

**3000 SERIES
STUDENTS**

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Entrance, Placement and Transfer**Entrance, Date and Age:**

No pupil may be enrolled in the kindergarten or first grade whose fifth or sixth birthday does not occur on or before the tenth day of September of the school year in which the child registers to enter school. A birth certificate and an immunization record are required for admission to the Dayton School.

School Entrance

1. The district requires that a child's parents, guardian, or legal custodian present to the school, upon enrollment, proof of identity of the child. (Birth certification or certified transcript).
2. If a child's parent, guardian, or legal custodian does not present the proof of identity required within forty days of enrollment or if the school district does not receive the school records of the child within sixty days of enrollment, the school shall notify the missing children information program or a local law enforcement authority of the fact that no proof of identity has been presented for the child.
3. In accordance with the Montana Immunization Law, a student will not be admitted who has not been immunized against diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles (except that pertussis vaccination is not required for person 7 years or older). If the student qualifies for conditional attendance or a religious exemption is filed as defined by Montana law, immunization may not be required.

Placement:

The goal of the school shall be to place students at levels and in settings that will enhance the probability of student success. Developmental testing, together with other relevant criteria including, but not limited to health, maturity, emotional stability, and developmental disabilities will be considered in the placement of all students. Final disposition of all placement decisions rest with the Supervising Teacher, subject to review by the Board.

Transfer:

Any student transferring into the District will be admitted and placed on a probationary basis for a period of two weeks. Should any doubt exist with the teacher and/or the Supervising Teacher as to grade and level placement of the student, the student shall be subject to an educational assessment to determine appropriate grade and level placement. The student will be subject to observation by the teacher and Supervising Teacher. Ultimate disposition of placement decisions of students transferring to Dayton School shall rest with the Supervising Teacher, subject to review by the Board.

Legal Reference:	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-403, MCA	Immunization requirement - release and acceptance of immunization records
	§ 20-5-404, MCA	Conditional attendance
	§ 20-5-405, MCA	Medical or religious exemption
	§ 20-5-406, MCA	Immunization record
	10.55.601 et seq., ARM	

Policy History:

Adopted on: 2008-09

Revised on: 2/15/2010

Child Abuse and Neglect Reporting Policy**1. Basic Policy**

The Board of Upper West Shore School District #33 supports those sections of Montana law concerned with the reporting of suspected cases of child abuse and neglect perpetrated by persons within or outside District employment.

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

2. Laws and Definitions

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

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

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

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

3. Reporting

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

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

4. Penalty for Failure to Report

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

5. Remedial Action and Prevention

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

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

Policy History:
Adopted on: 2008-09
Revised on:

Child Custodial Agreement

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

1. Parents who come to the school or call the school with information that a child is leaving because of a change in custodial arrangements should be informed that the Lake County Sheriff's Department oversees the process. The parent will be directed to go to the Sheriff's office.
2. The Sheriff or law enforcement officer will check the custodial decree and also check to see if there is any pertinent restraining orders.
3. If the Officer-in-Charge suspects that a confrontation may occur at the school, he will call the school. After receiving this call, the Supervising Teacher will determine if the child should be removed from the classroom and placed in a safe location until a decision is made.
4. The Sheriff or Officer-in-Charge will notify the school about the custodial change. If the circumstances are questionable, the Supervising Teacher will "call back" to verify that the call came from the Sheriff's office.
5. Whenever possible, the officer will attempt to work around the child's school schedule in order to minimize the disruption for the child, the classroom teacher and students. The Sheriff's Department will decide on the appropriateness of calling the parent or guardian who was the former caretaker of the child.
6. If a custody change is to be made during the school day and the child will be leaving the District, the school Supervising Teacher will be responsible for removing the child from the classroom and/or school. The child may be taken to a neutral location (agreed upon by the deputy and the Supervising Teacher) for "pick up" by the custodial parent.

Policy History:

Adopted on: 2008-09

Revised on:

Compulsory Attendance

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

1. The child's 16th birthday, and,
2. The date of completion of the work of the eighth grade.

Parents shall enroll the student unless the student is:

1. Provided with supervised correspondence or home study;
2. Excused because of determination by a district judge that attendance is not in the best interests of the child;
3. Enrolled in a non-public or home school.
4. Enrolled in a school of another district or state under the tuition provisions of this title.
5. Excused by the Board of Trustees upon a determination that such attendance by a child who has attained the age of 16 is not in the best interest of the child and the school.

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

Policy History:
Adopted on: 2008-09
Revised on:

Enrollment and Attendance Records

Since accurate enrollment and attendance records are essential both to obtain state financial reimbursement and to fulfill the District's responsibilities under the attendance laws, staff shall be diligent in maintaining such records.

Average Number Belonging

Definition: Average Number Belonging (ANB) is the enrollment measure used for the State Foundation Program calculations as defined in § 20-9-311, MCA. The ANB of one year is based on the attendance records of the preceding year. Funding for districts is based on ANB and must be accurate.

