agent identified by the District who is approved by the District administration to administer a stock medication in a school setting or at a related activity.

"Respiratory distress" means a person's inability to breathe adequately, including the perceived or actual presence of associated symptoms such as coughing, wheezing, or shortness of breath.

Additional Requirements

The Superintendent or his or her designee shall develop a protocol related to the training of school employees, the maintenance and location of the stock albuterol, and the immediate and long-term follow-up to the administration of the medication, including determining when to make a 9-1-1 emergency call.

The stock albuterol must be prescribed by a physician, advanced practice registered nurse, or physician assistant. The school must be designated as the patient and each prescription for stock albuterol must be filled by a licensed pharmacy.

The District may enter into an agreement with a manufacturer of bronchodilators or spacers, a third-party supplier of bronchodilator or spacers, or a health care office to obtain bronchodilators or spacers at no charge, at market price, or at a reduced price, and may accept gifts, grants, or donations to purchase bronchodilators or spacers for emergency use.

Authorized personnel shall complete an annual asthma education program approved by the department of public health and human services. The training must include causes of respiratory distress, recognition of signs and symptoms of respiratory distress, indications for the administration of albuterol, administration techniques, and the need for immediate access to a certified emergency responder.

The stock albuterol must be kept in a secure and easily accessible location.

The District will inform parents or guardians about the potential use of stock albuterol in a respiratory distress emergency and will make the protocol available on request.

The District will document the use of stock albuterol following an event and report this use to the department of public health and human services within 3 days in a reporting format determined by the department.

The District will submit an annual report to the department of public health and human services summarizing the use of stock albuterol during each school year in a reporting format determined by the department.

Self-Administration of Other Medication

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 appropriate teachers are informed that a student is self-administering prescribed medication.

Administration of Glucagon

School employees may voluntarily agree to administer glucagons to a student pursuant to 5-20-5-412, 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 5-20-5-412(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, and 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 provided by the parent or guardian. All documentation shall be kept on file.

A parent, an individual who has executed a caretaker relative educational authorization affidavit pursuant to §20-5-503, MCA, an individual who has executed a caretaker relative medical authorization affidavit pursuant to § 40-6-502, MCA, or a guardian of a diabetic student may designate an adult to administer glucagon to their child in an emergency situation. Written proof of the designation and acceptance of the designation by the parent-designated adult must be filed with the school district.

"Parent-designated adult" means a school district employee, selected by a parent, an individual who has executed a caretaker relative educational authorization affidavit pursuant to §20-5-503, MCA, an individual who has executed a caretaker relative medical authorization affidavit pursuant to § 40-6-502, MCA, or a guardian of a diabetic student, who voluntarily agrees to administer glucagon to the student.

The parent-designated adult must be trained in recognizing hypoglycemia and the proper method of administering glucagon. Training must be provided by a health care professional, as defined in § 33-36-103, MCA, or a recognized expert in diabetic care selected by the parent, an individual who has executed a caretaker relative educational authorization affidavit, an individual who has executed a caretaker relative medical authorization affidavit, or a guardian. Written documentation of the training received by the parent-designated adult must be filed with the school district.

The glucagon must be provided by the parent, an individual who has executed a caretaker relative educational authorization affidavit, an individual who has executed a caretaker relative medical authorization affidavit, or a guardian of the diabetic student.

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. Epinephrine, 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 shall 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, shall be stored in their original containers.

The District shall 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 law.

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 in compliance with § 20-5-426, MCA. 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.

If the District stocks a supply of an opioid antagonist, the following requirements apply:

- (a) The Superintendent or his or her designee shall develop a protocol related to the training of school employees, the maintenance and location of the opioid antagonist, and immediate and long-term follow-up to the administration of the medication, including making a 9-1-1 emergency call.
- (b) The opioid antagonist must be prescribed by a physician, advanced practice registered nurse, or physician assistant. The school must be designated as the patient, and each prescription for an opioid antagonist must be filled by a licensed pharmacy.
- (c) The school shall provide training to authorized personnel. The training must include causes of opioid overdose, recognition of signs and symptoms of opioid overdose, indications for the administration of an opioid antagonist, administration technique, and the need for immediate access to a certified emergency responder. Training must be provided by a school nurse, certified emergency responder, or other health care professional.
- (d) The opioid antagonist must be kept in a secure and easily accessible location.

- (e) A school nurse or other authorized personnel may, in good faith, administer the opioid antagonist to any student or nonstudent who is experiencing a potential life-threatening opioid overdose based on the protocol developed by the school.
- (f) If a school stocks an opioid antagonist that has been prescribed to the school, that school shall inform parents or guardians about the potential use of the opioid antagonist in an opioid overdose emergency. The school shall make the protocol available upon request.
- (g) Neither the District, nor its employees and agents, are liable as a result of any injury arising from the administration of an opioid antagonist, including an expired opioid antagonist, to a student or nonstudent unless an act or omission is the result of gross negligence, willful or wanton misconduct, or an intentional tort.

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, shall 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 container, 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 manufacture guidelines specific to the container or equipment.

Montana Code Annotated

20-5-412

Description

Definition – parent-designated adult administration of glucagons

20-5-420

Self-administration or possession of asthma, allergy, anaphylaxis medication

20-5-421

Emergency use of epinephrine in school setting

20-5-426

Emergency use of an opioid antagonist in

37-8-103(1)(c)

Exemptions – limitations on authority

40-6-701

Interference with fundamental parental rights restricted

75-10-1001, et seq

Infectious Waste Management Act

Administrative Rules of Montana

Description

24.159.1601, et seq

Delegation of Nurse Duties

37.111.812

Safety Requirements

Cross References

Code

3431

3431-NF(1)

Description

[Emergency Treatment](#)

[Emergency Treatment - Accident Report](#)