For a child to be counted for ANB purposes, they must:

- a) Meet the definition of pupil as found in § 20-1-101 (10) MCA,
- b) Be enrolled for a full school day, namely two hours for kindergarten, four hours for grades one through three and six hours for grades four through 8, and
- c) Not dropped from enrollment for being absent more than 10 consecutive school days.

Attendance Accounting:

Days present and absent for every student are to be recorded in a register approved by the Board or the County Superintendent. The register should be retained with the permanent records that are in the school or at the County Superintendent's office. The purpose of the current reporting includes informing parents of a student's attendance record.

First Monday in October and first Monday in February, the number of all enrolled students (whether present or absent) by grade level and class will be recorded on the forms provided by the district. Special education children who are enrolled in special programs 16 hours a week or more will be listed separately.

Policy History:

Adopted on: 2008-09

Revised on:

Attendance Policy - Grades K-8

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

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

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

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

Definitions

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

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

Excessive Absences - Students who miss 8 days of school per semester are considered excessively absent.

Tardiness - All tardies that extend beyond 9:00 a.m. will be considered a .5 absence. A student who leaves school one hour prior to dismissal will also receive a .5 absence.

Reporting Student Absences

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

Excused Absences and Tardies

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

Absence/Student Performance

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

SUMMARY OF RESPONSIBILITIES

Students:

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

Parents or Legal Guardian:

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

Teachers:

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

Supervising Teacher:

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

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

Policy History:

Adopted on: 2008-09
Revised on: 05/18/2015

Discretionary Nonresident Student Attendance Policy

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

1. Except as provided by law, admission to the district as a nonresident student is a privilege, unless required by Sec 20-5-321, MCA. As such, the district will screen all discretionary students and only consider those who meet the criteria set forth in this policy.
2. The board will make the final decision on admission.
3. Students who do not qualify under the mandatory attendance laws and who reside outside of Upper West Shore District #33, will be denied enrollment, with the following exceptions:
 - A. Foreign exchange students, per existing policies;
 - B. Children in the immediate family of nonresident district employees;
 - C. Students residing outside the district, provided they:
 - are in good standing with the most recently attended school in terms of academics, conduct and attendance;
 - are able to demonstrate a record free of truancy;
 - are able to demonstrate a clean behavior record in the school last attended for a period of at least one (1) year;
 - have passing grades in the school previously attended;
 - have correctly completed the nonresident student application process;
 - present no other educationally related detriment to the students of the district.
4. The board will not admit any student prior to a review of that student's record from the student's previous school districts.
5. The district has the option of accepting a nonresident student who does not meet the criteria set forth herein, if the student agrees to special conditions of admission as set forth by the board.
6. Every student who attends the district as a nonresident student must reapply for admission by June 15th for the upcoming year. Admission in one (1) school year does not imply or guarantee admission in subsequent years.
7. The district will not admit nonresident students, when to do so would require the hiring of additional staff or the provision of educational services not currently provided in the school, or would result in overcrowding of existing classes. Exceptions to this policy may be made in special circumstances to be determined solely by unanimous decision of the Board. The granting of such an exception shall not be indicative of any change in district policy and shall not constitute a precedent for any future situation requiring an exception.
8. All resident students who become nonresidents due to a move from the district by their parents/guardians may continue attendance for the school year barring registration in another district. At the completion of the school year, the student must apply as a nonresident student.
9. The board reserves the right to charge tuition for nonresident students, per statute (20-5-321, MCA).
10. All nonresident students will be considered ineligible transportees for school transportation services (20-10-101, MCA).
11. Solely at its discretion the Board shall have the right to declare an emergency which, in its opinion, necessitates the removal of some or all non-resident students from the school. In the event that only some non-resident students must be removed the Board shall have authority to determine which students shall be removed.
12. The board will not admit any student who is expelled from another school district. Exceptions to this policy may be made in special circumstances to be determined solely by unanimous decision of the Board. The granting of such an exception shall not be indicative of any change in district policy and shall not constitute a precedent for any future situation requiring an exception.

Legal Reference:	20-5-314, MCA	Reciprocal attendance agreement with adjoining state or province
	20-5-320, MCA	Attendance with discretionary approval
	20-5-321, MCA	Attendance with mandatory approval - tuition and transportation
	20-5-323, MCA	Tuition and transportation rates
	10.10.301B, ARM	Out of District Attendance Agreements

Adopted on: 7/11/05

Revised on: 2/15/2010

Education of Homeless Children

Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education as provided to other students. The trustees must assign and admit a child who is homeless to a school in the District regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The trustees may not require an out-of-District attendance agreement and tuition for a homeless child. The Superintendent or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, residence, birth certificates, school records, and other documentation. Homeless students shall have access to services comparable to services offered to other students, including but not limited to:

1. Transportation services;
2. Educational services for which the student meets eligibility criteria (e.g., Title I);
3. Educational programs for children with disabilities and limited English proficiency;
4. Programs in vocational and technical education, as well as programs for gifted and talented students; and
5. School nutrition program.

The Superintendent or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths not currently attending school. The Superintendent shall appoint a liaison for homeless children.

A "homeless child" is defined as provided in the McKinney Homeless Assistance Act.

A complaint regarding the placement or education of a homeless child shall first be presented orally and informally to the District's homeless liaison/coordinator. Thereafter a written complaint must be filed in accordance with the District's Uniform Grievance Procedure.

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

Policy History:
Adopted: 10/20/2014

Student Rights and Responsibilities:

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

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

Rights, Responsibilities, and Authority of Certificated Staff

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

Certificated staff shall have the right to:

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

Certificated staff shall have the responsibility to:

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

Certificated staff shall have the authority to:

1. Use physical restraint, defined as placing of hands on a pupil in a manner that is reasonable and necessary to quell a disturbance, provide self-protection, protect the pupil or others from physical injury, obtain possession of a weapon or other dangerous object on the person of the pupil, maintain the orderly conduct of a pupil including but not limited to relocating a pupil in a waiting line, classroom, lunchroom, or other non-campus facility or within control of the pupil and protect property from serious harm.
2. A teacher has the authority to hold a pupil to strict accountability for disorderly conduct in school, on the way to or from school, or during intermission or recess. However, a person who is employed by the District may not inflict or cause to be inflicted corporal punishment on a pupil.
3. Remove a student from a class session for sufficient cause.
4. Detain a student after school for up to 10 minutes.
5. The Supervising Teacher may recommend suspension and the expulsion of a student to the Board.
6. Not participate in reciting the Pledge of Allegiance.

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

Policy History:

Adopted on: 2008-09

Revised on:

Equal Education and Nondiscrimination

The Upper West Shore Public School District #33 is committed to equality of educational opportunity. Because freedom from discrimination is a fundamental right under the Montana Constitution, it is the policy of this District to provide a learning environment free of discrimination.

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

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

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

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

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

Adopted on: 2008-09

Revised on:

Uniform Grievance Procedure

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

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

1. Level 1: Informal

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

2. Level 2: Supervising Teacher or Principal

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

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

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

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

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

Level 3: The Board of Trustees

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

Level 4: County Superintendent

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

Policy History:

Adopted on: 2008-09
Revised on:

Freedom of Expression

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

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

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

Student Publications

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

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

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

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

Policy History:
Adopted on: 2008-09

Revised on:

STUDENTS

3224

Student Dress

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

1. A health or safety hazard may be created by the student's dress or appearance;
2. Damage to school property may result from the student's dress; or
3. The student's dress or appearance is immodest and may create a material or substantial disruption of the education process at the school.
4. Dress that contains printed material must conform to the guidelines in Policy #3220.

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

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

Policy History:

Adopted on: 2008-09

Revised on:

Bullying/Harassment/Intimidation/Hazing

The District will strive to provide a positive and productive learning and working environment. Bullying, harassment, intimidation, or hazing, by students, staff, or third parties, is strictly prohibited and shall not be tolerated. This includes bullying, harassment, or intimidation via electronic communication devices (“cyberbullying”).

Definitions

1. “Third parties” include but are not limited to coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-District athletic competitions or other school events.
2. “District” includes District facilities, District premises, and non-District property if the student or employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events, where students are under the control of the District or where the employee is engaged in District business.
3. “Hazing” includes but is not limited to any act that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in or affiliation with any District-sponsored activity or grade-level attainment, including but not limited to forced consumption of any drink, alcoholic beverage, drug, or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation, or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes, or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed, or other such activities intended to degrade or humiliate.
4. “Bullying, harassment, or intimidation” means any act that substantially interferes with a student’s educational benefits, opportunities, or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, or anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a student or staff member or an interference with school purposes or an educational function, and that has the effect of:
 - a. Physically harming a student or damaging a student’s property;
 - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property.
 - c. Creating a hostile educational environment.
5. “Electronic communication device” means any mode of electronic communication, including but not limited to computers, cell phones, smart phones, or the internet.

Reporting

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

The complainant shall be notified of the findings within 30 days of the investigation and, as appropriate, that remedial action has been taken.

Responsibilities

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

Consequences

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

Retaliation and Reprisal

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

Cross Reference: Uniform Grievance Policy 3215

Legal Reference: 10.55.701(1)(g), ARM Board of Trustees
10.55.801(1)(d), ARM School Climate

Policy History:

Adopted on: 2008-2009

Reviewed on:

Revised on: 4/21/2014

Student Privacy and Searches and Seizure**Student Privacy**

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

Searches and Seizure

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

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

Seizure of Property

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

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

Policy History:

Adopted on: 2008-09
Revised on:

Guidelines of Conduct (K-8)

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

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

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

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

Policy History:
Adopted on: 2008-09
Revise

Discipline and Appeals

A teacher or Supervising Teacher has the authority to hold a pupil to strict accountability for disorderly conduct in school, on the way to or from school, or during intermission or recess.

No person who is employed or engaged by the School District may inflict or cause to be inflicted corporal punishment on a pupil.

The methods employed in enforcing the rules of the school involve professional judgment. Such judgment should be:

1. Consistent from day to day and student to student.
2. Balanced against the severity of the misconduct.
3. Appropriate to the student's nature and prior behavior.
4. Fair to the student, parent, other students and others, and
5. Effective.

Since these criteria may be in conflict, established procedures must be followed in correcting misbehavior. Appeal procedures have been established in order to provide for an opportunity for every corrective action or punishment to be reviewed by someone in authority and to instill confidence among students and parents as to the essential fairness of staff.

In order to develop an environment conducive to learning, the Supervising Teacher shall confer with certificated staff at least once per year to develop and/or review rules of conduct to be employed in the school and corrective actions and punishment that may be employed in the event of rule infractions.

A teacher shall have the authority to exclude a student from his/her classroom for all or any part of the period or until the teacher has conferred with the Supervising Teacher, whichever occurs first. Prior to excluding a student, except in emergency circumstances, the teacher shall have attempted one or more corrective actions.

Corrective Actions and Punishment

All students shall submit to the reasonable rules of the District. Refusal to comply with written rules and regulations established for the governing of the school shall constitute sufficient cause for discipline, suspension, or expulsion. Corrective action and/or punishment for misconduct must reflect good faith effort on the part of the staff.

For the purposes of the District's policies relating to corrective action or punishment:

1. Discipline constitutes corrective action or punishment, including brief exclusions from a class for not more than the remainder of the class period, including exclusion from any other type of activity conducted by or for the District. Discipline shall not adversely affect academic grades as long as all required work is performed.
2. Suspension means the exclusion of a student from attending individual classes or school and participating in school activities for an initial period not to exceed ten (10) school days. The Supervising Teacher has the right to suspend.
3. Expulsion is any removal of a student for more than twenty (20) school days without the provision of educational services. Expulsion is a disciplinary action available only to the board.
4. Upon a finding by a school administrator that the immediate return to school by a student would be detrimental to the health, welfare, or safety of others or would be disruptive of the educational process, a student may be suspended for one (1) additional period not to exceed ten (10) school days, if the student is granted an informal hearing with the school administrator prior to the additional suspension, and if the decision to impose the additional suspension does not violate the Individuals with Disabilities Education Act (IDEA).

Except in extreme cases, students will not be expelled unless other forms of corrective action or punishment have failed, or unless there is good reason to believe that other forms of corrective action or punishment would fail if

employed. Suspensions or expulsions shall be used only for instances of serious student misconduct.

Students with disabilities may also be suspended under these same rules if the suspension will not constitute a change of placement. On or before a student with a disabling condition accrues ten (10) days of suspension, the Child Study Team who has knowledge of the student's disabling condition will determine if there is causal relationship between the disabling condition and the student's misconduct. If such a relationship exists, the student's educational placement may not be changed without parental approval or a court order, pending a due process hearing under IDEA.

Before a recommendation on the expulsion of a disabled student is submitted to the Board, the Child Study Team must meet to determine if there is a causal relationship between the disabling condition and the student's misconduct. The Board shall consult legal counsel before expelling any disabled student.

When a disabled student is acting in such a way that s/he poses a danger to himself/herself or to another student or property, or substantially disrupts his/her educational program or that of other students, an emergency suspension may take place. Emergency suspensions may not last longer than ten (10) school days. The Special Educational Staff or Special Education Cooperative to which the District belongs shall convene the Child Study Team for reviewing the student's record before the student is readmitted to school and no later than the tenth (10) day of suspension.

No student shall be disciplined, suspended, or expelled in any manner for any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

Reason for Disciplinary Action

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

- Using, possessing, distributing, purchasing, or selling tobacco products;
- Using, possessing, distributing, purchasing, or selling alcoholic beverages; Students who are under the influence are not permitted to attend school and are treated as though they had alcohol in their possession;
- Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs and drug paraphernalia, **including students possessing a "medical marijuana" card.** Students who are under the influence are not permitted to attend school and are treated as though they had drugs in their possession;
- Using, possessing, controlling, or transferring a weapon are in violation of the "Possession of Weapons in a School Building" section of this policy;
- Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon;
- Disobeying directives from staff members or school officials and/or rules and regulations governing student conduct;
- Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct;
- Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property;
- Engaging in any activity that constitutes an interference with school purposes or an educational function or any disruptive activity;
- The forging of any signature, or the making of any false entry, or the authorization of any document used or intended to be used in connection with the operation of the school.

These grounds for disciplinary action apply whenever the student's conduct is reasonably related to school or school activities, but not limited to:

- On, or within sight of, school grounds before, during or after school hours or at any other time when the school is being used by a school group;
- Off school grounds at a school sponsored activity or event, or any activity or event which bears a reasonable relationship to school;
- Traveling to and from school or a school activity, function or event; or
- Anywhere, if the conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member, or an interference with school purposes or an educational function.

Disciplinary Measures

Disciplinary measures include, but are not limited to: loss of privileges, loss of bus privileges, restitution for damages to school property, detention, suspension, expulsion, and notification to juvenile authorities and/or police.

Weapon-Free Schools

Any person who possesses, controls, carries or stores a weapon in a school building, except as provided below, shall be referred to law enforcement for immediate prosecution. In addition, a parent or guardian of any minor violating this policy shall also be referred for possible prosecution on the grounds of allowing the minor to possess, carry or store a weapon in a school building.

For the purposes of this policy only, the following terms are defined: "School building" shall be defined as all buildings owned or leased by a local school district that are used for instruction or for student activities. "Weapon" shall be defined as any type of firearm, defined as provided in 18 USC 921, a knife with a blade 4 or more inches in length, a sword, a straight razor, a throwing star, nun-chucks or brass or other metal knuckles.

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry or store a weapon in a school building shall present this request to the Board in a regular meeting. It is solely within the Board's discretion whether to allow a person to possess, carry or store a weapon in a school building.

This policy does not apply to law enforcement personnel.

Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered, or looks like, a firearm, onto school property, except as provided below, shall be expelled for a period of not less than one calendar year unless modified by the Board of Trustees. The Board, however, may modify the expulsion period on a case-by-case basis. The Supervising Teacher shall notify the criminal justice or juvenile delinquency system of any student who brings a firearm to school.

If a student violating this policy is identified as disabled either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

Any student subject to expulsion shall be entitled to a hearing before the Board in accordance with 20-5-202, MCA. Nothing in this policy shall prevent the Board from making an alternative placement for a student in lieu of expulsion provided that such placement removes the student from the regular school program.

The District shall keep a record of all students disciplined under this policy and the circumstances surrounding their discipline, including the number of students expelled and the types of weapons involved. This information shall be provided to local law enforcement authorities and other governmental agencies as required by law.

Appeal Process for Disciplinary Action

Any parent or student who is aggrieved by the imposition of discipline shall have the right to an informal conference with the Supervising Teacher for the purpose of resolving the grievance. At such conference, the student and parent shall be subject to questioning by the Supervising Teacher and shall be entitled to question staff involved in the matter being grieved.

Legal Reference:	§ U.S.C 1400, et seq.,	Individuals with Disabilities Education Act
	§ U.S.C. 3351 et seq.,	Gun-Free Schools Act
	§ 29 USC 701	Rehabilitation Act of 1973
	§ 20-4-302, MCA	Power of teacher or principal over pupils
	§ 20-5-105, MCA	Attendance officer powers and duties
	§ 20-5-106, MCA	Truancy
	§ 20-5-201, MCA	Duties and sanctions
	§ 20-5-202, MCA	Suspension and expulsion
	§ 45-8-361, MCA	Possession or allowing possession of weapons in school
	10.16.1105, ARM	Aversive treatment procedures

Policy History:
Adopted on: 2008-09
Revised on:

Emergency Removal

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

1. The danger or threat ceases, or
2. The Supervising Teacher acts to impose discipline, impose a short-term or long-term suspension or recommends expulsion.

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

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

Policy History:
Adopted on: 2008-09
Revised on:

Emergency Removal

A student may be removed immediately from a class or subject by the Supervising Teacher, without first attempting corrective action, provided that the Supervising Teacher has good and sufficient reason to believe that the student's presence poses an immediate and continuing threat of substantial disruption of the class, subject or educational process of the student's school. The Supervising Teacher will already have determined a law enforcement agency to call for emergency assistance. S/he will ask an older student to call that number. The law enforcement agency will come and take the child to another part of the school or, if there is no alternative, to the student's home where the student will be turned over to the parent or guardian. The removal shall continue only until:

1. The danger or threat ceases, or
2. The Supervising Teacher acts to impose discipline, impose a short-term or long-term suspension, or recommends expulsion.

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

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

Policy History:
Adopted on: 2008-09

Revised on:

Student Health and Welfare**Student Health**

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

1. The development of procedures for the isolation and temporary care of students who become ill during the school day.
2. Consulting services of a qualified specialist for staff, students, and parents.
3. Vision and hearing screening.
4. Scoliosis screening.
5. Immunization as provided by the Department of Health & Environmental Sciences.

Student Welfare

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

1. Never leave a class of students unattended.
2. Accompany a class wherever it is assigned and remain with the class until another responsible person assumes supervision.
3. Do not permit students to use equipment in the classroom that has not been approved for school use.
4. Do not permit students to use equipment until they have received operating instruction and prescribed safety procedures.
5. Do not permit students to work in a shop, kitchen or laboratory without qualified supervision.
6. Report incidents of unsafe conditions and defective equipment to the Supervising Teacher immediately.
7. Ensure that proper safety gear is used wherever specified.

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

Policy History:

Adopted on: 2008-09

Revised on:

Student Immunization

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board requires all students to present evidence of their having been immunized against the following diseases: diphtheria, pertussis (whooping cough), poliomyelitis, measles (rubella), mumps, and tetanus. Pertussis immunization is not required for students who are seven years or older. Haemophilus influenza type "b" immunization is required for students under the age of five.

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

A pupil who transfers into the District from another district may photocopy immunization records in the possession of the school of origin. The District will accept the photocopy as evidence of immunization. The original records must be presented within thirty (30) days.

The Board may grant exemptions from one or more vaccines for medical reasons upon certification by a physician indicating the specific nature and probable duration of the medical condition for not administering the vaccine(s). Exemptions for religious reasons must be filed annually. The statement for an exemption shall be maintained as part of the student's immunization record. The permanent file of students with exemptions shall be marked for easy identification should the Department of Health order that exempted students be excluded from school temporarily when the risk of contracting or transmitting a disease exists. Exclusion shall not exceed 30 calendar days.

The Board of Trustees may allow the commencement of attendance in school by a student who has not been immunized against each disease listed in § 20-5-403, MCA, if that student has received one or more doses of polio, measles (rubella), mumps, diphtheria, pertussis, and tetanus vaccine, except that pertussis vaccine is not required for a person 7 years of age or older.

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

Legal Reference:	§ 20-3-324(20), MCA	Powers and Duties
	§ 20-5-401 through 410, MCA	Health
	§ 20-5-403, MCA	Immunization required – release and acceptance of immunization records

Policy History:

Adopted on: 2008-09

Revised on:

Administering Medicines 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 the school physician or prescribed by the student’s healthcare provider.

A building principal or other administrator may authorize, in writing, any school employee:

1. To assist in the 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
2. To assist in the self-administration of a prescription drug to a student in compliance with the written instructions of a medical practitioner, and with the written consent of a student’s parent or guardian.

Except in an emergency situation, only a qualified healthcare professional may administer a drug or a prescription drug to a student under this policy. Diagnosis and treatment of illness and the prescribing of drugs are never the responsibility of a school employee and should not be practiced by any school personnel.

Administering Medication

The Board will permit the administration of medication to students in its schools. A school nurse (who has successfully completed specific training in the administration of medications), pursuant to the 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 case of an anaphylactic reaction or the risk of such reaction, a school nurse or delegate may administer emergency oral and/or injectable medication to any student in need thereof on the school grounds, in the school building, or at a school function according to the standing order of the chief medical advisor or the student’s private physician.

In the absence of a school nurse, an administrator or designated staff member exempt from the nursing license requirement under § 37-8-103(1)(c), MCA, who has completed training in administration of medication, may give emergency medication to students orally or by injection.

Upon receipt of notification, the school district will keep a record of a student’s medically diagnosed allergic condition that would require prompt treatment to protect a student from serious harm or death.

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

Self-Administration of Medication

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

1. A physician or dentist provides a written order to self-administration of said medication.
2. There is written authorization for self-administration of medication from the student’s parent, an individual who has executed a caretaker relative education authorization affidavit, or guardian on file;
3. The administrator and appropriate teachers are informed that the student is self-administering prescribed medication.

A building principal or an administrator may authorize, in writing, any employee to assist with self-administration of medications, provided that only the following may be employed:

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

Self-Administration or Possession of Asthma, Severe Allergy or Anaphylaxis Medications

Students with allergies or asthma may be authorized by a building principal or an administrator, in consultation with medical personnel, to possess and self-administer emergency medication during the school day, during field trips, school sponsored events, or on a school bus. The student shall be authorized to possess and self-administer medications following conditions have been met:

1. A written and signed authorization from the parent, an individual who has executed a caretaker relative authorization affidavit, or guardian for self-administration of medication acknowledging that the school district or its employees are not liable for injury that results from the student self-administering the medication.
2. The student has the prior written approval of his/her primary health care provider. The written notice from the student's primary care provider must specify the name and purpose of the medication, the prescribed dosage, frequency with which it may be administered, and the circumstances that warrant its use. Documentation that the student has demonstrated to the healthcare practitioner and the school nurse, if available, the skill necessary to use and administer the medication.
3. The doctor provides documentation of a written treatment plan for managing asthma or severe allergies, or anaphylaxis episodes of the student and for medication use by the student during the school hours.

A student's authorization to possess and self-administer medication shall be valid for the current school year and must be renewed annually.

A student's authorization to possess and self administer medication may be limited or revoked by the building principal or administrator.

If provided by the parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian and in accordance with documentation provided by the student's doctor, backup medication must be kept at a student's school in a predetermined location or locations to which the student has access in the event of an asthma, severe allergy or anaphylaxis emergency.

Immediately after using epinephrine during school hours, a student shall report to the school nurse or other adult at the school who shall provide follow-up care, including making a 9-1-1 emergency call.

Administration of Glucagons

School employees may agree to administer glucagons to a student pursuant to § 20-5-412, MCA, only under the following conditions:

1. The employee may administer glucagon to a diabetic student only in an emergency situation;
2. The employee has filed the necessary designation and acceptance documentation with the District, as required by § 20-5-412 (2), MCA, and;
3. The employee has filed the necessary written documentation of training with the District, as required by § 20-5-412 (4), MCA.
- 4.

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 education authorization affidavit, or other responsible adult to a nurse or employee assisting with self-administration of medication. A nurse or assistant:

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

The District will permit only a forty-five (45) school day supply of a medication for a student to be stored at the school. All medication, prescriptions and nonprescription, will be stored in their original containers.

The District may maintain a stock supply of auto-injectable epinephrine to be administered by a school nurse or other authorized personnel to any student or nonstudent as needed for actual or perceived anaphylaxis. If the district intends to obtain an order for emergency use of epinephrine in a school setting or at related activities, the district shall adhere to the requirements stated in 20-5-421, MCA.

The District will limit access to all stored medication to persons authorized to administer medications or 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 medication.

Disposal of Medication

The District requires school personnel either to return to 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 educational authorization affidavit, or guardian to destroy any unused, discontinued or obsolete medication. A school nurse or authorized employee, in the presence of a witness, will destroy any medicine not repossessed by the parent or guardian within a seven (7) day period of notification by school authorities.

Legal Reference:	§ 20-5-412, MCA	Definition – parent designated adult administration of glucagons training
	20-5-420, MCA	Self-administration or possession of asthma, severe allergy, or anaphylaxis medication
	20-5-421, MCA	Emergency use of epinephrine in school setting
	37-8-103(1)(c), MCA	Exemptions-limitations on authority conferred
	24.159.1604, ARM	Tasks which may be routinely assigned to an unlicensed person in any setting when a nurse-patient relationship exists

Policy History:

Adopted on: 2008-09

Revised on: 01/19/2015

Montana Authorization to Carry and Self-Administer Asthma Medication

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

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

Physician's Authorization:

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

Medication: (1) _____ Dosage: (1) _____
 (2) _____ (2) _____

Reason for prescription(s): _____

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

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

 Signature of Physician Physician's Phone Number Date

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

The following backup medication has been provided for this student

For Completion by Parent or Guardian

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

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

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

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

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

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

 Parent/Guardian Signature Date

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

Communicable Diseases

The District is required to provide educational services to all school age children who reside within its boundaries. Attendance at school may be denied to any child diagnosed as having a communicable disease that could make the child's attendance harmful to the welfare of other students. In the instance of diseases causing suppressed immunity, attendance may be denied to a child with suppressed immunity in order to protect the welfare of the child with suppressed immunity when others in the school have an infectious disease which, although not normally life threatening, could be life threatening to the child with suppressed immunity.

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

Management of common communicable diseases will be in accordance with Montana Department of Health guidelines and communicable diseases control rules (16.28.101, MCA, et seq). A student who exhibits symptoms of a communicable disease that is readily transmitted in the school setting may be temporarily excluded from school attendance.

Students who complain of illness at school may be referred to the school nurse or other responsible person designated by the Board and may be sent home as soon as the parent or person designated on the student's emergency medical authorization form has been notified.

The District reserves the right to require a statement from the student's primary care provider authorizing the student's return to school. In all proceedings related to this policy, the District shall respect the student's right to privacy.

When information is received by a staff member or volunteer that a student is afflicted with a serious communicable disease, the staff member or volunteer shall promptly notify the school nurse or other responsible person designated by the Board to determine appropriate measures to protect student and staff health and safety.

The school nurse or other responsible person designated by the Board, after consultation with and on the advice of public health officials, shall determine which additional staff members, if any, have need to know of the affected student's condition.

Only those persons with direct responsibility for the care of the student or for determining appropriate educational accommodation will be informed of the specific nature of the condition if it is determined there is a need for such individuals to know this information due to the threat of the disease to others or the need to protect the child from other communicable diseases which may be life threatening to the child.

Parents of other children attending the school may be notified that their child has been exposed to a communicable disease without identifying the particular student who has the disease.

Note: For purposes of this policy, the term "communicable disease" refers to the diseases identified in 16.28.202, ARM, Reportable Diseases, with the exception of common colds and flu.

Legal Reference: 16.28.101, et seq, ARM Communicable Disease Control

Policy History:

Adopted on: 2008-09
Revised on:

Emergency Treatment

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

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

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

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

- a. Isolate the child immediately from other children in a room or area segregated for that purpose.
- b. Inform the parent or guardian as soon as possible about the illness and request him or her to pick up the child.
- c. Report each case of suspected communicable disease the same day by telephone to the local health authority, or as soon as possible thereafter if no contact can be made the same day.

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

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

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

Legal Reference: 16.10.1117, ARM Health Supervision and Maintenance.

Policy History:

Adopted on: 2008-09

Revised on:

STUDENTS

EMERGENCY INFORMATION

Pupil's Name _____ Birth Date _____ Grade _____

Parent(s) Name(s) _____

Home Address _____ Phone _____

Father's Work Address _____ Phone _____

Mother's Work Address _____ Phone _____

Alternate persons to notify in case of emergency:

_____ Phone _____

_____ Phone _____

Physician of 1st choice _____ Phone _____

Physician of 2nd choice _____ Phone _____

Preferred Hospital _____ Phone _____

Parent or Legal Guardian

Date

Procedure History:
Promulgated on: 2008-09
Revised on:

STUDENTS

Removal of Student During School Hours

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

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

1. Law enforcement officers, upon proper identification, may remove a student from school as provided in Policy #2441 or #4410.
2. Any other agencies must have a written administrative or court order directing the District to give custody to them. However, employees of the Department of Family Services may take custody of a student under provisions of § 41-3-301, MCA, without a court order. Proper identification is required before the student shall be released.
3. A student shall be released to the custodial parent. When in doubt as to who has custodial rights, school enrollment records must be relied upon as the parents (or guardians) have the burden of furnishing schools with accurate, up-to-date information.
4. The school should always check with the custodial parent before releasing the student to a non-custodial parent.
5. Prior written authorization from the custodial parent or guardian is required before releasing a student into someone else's custody unless an emergency situation justifies a waiver.
6. Police should be called if a visitor becomes disruptive or abusive.

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

Policy History:

Adopted on: 2008-09

Revised on:

STUDENTS

3510

Student Activities

1. Student Organizations:
 - a. The Board must approve all student organizations. New organizations and activities must have prior approval of the Board. Secret or clandestine organizations or groups will not be permitted.
 - b. By-laws and rules of student organizations must not be contrary to board policy or to administrative rules and regulations.
 - c. Procedures in student organizations must follow generally accepted democratic practices in the acceptance of members, nomination and election of officers, and in organization rules and by-laws.
2. Social Events
 - a. Social events must have prior approval of the administration.
 - b. Social events must be held in school facilities unless prior approval of the Board is obtained.
 - c. Social events must be chaperoned at all times.

Policy History:
Adopted on: 2008-09
Revised on:

STUDENTS

Student Fees, Fines and Charges

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

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

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

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

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

Policy History:
Adopted on: 2008-09
Revised on:

Student Fund Raising Activities

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

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

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

Policy History:

Adopted on: 2008-09

Revised on:

Missing Children

- I. Responsibility of School District:
 - A. Pursuant to § 44-2-506, MCA, it shall be the responsibility of the Board of Trustees to distribute the list of missing school children provided by the State Superintendent of Public Instruction to each school building within the District. This list will be placed on an appropriate bulletin board accessible to faculty and other staff members.
 - B. In the event staff members suspect that a missing child is enrolled in the school, they shall notify the Supervising Teacher immediately.
 - C. The Supervising Teacher shall notify the county attorney's office and the sheriff's department.

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

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

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

Policy History:

Adopted on: 2008-09

Revised on:

STUDENTS

Student Records and Transfer of Student Records

Student Records

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

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

Transfer of Student Records

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

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

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

Policy History:

Adopted on: 2008-09

Revised on:

Maintenance of School Student Records

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

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

The cumulative record may include:

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

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

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

Access to Student Records

The District shall grant access to student records as follows:

1. The District or any District employee shall not release, disclose, or grant access to information found in any student record except under the conditions set forth in this document.
2. The parent(s)/guardian(s) of a student under 18 years of age, or designee, shall be entitled to inspect and copy information in the child's school records. Such requests shall be made in writing and directed to the records custodian. Access to the records shall be granted within 5 days of the District's receipt of such a request.

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

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

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

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

3. The District may grant access to, or release information from, student records to employees or officials of the District or the Montana State Board of Education provided a current, demonstrable, educational or administrative need is shown, without parental/guardian consent or notification. Access in such cases shall be limited to the satisfaction of that need.
4. The District may grant access to, or release information from, student records without parental/guardian consent or notification to any person for the purpose of research, statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified from the information released, the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.
5. The District shall grant access to or release information from a student's records pursuant to a court order, provided that the parent(s)/guardian(s) shall be given prompt written notice upon receipt of such order of its terms, the nature and substance of the information proposed to be released, and an opportunity to inspect and copy such records and to challenge their contents.
6. The District shall grant access to or release information from any student record as specifically required by federal or state statute.
7. The District shall grant access to or release information from student records to any person possessing a written, dated consent, signed by the parent(s)/guardian(s) or eligible student with particularity as to whom the records may be released, the information or record to be released, and the reason for the release. One copy of the consent form will be kept in the records and one copy shall be mailed to the parent(s)/guardian(s) by the Supervising Teacher. Whenever the District requests the consent to release certain records, the records custodian shall inform the parent(s)/guardian(s) or eligible student of the right to limit such consent to specific portions of information in the records.
8. The district may release student records to the appropriate official in a school in which the student has enrolled or intends to enroll, upon written request from such official.
9. Prior to the release of any records or information under items 5, 6, 7 and 8 above, the District shall provide prompt written notice to the parent(s)/guardian(s) of this intended action. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.
10. The District may release student records or information in connection with an emergency without parental consent if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health and safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. The District shall notify the parent(s)/guardian(s) or eligible student as soon as possible of the information released, the date of the release, the person, agency or organization to whom the release was made, and the purpose of the release.
11. The District charges \$.05 per page for copying information in the student's records. No parent(s)/guardian(s) or student shall be precluded from copying information because of financial hardship.

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

Directory Information

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

Student Record Challenges

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

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

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

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

Policy History:

Adopted on: 2008-09

Revised on:

Student Records

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

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

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

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

The cumulative record may include:

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

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

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

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

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

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

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

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

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

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

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

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

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

4. The right to a copy of any school student record proposed to be destroyed or deleted.
5. The right to prohibit the release of directory information concerning the parent/guardian's child.

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

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

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

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

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

Receipt of Confidential Records

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

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

- 1.
- 2.
- 3.

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

Cross Reference: #3600 Student Records

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

Policy History:
Adopted on: 2008-09
Revised on: