

Joliet School District

POLICY MANUAL



Home of the J-Hawks

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JOLIET SCHOOL DISTRICT

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JOLIET SCHOOL DISTRICT

R = required

1000 SERIES THE BOARD OF TRUSTEES

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Joliet Public Schools

R

THE BOARD OF TRUSTEES

1000

Legal Status and Operation

The Board of Trustees of Joliet School District No. 7 is the governmental entity established by the state of Montana to plan and direct all aspects of the District's operations, to the end that students shall have ample opportunity to achieve their individual and collective learning potentials.

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

All handbooks approved by the Board are operating policies of the District.

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

R

2
3 **THE BOARD OF TRUSTEES**

1100

4
5 Organization

6
7 The legal name of this District is Joliet School District No. 7, Carbon County, State of Montana.
8 The District is classified as a class two (2) district and is operated according to the laws and
9 regulations pertaining to a class two (2) district.

10
11 To achieve its primary goal of providing each child with the necessary skills and attitudes to
12 become an effective citizen, the Board shall exercise the full authority granted to it by the laws of
13 the state. Its legal powers, duties, and responsibilities are derived from the Montana Constitution
14 and state statutes and regulations. *School Laws of Montana* and the administrative rules of the
15 Board of Public Education and the Office of Superintendent of Public Instruction delineate the
16 legal powers, duties, and responsibilities of the Board.

17
18
19
20 Legal References: § 20-3-324, MCA Powers and duties
21 § 20-6-101, MCA Definition of elementary and high school districts
22 § 20-6-201, MCA Elementary district classification
23 § 20-6-301, MCA High school district classification
24

25 Policy History:

26 Adopted on: 06/20/13

27 Reviewed on:

28 Revised on:

THE BOARD OF TRUSTEES

1105

Membership

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

All trustees shall participate on an equal basis with other members in all business transactions pertaining to the high school maintained by the District.

Legal References:	§ 20-3-301, MCA	Election and term of office
	§ 20-3-302, MCA	Legislative intent to elect less than majority of trustees
	§ 20-3-305, MCA	Candidate qualification and nomination
	§ 20-3-306, MCA	Conduct of election
	§ 20-3-307, MCA	Qualification and oath
	§ 20-3-341, MCA	Number of trustee positions in elementary districts – transition
	§ 20-3-344, MCA	Nomination of candidates by petition in first-class elementary district
	§ 20-3-351, MCA	Number of trustee positions in high school districts
	§ 20-3-352, MCA	Request and determination of number of high school district additional trustee positions – nonvoting trustee
	§ 20-3-361, MCA	Joint board of trustees organization and voting membership

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1110

4
5 Taking Office

6
7 A newly elected trustee shall take office as soon as election results have been certified and the
8 newly elected trustee has taken and subscribed to an oath to faithfully and impartially discharge
9 the duties of the office to the best of his/her ability. A newly appointed trustee shall take office,
10 after the trustee has taken and subscribed to an oath to faithfully and impartially discharge the
11 duties of the office to the best of his/her ability. The person shall qualify by taking an oath of
12 office administered by the county superintendent, the superintendent's designee, or any officer
13 provided for in 1-6-101, MCA or 2-16-116, MCA. Such oath must be filed with the county
14 superintendent not more than fifteen (15) days after the receipt of the certificate of election or the
15 appointment.
16
17
18

19 Legal References:	§ 1-6-101, MCA	Officers who may administer oaths
20	§ 2-16-116, MCA	Power to administer oaths
21	§ 20-1-202, MCA	Oath of office
22	§ 20-3-307, MCA	Qualification and oath
23		

24 Policy History:

25 Adopted on: 06/20/13

26 Reviewed on:

27 Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1111

page 1 of 2

4
5 Election

6
7 Elections conducted by the District are nonpartisan and are governed by applicable election laws
8 as found in Titles 13 & 20 of the Montana Code Annotated. The ballot at such elections may
9 include candidates for trustee positions, various public policy propositions, and advisor
10 questions.

11
12 Board elections shall take place on the first (1st) Tuesday after the first (1st) Monday in May of
13 each year. Any person who is a qualified voter of the District is legally qualified to become a
14 trustee. A declaration of intent to be a candidate must be submitted to the District Clerk at least
15 forty (40) days before the regular school election day. If different terms are to be filled, the term
16 for the position for which the candidate is filing must also be indicated. Any person seeking to
17 become a write-in candidate for a trustee position shall file a declaration of intent no later than
18 5:00 p.m. on the day before the ballot certification deadline in 20-20-401. If the number of
19 candidates filing for vacant positions or filing a declaration of intent to be a write-in candidate is
20 equal to or less than the number of positions to be elected, the trustees may give notice no later
21 than thirty (30) days before the election that a trustee election will not take place. If a trustee
22 election is not held, the trustees shall declare the candidates elected by acclamation and shall
23 issue a "certificate of election" to each candidate.

24
25 A candidate intending to withdraw from the election shall send a statement of withdrawal to the
26 clerk of the district containing all information necessary to identify the candidate and the office
27 for which the candidate filed. The statement of withdrawal must be acknowledged by the clerk
28 of the district. A candidate may not withdraw after 5:00 p.m. the day before the ballot
29 certification deadline in 20-20-401.

30
31 In the event of an unforeseen emergency occurring on the date scheduled for the funding
32 election, the district will be allowed to reschedule the election for a different day of the calendar
33 year.

34
35 In years when the Legislature meets in regular session or in a special session that affects school
36 funding, the trustees may order the election on a date other than the regular school election day
37 in order for the electors to consider a proposition requesting additional funding under § 20-9-
38 353, MCA.

39
40
41
42 Legal Reference: § 13-10-211, MCA Declaration of intent for write-in candidates
43 § 20-3-304, MCA Annual election
44 § 20-3-305, MCA Candidate qualification, nomination and withdrawal
45
46

§ 20-3-313, MCA	Election by acclamation – notice
§ 20-3-322, MCA	Meetings and quorum
§ 20-3-322(5), MCA	Meetings and quorum (unforeseen emergency definition)
§ 20-3-324(4), MCA	Powers and duties
§ 20-3-344, MCA	Nomination of candidates by petition in first-class elementary district
§ 20-9-353, MCA	Additional financing for general fund – election for authorization to impose
§ 20-20-105, MCA	Regular school election day and special school elections – limitation – exception
§ 20-20-204, MCA	Election Notice
§ 20-20-301, MCA	Qualifications of elector

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on: 01/11/16

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1112

4
5 Resignation

6
7 Resignation of a trustee, for whatever reason, must be submitted in writing to the Clerk. A
8 resignation is effective seventy-two (72) hours after its submission unless withdrawn during that
9 period by the resigner through written notification of withdrawal made to the Clerk.

10
11 The Board will ratify the resignation at its next regularly scheduled meeting and will proceed to
12 fill the vacancy as provided by statute and Board policy.

13
14 Trustees retiring from the Board may be recognized for their service to the District by
15 presentation of a service plaque or other appropriate activities.

16
17
18
19 Legal Reference: § 2-16-502, MCA Resignations
20 § 20-3-308, MCA Vacancy of trustee position

21
22 Policy History:

23 Adopted on: 06/20/13

24 Reviewed on:

25 Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1113

4
5 Vacancies

6
7 A trustee position becomes vacant before the expiration of a term, when any of the following
8 occurs:

- 9
10 1. Death of the incumbent;
11 2. Resignation, in writing, filed with the Clerk;
12 3. Incumbent moves out of the nominating district, establishing residence elsewhere;
13 4. Incumbent is no longer a registered elector of the District under the provisions of § 20-
14 20-301, MCA;
15 5. Incumbent is absent from the District for sixty (60) consecutive days;
16 6. Incumbent fails to attend three (3) consecutive meetings of the trustees without good
17 reason;
18 7. Incumbent has been removed under the provisions of § 20-3-310, MCA; or
19 8. Incumbent ceases to have the capacity to hold office under any other provision of law.
20

21 A trustee position also shall be vacant when an elected candidate fails to qualify.
22

23 When a trustee vacancy occurs, the remaining trustees shall declare such position vacant and fill
24 such vacancy by appointment. The Board will receive applications from any qualified persons
25 seeking to fill the position after suitable public notice. The Board will appoint one (1) candidate
26 to fill the position.
27

28 Should the Board fail to fill a vacancy within sixty (60) days from the creation of a vacancy, the
29 county superintendent shall appoint, in writing, a competent person to fill such vacancy. An
30 appointee shall qualify by completing and filing an oath of office with the county superintendent
31 within fifteen (15) days after receiving notice of the appointment and shall serve until the next
32 regularly scheduled school election and a successor has qualified.
33
34
35

36 Cross Reference: 1240 Duties of Individual Trustees
37

38 Legal References: § 20-3-308, MCA Vacancy of trustee position
39 § 20-3-309, MCA Filling vacated trustee position – appointee
40 qualification and term of office
41

42 Policy History:

43 Adopted on: 06/20/13

44 Reviewed on:

45 Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1113P

4
5 Vacancies

6
7 When a vacancy occurs on the Board, it is in the best interest of the District to encourage as
8 many able citizens as possible to consider becoming a trustee. To that end, the following
9 procedures may be used to identify and appoint citizens to fill Board vacancies:

- 10
11 1. Announcement of the vacancy and the procedure for filling it may be made in the general
12 news media as well as District publications to patrons.
13
14 2. All citizens shall be invited to nominate candidates for the position, provided that the
15 nominees shall be residents of the District. A letter of application will be required of
16 interested candidates.
17
18 3. The Board may individually interview the finalists in a regular or special meeting and
19 appoint the candidate who, in the judgment of the Board, is most likely to contribute to
20 the growth and development of the District's education programs and operations. All
21 trustees shall vote on the candidate of their choice.
22
23 4. If no one (1) candidate receives a majority of the votes, the Board may:
24
25 a. Discuss all candidates and vote again;
26
27 b. Discuss all candidates and vote only on those candidates with the most votes; or
28
29 c. Continue voting until one (1) candidate receives a majority vote.
30
31 5. The Board Clerk shall prepare, for the signatures of all trustees, a letter thanking all
32 candidates for the position and commending them for their interest in the District.
33
34
35

36 Procedure History:

37 Promulgated on: 06/20/13

38 Reviewed on:

39 Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1120

4
5 Annual Organization Meeting

6
7 After issuance of election certificates to newly elected trustees, but no later than 15 days after the
8 election, the Board shall elect from among its members a Chairperson and a Vice Chairperson to
9 serve one-(1)-year terms. If a Board member is unable to continue to serve as an officer, a
10 replacement shall be elected immediately. In the absence of both the Chairperson and the Vice
11 Chairperson, the Board shall elect a Chairperson *pro tempore*, who shall perform the functions of
12 the Chairperson during the latter's absence. The Clerk shall act as Board secretary.

13
14 The normal order of business shall be modified for the annual organizational meeting by
15 considering the following matters after the approval of the minutes of the previous meeting:

- 16
17 1. Welcome and introduction of newly elected Board members by the current Chairperson
18
19 2. Swearing in of newly elected trustees
20
21 3. Call for nominations for Chairperson to serve during the ensuing year
22
23 4. Election of a Chairperson
24
25 5. Assumption of office by the new Chairperson
26
27 6. Call for nominations for Vice Chairperson to serve during the ensuing year
28
29 7. Election of a Vice Chairperson
30
31 8. Appointment of a Clerk

32
33 Policies and bylaws remain in effect until and unless changed by the Board.
34
35

36 Legal References: § 20-3-321, MCA Organization and officers
37 § 20-3-322(a), MCA Meetings and quorum
38 § 1-5-416(1)(b), MCA Powers and duties of Notary Public
39

40 Policy History:

41 Adopted on: 06/20/13

42 Reviewed on:

43 Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1130

4
5 Committees/Meetings

6
7 Generally, trustees will function as a whole and will not form committees of the Board.
8 Nevertheless the Board may create Board committees as deemed necessary or useful. All
9 committees created by the Board to serve a clear public and governmental purpose shall comply
10 with the open meeting laws and all other laws applicable to school board meetings.

11
12 Standing committees of the Board may be created and their purposes defined by a majority of the
13 Board. The Board Chairperson shall appoint trustees to serve on such committees. Trustees
14 serving on committees shall be limited to fewer than one-half (½) of the Board.

15
16 In determining whether any meeting within the school system should be held in compliance with
17 the Open Meeting Act, the following factors, although not exhaustive or dispositive in nature,
18 should be considered:

- 19
20 • Frequency of the meetings being held;
21 • Whether the committee is deliberating or simply gathering facts;
22 • Whether the deliberations concern matter of policy rather than merely ministerial or
23 administrative functions;
24 • Whether the committee members have executive authority and experience; and
25 • Results of the meeting.

26
27
28
29 Legal Reference: § 2-3-203, MCA Meetings of public agencies and certain associations
30 of public agencies to be open to public – exceptions
31 *Bryan v. Yellowstone* (2002), 2002 MT 264
32 *Crofts v. Associated Press* (2004), 2004 MT 120
33

34 Policy History:

35 Adopted on: 06/20/13

36 Reviewed on:

37 Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1210

4
5 Qualifications, Terms, and Duties of Board Officers

6
7 The Board officers are the Chairperson and Vice Chairperson. These officers are elected at the annual
8 organizational meeting.

9
10 Chairperson

11
12 The Board elects a Chairperson from its members for a one-(1)-year term. The Chairperson may be any
13 trustee of the board, including an additional trustee as provided for in 20-3-352(2). The duties of the
14 Chairperson include the following:

- 15
16 • Preside at all meetings and conduct meetings in the manner prescribed by the Board's policies;
17 • Make all Board committee appointments, subject to Board approval;
18 • Sign all papers and documents as required by law and as authorized by action of the Board;
19 • Close Board meetings as authorized by Montana law; and
20 • Act as spokesperson for the Board.

21
22 The Chairperson is permitted to participate in all Board meetings in a manner equal to all other Board
23 members, including the right to participate in debate and to vote. The Chairperson may not make a
24 motion, but may second motions.

25
26 Vice Chairperson

27
28 The Vice Chairperson shall preside at all Board meetings in the absence of the Chairperson and shall
29 perform all the duties of the Chairperson during the Chairperson's absence or unavailability. The Vice
30 Chairperson shall work closely with the Chairperson and shall assume whatever duties the Chairperson
31 may delegate.

32
33

34 Legal References:	§ 2-3-203, MCA	Meetings of public agencies and certain
		associations of public agencies to be open to
		public – exceptions
	§ 20-3-321(2), MCA	Organization and officers
37	§ 20-3-351(1)(a), MCA	Number of trustee positions in high school
38		districts
39		Request and determination of number of high
40	§ 20-3-352(2), MCA	school district additional trustee positions –
41		nonvoting trustee
42		
43		
44		

45 Policy History:

46 Adopted on: 06/20/13

47 Reviewed on:

48 Revised on:

1230

The Clerk of the Board shall attend all meetings of the Board, unless excused by the Chairperson, and shall keep an accurate journal of its proceedings. The Clerk shall have custody of the records, books, and documents of the Board. In the absence or inability of the Clerk to attend a Board meeting, the trustees will have one (1) of their members or a District employee act as clerk for the meeting, and said person will supply the Clerk with a certified copy of the proceedings.

The Clerk will keep accurate and detailed accounts of all receipts and disbursements made by the District. The Clerk shall draw and countersign all warrants for expenditures that have been approved by the Board.

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

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

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

Adopted on: 06/20/13
Reviewed on:
Revised on:

THE BOARD OF TRUSTEES

1240

Duties of Individual Trustees

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

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

All trustees are obligated to attend Board meetings regularly. Whenever possible, a trustee shall give advance notice to the Chairperson or Superintendent, of the trustee's inability to attend a Board meeting. A majority of the Board may excuse a trustee's absence from a meeting if requested to do so. The Board shall declare a position vacant after three (3) consecutive unexcused absences from regular Board meetings, or when a trustee has been absent from the District for sixty (60) consecutive days.

Cross Reference: 1113 Vacancies

Legal References:	§ 20-3-301, MCA	Election and term of office
	§ 20-3-308, MCA	Vacancy of trustee position
	§ 20-3-324(22), MCA	Powers and duties
	§ 20-3-332, MCA	Personal immunity and liability of trustees

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

THE BOARD OF TRUSTEES

1310

District PolicyAdoption and Amendment of Policies

Proposed new policies and proposed changes to existing policies shall be presented in writing for reading and discussion at a regular or special Board meeting. Interested parties may submit views, present data or arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement by a person, relative to a proposed policy or amendment, should be directed to the District Clerk prior to the second (2nd) reading. The final vote for adoption shall take place not earlier than at the second (2nd) reading of the particular policy.

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

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

Policy Manuals

The Superintendent shall develop and maintain a current policy manual which includes all policies of the District. Every administrator, as well as staff, students, and other residents, shall have ready access to District policies. All policy manuals distributed to anyone shall remain the property of the District and shall be subject to recall at any time.

Suspension of Policies

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

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1332

4
5 Authorization of Signatures

6
7 For the conduct of the business of the District, the Board may grant authority to specific staff to
8 sign certain documents on behalf of the District. The Chairperson and Clerk are authorized to
9 use a facsimile signature plate or stamp.

10
11 Warrants: The Chairperson and Clerk are authorized to sign all District warrants by facsimile
12 signature on behalf of the Board.

13
14 Claim Forms: The Superintendent and Principal are authorized to certify voucher or invoice
15 claims against or for the District:

16
17 Checks: The high school principal is designated as the custodian of each school building
18 extracurricular fund account. The Superintendent is designated as the custodian of all District
19 petty cash accounts. The Superintendent and Clerk are authorized to sign, on behalf of the
20 Board, checks drawn on any specific petty cash account:

21
22 Contracts for Goods and Services and Leases: The Superintendent is authorized to sign, on
23 behalf of the Board, contracts, leases, and/or contracts for goods and services for amounts under
24 \$30,000 without prior approval of the Board. The types of goods and services contracted for
25 must be preapproved by the Board.

26
27 Personnel Contracts: The Board Chairperson and Clerk are authorized to sign personnel
28 contracts and agreements of employment on behalf of the Board, by facsimile signature.

29
30 Negotiated Agreements: Negotiated agreements shall be signed for the District by the Board
31 Chairperson and the Clerk.

32
33
34
35 Policy History:

36 Adopted on: 06/20/13

37 Reviewed on:

38 Revised on:

2
3 **THE BOARD OF TRUSTEES**

1400

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4
5 Board Meetings

6
7 Meetings of the Board must occur at a duly called and legally conducted meeting. "Meeting" is
8 defined as the convening of a quorum of the constituent membership of the Board, whether in
9 person or by means of electronic equipment, to hear, discuss, or act upon a matter over which the
10 Board has supervision, control, jurisdiction, or advisory power.

11
12 Regular Meetings

13
14 Unless otherwise specified, all meetings will take place in the Library. Regular meetings shall
15 take place at 7:00 p.m. on the second (2nd) Monday of each month, or at other times and places
16 determined by a majority vote. Except for an unforeseen emergency, meetings must be held in
17 school buildings or, upon the unanimous vote of the trustees, in a publicly accessible building
18 located within the District. If regular meetings are scheduled at places other than as stated above
19 or are adjourned to times other than the regular meeting time, notice of the meeting shall be
20 made in the same manner as provided for special meetings. The trustees may meet outside the
21 boundaries of the District for collaboration or cooperation on educational issues with other
22 school boards, educational agencies, or cooperatives. Adequate notice of the meeting, as well as
23 an agenda, must be provided to the public in advance. Decision making may only occur at a
24 properly noticed meeting held within the District's boundaries. When a meeting date falls on a
25 school holiday, the meeting may take place the next business day.

26
27 Emergency Meetings

28
29 In the event of an emergency involving possible personal injury or property damage, the Board
30 may meet immediately and take official action without prior notification.

31
32 Budget Meetings

33
34 Between July 1 and August 10 of each year, the Clerk shall publish a notice stating the date,
35 time, and place trustees will meet for the purpose of considering and adopting a final budget for
36 the District, stating that the meeting of the trustees may be continued from day to day until final
37 adoption of a District budget and that any taxpayer in the District may appear at the meeting and
38 be heard for or against any part of the budget. This notice shall be published in the Carbon
39 County News.

40
41 On the date and at the time and place stated in the published notice (on or before August 20),
42 trustees shall meet to consider all budget information and any attachments required by law. The
43 meeting may continue from day to day; however, the Board must adopt a final budget not later
44 than August 25.

Special Meetings

Special meetings may be called by the Chairperson or by any two (2) trustees. A written notice of a special meeting, stating the purpose of the meeting, shall be delivered to every trustee not less than forty-eight (48) hours before the time of the meeting, except that the forty-eight-(48)-hour notice is waived in an unforeseen emergency as stated in § 20-3-322(5), MCA. Such written notice shall be posted conspicuously within the District in a manner that will receive public attention. Written notice also shall be sent not less than twenty-four (24) hours prior to the meeting, to each newspaper and radio or television station that has filed a written request for such notices. **Business transacted at a special meeting will be limited to that stated in the notice of the meeting.**

Closed Sessions

Under Montana law, the Board may meet in closed sessions to consider matters of individual privacy. Before closing a meeting, the presiding officer must determine that the demands of individual privacy exceed the merits of public disclosure and so state publicly before going into closed session. The Board also may go into closed session to discuss a strategy to be followed with respect to litigation, when an open meeting would have a detrimental effect on the litigating position of the District. This exception does not apply if the litigation involves only public bodies or associations as parties. Before closing a meeting for litigation purposes, the District may wish to consult legal counsel on the appropriateness of this action. No formal action shall take place during any closed session.

Legal References:	§ 2-3-103, MCA	Public participation – governor to ensure guidelines adopted
	§ 2-3-104, MCA	Requirements for compliance with notice provisions
	§ 2-3-105, MCA	Supplemental notice by radio or television
	§ 2-3-201, MCA	Legislative intent – liberal construction
	§ 2-3-202, MCA	Meeting defined
	§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
	§ 20-3-322, MCA	Meeting and quorum
	§ 20-9-115, MCA	Notice of final budget meeting
	§ 20-9-131, MCA	Final budget meeting
	10.55.701, ARM	Board of Trustees

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on: 09/12/16

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1401

4
5 Records Available to Public

6
7 All District records, except those restricted by state and federal law, shall be available to citizens
8 for inspection at the Clerk's office.

9
10 An individual wishing public information that is in electronic format or other nonprint media
11 must submit a detailed description, to the Superintendent, of the information requested. The
12 District will provide the public information as required under § 2-6-110, MCA.

13
14 In accordance with § 20-9-213(1), MCA, the record of the accounting of school funds shall be
15 open to public inspection at any meeting of the trustees. A fee may be charged for any copies
16 requested. Copies will be available within a reasonable amount of time following a request.

17
18 A written copy of Board minutes shall be available to the general public within five (5) working
19 days following approval of the minutes by the Board. If requested, one (1) free copy of minutes
20 shall be provided to local media within five (5) working days following approval by the Board.

21
22 Fees will be charged as follows:

- 23
24 a) Copy of Board minutes - 15¢ per page
25
26 b) Copy of other materials - 25¢ per page
27
28 c) Time spent researching a copy project will be charged at the employee's hourly
29 rate of pay.
30

31
32
33 Legal References: § 2-6-102, MCA Citizens entitled to inspect and copy public writings
34 § 2-6-110, MCA Electronic Information and nonprint records
35 § 20-3-323, MCA District policy and record of acts
36 § 20-9-213, MCA Duties of trustees
37

38 Policy History:

39 Adopted on: 06/20/13

40 Reviewed on:

41 Revised on:

1 **Joliet Public Schools**

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3 **THE BOARD OF TRUSTEES**

1402

4
5 School Board Use of Electronic Mail

6
7 Use of electronic mail (e-mail) by members of the Board will conform to the same standards of
8 judgment, propriety, and ethics as other forms of school board-related communication. Board
9 members will comply with the following guidelines when using e-mail in the conduct of Board
10 responsibilities:

- 11
- 12 1. The Board will not use e-mail as a substitute for deliberations at Board meetings or for
13 other communications or business properly confined to Board meetings.
14
 - 15 2. Board members will be aware that e-mail and e-mail attachments received or prepared for
16 use in Board business or containing information relating to Board business may be
17 regarded as public records, which may be inspected by any person upon request, unless
18 otherwise made confidential by law.
19
 - 20 3. Board members will avoid reference to confidential information about employees,
21 students, or other matters in e-mail communications, because of the risk of improper
22 disclosure. Board members will comply with the same standards as school employees,
23 with regard to confidential information.
24
- 25
26

27 Cross Reference: 1400 Board Meetings
28 1401 Records Available to Public
29

30 Legal Reference: § 2-3-103, MCA Public participation – governor to ensure guidelines
31 adopted
32 § 2-3-201, MCA Legislative intent – liberal construction
33 § 2-3-203, MCA Meetings of public agencies and certain associations
34 of public agencies to be open to public – exceptions
35 § 20-3-322, MCA Meeting and quorum
36

37 Policy History:

38 Adopted on: 06/20/13

39 Reviewed on:

40 Revised on:

THE BOARD OF TRUSTEES

1420

page 1 of 3

School Board Meeting ProcedureAgenda

The agenda for any Board meeting shall be prepared by the Superintendent in consultation with the Board Chair. Items submitted by Board members to be placed on the agenda must have prior approval of the Board Chairperson. Citizens may also suggest inclusions on the agenda. Such suggestions must be received by the Superintendent at least seven (7) business days before the Board meeting, unless of immediate importance. Individuals who wish to be placed on the Board agenda must also notify the Superintendent, in writing, of the request. The request must include the reason for the appearance. If the reason for the appearance is a complaint against any District employee, the individual filing the complaint must demonstrate that the Uniform Complaint Procedure has been followed. Citizens wishing to make brief comments about school programs or procedures or items on the agenda need not request placement on the agenda, and may ask for recognition by the Chairperson at the appropriate time.

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

With consent of a majority of members present, the order of business at any meeting may be changed. Copies of the agenda for the current Board meeting, minutes of the previous Board meeting, and relevant supplementary information will be prepared and distributed to each trustee at least twenty-four (24) hours in advance of a Board meeting and will be available to any interested citizen at the Superintendent’s office twenty-four (24) hours before a Board meeting. An agenda for other types of Board meetings will be prepared, if circumstances require an agenda.

Consent Agenda

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

Minutes

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

recording constitutes the office record of the meeting. If an official recording is made, a written record of the meeting must also be made and must also include:

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

When issues are discussed that may require a detailed record, the Board may direct the Clerk to record the discussion verbatim. Any verbatim record may be destroyed after the minutes have been approved, pursuant to § 20-1-212, MCA.

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

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

Quorum

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

Electronic Participation

The Board may allow members to participate in meetings by telephone or other electronic means. Board members may not simply vote electronically but must be connected with the meeting throughout the discussion of business. If a Board member electronically joins the meeting after an item of business has been opened, the remotely located member shall not participate until the next item of business is opened.

If the Board allows a member to participate electronically, the member will be considered present and will have his or her actual physical presence excused. The member shall be counted present for

purposes of convening a quorum. The Clerk will document it in the minutes, when members participate in the meeting electronically.

Any Board member wishing to participate in a meeting electronically will notify the Chairperson and Superintendent as early as possible. The Superintendent will arrange for the meeting to take place in a location with the appropriate equipment so that Board members participating in the meeting electronically may interact, and the public may observe or hear the comments made. The Superintendent will take measures to verify the identity of any remotely located participants.

Meeting Conduct and Order of Business

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

Rescind a Motion

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

Cross Reference: 1441 Audience Participation

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

THE BOARD OF TRUSTEES

1420F

Notice Regarding Public Comment

MTSBA recommends that you attach the following notice to your agendas for your regular Board meetings and/or have the Board Chairperson read it aloud at the beginning of the Board meeting, until the public becomes educated about the process:

Montana law requires school districts and other public agencies to include on the agenda for public meetings an item allowing public comment on any ***public matter not otherwise specifically listed on the agenda*** that is within the jurisdiction of the agency. As has also been the practice of the District, and in accordance with Montana law, if any member desires to speak to an item that is ***specifically listed/identified on the agenda***, you will be allowed to do so when the item comes up for discussion and action. The public comment portion of the agenda is not the time designated to hear items that are specifically listed/identified on the agenda.

For those individuals who desire to address the Board during the “public comment” portion of the meeting, if you haven’t already done so, please sign your name to the sheet and indicate the general topic on which you will be commenting. The Board Chairperson will call individuals to speak in the order listed on the sheet provided. The Board would like to remind everyone in attendance that to avoid violations of individual rights of privacy, a member of the public wishing to address the Board during this time will not be allowed to make comments about any student, staff member, or member of the general public during his/her designated time to speak. In addition the Board will not hear comments on contested cases or other adjudicative proceedings.

Depending on the number of persons who wish to address the Board, the Board Chairperson may place reasonable time limits on comments, in order to maintain and ensure effective and efficient operations of the Board.

By law the District cannot take any action on any matter discussed during the “public comment” portion of the meeting, until such time as the matter is specifically noticed on the agenda, and the public has been allowed the opportunity to comment.

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1425

4
5 Abstentions From Voting

6
7 Section 20-3-323(2), MCA, requires the minutes of each Board meeting to include the voting records of
8 each trustee present. As a general rule trustees should vote on all issues, unless casting a vote would be a
9 violation of law. Under Montana law, instances in which it would be unlawful or inappropriate for a
10 trustee to cast a vote on a particular issue include but are not necessarily limited to the following:

- 11
12 1. When hiring the relative of a trustee for the first time;
13
14 2. When casting a vote would directly and substantially affect, to its economic benefit, a business or
15 other undertaking in which the trustee either has a substantial financial interest or in which the
16 trustee is engaged as counsel, consultant, representative, or agent;
17
18 3. When casting a vote would directly and substantially affect a business or other undertaking to its
19 economic detriment, where a trustee has a substantial personal interest in a competing firm or
20 undertaking;
21
22 4. When casting a vote would cause a trustee to have a pecuniary interest, either directly or
23 indirectly, in a contract made by the trustee (while acting in the trustee's official capacity) or by
24 the Board; and
25
26 5. When casting a vote would put the trustee in the position of an agent or solicitor in the sale or
27 supply of goods or services to the District.
28

29 In addition, a trustee shall be allowed to abstain from voting to avoid the appearance of impropriety or the
30 appearance of a perceived conflict. If a trustee abstains from voting, the abstention should be recorded in
31 the minutes and may include an explanation of the reasons for the abstention. The Board discourages
32 abstentions, unless the reasons are substantiated as provided herein.
33
34
35

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

46
47 Policy History:

48 Adopted on: 06/20/13

49 Reviewed on:

50 Revised on:

THE BOARD OF TRUSTEES

1441

Audience Participation

The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. The Board also recognizes the statutory and constitutional rights of the public to participate in governmental operations. To allow fair and orderly expression of public comments, the Board will permit public participation through oral or written comments during the “public comment” section of the Board agenda and prior to a final decision on a matter of significant interest to the public. The Chairperson may control such comment to ensure an orderly progression of the meeting.

Individuals wishing to be heard by the Chairperson shall first be recognized by the Chairperson. Individuals, after identifying themselves, will proceed to make comments as briefly as the subject permits. The Chairperson may interrupt or terminate an individual’s statement when appropriate, including when statements are out of order, too lengthy, personally directed, abusive, obscene, or irrelevant. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings. **It is important for all participants to remember that Board meetings are held in public but are not public meetings. Members of the public shall be recognized and allowed input during the meeting, at the discretion of the Chairperson.**

Cross Reference: 1420 School Board Meeting Procedure

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1511

4
5 Code of Ethics for School Board Members

6
7 AS A MEMBER OF MY LOCAL BOARD OF TRUSTEES, I WILL STRIVE TO IMPROVE PUBLIC
8 EDUCATION, AND TO THAT END I WILL:

9
10 Attend all regularly scheduled Board meetings insofar as possible and become informed concerning the
11 issues to be considered at those meetings;

12
13 Recognize that I should endeavor to make policy decisions only after full discussion at public Board
14 meetings;

15
16 Make all decisions based on available facts and my independent judgment and refuse to surrender that
17 judgment to individuals or special interest groups;

18
19 Encourage the free expression of opinion by all Board members and seek systematic communications
20 between the Board and students, staff, and all elements of the community;

21
22 Work with other Board members to establish effective Board policies and to delegate authority for
23 administration to the Superintendent;

24
25 Recognize and respect the responsibilities that properly are delegated to the Superintendent;

26
27 Communicate to the Superintendent expression of public reaction to Board policies, school programs, or
28 staff;

29
30 Inform myself about current educational issues, by individual study and through participation in programs
31 providing needed information, such as those sponsored by the Montana and National School Boards
32 Associations;

33
34 Support the employment of those persons best qualified to serve as school staff and insist on regular and
35 impartial evaluation of staff;

36
37 Avoid being placed in a position of conflict of interest and refrain from using my Board position for
38 personal or partisan gain;

39
40 Avoid compromising the Board or administration by inappropriate individual action or comments and
41 respect the confidentiality of information that is privileged under applicable law;

42
43 Remember always that my first and greatest concern must be the educational welfare of students
44 attending public schools.

45
46 Policy History:

47 Adopted on: 06/20/13

48 Reviewed on:

49 Revised on:

4
5 Conflict of Interest

6
7 A trustee may not:

- 8
9 1. Engage in a substantial financial transaction for the trustee's private business purpose,
10 with a person whom the trustee inspects or supervises in the course of official duties.
11
12 2. Perform an official act directly and substantially affecting, to its economic benefit, a
13 business or other undertaking in which the trustee either has a substantial financial
14 interest or is engaged as counsel, consultant, representative, or agent.
15
16 3. Act as an agent or solicitor in the sale or supply of goods or services to a district.
17
18 4. Have a pecuniary interest, directly or indirectly, in any contract made by the Board, when
19 the trustee has more than a ten percent (10%) interest in the corporation. A contract does
20 not include: 1) merchandise sold to the highest bidder at public auctions; 2) investments
21 or deposits in financial institutions that are in the business of loaning or receiving money,
22 when such investments or deposits are made on a rotating or ratable basis among
23 financial institutions in the community or when there is only one (1) financial institution
24 in the community; or 3) contracts for professional services other than salaried services or
25 for maintenance or repair services or supplies when the services or supplies are not
26 reasonably available from other sources, if the interest of any Board member and a
27 determination of such lack of availability are entered in the minutes of the Board meeting
28 at which the contract is considered.
29
30 5. Be employed in any capacity by the District, with the exception of officiating at athletic
31 competitions under the auspices of the Montana Officials Association.
32
33 6. Appoint to a position of trust or emolument any person related or connected by
34 consanguinity within the fourth (4th) degree or by affinity within the second (2nd) degree.
35
36 a. This prohibition does not apply to the issuance of an employment contract to a
37 person as a substitute teacher who is not employed as a substitute teacher for more
38 than thirty (30) consecutive school days.
39 b. This prohibition does not apply to the renewal of an employment contract of a
40 person related to a Board member, who was initially hired before the Board
41 member assumed the trustee position.
42 c. This prohibition does not apply if trustees comply with the following
43 requirements: 1) **All trustees**, except the trustee related to the person to be
44 employed or appointed, vote to employ the related person; 2) the trustee related to
45 the person to be employed abstains from voting; and 3) the trustees give fifteen
46 (15) days written notice of the time and place of their intended action in a

newspaper of general circulation in the county where the school is located.

Degrees of Affinity

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

Degrees of Consanguinity

				4	
				Great Great Grandparent	
			3		5
			Great Grandparent		Great Great Uncle/Aunt
	2			4	6
	Grandparent			Great Uncle/Aunt	Child of Great Uncle/Aunt
1		3		5	7
Parent		Uncle/Aunt		Child of GG Uncle/Aunt	Grandchild of GG Uncle/Aunt
Trustee					
	2		4	6	8
	Brother/Sister		1 st Cousin	2 nd Cousin	3 rd Cousin
1		3		5	7
Child		Nephew/Niece		1 st Cousin once removed	2 nd Cousin once removed
	2		4	6	
	Grandchild		Grand Nephew/Niece	1 st Cousin twice removed	
		3		5	
		Great Grandchild		Great Grand Nephew/Niece	
			4		
			Great Great Grandchild		

Degrees of Affinity

			3
			Great Grandparent-in-law
		2	
		Grandparent-in-law	
	1		3
	Father/Mother-in-law		Uncle/Aunt-in-law
	1	2	
Trustee	Spouse	Brother/Sister-in-law	
	1		3
	Step Child		Nephew/Niece-in-law
		2	
		Step Grandchild	
			3
			Step Great Grandchild

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

2
3 **THE BOARD OF TRUSTEES**

1513

4
5 Management Rights

6
7 The Board retains the right to operate and manage its affairs in such areas as but not limited to:

- 8
9 1. Direct employees;
- 10
11 2. Employ, dismiss, promote, transfer, assign, and retain employees;
- 12
13 3. Relieve employees from duties because of lack of work or funds under conditions where
14 continuation of such work would be inefficient and nonproductive;
- 15
16 4. Maintain the efficiency of District operations;
- 17
18 5. Determine the methods, means, job classifications, and personnel by which District
19 operations are to be conducted;
- 20
21 6. Take whatever actions may be necessary to carry out the missions of the District in
22 situations of emergency;
- 23
24 7. Establish the methods and processes by which work is performed.

25
26 The Board reserves all other rights, statutory and inherent, as provided by state law.

27
28 The Board also reserves the right to delegate authority to the Superintendent for the ongoing
29 direction of all District programs.

30
31
32
33 Cross Reference: 6110 Superintendent

34
35 Legal Reference: § 20-3-324, MCA Powers and duties
36 § 39-31-303, MCA Management rights of public employers
37 *Bonner School District No. 14 v. Bonner Education Association,*
38 *MEA-MFT, NEA, AFT, AFL-CIO, (2008), 2008 MT 9*

39
40 Policy History:

41 Adopted on: 06/20/13

42 Reviewed on:

43 Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1520

4
5 Board/Staff Communications

6
7 Every reasonable means of communication is encouraged throughout the education community.
8 Nevertheless, an organization must maintain some order and structure to promote efficient and
9 effective communications.

10
11 Staff Communications to the Board

12
13 All official communications or reports to the Board, from principals, supervisors, teachers, or
14 other staff members, shall be submitted through the Superintendent. This procedure shall not
15 deny any staff member the right to appeal to the Board from administrative decisions, provided
16 that the Superintendent shall have been notified of the forthcoming appeal and that it is
17 processed according to the applicable procedures for complaints and grievances.

18
19 Board Communications to Staff

20
21 All official communications, policies, and directives of staff interest and concern will be
22 communicated to staff members through the Superintendent. The Superintendent will employ all
23 such media as are appropriate to keep staff fully informed of Board concerns and actions.

24
25 Visits to Schools

26
27 In accordance with Montana statutes, each trustee shall visit every school of the District at least
28 once each school fiscal year to examine its condition and needs. As a courtesy, individual Board
29 members interested in visiting schools should make arrangements for visitations through the
30 principals of the various schools. Such visits shall be regarded as informal expressions of
31 interest in school affairs and not as “inspections” or visits for supervisory or administrative
32 purposes.

33
34 Social Interaction

35
36 Staff and Board members share a keen interest in schools and education. When they meet at
37 social affairs and other functions, informal discussion about such matters as educational trends,
38 issues, and innovations and general District problems can be anticipated. **Discussions of**
39 **personalities or staff grievances are not appropriate.**

40
41 Legal Reference: § 20-3-324(21), MCA Powers and duties

42
43 Policy History:

44 Adopted on: 06/20/13

45 Reviewed on:

46 Revised on:

2
3 **THE BOARD OF TRUSTEES**

1521

4
5 Board-Superintendent Relationship

6
7 The Board-Superintendent relationship is based on mutual respect for their complementary roles.
8 The relationship requires clear communication of expectations regarding the duties and
9 responsibilities of both the Board and the Superintendent.

10
11 The Board hires, evaluates, and seeks the recommendations of the Superintendent as the District
12 chief executive officer. The Board adopts policies necessary to provide the general direction for
13 the District and to encourage achievement of District goals. The Superintendent develops plans,
14 programs, and procedures needed to implement the policies and directs the District's day-to-day
15 operations.

16
17
18
19 Cross Reference: 6110 Superintendent

20
21 Legal Reference: § 20-4-401, MCA Appointment and dismissal of district
22 superintendent or county high school principal
23 § 20-4-402, MCA Duties of district superintendent or county high
24 school principal

25
26 Policy History:

27 Adopted on: 06/20/13

28 Reviewed on:

29 Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1531

4
5 Trustee Expenses

6
7 Expenses for Board Members - In-District

8
9 A trustee shall not receive remuneration for service as a trustee. Trustees living more than three
10 (3) miles from the meeting place shall be entitled to be reimbursed for mileage at the rate
11 stipulated in § 2-18-503, MCA, for each mile of travel between their homes and the meeting
12 place for each meeting of the Board or for any meeting called by the county superintendent.
13 Reimbursement may be paid as the travel is assumed or may accumulate until the end of the
14 fiscal year, at the discretion of the trustee.

15
16 Expenses for Board Members at Out-of-District Meetings

17
18 Trustees normally attend workshops, training institutes, and conferences at both the state and
19 national levels. The District will pay all legitimate costs for trustees to attend out-of-District
20 meetings, at established rates for reimbursement set by the District:

- 21
22 1. Transportation as approved by the Board;
23 2. On-site transportation during the course of the meeting, i.e., bus, taxi, or rental car;
24 3. Hotel or motel costs for trustee, as necessary;
25 4. Food costs as necessary;
26 5. Telephone services for necessary communications with business or family, resulting from
27 the trustee being away from Joliet;
28 6. Incidental expenditures for tips and other necessary costs attributable to the trustee's
29 attendance at a meeting; however, the District will not reimburse or pay for such items as
30 liquor, expenses of a spouse, separate entertainment, or other unnecessary expenditures.

31
32
33
34 Cross Reference: 7336 Travel Allowances and Expenses

35
36 Policy History:

37 Adopted on: 06/20/13

38 Reviewed on:

39 Revised on:

2
3 **THE BOARD OF TRUSTEES**

1610

4
5 Annual Goals and Objectives

6
7 Each year, during the month of June, the Board will formulate or review the annual objectives
8 for the District and will have available a written comprehensive philosophy of education with
9 goals that reflect the District's philosophy of education. The philosophy of education and goals
10 shall be in writing and shall be available to all.

11
12 At the conclusion of the year, the Superintendent shall submit a report to the Board which
13 reflects the degree to which annual objectives have been accomplished.
14

15
16
17 Legal Reference: 10.55.701, ARM Board of Trustees

18
19 Policy History:

20 Adopted on: 06/20/13

21 Reviewed on:

22 Revised on:

1 **Joliet Public Schools**

2
3 **THE BOARD OF TRUSTEES**

1621

4
5 In-Service Conference for Trustees

6
7 In keeping with the need for continued boardsmanship development, the Board encourages the
8 participation of its members at appropriate Board conferences, workshops, conventions, and
9 District-sponsored in-service training sessions. Funds for participation at such meetings will be
10 budgeted on an annual basis.
11
12
13

14 Policy History:

15 Adopted on: 06/20/13

16 Reviewed on:

17 Revised on:

2
3 **THE BOARD OF TRUSTEES**

1700

page 1 of 3

4
5 Uniform Complaint Procedure

6
7 The Board establishes this Uniform Complaint Procedure as a means to address complaints
8 arising within the District. This Uniform Complaint Procedure is intended to be used for all
9 complaints except those governed by a collective bargaining agreement.

10
11 The District requests all individuals to use this complaint procedure, when the individual
12 believes the Board or its employees or agents have violated the individual's rights under: (1)
13 Montana constitutional, statutory, or administrative law; (2) United States constitutional,
14 statutory, or regulatory law; or (3) Board policy.

15
16 The District will endeavor to respond to and resolve complaints without resorting to this formal
17 complaint procedure and, when a complaint is filed, to address the complaint promptly and
18 equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder
19 will not be impaired by a person's pursuit of other remedies. Use of this complaint procedure is
20 not a prerequisite to pursuit of other remedies, and use of this complaint procedure does not
21 extend any filing deadline related to pursuit of other remedies.

22
23 The Superintendent has the authority to contract with an independent investigator at any time
24 during the complaint procedure process. Within fifteen (15) calendar days of the
25 Superintendent's receipt of the independent investigator's report and recommendation, the
26 Superintendent will respond to the complaint and take such administrative steps as the
27 Superintendent deems appropriate and necessary.

28
29 Level 1: Informal

30
31 An individual with a complaint is first encouraged to discuss it with the appropriate teacher,
32 counselor, or building administrator, with the objective of resolving the matter promptly and
33 informally. An exception is that a complaint of sexual harassment should be discussed directly
34 with an administrator not involved in the alleged harassment.

35
36 Level 2: Building Administrator

37
38 When a complaint has not been or cannot be resolved at Level 1, an individual may file a signed
39 and dated written complaint stating: (1) the nature of the complaint; (2) a description of the event
40 or incident giving rise to the complaint, including any school personnel involved; and (3) the
41 remedy or resolution requested. This written complaint must be filed within thirty (30) calendar
42 days of the event or incident or from the date an individual could reasonably become aware of
43 such event or incident.

44
45 When a complaint alleges violation of Board policy or procedure, the building administrator will
46 investigate and attempt to resolve the complaint. The administrator will respond in writing to the

complaint, within thirty (30) calendar days of the administrator's receipt of the complaint.

If either the complainant or the person against whom the complaint is filed is dissatisfied with the administrator's decision, either may request, in writing, that the Superintendent review the administrator's decision. (See Level 3.) This request must be submitted to the Superintendent within fifteen (15) calendar days of the administrator's decision.

When a complaint alleges sexual harassment or a violation of Title IX of the Education Amendments of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities Act of 1990, or Section 504 of the Rehabilitation Act of 1973, the building administrator may turn the complaint over to a District nondiscrimination coordinator. The coordinator will complete an investigation and file a report and recommendation with the Superintendent. A coordinator may hire, with the approval of the Superintendent, an independent investigator to conduct the investigation. Within fifteen (15) calendar days of the Superintendent's receipt of the coordinator's or independent investigator's report and recommendation, the Superintendent will respond to the complaint and take such administrative steps as the Superintendent deems appropriate and necessary. If either the complainant or the person against whom the complaint is filed is dissatisfied with the Superintendent's decision, either may request, in writing, that the Board consider an appeal of the Superintendent's decision. (See Level 4.) This request must be submitted in writing to the Superintendent, within fifteen (15) calendar days of the Superintendent's written response to the complaint, for transmission to the Board.

Level 3: Superintendent

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

If either the complainant or the person against whom the complaint is filed is dissatisfied with the Superintendent's decision, either may request, in writing, that the Board consider an appeal of the Superintendent's decision. (See Level 4.) This request must be submitted in writing to the Superintendent, within fifteen (15) calendar days of the Superintendent's written response to the complaint, for transmission to the Board.

Level 4: The Board

Upon written appeal, the Board will consider the Superintendent's decision in Level 2 or 3. Upon receipt of written request for appeal, the Chair will either: (1) place the appeal on the agenda of a

regular or special Board meeting; *[or (2) appoint an appeals panel of not less than three (3) trustees to hear the appeal and make a recommendation to the Board. If the Chair appoints a panel to consider the appeal, the panel will meet to consider the appeal and then make written recommendation to the full Board.]* The Board will report its decision on the appeal, in writing, to all parties, within thirty (30) calendar days of the Board meeting *[at which the Board considered the appeal or the recommendation of the panel]*. A decision of the Board is final, unless it is appealed pursuant to Montana law within the period provided by law.

Level 5: County Superintendent

When a matter falls within the jurisdiction of a county superintendent of schools, the decision of the Board may be appealed to the county superintendent by filing written appeal within thirty (30) calendar days of the Board's decision, pursuant to Montana law.

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

JOLIET SCHOOL DISTRICT

R = required

2000 SERIES INSTRUCTION

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	2421	Promotion and Retention
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R	2510	School Wellness

2
3 **INSTRUCTION**

2000

4
5 Goals

6
7 The District's educational program will seek to provide an opportunity for each child to develop
8 to his or her maximum potential. The objectives for the educational program are:

- 9
10 • To foster self-discovery, self-awareness, and self-discipline.
11 • To develop an awareness of and appreciation for cultural diversity.
12 • To stimulate intellectual curiosity and growth.
13 • To provide fundamental career concepts and skills.
14 • To help the student develop sensitivity to the needs and values of others and respect for
15 individual and group differences.
16 • To help each student strive for excellence and instill a desire to reach the limit of his or
17 her potential.
18 • To develop the fundamental skills which will provide a basis for lifelong learning.
19 • To be free of any sexual, cultural, ethnic, or religious bias.
20

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

- 23
24 • A review and evaluation of the present curriculum;
25 • A projection of curriculum and resource needs;
26 • An evaluation of, and plan to eliminate, any sexual, cultural, ethnic, or religious bias that
27 may be present in the curriculum or instructional materials and methods;
28 • A plan for new or revised instructional program implementations; and
29 • A review of present and future facility needs.
30
31
32

33 Legal Reference: 10.55.701, ARM Board of Trustees

34
35 Policy History:

36 Adopted on: 06/20/13

37 Reviewed on:

38 Revised on:

2
3 **INSTRUCTION**

2100

page 1 of 2

4
5 School Year Calendar and Day

6
7 School Calendar

8
9 Subject to §§ 20-1-301 and 20-1-308, MCA, and any applicable collective bargaining agreement
10 covering the employment of affected employees, the trustees of a school district shall set the
11 number of hours in a school term, the length of the school day, and the number of school days in
12 a school week. When proposing to adopt changes to a previously adopted school term, school
13 week, or school day, the trustees shall: (a) negotiate the changes with the recognized collective
14 bargaining unit representing the employees affected by the changes; (b) solicit input from the
15 employees affected by the changes but not represented by a collective bargaining agreement; (c)
16 and from the people who live within the boundaries of the school district.

17
18 Commemorative Holidays

19
20 Teachers and students will devote a portion of the day on each commemorative holiday
21 designated in § 20-1-306, MCA, to study and honor the commemorated person or occasion. The
22 Board may from time to time designate a regular school day as a commemorative holiday.

23
24 Saturday School

25
26 Pupil instruction may be held on a Saturday at the discretion of a school district for the purpose
27 of providing additional pupil instruction, provided that: (a) Saturday school is not a pupil-
28 instruction day and does not count toward the minimum aggregate hours of pupil instruction; and
29 (b) student attendance is voluntary.

30
31 School Fiscal Year

32
33 At least the minimum number of aggregate hours must be conducted during each school fiscal
34 year. The minimum aggregate hours required by grade are:

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

39
40 In addition, seven (7) pupil instruction-related days may be scheduled for the following
41 purposes:

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

Legal References:	§ 20-1-301, MCA	School fiscal year
	§ 20-1-302, MCA	School day and week
	§ 20-1-303, MCA	Conduct of School on Saturday or Sunday prohibited - exceptions
	§ 20-1-304, MCA	Pupil-instruction-related day
	§ 20-1-306, MCA	Commemorative exercises on certain days
	ARM 10.55.701	Board of Trustees
	ARM 10.65.101-103	Pupil-Instruction-Related Days
	ARM 10.55.906	High School Credit

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

2
3 **INSTRUCTION**

2105

4
5 Grade Organization

6
7 The District maintains instructional levels for grades kindergarten (K) through twelve (12). The
8 grouping and housing of instructional levels in school facilities will be according to plans
9 developed by the Superintendent and approved by the Board.

10
11 Instructional programs will be coordinated between each grade and between levels of schools.

12
13 A student will be assigned to an instructional group or to a classroom which will best serve the
14 needs of that individual while still considering the rights and needs of other students. Factors to
15 be considered in classroom assignments are class size, peer relations, student/teacher relations,
16 instructional style of individual teachers, and any other variables that will affect the performance
17 of the student.

18
19 Criteria for grouping will be based on learning goals and objectives addressed and the student's
20 ability to achieve those purposes.

21
22
23
24 Legal Reference: § 20-6-501, MCA Definition of various schools

25
26 Policy History:

27 Adopted on: 06/20/13

28 Reviewed on:

29 Revised on:

INSTRUCTION

2120

Curriculum Development and Assessment

The Board is responsible for curriculum adoption and must approve all significant changes, including the adoption of new textbooks and new courses, before such changes are made. The Superintendent is responsible for making curriculum recommendations. The curriculum will be designed to accomplish learning objectives and goals for excellence contained in the District's educational philosophy, mission statement, objectives, and goals.

Development and Assessment

The District is a member of the Alliance for Curriculum Enhancement (ACE). A written sequential curriculum will be developed for each subject area. The curricula will address learner goals, content and program area performance standards, and District education goals and will be constructed to include such parts of education as content, skills, and thinking. A curriculum review cycle and timelines for curriculum development and evaluations will be developed, as well.

The staff and administration will suggest materials and resources, to include supplies, books, materials, and equipment necessary for development and implementation of the curriculum and assessment, which are consistent with goals of the education program. These materials will be reviewed at least every five (5) years.

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

Cross Reference: 2000 Goals
 2110 Objectives

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **INSTRUCTION**

2123

4
5 Lesson Plan

6
7 To ensure proper planning and continuity of instruction, the Board requires that each teacher
8 prepare lesson plans for daily instruction. To facilitate more effective instruction, lesson plans
9 must be prepared and turned in to the principal on the last working day of each week. The plan
10 book must be readily available, when a substitute teacher is needed.
11
12
13

14 Policy History:

15 Adopted on: 06/20/13

16 Reviewed on:

17 Revised on:

5 Program Evaluation and Diagnostic Tests

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

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

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

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

31 Policy History:

32 Adopted on: 06/20/13

33 Reviewed on:

34 Revised on:

2
3 **INSTRUCTION**

2132

page 1 of 3

4
5 Student and Family Privacy Rights

6
7 Surveys - General

8
9 All surveys requesting personal information from students, as well as any other instrument used
10 to collect personal information from students, must advance or relate to the District's educational
11 objectives as identified in Board Policy. This applies to all surveys, regardless of whether the
12 student answering the questions can be identified and regardless of who created the survey.

13
14 Surveys Created by a Third Party

15
16 Before the District administers or distributes a survey created by a third party to a student, the
17 student's parent(s)/guardian(s) may inspect the survey upon request and within a reasonable time
18 of their request.

19
20 This section applies to every survey: (1) that is created by a person or entity other than a District
21 official, staff member, or student, (2) regardless of whether the student answering the questions
22 can be identified, and (3) regardless of the subject matter of the questions.

23
24 Surveys Requesting Personal Information

25
26 School officials and staff members shall not request, nor disclose, the identity of any student who
27 completes ANY survey containing one (1) or more of the following items:

- 28
29 1. Political affiliations or beliefs of the student or the student's parent/guardian;
30 2. Mental or psychological problems of the student or the student's family;
31 3. Behavior or attitudes about sex;
32 4. Illegal, antisocial, self-incriminating, or demeaning behavior;
33 5. Critical appraisals of other individuals with whom students have close family
34 relationships;
35 6. Legally recognized privileged or analogous relationships, such as those with lawyers,
36 physicians, and ministers;
37 7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian;
38 8. Income (other than that required by law to determine eligibility for participation in a
39 program or for receiving financial assistance under such program).

40
41 The student's parent(s)/guardian(s) may:

- 42
43 1. Inspect the survey within a reasonable time of the request; and/or
44 2. Refuse to allow their child to participate in any survey requesting personal information.
45 The school shall not penalize any student whose parent(s)/guardian(s) exercise this
46 option.

Instructional Material

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

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

Collection of Personal Information From Students for Marketing Prohibited

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

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

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

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

Notification of Rights and Procedures

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

1. This policy as well as its availability from the administration office upon request;

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

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

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

NOTE: This policy must be adopted in consultation with parents. 20 U.S.C. § 1232h(c)(1). Therefore, MTSBA recommends that, at a minimum, Boards specifically note this on their meeting agendas and request public comment prior to adoption.

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

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

Joliet Public Schools

INSTRUCTION

2140

Guidance and Counseling

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

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

1. Provide staff with meaningful information which can be utilized to improve educational services offered to individual students.
2. Provide students with planned opportunities to develop future career and educational plans.
3. Refer students with special needs to appropriate specialists and agencies.
4. Aid students in identifying options and making choices about their educational program.
5. Assist teachers and administrators in meeting academic, social, and emotional needs of students.
6. Provide for a follow-up of students who further their education and/or move into the world of work.
7. Solicit feedback from students, staff, and parents, for purposes of program improvement.
8. Assist students in developing a sense of belonging and self-respect.
9. Have information available about nicotine addiction services and referrals to tobacco cessation programs to students and staff.

All staff will encourage students to explore and develop their individual interests in career and vocational-technical programs and employment opportunities, without regard to gender, race, marital status, national origin, or handicapping conditions, including reasonable efforts in encouraging students to consider and explore “nontraditional” occupations.

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **INSTRUCTION**

2151

4
5 Interscholastic Activities

6
7 The District recognizes the value of a program of interscholastic activities as an integral part of
8 the total school experience. The program of interscholastic activities will include all activities
9 relating to competitive sport or intellectual contests, games or events, or exhibitions involving
10 individual students or teams of students of this District, when such events occur between schools
11 outside this District.

12
13 All facilities and equipment utilized in the interscholastic activity program, whether or not the
14 property of the District, will be inspected on a regular basis. Participants will be issued
15 equipment which has been properly maintained and fitted.

16
17 An activity coach must be properly trained and qualified for an assignment as described in the
18 coach's job description. A syllabus which outlines the skills, techniques, and safety measures
19 associated with a coaching assignment will be distributed to each coach. All personnel coaching
20 intramural or interscholastic activities will hold a current valid first aid certificate.

21
22 The Board recognizes that certain risks are associated with participation in interscholastic
23 activities. While the District will strive to prevent injuries and accidents to students, each parent
24 or guardian will be required to sign an "assumption of risk" statement indicating that the parents
25 assume all risks for injuries resulting from such participation. Each participant will be required
26 to furnish evidence of physical fitness (physical form) prior to becoming a member of an athletic
27 team.

28
29 Coaches and/or trainers may not issue medicine of any type to students. This provision does not
30 preclude the coach and/or trainer from using approved first aid items.

31
32
33
34 Cross Reference: 3416 Administering Medicines to Students

35
36 Legal Reference: 10.55.707, ARM Teacher and Specialist Licensure
37 37.111.825, ARM Health Supervision and Maintenance

38
39 Policy History:

40 Adopted on: 06/20/13

41 Reviewed on:

42 Revised on:

2
3 **INSTRUCTION**

2160

page 1 of 2

4
5 Title I Parent Involvement

6
7 The District endorses the parent involvement goals of Title I and encourages the regular
8 participation of parents of Title I eligible children in all aspects of the program. The education of
9 children is viewed as a cooperative effort among the parents, school, and community. In this
10 policy the word “parent” also includes guardians and other family members involved in
11 supervising the child’s schools.

12
13 Pursuant to federal law the District will develop jointly with, agree upon with, and distribute to
14 parents of children participating in the Title I program a written parent involvement policy.

15
16 At the required annual meeting of Title I parents, parents will have opportunities to participate in
17 the design, development, operation, and evaluation of the program for the next school year.
18 Proposed activities to fulfill the requirements necessary to address the requirements of parental-
19 involvement goals shall be presented.

20
21 In addition to the required annual meeting, at least three (3) additional meetings shall be held at
22 various times of the day and/or evening for parents of children participating in the Title I
23 program. These meetings shall be used to provide parents with:

- 24
25 1. Information about programs provided under Title I;
26
27 2. A description and explanation of the curriculum in use, the forms of academic assessment
28 used to measure student progress, and the proficiency levels students are expected to
29 meet;
30
31 3. Opportunities to formulate suggestions and to participate, as appropriate, in decisions
32 relating to the education of their children; and
33
34 4. The opportunity to bring parent comments, if they are dissatisfied with the school’s Title
35 I program, to the District level.

36
37 Title I funding, if sufficient, may be used to facilitate parent attendance at meetings, through
38 payment of transportation and childcare costs.

39
40 The parents of children identified to participate in Title I programs shall receive from the school
41 principal and Title I staff an explanation of the reasons supporting each child’s selection for the
42 program, a set of objectives to be addressed, and a description of the services to be provided.
43 Opportunities will be provided for the parents to meet with the classroom and Title I teachers to
44 discuss their child’s progress. Parents will also receive guidance as to how they can assist at
45 home in the education of their children.

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

1. Describe the school’s responsibility to provide high quality curriculum and instruction in a supportive and effective learning environment enabling children in the Title I program to meet the state’s academic achievement standards;
2. Indicate the ways in which each parent will be responsible for supporting their child’s learning, such as monitoring attendance, homework completion, and television watching; volunteering in the classroom; and participating, as appropriate, in decisions related to their child’s education and positive use of extracurricular time; and
3. Address the importance of parent-teacher communication on an ongoing basis with, at a minimum, parent-teacher conferences, frequent reports to parents, and reasonable access to staff.

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

INSTRUCTION

2160P

page 1 of 2

Title I Parent Involvement

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

Guidelines

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

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

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

Roles and Responsibilities

Parents

It is the responsibility of the parent to:

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

Staff

It is the responsibility of staff to:

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

Community

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

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

Administration

It is the responsibility of the administration to:

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

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

2
3 **INSTRUCTION**

2161

4
5 Special Education

6
7 The District will provide a free appropriate public education and necessary related services to all
8 children with disabilities residing within the District, as required under the Individuals with
9 Disabilities Education Act (IDEA), provisions of Montana law, and the Americans with
10 Disabilities Act.

11
12 For students eligible for services under IDEA, the District will follow procedures for
13 identification, evaluation, placement, and delivery of service to children with disabilities, as
14 provided in the current *Montana State Plan under Part B of IDEA*.

15
16 The District may maintain membership in one or more cooperative associations which may assist
17 in fulfilling the District's obligations to its disabled students.
18
19
20

21 Legal Reference: Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.
22 Individuals with Disabilities Education Act, 20 U.S.C. § 1400, et seq.
23 § 20-7-Part Four, MCA Special Education for Exceptional Children
24

25 Policy History:

26 Adopted on: 06/20/13

27 Reviewed on:

28 Revised on:

2
3 **INSTRUCTION**

2161P

page 1 of 6

4
5 Special Education

6
7 The Superintendent shall place the annual application on the agenda of a regular meeting of the
8 Board, for action prior to submission to the state educational agency for final approval.
9

10 Child Find

11
12 The District shall be responsible for the coordination and management of locating, identifying,
13 and evaluating all disabled children ages zero (-0-) through twenty-one (21). Appropriate staff
14 will design the District's Child Find plan in compliance with all state and federal requirements
15 and with assistance from special education personnel who are delegated responsibility for
16 implementing the plan.
17

18 The District's plan will contain procedures for identifying suspected disabled students in private
19 schools as identified in 34 C.F.R. 530.130 and 530.131(f), students who are home schooled,
20 homeless children, as well as public facilities located within the geographic boundaries of the
21 District. These procedures shall include screening and development criteria for further
22 assessment. The plan must include locating, identifying, and evaluating highly mobile children
23 with disabilities and children who are suspected of being a child with a disability and in need of
24 special education, even though the child is and has been advancing from grade to grade. The
25 District's Child Find Plan must set forth the following:
26

- 27 1. Procedures used to annually inform the public of all child find activities, for children zero
28 through twenty-one;
29 2. Identity of the special education coordinator;
30 3. Procedures used for collecting, maintaining, and reporting data on child identification;
31 4. Procedures for Child Find Activities (including audiological, health, speech/language,
32 and visual screening and review of data or records for students who have been or are
33 being considered for retention, delayed admittance, long-term suspension or expulsion or
34 waiver of learner outcomes) in each of the following age groups:
35 A. Infants and Toddlers (Birth through Age 2)
36 Procedures for referral of infants and toddlers to the appropriate early intervention
37 agency, or procedures for conducting child find.
38 B. Preschool (Ages 3 through 5)
39 Part C Transition planning conferences; frequency and location of screenings;
40 coordination with other agencies; follow-up procedures for referral and
41 evaluation; and procedures for responding to individual referrals.
42 C. In-School (Ages 6 through 18)
43 Referral procedures, including teacher assistance teams, parent referrals, and
44 referrals from other sources; and follow-up procedures for referral and evaluation.
45 D. Post-School (Ages 19 through 21)
46 Individuals who have not graduated from high school with a regular diploma and

who were not previously identified. Describe coordination efforts with other agencies.

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

Procedures for Evaluation and Determination of Eligibility

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

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

Procedural Safeguards and Parental Notification

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

A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents only one (1) time a school year, except that a copy also must be given to the parents:

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

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

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

referral promptly to the attention of the Evaluation Team.

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

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

Evaluation of Eligibility

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

Individualized Education Programs

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

Least Restrictive Environment

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

Children in Private Schools/Out-of District Placement

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

As set forth under 34 C.F.R. 300.137, children with a disability placed in or referred to a private school or facility by parents do not have an individual right to special education and related

services at the District's expense. When services are provided to children with disabilities placed by parents in private schools, the services will be in accordance with the requirements and procedures of 34. C.F.R. 300.130 through 300.144, and 300.148.

Impartial Due Process Hearing

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

Special Education Records and Confidentiality of Personally Identifiable Information

A. Confidentiality of Information

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

B. Access Rights

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

C. List of Types and Locations of Information.

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

D. Safeguards

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

E. Destruction of Information

The District will inform parents five (5) years after the termination of special education services that personally identifiable information is no longer needed for program purposes. Medicaid reimbursement records must be retained for a period of at least six years and three months from the date on which the service was rendered or until any dispute or litigation concerning the services is resolved, whichever is later. The parent will be advised that such information may be important to establish eligibility for certain adult benefits. At the parent's request, the record information shall either be destroyed or made available to the parent or to the student if eighteen (18) years or older. Reasonable effort shall be made to provide the parent with notification sixty (60) days prior to taking any action on destruction of records. Unless consent has been received from the parent to destroy the record, confidential information will be retained for five (5) years beyond legal school age.

F. Children's Rights

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

Discipline

Students with disabilities may be suspended from school the same as students without disabilities for the same infractions or violations for up to ten (10) consecutive school days. Students with disabilities may be suspended for additional periods of not longer than ten (10) consecutive school days for separate, unrelated incidents, so long as such removals do not constitute a change in the student's educational placement. However, for any additional days of removal over and above ten (10) school days in the same school year, the District will provide educational services to a disabled student, which will be determined in consultation with at least one (1) of the child's teachers, determining the location in which services will be provided. The District will implement the disciplinary procedures in accord with the requirements of CFR 300.530-300.537.

Legal Reference:	34 CFR 300.1, et seq.	Individuals with Disabilities Act (IDEA)
	§ 20-1-213, MCA	Transfer of school records
	10.16.3122 ARM	Local Educational Agency Responsibility for Students with Disabilities
	10.16.3129 ARM	Parental Involvement
	10.16.3220 ARM	Program Narrative
	10.16.3321 ARM	Comprehensive Educational Evaluation Process
	10.16.3322 ARM	Composition of a Child Study Team

10.16.3340 ARM	Individualized Education Program and Placement Decisions
10.16.3342 ARM	Transfer Students: Intrastate and Interstate
10.16.3560 ARM	Special Education Records
10.60.103 ARM	Identification of Children with Disabilities
37.85.414 ARM	Maintenance of Records and Auditing (Medicaid)

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

INSTRUCTION

2162

Section 504 of the Rehabilitation Act of 1973 (“Section 504”)

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

Legal Reference:	Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794
	ADA Amendments Act of 2008
	34 C.F.R. §104.1 <i>et seq.</i> Purpose
	34 C.F.R. §104.35 Evaluation and Placement
	34 C.F.R. §104.36 Procedural safeguards

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

INSTRUCTION

2162P

page 1 of 2

Section 504 of the Rehabilitation Act of 1973 (“Section 504”)

- (1) Impartial Due Process Hearing. If the parent or legal guardian of a student who qualifies under Section 504 for special instruction or related services disagrees with a decision of the District with respect to: (1) the identification of the child as qualifying for Section 504; (2) the District’s evaluation of the child; and/or (3) the educational placement of the child, the parents of the student are entitled to certain procedural safeguards. The student shall remain in his/her current placement until the matter has been resolved through the process set forth herein.
- A. The District shall provide written notice to the parent or legal guardian of a Section 504 student, prior to initiating an evaluation of the child and/or determining the appropriate educational placement of the child, including special instruction and/or related services;
- B. Upon request, the parent or legal guardian of the student shall be allowed to examine all relevant records relating to the child’s education and the District’s identification, evaluation, and/or placement decision;
- C. The parent or legal guardian of the student may make a request in writing for an impartial due process hearing. The written request for an impartial due process hearing shall identify with specificity the areas in which the parent or legal guardian is in disagreement with the District;
- D. Upon receipt of a written request for an impartial due process hearing, a copy of the written request shall be forwarded to all interested parties within three (3) business days;
- E. Within ten (10) days of receipt of a written request for an impartial due process hearing, the District shall select and appoint an impartial hearing officer who has no professional or personal interest in the matter. In that regard, the District may select a hearing officer from the list of special education hearing examiners available at the Office of Public Instruction, the county superintendent, or any other person who would conduct the hearing in an impartial and fair manner;
- F. Once the District has selected an impartial hearing officer, the District shall provide the parent or legal guardian and all other interested parties with notice of the person selected;
- G. Within five (5) days of the District’s selection of a hearing officer, a prehearing conference shall be scheduled to set a date and time for a hearing, identify the issues to be heard, and stipulate to undisputed facts to narrow the contested

factual issues;

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

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

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

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

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

M. Appeals may be taken as provided by law. The parent or legal guardian may contact the Office of Civil Rights, 912 2nd Avenue, Seattle, WA 98114-1099; (206) 220-7900.

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

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

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **INSTRUCTION**

2163

4
5 Traffic Education

6
7 Joliet School District will provide a drivers' training instruction program for students who live
8 within the geographic boundaries of the public school district, whether or not they are enrolled in
9 the public school district and provided that students enrolled in the course will have reached their
10 fifteenth (15th) birthday within six (6) months of course completion and have not yet reached
11 nineteen (19) years of age on or before September 10 of the school year in which the student
12 participates in traffic education.

13
14 All eligible students will be treated fairly and without bias in the notification, enrollment, and
15 class administration procedures associated with the traffic education program.

16
17 The purpose of the program is to introduce students to a course of study which should lead to the
18 eventual development of skills appropriate for a licensed driver. The traffic education program is
19 designed to meet the criteria established by the Superintendent of Public Instruction. These
20 criteria include requirements for instructional time, for instructor certification, recommendations
21 for course of study, and reimbursement procedures.

22
23
24
25 Legal Reference: § 20-7-502, MCA Duties of superintendent of public instruction
26 § 20-7-503, MCA District establishment of traffic education program
27 § 20-7-507, MCA District traffic education fund
28 10.13.307, ARM Program Requirements
29 10.13.312, ARM Student Enrollment
30

31 Policy History:

32 Adopted on: 06/20/13

33 Reviewed on:

34 Revised on:

Joliet Public Schools

Adopted on: 09/12/16

Reviewed on:

2166

INSTRUCTION

Revised on:

Gifted Program

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

The District shall:

- Provide educational services to gifted and talented students that are commensurate to their needs, and foster a positive self-image.
- Comply with all federal and state laws and regulations regarding addressing gifted education.
- Provide structured support and assistance to teachers in identifying and meeting the diverse student needs of gifted and talented students, and shall provide a framework for considering a full range of alternatives for addressing student needs.

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

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

Joliet Public Schools

INSTRUCTION

2167

Correspondence Courses

The District will permit a student to enroll in an approved correspondence course from a school approved by the University Continuing and Adult Education, or a university approved by the Board of Trustees, toward graduation elective requirements.

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

1. Prior permission has been granted by the Superintendent;
2. Correspondence courses cannot supplant courses offered at Joliet High School.
3. Correspondence courses cannot be used to allow a student to graduate early from high school.

The District shall not be obligated to pay for a student's correspondence courses.

The District will accept a maximum of four (4) semester hours of correspondence coursework.

Cross Reference: 2410 and 2410P High School Graduation Requirements

Legal Reference: § 20-7-116, MCA Supervised correspondence study
ARM 10.55.906 High School Credit

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

2
3 **INSTRUCTION**

2168

page 1 of 2

4
5 Distance, Online, and Technology-Delivered Learning

6
7 For purposes of this policy, “distance learning” is defined as: instruction in which students and
8 teachers are separated by time and/or location with synchronous or asynchronous content,
9 instruction, and communication between student and teacher (e.g., correspondence courses,
10 online learning, videoconferencing, streaming video).

11
12 The District may receive and/or provide distance, online, and technology-delivered learning
13 programs, provided the following requirements are met:

- 14
15 1. The distance, online, and technology-delivered learning programs and/or courses shall
16 meet the learner expectations adopted by the District and be aligned with state content
17 and performance standards;
18
19 2. The District shall provide a report to the Superintendent of Public Instruction,
20 documenting how it is meeting the needs of students under the accreditation standards,
21 who are taking a majority of courses during each grading period via distance, online, and/
22 or technology-delivered programs;
23
24 3. The District will provide qualified instructors and/or facilitators as described in ARM
25 10.55.907(3)(a)(b)(c);
26
27 4. The District will ensure that the distance, online, and technology-delivered learning
28 facilitators receive in-service training on technology-delivered instruction as described in
29 ARM 10.55.907(3)(d); and
30
31 5. The District will comply with all other standards as described in ARM 10.55.907(4)(5)(a-
32 e).
33

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

37
38 Credit for distance learning courses may be granted, provided the following requirements are
39 met:

- 40
41 1. Prior permission has been granted by the principal;
42
43 2. The program fits the education plan submitted by the regularly enrolled student;
44
45 3. The course does not replace a required course offered by the District;
46

4. The course is needed as credit retrieval and cannot fit into the student's schedule; and
5. Credit is granted for schools and institutions approved by the District after evaluation for a particular course offering.

The District will not be obligated to pay for a student's distance learning courses.

Cross Reference:	2410 and 2410P	High School Graduation Requirements
Legal Reference:	ARM 10.55.602	Definitions
	ARM 10.55.705	Administrative Personnel; Assignment of School Administrators/Principals
	ARM 10.55.906	High School Credit
	ARM 10.55.907	Distance, Online, and Technology Delivered Learning

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **INSTRUCTION**

2221

4
5 School Closure

6
7 The Superintendent may order closure of schools in the event of extreme weather or other
8 emergency, in compliance with established procedures for notifying parents, students, and staff.

9
10 The trustees may order the emergency closure of schools for one (1) school day each year,
11 without the need to reschedule the lost pupil instruction time when the closure is the result of an
12 emergency.

13
14
15
16 Cross Reference: 8110 Bus Routes and Schedules

17
18 Legal Reference: §§ 20-9-801 - 802, MCA Emergency School Closure
19 §§ 20-9-806, MCA School closure by declaration of emergency

20
21 Policy History:

22 Adopted on: 06/20/13

23 Reviewed on:

24 Revised on:

2
3 **INSTRUCTION**

2250

4
5 Community and Adult Education

6
7 Efforts will be made to maximize the use of public school facilities and resources, realizing that
8 education is a lifelong process involving the whole community. The District may make its
9 resources available to adults and other non-students, within limits of budget, staff, and facilities,
10 provided there is no interference with or impairment of the regular school program. Community
11 and adult education and other offerings may be developed in cooperation with community
12 representatives, subject to approval and authorization by the Board.
13
14
15

16 Legal Reference: § 20-7-703, MCA Trustees' policies for adult education
17

18 Policy History:

19 Adopted on: 06/20/13

20 Reviewed on:

21 Revised on:

INSTRUCTION

2309

Library Materials

School library and classroom library books are primarily for use by District students and staff. Library books may be checked out by either students or staff. Individuals who check out books are responsible for the care and timely return of those materials. The librarian may assess fines for damaged or unreturned books.

District residents and parents or guardians of non-resident students attending the District may be allowed use of library books, at the discretion of the building principal. However, such access shall not interfere with regular school use of those books. Use of library books outside of the District is prohibited except for inter-library loan agreements with other libraries.

Any individual may challenge the selection of materials for the library/media center. The Uniform Complaint Procedure will be utilized to determine if challenged material is properly located in the library.

Cross Reference: 1700 Uniform Complaint Procedure
2314 Learning Materials Review

Legal Reference: § 20-4-402(5), MCA Duties of district superintendent or county high school principal
§ 20-7-203, MCA Trustees' policies for school library
§ 20-7-204, MCA School library book selection

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

INSTRUCTION

2310

Selection of Library Materials

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

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

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

Although the Superintendent is responsible for selection of library materials, ultimate responsibility rests with the Board.

The Board, acting through the Superintendent, thereby delegates authority for selection of library materials to the principal in each of the schools. The principal further delegates that authority to the librarian in the school.

(NOTE: BY STATUTE, THE SUPERINTENDENT, **or a principal if there is no district superintendent**, HAS AUTHORITY AND IS RESPONSIBLE FOR SELECTION OF LIBRARY MATERIALS, SUBJECT TO BOARD APPROVAL. THE SUPERINTENDENT AND BOARD MAY NOT WANT TO DELEGATE THIS RESPONSIBILITY.)

Legal reference:	§ 20-4-402(5), MCA	Duties of district superintendent or county high school principal
	§ 20-7-203, MCA	Trustees' policies for school library
	§ 20-7-204, MCA	School library book selection

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

2
3 **INSTRUCTION**

2310P

4
5 Selection of Library Materials

6
7 Selection of library materials is a professional task conducted by library staff. In selecting
8 library materials, the librarian will evaluate the existing collection; assess curricula needs;
9 examine materials; and consult reputable, professionally prepared selection aids.

10
11 Weeding

12
13 When materials no longer meet criteria for selection, they will be weeded. Weeding is a
14 necessary aspect of selection, since every library will contain works which may have answered a
15 need at the time of acquisition, but which, with the passage of time, have become obsolete,
16 dated, unappealing, or worn out.

17
18 Discarded materials will be clearly stamped:

19
20 “WITHDRAWAL FROM JOLIET PUBLIC SCHOOL LIBRARY”

21
22 Materials will be discarded in compliance with § 20-6-604, MCA. When the decision to sell or
23 dispose of library materials is made, the Board will adopt a resolution to sell or otherwise
24 dispose of the material because it is or is about to become abandoned, obsolete, undesirable, or
25 unsuitable for the school purposes of the District. The Board will publish a notice of the
26 resolution in the newspaper of general circulation in Carbon County News. The resolution may
27 not become effective for fourteen (14) days after notice is published.

28
29 Gifts

30
31 Gift materials may be accepted with the understanding they must meet criteria set for book
32 selection.

33
34
35
36 Procedure History:

37 Promulgated on: 06/20/13

38 Reviewed on:

39 Revised on:

INSTRUCTION

2311

Instructional Materials

The Board is legally responsible to approve and to provide the necessary instructional materials used in the District. Textbooks and instructional materials should provide quality learning experiences for students and:

- Enrich and support the curriculum;
- Stimulate growth in knowledge, literary appreciation, aesthetic value, and ethical standards;
- Provide background information to enable students to make intelligent judgments;
- Present opposing sides of controversial issues;
- Be representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage;
- Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society.

Basic instructional course material in the fundamental skill areas of language arts, mathematics, science, and social studies should be reviewed at intervals not exceeding five (5) years. All instructional materials must be sequential and must be compatible with previous and future offerings.

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

Cross Reference: 2314 Learning Materials Review

Legal Reference:	§ 20-4-402, MCA	Duties of district superintendent or county high school principal
	§ 20-7-601, MCA	Free textbook provisions
	§ 20-7-602, MCA	Textbook selection and adoption

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

INSTRUCTION

2311P

Selection, Adoption, and Removal of Textbooks and Instructional Materials

Curriculum committees will generally be responsible to recommend textbooks and major instructional materials purchases. Recommendations will be made to the Superintendent. The function of the committee is to ensure that materials are selected in conformance with stated criteria and established District goals and objectives. A curriculum committee may consist of only those members in a particular department. The same basic selection procedures should be followed as with District-wide committees.

Selection and Adoption

Textbooks shall be selected by a curriculum committee representing the various staff who will likely be using the text. In most, but not all, cases an administrator will chair the committee. Each committee should develop, prior to selection, a set of selection criteria against which textbooks will be evaluated. The criteria should include the following, along with other appropriate criteria. Textbooks shall:

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

Removal

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

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

INSTRUCTION

2312

Copyright

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

Under the fair use doctrine, each of the following four standards must be met in order to use the copyrighted document:

- Purpose and Character of the Use – The use must be for such purposes as teaching or scholarship.
- Nature of the Copyrighted Work – The type of work to be copied.
- Amount and Substantiality of the Portion Used – Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed.
- Effect of the Use Upon the Potential Market for or value of the Copyrighted Work – If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

While the District encourages its staff to enrich learning programs by making proper use of supplementary materials, it is the responsibility of staff to abide by District copying procedures and obey requirements of law. Under no circumstances will it be necessary for staff to violate copyright requirements in order to properly perform their duties. The District cannot be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with District procedures or is permissible under the law should consult the Superintendent. The Superintendent will assist staff in obtaining proper authorization to copy or use protected materials, when such authorization is required.

Legal Reference: 17 USC 101 - 1332 Federal Copyright Law of 1976

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

INSTRUCTION

2312P

page 1 of 5

Copyright ComplianceAuthorized Reproduction and Use of Copyrighted Material in Print

- Materials on the Internet should be used with caution since they may, and likely are, copyrighted.
- Proper attribution (author, title, publisher, place and date of publication) should always be given.
- Notice should be taken of any alterations to copyrighted works, and such alterations should only be made for specific instructional objectives.
- Care should be taken in circumventing any technological protection measures. While materials copied pursuant to fair use may be copied after circumventing technological protections against unauthorized copying, technological protection measures to block access to materials may not be circumvented.

In preparing for instruction, a teacher may make or have made a single copy of a chapter from a book; an article from a newspaper or periodical; a short story, short essay, or short poem; or a chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper. A teacher may make multiple copies, not exceeding more than one (1) per student, for classroom use if the copying meets the tests of “brevity, spontaneity and cumulative effect” set by the following guidelines. Each copy must include a notice of copyright.

1. Brevity

- a. A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words.
- b. Complete articles, stories or essays of less than 2500 words or excerpts from prose works less than 1000 words or 10% of the work, whichever is less, may be copied; in any event, the minimum is 500 words. (Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph.)
- c. One chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue may be copied. “Special” works cannot be reproduced in full; this includes children’s books combining poetry, prose, or poetic prose.

2. Spontaneity. Should be at the “instance and inspiration” of the individual teacher when there is not a reasonable length of time to request and receive permission to copy.3. Cumulative Effect. Teachers are limited to using copied material for only one (1) course in the school in which copies are made. No more than one (1) short poem, article, story or two (2) excerpts from the same author may be copied, and no more than three (3) works can be copied from a collective work or periodical issue during one (1) class term.

Teachers are limited to nine (9) instances of multiple copying for one (1) course during one (1) class term. Limitations do not apply to current news periodicals, newspapers, and current news sections of other periodicals.

Performances by teachers or students of copyrighted dramatic works without authorization from the copyright owner are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.

The copyright law prohibits using copies to replace or substitute for anthologies, consumable works, compilations, or collective works. "Consumable" works include: workbooks, exercises, standardized tests, test booklets, and answer sheets. Teachers cannot substitute copies for the purchase of books, publishers' reprints or periodicals, nor can they repeatedly copy the same item from term-to-term. Copying cannot be directed by a "higher authority," and students cannot be charged more than actual cost of photocopying. Teachers may use copyrighted materials in overhead or opaque projectors for instructional purposes.

Authorized Reproduction and Use of Copyrighted Materials in the Library

A library may make a single copy or three digital copies of:

- An unpublished work which is in its collection;
- A published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided the unused replacement cannot be obtained at a fair price.
- A work that is being considered for acquisition, although use is strictly limited to that decision. Technological protection measures may be circumvented for purposes of copying materials in order to make an acquisition decision.

A library may provide a single copy of copyrighted material to a student or staff member at no more than the actual cost of photocopying. The copy must be limited to one (1) article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright, and the student or staff member shall be notified that the copy is to be used only for private study, scholarship, or research. Any other use may subject the person to liability for copyright infringement.

At the request of a teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies designated in "Authorized Reproduction and Use of Copyrighted Material in Print."

Authorized Reproduction and Use of Copyrighted Music or Dramatic Works

Teachers may:

- Make a single copy of a song, movement, or short section from a printed musical or dramatic work that is unavailable except in a larger work for purposes of preparing for instruction;
- Make multiple copies for classroom use of an excerpt of not more than 10% of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song;
- In an emergency, a teacher may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed or are otherwise not available.
- Make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal;

- Make and retain a single copy of excerpts from recordings of copyrighted musical works for use as aural exercises or examination questions; and,
- Edit or simplify purchased copies of music or plays provided that the fundamental character of the work is not distorted. Lyrics shall not be altered or added if none exist.

Performance by teachers or students of copyrighted musical or dramatic works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose shall be instructional rather than for entertainment.

Performances of nondramatic musical works that are copyrighted are permitted without the authorization of the copyright owner, provided that:

- The performance is not for a commercial purpose;
- None of the performers, promoters or organizers are compensated; and,
- Admission fees are used for educational or charitable purposes only.

All other musical and dramatic performances require permission from the copyright owner. Parents or others wishing to record a performance should check with the sponsor to ensure compliance with copyright.

Recording of Copyrighted Programs

Television programs, excluding news programs, transmitted by commercial and non-commercial television stations for reception by the general public without charge may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a school for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of this retention period, all off-air recordings must be erased or destroyed immediately. Certain programming such as that provided on public television may be exempt from this provision; check with the *[principal, teacher or teacher librarian – choose all that apply or add others]* or the subscription database, e.g. united streaming.

USE OF INFORMATION RESOURCES REGULATION

Off-air recording may be used once by individual teachers in the course of instructional activities, and repeated once only when reinforcement is necessary, within a building, during the first 10 consecutive school days, excluding scheduled interruptions, in the 45 calendar day retention period. Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy shall be subject to all provisions governing the original recording.

After the first ten consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum. Permission must be secured from the publisher before the recording can be used for instructional purposes after the 10 day period.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

Authorized Reproduction and Use of Copyrighted Computer Software

Schools have a valid need for high-quality software at reasonable prices. To assure a fair return to the authors of software programs, the school district shall support the legal and ethical issues involved in copyright laws and any usage agreements that are incorporated into the acquisition of software programs. To this end, the following guidelines shall be in effect:

- All copyright laws and publisher license agreements between the vendor and the school district shall be observed;
- Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment;
- A back-up copy shall be purchased, for use as a replacement when a program is lost or damaged. If the vendor is not able to supply a replacement, the school district shall make a back-up copy that will be used for replacement purposes only;
- A copy of the software license agreement shall be retained by the, *[board secretary, technology director or teacher-librarian - choose all that apply or add others]*; and,
- A computer program may be adapted by adding to the content or changing the language. The adapted program may not be distributed.

Fair Use Guidelines for Educational Multimedia

Students may incorporate portions of copyrighted materials in producing educational multimedia projects such as videos, Power Points, podcasts and web sites for a specific course, and may perform, display or retain the projects.

USE OF INFORMATION RESOURCES REGULATION

Educators may perform or display their own multimedia projects to students in support of curriculum-based instructional activities. These projects may be used:

- In face-to-face instruction;
- In demonstrations and presentations, including conferences;
- In assignments to students;
- For remote instruction if distribution of the signal is limited;
- Over a network that cannot prevent duplication for fifteen days, after fifteen days a copy may be saved on-site only; or,
- In their personal portfolios.

Educators may use copyrighted materials in a multimedia project for two years, after that permission must be requested and received.

The following limitations restrict the portion of any given work that may be used pursuant of fair use in an educational multimedia project:

- Motion media: ten percent or three minutes, whichever is less;
- Text materials: ten percent or 1,000 words, whichever is less;
- Poetry: an entire poem of fewer than 250 words, but no more than three poems from one author or five poems from an anthology. For poems of greater than 250 words, excerpts of up to 250 words may be used, but no more than three excerpts from one poet or five excerpts from an anthology;
- Music, lyrics and music video: Up to ten percent, but no more than thirty seconds. No alterations that change the basic melody or fundamental character of the work;
- Illustrations, cartoons and photographs: No more that five images by an artist, and no more than ten percent or fifteen images whichever is less from a collective work;
- Numerical data sets: Up to ten percent or 2,500 field or cell entries, whichever is less;

Fair use does not include posting a student or teacher's work on the Internet if it includes portions of copyrighted materials. Permission to copy shall be obtained from the original copyright holder(s) before such projects are placed online. The opening screen of such presentations shall include notice that permission was granted and materials are restricted from further use.

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

2
3 **INSTRUCTION**

2314

4
5 Learning Materials Review

6
7 Citizens objecting to specific materials used in the District are encouraged to submit a complaint
8 in writing using the Uniform Complaint Procedure (Policy 1700) and discuss the complaint with
9 the building principal prior to pursuing a formal complaint.

10
11 Learning materials, for the purposes of this policy, are considered to be any material used in
12 classroom instruction, library materials, or any materials to which a teacher might refer a student
13 as part of the course of instruction.

14
15
16
17 Cross Reference: 1700 Uniform Complaint Procedure

18
19 Policy History:

20 Adopted on: 06/20/13

21 Reviewed on:

22 Revised on:

1 **Joliet Public Schools**

2
3 **INSTRUCTION**

2320

4
5 Field Trips, Excursions, and Outdoor Education

6
7 The Board recognizes that field trips, when used as a device for teaching and learning integral to
8 the curriculum, are an educationally sound and important ingredient in the instructional program
9 of the schools. Such trips can supplement and enrich classroom procedures by providing
10 learning experiences in an environment beyond the classroom. The Board also recognizes that
11 field trips may result in lost learning opportunities in missed classes. Therefore, the Board
12 endorses the use of field trips, when educational objectives achieved by the trip outweigh any
13 lost in-class learning opportunities.

14
15 Field trips must be approved by the building principal and have an educational purpose and
16 itinerary.

17
18 Staff members may not solicit students during instructional time for any privately arranged field
19 trip or excursion without Board permission.

20
21 The presence of a person with a currently valid first aid card is required during school-sponsored
22 activities, including field trips, athletic, and other off-campus events.

23
24
25
26 Legal Reference: ARM 37.111.825 Health Supervision and Maintenance

27
28 Policy History:

29 Adopted on: 06/20/13

30 Reviewed on:

31 Revised on:

2
3 **INSTRUCTION**

2330

4
5 Controversial Issues and Academic Freedom

6
7 The District will offer courses of study which will afford learning experiences appropriate to
8 levels of student understanding. The instructional program respects the right of students to face
9 issues, to have free access to information, to study under teachers in situations free from
10 prejudice, and to form, hold, and express their own opinions without personal prejudice or
11 discrimination.

12
13 Teachers will guide discussions and procedures with thoroughness and objectivity to acquaint
14 students with the need to recognize various points of view, importance of fact, value of good
15 judgment, and the virtue of respect for conflicting opinions.

16
17 The Board encourages and supports the concept of academic freedom, recognizing it as a
18 necessary condition to aid in maintaining an environment conducive to learning and to the free
19 exchange of ideas and information.

20
21 In a study or discussion of controversial issues or materials, however, the Board directs teaching
22 staff to take into account the following criteria:

- 23
24 1. Relative maturity of students;
25 2. District philosophy of education;
26 3. Community standards, morals, and values;
27 4. Necessity for a balanced presentation; and
28 5. Necessity to seek administrative counsel and guidance in such matters.

29
30
31
32 Legal Reference: Article X, Sec. 8, Montana Constitution - School district trustees
33 § 20-3-324(16) and (17), MCA Powers and duties
34

35 Policy History:

36 Adopted on: 06/20/13

37 Reviewed on:

38 Revised on:

1 **Joliet Public Schools**

2
3 **INSTRUCTION**

2332

page 1 of 2

4
5 Religion and Religious Activities

6
7 In keeping with the United States and Montana Constitutions and judicial decisions, the District may not
8 support any religion or endorse religious activity. At the same time, the District may not prohibit private
9 religious expression by students. This policy provides direction to students and staff members about the
10 application of these principles to student religious activity at school.

11
12 Student Prayer and Discussion

13
14 Students may pray individually or in groups and may discuss their religious views with other students, as
15 long as they are not disruptive or coercive. The right to engage in voluntary prayer does not include the
16 right to have a captive audience listen, to harass other students, or to force them to participate. Students
17 may pray silently in the classroom, except when they are expected to be involved in classroom instruction
18 or activities.

19
20 Staff Members

21
22 Staff members are representatives of the District and must “navigate the narrow channel between
23 impairing intellectual inquiry and propagating a religious creed.” They may not encourage, discourage,
24 persuade, dissuade, sponsor, participate in, or discriminate against a religious activity or an activity
25 because of its religious content. They must remain officially neutral toward religious expression.

26
27 Graduation Ceremonies

28
29 Graduation is an important event for students and their families. In order to assure the appropriateness
30 and dignity of the occasion, the District sponsors and pays for graduation ceremonies and retains ultimate
31 control over their structure and content.

32
33 District officials may not invite or permit members of the clergy to give prayers at graduation.
34 Furthermore, District officials may not organize or agree to requests for prayer by other persons at
35 graduation, including requests by students to open or deliver a prayer at graduation. The District may not
36 prefer the beliefs of some students over the beliefs of others, coerce dissenters or nonbelievers, or
37 communicate any endorsement of religion.

38
39 Baccalaureate Ceremonies

40
41 Students and their families may organize baccalaureate services, at which attendance must be entirely
42 voluntary. Organizers of baccalaureate services may rent and have access to school facilities on the same
43 basis as other private groups and may not receive preferential treatment. The District may not be
44 identified as sponsoring or endorsing baccalaureate services. District funds, including paid staff time,
45 may not be used directly or indirectly to support or subsidize any religious services.

46
47 Assemblies, Extracurricular and Athletic Events

48
49 District officials may not invite or permit members of the clergy, staff members, or outsiders to give
50 prayers at school-sponsored assemblies and extracurricular or athletic events. District officials also may

not organize or agree to student requests for prayer at assemblies and other school-sponsored events. Furthermore, prayer may not be broadcast over the school public address system, even if the prayer is nonsectarian, nonproselytizing, and initiated by students.

Student Religious Expression and Assignments

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

Religion in the Curriculum

Staff members may teach students about religion in history, art, music, literature, and other subjects in which religious influence has been and continues to be felt. However, staff members may not teach religion or advocate religious doctrine or practice. The prohibition against teaching religion extends to curricular decisions which promote religion or religious beliefs.

School programs, performances, and celebrations must serve an educational purpose. The inclusion of religious music, symbols, art, or writings is permitted, if the religious content has a historical or independent educational purpose which contributes to the objectives of the approved curriculum. School programs, performances, and celebrations cannot promote, encourage, discourage, persuade, dissuade, or discriminate against a religion or religious activity and cannot be oriented to religion or a religious holiday.

Student Religious Clubs

Students may organize clubs to discuss or promote religion, subject to the same constitutionally acceptable restrictions the District imposes on other student-organized clubs.

Distribution of Religious Literature

Students may distribute religious literature to their classmates, subject to the same constitutionally acceptable restrictions the District imposes on distribution of other non-school literature. Outsiders may not distribute religious or other literature to students on school property, consistent with and pursuant to the District policy on solicitations (Policy 4321).

Religious Holidays

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

INSTRUCTION

2333

Participation in Commencement ExercisesStatement of Policy

A student's right to participate in a commencement exercise of the graduating class at Joliet High School is an honor. As such, participation in this ceremony is reserved for those members of the graduating class who have completed all state and local requirements for graduation before the date of the ceremony. Students who have not met the requirements for graduation, by graduation day, as set by the State of Montana and the Joliet School District will not be allowed to walk or participate in the commencement exercise. Students who complete their requirements after the date of commencement exercises will receive their diplomas at that time.

Organization and Content of Commencement Exercises

The school administration may invite graduating students to participate in high school graduation exercises according to academic class standing or class officer status. Any student who, because of academic class standing, is requested to participate may choose to decline the invitation.

The school administrators will review presentations and specific content, and may advise participants about appropriate language for the audience and occasion. Students selected to participate may choose to deliver an address, poem, reading, song, musical presentation, or any other pronouncement of their choosing.

The printed program for a commencement exercise will include the following paragraphs:

Any presentation by participants of graduation exercises is the private expression of an individual participant and does not necessarily reflect any official position of the District, its Board, administration, or employees, nor does it necessarily indicate the views of any other graduates.

The Board recognizes that at graduation time and throughout the course of the educational process, there will be instances when religious values, religious practices, and religious persons will have some interaction with the public schools and students. The Board, while not endorsing any religion, recognizes the rights of individuals to have the freedom to express their individual political, social, or religious views.

Legal Reference:	Art. II, Sec. 5, Montana Constitution - Freedom of religion
	Art. X, Sec. 7, Montana Constitution - Nondiscrimination in education
	§ 20-5-201(3), MCA Duties and Sanctions
	§ 20-1-308, MCA Religious instruction released time program
	§ 20-7-112, MCA Sectarian publications prohibited and prayer permitted

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

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

The Board believes HIV/AIDS and other STD/STI instruction is most effective when integrated into a comprehensive health education program. Instruction must be appropriate to grade level and development of students and must occur in a systematic manner. The Board particularly desires that students receive proper education about HIV and other STD/STI's, before they reach the age when they may adopt behaviors which put them at risk of contracting the disease.

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

In accordance with Board policy, parents will have an opportunity to review the HIV/STD/STI education program, before it is presented to students.

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

Adopted on: 06/20/13
Reviewed on:
Revised on:

1 **Joliet Public Schools**

2
3 **INSTRUCTION**

2410

4
5 High School Graduation Requirements

6
7 The Board will award a regular high school diploma to every student enrolled in the District who
8 meets graduation requirements established by the District. The official transcript will indicate
9 the specific courses taken and level of achievement.

10
11 The Board will establish graduation requirements which, at a minimum, satisfy those established
12 by the Board of Public Education (A.R.M. 10.55.904 and 905). Generally, any change in
13 graduation requirements promulgated by the Board will become effective for the next class to
14 enter ninth (9th) grade. Exceptions to this general rule may be made, when it is determined by
15 the Board that proposed changes in graduation requirements will not have a negative effect on
16 students already in grades nine (9) through twelve (12). The Board will approve graduation
17 requirements as recommended by the Superintendent.

18
19 To graduate from Joliet High School, a student must have satisfactorily completed the last
20 quarter prior to graduation as a Joliet High School student. Highly unusual exceptions may be
21 considered by the principal, such as a student exchange program in a recognized school.

22
23 A student with a disabling condition will satisfy those competency requirements incorporated
24 into the individualized education program (IEP). Satisfactory completion of the objectives
25 incorporated in the IEP will serve as the basis for determining completion of a course.

26
27 A student may be denied participation in graduation ceremonies in accordance with 20-5-201(3),
28 MCA. In such instances the diploma will be awarded after the official ceremony has been held.

29
30
31
32 Legal Reference: § 20-5-201, MCA Duties and sanctions
33 § 20-3-322 (3), MCA Meetings and Quorum
34 10.55.904, ARM Basic Education Program Offerings: High School
35 10.55.905, ARM Graduation Requirements
36 10.55.906, ARM High School Credit

37
38 Policy History:

39 Adopted on: 06/20/13

40 Reviewed on:

41 Revised on:

1 **Joliet Public Schools**

2
3 **INSTRUCTION**

2410P
page 1 of 2

4
5 High School Graduation Requirements

6
7 Publication of Graduation Requirements

8
9 Prior to registering in high school, each student will be provided with a copy of the current
10 graduation requirements. Graduation requirements shall also be included in the student
11 handbook.

12
13 Credits

14
15 Students shall be expected to earn a total of twenty-six (26) credits in order to complete
16 graduation requirements. Special education students who have successfully completed their IEP
17 leading to completion of high school will be awarded a diploma.

18
19 Waiver of Requirement

20
21 Graduation requirements generally will not be waived under any circumstances. However, in
22 rare and unique hardship circumstances, the principal may recommend and the Superintendent
23 approve minor deviation from the graduation requirements.

24
25 Alternative Programs

26
27 Credit toward graduation requirements may be granted for planned learning experiences from
28 accredited programs, such as university courses, Odyssey Ware classes, and correspondence
29 courses.

30
31 All classes attempted at Joliet High School and all acceptable transfer credits shall be recorded
32 on the transcript. All grades earned, including failures and retakes, shall be recorded as such and
33 utilized in the calculation of Grade Point Average and class rank. Credit shall be awarded only
34 once regardless of repetition of the course.

35
36 Dual Credit

37
38 Dual credit allows high schools students to simultaneously earn credit toward both a high school
39 diploma and college coursework that can lead to a postsecondary degree or certificate, or toward
40 transfer to another college. The primary purpose of offering dual credit courses is to deliver high
41 quality, introductory, college level courses to high-performing high school students. The
42 Joliet School District has dual credit partnerships with [name of post-secondary institutions].
43 Students interested in dual credit opportunities must meet with their building administration to
44 determine available options.

Students should be aware of Montana High School Association on-campus attendance eligibility requirements for activity participation.

Honor Roll

A student must have a minimum grade-point average of 3.00 to be placed on the regular honor roll. Specific information regarding honors at graduation are included in the student handbook.

Class Rank (Grade Point Average)

Class Rank is compiled from semester grades. Courses not eligible for GPA are designated with an asterisk on the report card.

Early Graduation

In accordance with provisions of § 20-9-313, MCA, the Board hereby authorizes the high school principal to grant permission to students who have completed the minimum requirements for graduation after completion of the seventh (7th) semester.

Students interested in graduating early must make application to the Joliet Board of Trustees and show evidence of need in one or more of the following areas:

1. Advancement in academic and/or vocational training.
2. Entrance into military service.
3. Hardship in which such income earned by the applicant is necessary for maintenance of the family unit.

Legal Reference: § 20-9-313, MCA Circumstances under which regular average number belonging may be increased

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

2
3 **INSTRUCTION**

2413

page 1 of 2

4
5 Credit Transfer and Assessment for Placement

6
7 Grades 9-12

8
9 Requests for transfer of credit or grade placement from any non-accredited, nonpublic school
10 will be subject to examination and approval before being accepted by the District. This will be
11 done by the school counselor or principal or, in the case of home schools, by a credit evaluation
12 committee consisting of a counselor, a staff member from each subject area in which credit is
13 being requested, and a school principal.

14
15 The credit evaluation committee will:

- 16
17 1. Document that a student has spent approximately the same number of classroom hours in
18 home school as would have been spent in a regular class in the District;
19
20 2. Document that a student followed a curriculum essentially similar to that of a course for
21 which credit is requested;
22
23 3. Document that in the event of a credit request in a lab, industrial arts, or music course,
24 equipment and facilities were sufficient to meet required learning activities of the course;
25
26 4. Require that a student has satisfactorily passed, in all courses in which a final exam
27 normally is given, a final exam prepared and administered by a staff member in the
28 District.

29
30 The District will give credit only for home schools which have met all requirements as specified
31 in Montana law. Credit from home schools will be accepted only when a like course is offered
32 in the District.

33
34 The school transcripts will record courses taken in home schools or non-accredited schools by
35 indicating title of the course, school where the course was taken, and grade.

36
37 For the purpose of calculation of class rank, only those courses taken in an accredited school will
38 be used.

39
40 Grades 1-8

41
42 Requests from parents of students in non-accredited, nonpublic schools for placement in the
43 District school system will be evaluated by an assessment-for-placement team. That team will
44 include:

- 45
46 1. A school principal;

2. One (1) teacher of the grade in which the student is being considered for enrollment; and

3. One (1) counselor (grades 6-8 only) (OPTIONAL).

The assessment-for-placement team will cause the District-adopted norm-referenced test and/or the end-of-the-year subject-matter test to be administered and scored. The assessment-for-placement team will take into account the following in its recommendation for grade placement:

1. Documentation that the non-accredited, nonpublic school has provided a comparable number of hours as the child would have attended in a public or private school;
2. That the child followed a similar curriculum as would have been provided in an accredited public or private school;
3. That the result of the end-of-the-year test indicates the student has mastered most prerequisite skills; and
4. That the child has completed the MAPPS test.

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

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

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

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **INSTRUCTION**

2420

4
5 Grading and Progress Reports

6
7 The Board believes cooperation of school and home is a vital ingredient in the growth and
8 education of students and recognizes its responsibility to keep parents informed of student
9 welfare and progress in school.

10
11 The issuance of grades and progress reports on a regular basis serves as a basis for continuous
12 evaluation of student performance and for determining changes that should be made to effect
13 improvement. These reports will be designed to provide information helpful to the students,
14 teachers, counselors, and parents.

15
16 The Board directs the Superintendent to establish a system of reporting student progress and will
17 require all staff to comply with such a system as part of their teaching responsibility. Staff and
18 parents will be involved.

19
20
21
22 Policy History:

23 Adopted on: 06/20/13

24 Reviewed on:

25 Revised on:

1 **Joliet Public Schools**

2
3 **INSTRUCTION**

2421

4
5 Promotion and Retention

6
7 Student placement, promotion, or retention will be determined after a careful evaluation of the
8 advantages and disadvantages of alternatives.

9
10 All factors must be considered when an alteration to a student's normal progression through
11 school is contemplated. Quantitative measures, such as age, physical size, ability, and level of
12 academic achievement, shall be supplemented by a qualitative assessment of student motivation,
13 self-image, and social adjustment. Students will not be promoted for purely social reasons.

14
15 Teaching staff and building principals will make final decisions respecting promotion or
16 retention.

17
18
19
20 Policy History:

21 Adopted on: 06/20/13

22 Reviewed on:

23 Revised on:

2
3 **INSTRUCTION**

2450

4
5 Recognition of Native American Cultural Heritage

6
7 The District recognizes the distinct and unique cultural heritage of Native Americans and is
8 committed in the District's educational goals to the preservation of such heritage.

9
10 In furtherance of the District's educational goals, the District is committed to:

- 11
- 12 • Working cooperatively with Montana Tribes in close proximity to the District, when
13 providing instruction, when implementing educational goals or adopting rules relating to
14 education of students in the District;
 - 15
 - 16 • Periodically reviewing its curriculum to ensure the inclusion of cultural heritage of
17 Native Americans, which will include but not necessarily be limited to:
 - 18
 - 19 • Considering methods by which to provide books and materials reflecting
20 authentic historical and contemporary portrayals of Native Americans;
 - 21
 - 22 • Taking into account individual and cultural diversity and differences among
23 students;
 - 24
 - 25 • Providing necessary training for school personnel, with the objective of gaining an
26 understanding and awareness of Native American culture, which will assist the District's
27 staff in its relations with Native American students and parents.
 - 28

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

31
32
33
34 Legal Reference: Art. X, Sec. 1(2), Montana Constitution
35 §§ 20-1-501, et seq., MCA Indian Education for All
36 10.55.603 ARM Curriculum and Assessment
37 10.55.701 ARM Board of Trustees
38 10.55.803 ARM Learner Access
39

40 Policy History:

41 Adopted on: 06/20/13

42 Reviewed on:

43 Revised on:

1 **Joliet Public Schools**

R

4 **INSTRUCTION**

2510

5 School Wellness

7 The Joliet School District is committed to providing school environments that promote and protect
8 children's health, well-being, and ability to learn, by supporting healthy eating and physical activity.
9 Therefore, it is the policy of the Joliet School District that:

- 11 • The School District will engage students, parents, teachers (especially teachers of physical
12 education), food service professionals, school health professionals, and other interested
13 community members in developing, implementing, monitoring, and reviewing District-wide
14 nutrition and physical activity policies and procedures.
- 15 • All students in grades K-12 will have opportunities, support, and encouragement to be physically
16 active on a regular basis.
- 17 • The School District will inform and update the public (including parents, students, and others in
18 the community) about the content and implementation of the local wellness
19 policies. The District will also measure periodically and make available to the public an
20 assessment of the local wellness policy, including:
- 21 • The extent to which schools are in compliance with the local wellness policy;
22 • The extent to which the LEA's local wellness policy compares to model local school
23 wellness policies; and
24 • The progress made in attaining the goals of the local wellness policy.
- 25 • Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S.*
26 *Dietary Guidelines for Americans*.
- 27 • Qualified child nutrition professionals will provide students with access to a variety of affordable,
28 nutritious, and appealing foods which meet the health and nutrition needs of students; will
29 accommodate the religious, ethnic, and cultural diversity of the student body in meal planning;
30 and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- 31 • To the maximum extent practicable, all schools in the District will participate in available federal
32 school meal programs, including the School Breakfast Program and the National School Lunch
33 Program (including after-school snacks).
- 34 • Schools will provide nutrition education and physical education to foster lifelong habits of
35 healthy eating and physical activity and will establish linkages between health education and
36 school meal programs and with related community services.

38 The Superintendent or his/her designee will develop procedures based on the following five (5) areas of
39 requirement:

- 40 1. Nutrition Education Goals
41 2. Physical Activity Goals
42 3. Nutrition Standards for All Foods and Beverages
43 4. Other School-Based Wellness Activities
44 5. Governance and Evaluation

46 Legal Reference P.L. 108-265 Child Nutrition and WIC Reauthorization Act of 2004

47 Policy History:

48 Adopted on: 06/20/13

49 Reviewed on:

50 Revised on:

JOLIET SCHOOL DISTRICT

R = required

3000 SERIES STUDENTS

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Joliet Public Schools

STUDENTS

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page 1 of 2

Entrance, Placement, and Transfer

Entrance, Date, and Age

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

School Entrance

1. The District requires that a student's parents, legal guardian, or legal custodian present proof of identity of the child¹ to the school within forty (40) days of enrollment, as well as proof of residence in the District. Students who are not residents of the District may apply for admission pursuant to Policy 3141. Homeless students shall be admitted pursuant to state and federal law, and Policy 3125.
2. To be admitted to District schools, in accordance with the Montana Immunization Law, a child must have been immunized against varicella, diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles in the manner and with immunizing agents approved by the department. Immunizations may not be required if a child qualifies for conditional attendance or an exemption is filed as provided by Montana law.

Placement

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

Transfer

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

¹ For the purposes of this section "proof of identity" means a certified copy of a birth certificate, a certified transcript or similar student records from the previous school, or any documentary evidence that a school district considers to be satisfactory proof of identity. 44-2-511(6)(a), MCA

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

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

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

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

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on: 01/11/16

STUDENTS

3120

Compulsory Attendance

To reach the goal of maximum educational benefits for every child requires a regular continuity of instruction, classroom participation, learning experiences, and study. Regular interaction of students with one another in classrooms and their participation in instructional activities under the tutelage of competent teachers are vital to the entire process of education. This established principle of education underlies and gives purpose to the requirement of compulsory schooling in every state in the nation. A student's regular attendance also reflects dependability and is a significant component of a student's permanent record.

Parents or legal guardians or legal custodians are responsible for seeing that their children who are age seven (7) or older before the first (1st) day of school attend school until the later of the following dates:

1. Child's sixteenth (16th) birthday; or
2. Completion date of the work of eighth (8th) grade.

The provisions above do not apply in the following cases:

- (a) The child has been excused under one of the conditions specified in 20-5-102.
- (b) The child is absent because of illness, bereavement, or other reason prescribed by the policies of the trustees.
- (c) The child has been suspended or expelled under the provisions of 20-5-202.

Compulsory attendance stated above will not apply when children:

1. Are provided with supervised correspondence or home study; or
2. Are excused because of a determination by a district judge that attendance is not in the best interests of the child; or
3. Are enrolled in a non-public or home school; or
4. Are enrolled in a school in another district or state; or
5. Are excused by the Board on a determination that attendance after age of sixteen (16) is not in the best interests of the child and the school.

Legal Reference:	§ 20-1-308, MCA	Religious instruction released time program
	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-102, MCA	Compulsory enrollment and excuses
	§ 20-5-103, MCA	Compulsory attendance and excuses
	§ 20-5-104, MCA	Attendance officer
	§ 20-5-106, MCA	Truancy
	§ 20-5-107, MCA	Incapacitated and indigent child attendance
	§ 20-5-108, MCA	Tribal agreement with district for Indian child compulsory attendance and other agreements
	§ 20-5-202, MCA	Suspension and Expulsion

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

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page 1 of 2

4
5 Enrollment and Attendance Records

6
7 Since accurate enrollment and attendance records are essential both to obtain state financial
8 reimbursement and to fulfill the District's responsibilities under the attendance laws, staff shall
9 be diligent in maintaining such records.

10
11 A district may only include, for ANB purposes, an enrolled student who is:

- 12
13 • A resident of the district or a nonresident student admitted by trustees under a student
14 attendance agreement and who is attending a school of the district;
- 15
16 • Unable to attend school due to a medical reason certified by a medical doctor and
17 receiving individualized educational services supervised by the district, at district
18 expense, at a home or facility that does not offer an educational program;
- 19
20 • Unable to attend school due to the student's incarceration in a facility, other than a youth
21 detention center, and who is receiving individualized educational services supervised by
22 the district, at district expense, at a home or facility that does not offer an educational
23 program;
- 24
25 • Living with a caretaker relative under § 1-1-215, MCA;
- 26
27 • Receiving special education and related services, other than day treatment, under a
28 placement by the trustees at a private nonsectarian school or private program if the
29 student's services are provided at the district's expense under an approved individual
30 education plan supervised by the district;
- 31
32 • Participating in the Running Start Program at district expense under § 20-9-706, MCA;
- 33
34 • Receiving education services, provided by the district, using appropriately licensed
35 district staff at a private residential program or private residential facility licensed by the
36 Department of Public Health and Human Services;
- 37
38 • Enrolled in an educational program or course provided at district expense using electronic
39 or offsite delivery methods, including but not limited to tutoring, distance learning
40 programs, online programs, and technology delivered learning programs, while attending
41 a school of the district or any other nonsectarian offsite instructional setting with the
42 approval of the trustees of the district; or
- 43
44 • A resident of the district attending a Montana job corps program under an interlocal
45 agreement with the district under § 20-9-707, MCA.
- 46

- A resident of the district attending a Montana Youth Challenge Program under an interlocal agreement with the district under § 20-9-707, MCA.

In order for a student who is served through distance learning or offsite delivery methods to be included in the calculation of average number belonging, the student must meet the residency requirements for that district; live in the district, and must be eligible for educational services under the Individuals with Disabilities Education Act or under 29 U.S.C. 794; or attend school in the district under a mandatory attendance agreement as provided in § 20-9-707, MCA.

Legal Reference:	§ 1-1-215, MCA	Residence – rules for determining
	§ 20-9-311, MCA	Calculation of average number belonging (ANB)
		-- three-year averaging.
	§ 20-9-706, MCA	Running start program – authorizing class credits at
		postsecondary institution – eligibility – payment for
		credits
	§ 20-9-707, MCA	Agreement with Montana youth challenge program
		or accredited Montana job corps program
	29 U.S.C. 794	Nondiscrimination under Federal grants
		and programs
	34 CFR 300.1, et seq.	Assistance to states for the education of children
		with disabilities

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

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page 1 of 2

4
5 Enrollment and Attendance Records

6
7 Average Number Belonging

8
9 Average Number Belonging (ANB) is the enrollment measure used for the State Foundation
10 Program calculations as defined in § 20-9-311, MCA. The ANB of one year is based on the
11 attendance records of the preceding year. Funding for districts is based on ANB, which is based
12 on “aggregate hours” per year and must be accurate. “Aggregate hours” means the hours of
13 pupil instruction for which a school course or program is offered or for which a pupil is enrolled.

14
15 For a child to be counted for ANB purposes:

- 16
17 a) The child must meet the definition of pupil as found in § 20-1-101(11), MCA;
18
19 b) Attending 181 to 359 aggregate hours = One-quarter time enrollment
20
21 c) Attending 360 to 539 aggregate hours = One-half time enrollment
22
23 d) Attending 540 to 719 aggregate hours = Three-quarter time enrollment
24
25 e) Attending 720 aggregate hours or more = Full-time enrollment
26

27 A school district may include in its calculation of ANB a pupil who is enrolled in a program
28 providing fewer than the required aggregate hours of pupil instruction required under subsection
29 20-9-311(4)(a) or (4)(b) if the pupil had demonstrated proficiency in the content ordinarily
30 covered by the instruction as determined by the school board using district assessments. The
31 ANB must be converted to an hourly equivalent based on the hours of instruction ordinarily
32 provided for the content over which the student has demonstrated proficiency. 20-9-311(4)(d).
33

34 Homebound Students

35
36 Students who are receiving instructional services, who were in the education program and, due to
37 medical reasons certified by a medical doctor, are unable to be present for pupil instruction, may
38 be counted as enrolled for ANB purposes, if the student:

- 39
40 a) Is enrolled and is currently receiving organized and supervised pupil instruction;
41
42 b) Is in a home or facility which does not offer a regular educational program; and
43
44 c) Has instructional costs during the absence, which are financed by the District’s general
45 fund.
46

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

Attendance Accounting

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

On the first (1st) Monday in October and on February 1st (or the next school day if those dates do not fall on a school day), the number of all enrolled students (whether present or absent) by grade level and class will be recorded on the forms provided by the District. Special education children who are enrolled in special programs sixteen (16) hours or more a week will be listed separately. The Director of Special Education should be contacted to verify this count. Monthly student counts of enrolled children by grade and classroom will be provided by the office.

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

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on: 09/12/16

1 **Joliet Public Schools**

2
3 **STUDENTS**

3122

4
5 Attendance Policy

6
7 To reach the goal of maximum educational benefits for each child requires a regular continuity
8 of instruction, classroom participation, learning experiences, and study. Regular interaction of
9 students with one another in the classroom and their participation in instructional activities under
10 the tutelage of competent teachers are vital to the entire process of education. This established
11 principle of education underlies and gives purpose to the requirement of compulsory schooling in
12 every state in the nation. The good things schools have to offer can only be presented to students
13 in attendance.

14
15 A student's regular school attendance also reflects dependability and is a significant component
16 on a student's permanent record. Future employers are as much concerned about punctuality and
17 dependability as they are about academic record. School success, scholarship, and job
18 opportunity are greatly affected by a good attendance record.

19
20 Specific procedures for student attendance can be found in the current student handbooks.

21
22 Policy History:

23 Adopted on: 06/20/13

24 Reviewed on:

25 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

3123

4
5 Attendance Policy - Truancy

6
7 Students are expected to attend all assigned classes each day. Teachers shall keep a record of absence and
8 tardiness. Before the end of the school day, each school shall attempt to contact every parent, guardian,
9 or custodian whose child is absent from school but who has not reported the child as absent for the school
10 day, to determine whether the parent, guardian, or custodian is aware of the child's absence from school.
11

12 For the purpose of this policy "truant" or "truancy" means the persistent non-attendance without excuse,
13 as defined by this policy, for all or any part of a school day equivalent to the length of one class period of
14 a child required to attend a school under 20-5-103. "Habitual truancy" means recorded unexcused
15 absences of 9 or more days or 54 or more parts of a day, whichever is less, in 1 school year.
16

17 The Joliet Public School's definition of non-attendance without excuse is stated in the respective student
18 handbooks.
19

20 The Joliet Public School's has appointed the Superintendent as the attendance officer.
21

22 Upon the board designating one or more of its staff as the attendance officer(s), the attendance officer(s)
23 shall have the powers and duties as stated in 20-5-105(1) (Section 2), MCA.
24

25
26 Legal Reference: § 20-5-103, MCA Compulsory attendance and excuses
27 § 20-5-104, MCA Attendance officer
28 § 20-5-105, MCA Attendance officer – powers and duties
29 § 20-5-106, MCA Truancy
30 § 20-5-107, MCA Incapacitated and indigent child attendance
31 § 41-5-103(22), MCA Definitions
32

33 Policy History:

34 Adopted on: 06/20/13

35 Reviewed on:

36 Revised on:

STUDENTS

3125

Education of Homeless Children

Every child of a homeless individual and every homeless child are entitled to equal access to the same free, appropriate public education as provided to children with permanent housing. The District must assign and admit a child who is homeless to a District school regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The District may not require an out-of-District attendance agreement and tuition for a homeless child.

Should a child become homeless over the course of the school year, the child must be able to remain at the school of origin, or be eligible to attend another school in the district.

The Superintendent will review and revise as necessary rules or procedures that may be barriers to enrollment of homeless children and youths. In reviewing and revising such procedures, the Superintendent will consider issues of transportation, immunization, residence, birth certificates, school records, and other documentation.

Homeless students will have access to services comparable those offered to other students, including but not limited to:

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

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

A “homeless individual” is defined as provided in the McKinney Homeless Assistance Act.

Anyone having a concern or complaint regarding placement or education of a homeless child will first present it orally and informally to the District homeless liaison. Thereafter, a written complaint must be filed in accordance with the District Uniform Complaint Procedure.

Cross Reference: 1700 Uniform Complaint Procedure

Legal Reference: 42 U.S.C. §§42 U.S.C. § 11301 *et seq* 11431, et seq.
McKinney Homeless Assistance Act
§ 20-5-101, MCA Admittance of child to school

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1
2

1 **Joliet Public Schools**

2
3 **STUDENTS**

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page 1 of 2

4
5 Students of Legal Age

6
7 Every student eighteen (18) years of age or older will be deemed to be an adult and will have
8 legal capacity to act as such. Such students, like all other students, will comply with the rules
9 established by the District, pursue the prescribed course of study, and submit to the authority of
10 teachers and other staff members as required by policy and state law.

11
12 Admission to School

13
14 The residence of an adult student who is not residing with a parent or guardian will be
15 considered the residence for school purposes.

16
17 Field Trips/Athletic Programs

18
19 Approved forms for participation will be required of all students. The form should indicate that
20 the signature is that of the parent or the adult student. Sponsors or coaches will be required to
21 confirm the ages of those students signing their own forms.

22
23 Absence/Lateness/Tuancy

24
25 Absence notes, normally signed by parents or guardians, may be signed by adult students.
26 Excessive absences will result in consequences according to policy 3122P and will be reported
27 on the report card.

28
29 Suspension/Expulsion

30
31 All suspension and/or expulsion proceedings will conform to the requirements of state statutes.
32 Notification of all such proceedings will be sent to parents or guardians. Adult students,
33 however, are permitted to represent themselves if they so choose.

34
35 Withdrawal From School

36
37 Adult students may withdraw from school under their own cognizance. Counselors will guide
38 and counsel potential dropouts and encourage their continued attendance. Parents will be notified
39 of impending dropouts by the school.

40
41 Permission to Inspect Student Records

42
43 Adult students may request permission to inspect their school records if they are eligible students
44 according to FERPA.

Report Cards

Progress reports will be sent to the parent or legal guardian.

Excuses From School

The school will verify requests from students who wish to leave school early for reasons such as job interviews, college visits, driver testing, etc., with the organization being visited. Permission to leave school early may be denied for what is considered a non-valid reason.

Financial Responsibility

Adult students can be held financially responsible for damage to school property.

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

3141
page 1 of 2

4
5 Discretionary Nonresident Student Attendance Policy

6
7 The district recognized that the tuition sections of the statutes contains both mandatory and discretionary
8 provisions and directs administration to follow these definitions and procedures:
9

10 Definitions:

11
12 The residence of the parents or legal guardians or a marital relationship determines a minor child's district
13 of residence with an adult, unless otherwise determined by the court. An "out-of-district" student is one
14 who lives with a parent, legal guardian or spouse outside the district boundaries or who lives in the
15 district but whose parent, legal guardian or spouse resides elsewhere. A person may have only one
16 residence for school purposes. (1-1-215, MCA).
17

18 Except as otherwise provided by law, admission to the district as a nonresident student is a privilege. The
19 Board, recognizing that an educational requirement of its resident students includes the need for an
20 orderly educational process and environment, free from disruption, overcrowding, and any kind of
21 violence or disruptive influences, hereby establishes criteria on the admission of nonresident students:
22

23 I. Except as required by § 20-5-321, MCA, admission to the District as a nonresident student is a
24 privilege. As such, the District will screen all nonresident students and consider only those who
25 meet the criteria set forth in this policy.
26

27 II. The Superintendent is hereby given the authority to recommend to the Board any student's
28 admission in accordance with this policy. The Board shall make the final
29 decision on admission.
30

31 III. All students whose legal residence in outside of the District and who do not qualify for
32 mandatory attendance will be denied enrollment, with the following exceptions:
33

- 34 1. Foreign exchange students, per District policy;
35 2. Children in the immediate family of nonresident employees;
36 3. Students residing outside the District may apply to attend Joliet Public Schools
37 provided they:
38 a. be in good standing with the most recently attended school in terms of
39 academics, conduct, and attendance.
40 b. be able to demonstrate a record free of truancy.
41 c. be able to demonstrate a clean behavior record in the school last
42 attended for a period of at least one year;
43 d. have no criminal record;
44 e. have passing grades in the school previously attended;
45 f. have correctly completed the nonresident student application process;
46 and
47 g. present no other educationally related or financial detriment to
48 the students of the District.
49
50

- IV. The Board will not admit any student prior to viewing that student's records from the student's previous school districts.
- V. The district has the option of accepting a nonresident student who does not meet the criteria set forth herein, if the student agrees to special conditions of admission, as set forth by the District.
- VI. Every student who attends Joliet Public Schools as a nonresident student must re-apply for admission by June 15. Admission in one school year does not imply or guarantee admission in subsequent years.
- VII. The District will not admit nonresident students, when to do so would require the hiring of additional staff, the provision of educational services not currently provided in the school, or the crowding of existing classes.
- VIII. All resident students who become nonresidents due to a move from the District by their parents/guardians may continue attendance for the semester, barring registration in another District. At the completion of the semester, the student must apply as a non-resident student.
- IX. The Board reserves the right to charge tuition for nonresident students. The Board may, in its discretion, charge or waive tuition for all students whose tuition is required to be paid by one type of entity. An "entity" is defined as either: (1) the parent/guardian; or (2) a school district. Any waiver of tuition must be equally applied to all students whose tuition is paid by the same type of entity (i.e., if the District charges students tuition in those circumstances where the parent/guardians bear the responsibility for payment.)
- X. All nonresident students will be considered ineligible transportees for school transportation services. (20-10-101, MCA)
- XI. The Board may declare an emergency which, in their opinion, necessitates the removal of all nonresident students from the schools.
- XII. The Board will not admit any student who is expelled from another school district.

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

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3 **STUDENTS**

3145

4
5 Foreign Exchange Students

6
7 It is the policy of the Board to recognize the benefits from foreign exchange students in the
8 District. The Board does not, however, sponsor foreign exchange programs or provide financial
9 contributions to any foreign exchange students. The Board assumes no responsibility or control
10 over items such as travel, living accommodations, funding, insurance, etc., which remain the
11 responsibility of the sponsor and/or student.
12

13 J-1 visa holders (students sponsored by an approved foreign exchange organization) are eligible
14 to attend either elementary or secondary school. Any sponsoring organization must have a local
15 representative, be a nonprofit organization, and be approved by the Council on Standards for
16 International Education Travel. F-1 visa holders (individual foreign students sponsored by
17 relatives or friends) may not attend the District.
18

19 The District will accept a total of two (2) foreign exchange students per school year.
20

21 Legal Reference: 20 U.S.C. 221, et seq. Foreign and Exchange Students
22

23 Policy History:

24 Adopted on: 06/20/13

25 Reviewed on:

26 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

3150

4
5 Part-Time Attendance

6
7 The District will not accept students on a part-time basis unless they are disabled.
8
9

10
11 Legal Reference: § 20-9-311(a), MCA Calculation of average number belonging (ANB) –
12 3-year averaging

13 Kaptien

14 Policy History:

15 Adopted on: 06/20/13

16 Reviewed on:

17 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

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4
5 Student Rights and Responsibilities

6
7 The District recognizes fully that all students are entitled to enjoy the rights protected under
8 federal and state constitutions and law for persons of their age and maturity in a school setting.

9 The District expects students to exercise these rights reasonably and to avoid violating the rights
10 of others. The District may impose disciplinary measures whenever students violate the rights of
11 others or violate District policies or rules.
12
13
14

15 Cross Reference: 3231 Searches and Seizure
16 3310 Student Discipline
17

18 Legal Reference: § 20-4-302, MCA Discipline and punishment of pupils – definition of
19 corporal punishment – penalty – defense
20 § 20-5-201, MCA Duties and sanctions
21 *Tinker v. Des Moines Ind. Sch. Dist.*, 89 S.Ct. 733 (1969)
22

23 Policy History:

24 Adopted on: 06/20/13

25 Reviewed on:

26 Revised on:

2
3 **STUDENTS**

3210

4
5 Equal Education, Nondiscrimination and Sex Equity

6
7 The District will make equal educational opportunities available for all students without regard
8 to race, color, national origin, ancestry, sex, ethnicity, language barrier, religious belief, physical
9 or mental handicap or disability, economic or social condition, or actual or potential marital or
10 parental status.

11
12 No student, on the basis of sex, will be denied equal access to programs, activities, services, or
13 benefits or be limited in the exercise of any right, privilege, or advantage, or denied equal access
14 to educational and extracurricular programs and activities.

15
16 Inquiries regarding discrimination or intimidation should be directed to the District Title IX
17 Coordinator. Any individual may file a complaint alleging violation of this policy by following
18 the Uniform Complaint Procedure (Policy 1700).

19
20 The District, in compliance with federal regulations, will notify annually all students, parents,
21 staff, and community members of this policy and the designated coordinator to receive inquiries.
22 This annual notification will include the name and location of the coordinator and will be
23 included in all handbooks.

24
25 The District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence
26 against students, staff, or volunteers with disabilities. The District will consider such behavior as
27 constituting discrimination on the basis of disability, in violation of state and federal law.

28
29
30
31 Cross Reference: 1700 Uniform Complaint Procedure

32
33 Legal Reference: Art. X, Sec. 7, Montana Constitution- Nondiscrimination in education
34 § 49-2-307, MCA Discrimination in education
35 24.9.1001, et seq., ARM Sex Discrimination in Education

36
37 Policy History:

38 Adopted on: 06/20/13

39 Reviewed on:

40 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

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4
5 Student Publications

6
7 Student publications produced as part of the school's curriculum or with the support of student
8 body funds are intended to serve both as vehicles for instruction and student communications.
9 They are operated and substantively financed by the student body and the District.

10
11 Material appearing in such publications should reflect all areas of student interest, including
12 topics about which there may be controversy and dissent. Controversial issues may be presented
13 provided they are treated in depth and represent a variety of viewpoints. Such materials may not
14 be libelous, obscene, or profane nor may they cause a substantial disruption of the school, invade
15 the privacy rights of others, demean any race, religion, gender, or ethnic group, or advocate the
16 violation of the law. They may not advertise tobacco, nicotine, liquor, illicit drugs or drug
17 paraphernalia.

18
19 The Superintendent shall develop guidelines to implement these standards and shall establish
20 procedures for the prompt review of any materials which appear not to comply with the
21 standards.

22
23
24
25 Policy History:

26 Adopted on: 06/20/13

27 Reviewed on:

28 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

3222

4
5 Distribution and Posting of Materials

6
7 District policy allows distribution of materials of parent and student organizations sponsored by
8 the District or other governmental agencies. The District also may allow distribution of materials
9 that provide information valued or needed by the District.

10
11 The administration must approve all materials before they may be distributed by any
12 organization.

13
14 To facilitate the distribution of materials with information about student activities, each school
15 may maintain a centrally located bulletin board for the posting of materials, and/or maintain a
16 table available to students for placing approved materials.

17
18
19
20 Policy History:

21 Adopted on: 06/20/13

22 Reviewed on:

23 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

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4
5 Student Dress

6
7 The District recognizes that a student's choice of dress and grooming habits demonstrate
8 personal style and preference. The District has the responsibility to ensure proper and appropriate
9 conditions for learning, along with protecting the health and safety of its student body. Even
10 though the schools will allow a wide variety of clothing styles, dress and grooming must not
11 materially or substantially disrupt the educational process of the school or create a health or
12 safety hazard for students, staff, or others.

13
14 Building administrators shall establish procedures for the monitoring of student dress and
15 grooming in school or while engaging in extracurricular activities. Specific regulations shall be
16 published annually in student handbooks.

17
18
19
20 Policy History:

21 Adopted on: 06/20/13

22 Reviewed on:

23 Revised on:

STUDENTS

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Sexual Harassment/Intimidation of Students

Sexual harassment is a form of sex discrimination and is prohibited. An employee, District agent, or student engages in sexual harassment whenever that individual makes unwelcome advances, requests sexual favors, or engages in other verbal, non-verbal, or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, opportunities, or treatment, or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - a. Substantially interfering with a student's educational environment;
 - b. Creating an intimidating, hostile, or offensive educational environment;
 - c. Depriving a student of educational aid, benefits, services, opportunities, or treatment; or
 - d. Making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

The terms "intimidating," "hostile," and "offensive" include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include but are not limited to unwelcome touching, crude jokes or pictures, discussions of sexual experiences, pressure for sexual activity, intimidation by words, actions, insults, or name calling, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities.

Students who believe that they may have been sexually harassed or intimidated should consult a counselor, teacher, Title IX coordinator, or administrator, who will assist them in the complaint process. Supervisors or teachers who knowingly condone or fail to report or assist a student to take action to remediate such behavior of sexual harassment or intimidation may themselves be subject to discipline.

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any student of the District who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including but not limited to suspension and expulsion consistent with the District's discipline policy. Any person who knowingly makes a false accusation regarding sexual harassment likewise will be subject to disciplinary action up to and including discharge with regard to employees or suspension and expulsion with regard to students.

The District will make every effort to ensure that employees or students accused of sexual harassment or intimidation are given an appropriate opportunity to defend themselves against such accusations.

To the greatest extent possible, the District will treat complaints in a confidential manner. The District realizes that limited disclosure may be necessary in order to complete a thorough investigation. Retaliation against persons who file a complaint is a violation of law prohibiting discrimination and will lead to disciplinary action against an offender.

Any individual seeking further information should consult the Superintendent for the name of the current Title IX Coordinator for the District. The Superintendent will ensure that student and employee handbooks include the name, address, and telephone number of an individual responsible for coordinating District compliance efforts.

An individual with a complaint alleging a violation of this policy should follow the Uniform Complaint Procedure.

Cross Reference: 1700 Uniform Complaint Procedure

Legal References: Art. X, Sec. 1, Montana Constitution – Educational goals and duties
§§ 49-3-101, et seq., MCA Montana Human Rights Act
Title IX of the Educational Amendments, 20 U.S.C. § 1681, et seq.
34 CFR Part 106 Nondiscrimination on the basis of sex in
education programs or activities receiving
Federal financial assistance

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

Harassment Reporting Form for Students

School _____ Date _____

Student's name _____

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

- Who was responsible for the harassment or incident(s)? _____

- Describe the incident(s). _____

- Date(s), time(s), and place(s) the incident(s) occurred. _____

- Were other individuals involved in the incident(s)? ☐ yes ☐ no

If so, name the individual(s) and explain their roles. _____

- Did anyone witness the incident(s)? ☐ yes ☐ no

If so, name the witnesses. _____

- Did you take any action in response to the incident? ☐ yes ☐ no

If yes, what action did you take? _____

- Were there any prior incidents? ☐ yes ☐ no

If so, describe any prior incidents. _____

Signature of complainant _____

Signatures of parents/legal guardians _____

STUDENTS

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Bullying/Harassment/Intimidation/Hazing

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

Definitions

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

5. “Electronic communication device” means any mode of electronic communication, including but not limited to computers, cell phones, PDAs, or the internet.

Reporting

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

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

Exhaustion of administrative remedies

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

Responsibilities

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

Consequences

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

Retaliation and Reprisal

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

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

Policy History:

Adopted on: 06/20/13
Reviewed on:
Revised on: 01/11/16

1 **Joliet Public Schools**

2
3 **STUDENTS**

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4
5 Searches and Seizure

6
7 The goal of search and seizure with respect to students is meeting the educational needs of
8 children and ensuring their security. The objective of any search and/or seizure is not the
9 eradication of crime in the community. Searches may be carried out to recover stolen property,
10 to detect illegal substances or weapons, or to uncover any matter reasonably believed to be a
11 threat to the maintenance of an orderly educational environment. The Board authorizes school
12 authorities to conduct reasonable searches of school property and equipment, as well as of
13 students and their personal effects, to maintain order and security in the schools.

14
15 The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified
16 at its inception, and (2) reasonably related in scope to the circumstances which justified the
17 interference in the first place.

18
19 School authorities are authorized to utilize any reasonable means of conducting searches,
20 including but not limited to the following:

- 21
22 1. A “pat down” of the exterior of the student’s clothing;
23 2. A search of the student’s clothing, including pockets;
24 3. A search of any container or object used by, belonging to, or otherwise in the possession
25 or control of a student; and/or
26 4. Devices or tools such as breath-test instruments, saliva test strips, etc.

27
28 School Property and Equipment and Personal Effects of Students

29
30 School authorities may inspect and search school property and equipment owned or controlled
31 by the District (such as lockers, desks, and parking lots).

32
33 The Superintendent may request the assistance of law enforcement officials, including their use
34 of specially trained dogs, to conduct inspections and searches of lockers, desks, parking lots, and
35 other school property and equipment for illegal drugs, weapons, or other illegal or dangerous
36 substances or material.

37
38 Students

39
40 School officials may search any individual student, his/her property, or District property under
41 his/her control, when there is a reasonable suspicion that the search will uncover evidence that
42 he/she is violating the law, Board policy, administrative regulation, or other rules of the District
43 or the school. Reasonable suspicion shall be based on specific and objective facts that the search
44 will produce evidence related to the alleged violation. The types of student property that may be
45 searched by school officials include but are not limited to lockers, desks, purses, backpacks,
46 student vehicles parked on District property, cellular phones, or other electronic communication

devices.

Students may not use, transport, carry, or possess illegal drugs or any weapons in their vehicles on school property. While on school property, vehicles may be inspected at any time by staff, or by contractors employed by the District utilizing trained dogs, for the presence of illegal drugs, drug paraphernalia, or weapons. In the event the school has reason to believe that drugs, drug paraphernalia, or weapons are present, including by alert-trained dogs, the student's vehicle will be searched, and the student expressly consents to such a search.

Also, by parking in the school parking lots, the student consents to having his/her vehicle searched if the school authorities have any other reasonable suspicion to believe that a violation of school rules or policy has occurred.

Seizure of Property

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

Legal Reference: *Safford Unified School Dist. No. 1 v. Redding*, _____ U.S. _____, 129 S.Ct. 2633 (2009)
 Terry v. Ohio, 392 U.S. 1, 20 (1968)
 B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

3231P

4
5 Searches and Seizure

6
7 The following rules shall apply to any searches and the seizure of any property by school
8 personnel:
9

- 10 1. The Superintendent, principal, and the authorized assistants of either shall be authorized
11 to conduct any searches or to seize property on or near school premises, as further
12 provided in this procedure.
13
- 14 2. If the authorized administrator has reasonable suspicion to believe that any locker, car, or
15 other container of any kind on school premises contains any item or substance which
16 constitutes an imminent danger to the health and safety of any person or to the property
17 of any person or the District, the administrator is authorized to conduct a search of any
18 car or container and to seize any such item or substance.
19
- 20 The authorized administrator may perform random searches of any locker or container of
21 any kind on school premises without notice or consent.
22
- 23 3. If the authorized administrator has any reasonable suspicion to believe that any student
24 has any item or substance in his/her possession, which constitutes an imminent danger to
25 the property of any person or the District, the administrator is authorized to conduct a
26 search of any car or container and to seize any such item or substance.
27
- 28 4. No student shall hinder, obstruct, or prevent any search authorized by this procedure.
29
- 30 5. Whenever circumstances allow, any search or seizure authorized in this procedure shall
31 be conducted in the presence of at least one (1) adult witness, and a written record of the
32 time, date, and results shall be made by the administrator. A copy shall be forwarded to
33 the Superintendent as soon as possible.
34
- 35 6. In any instance where an item or substance is found which would appear to be in
36 violation of the law, the circumstance shall be reported promptly to the appropriate law
37 enforcement agency.
38
- 39 7. In any situation where the administrator is in doubt as to the propriety of proceeding with
40 any search or seizure, the administrator is authorized to report to and comply with the
41 directions of any public law enforcement agency.
42

43 Procedure History:

44 Promulgated on: 06/20/13

45 Reviewed on:

46 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

3233

4
5 Student Use of Buildings: Equal Access

6
7 Non-curriculum-related secondary school student organizations may conduct meetings on school
8 premises without intervention on the basis of the religious, political, philosophical, or other
9 content of the meeting.

10
11 The following criteria must be met:

- 12
13 1. The meeting is voluntary and student-initiated.
14
15 2. There is no sponsorship of the meeting by the school, the government, or its agents or
16 employees.
17
18 3. The meeting must occur during non-instructional time on regular school days.
19
20 4. Employees or agents of the school or government are present only in a non-participatory
21 capacity.
22
23 5. The meeting does not materially and substantially interfere with the orderly conduct of
24 educational activities within the school.
25
26 6. Non-school persons may not direct, conduct, control, or regularly attend activities.
27

28 Although the school assumes no sponsorship of these kinds of meetings, all meetings held on
29 school premises must be scheduled and approved by the principal.

30
31 This policy pertains to student meetings. The school has the authority, through its agent or
32 employees, to maintain order and discipline on school premises and to protect the well-being of
33 students and faculty.
34
35
36

37 Legal Reference: 20 U.S.C. 4071 Equal Access Act
38 *Board of Education v. Mergens*, 110 S.Ct. 2356 (1990)
39

40 Policy History:

41 Adopted on: 06/20/13

42 Reviewed on:

43 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

3235

4
5 Video Surveillance

6
7 The Board authorizes the use of video cameras on District property to ensure the health, welfare,
8 and safety of all staff, students, and visitors to District property and to safeguard District
9 buildings, grounds, and equipment. The Superintendent will approve appropriate locations for
10 video cameras.

11
12 The Superintendent will notify staff and students, through staff and student handbooks or by
13 other means, that video surveillance may occur on District property. A notice will also be posted
14 at the main entrance of all District buildings, and on all buses, indicating the use of video
15 surveillance.

16
17 The District may choose to make video recordings a part of a student's educational record or of a
18 staff member's personnel record. The District will comply with all applicable state and federal
19 laws related to record maintenance and retention.

20
21 Audio shall not be part of the video recordings made, reviewed, or stored by the District.

22
23 Audio recording will be a part of the video recordings on buses.

24
25
26 Cross Reference: 3600 Student Records

27
28 Policy History:

29 Adopted on: 06/20/13

30 Reviewed on:

31 Revised on:

STUDENTS

3300

Suspension and Expulsion

The District recognizes and honors students' constitutional right to education opportunity. However, as provided under Montana law, the District will exercise its right to suspend or expel a student when necessary. The District expects all students to know and follow District policies and rules. The District considers a student's failure or refusal to comply with District policies and rules cause for discipline, suspension, or expulsion.

The following definitions apply for purposes of this policy:

- "Suspension" means the exclusion of a student from attending individual classes or school and participating in school activities for an initial period not exceed ten (10) school days. An administrator may order suspension of a student.
- "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. Students with disabilities will be suspended or expelled pursuant to provisions of the Individuals with Disabilities Education Act (IDEA) or Rehabilitation Act and corresponding Montana law.

Upon a finding by a school administrator that the immediate return to school by a student would be detrimental to the health, welfare, or safety of others or would be disruptive of the educational process, a student may be suspended for one (1) additional period not to exceed ten (10) school days, if the student is granted an informal hearing with the school administrator prior to the additional suspension, and if the decision to impose the additional suspension does not violate the Individuals with Disabilities Education Act (IDEA) or Rehabilitation Act.

The Superintendent will develop procedures to implement this policy and submit the procedures to the Board for its advice and consent.

The trustees shall annually review this policy and update the policy as determined necessary by the trustees based on changing circumstances pertaining to school safety.

Legal Reference:	20 U.S.C. 1400, et seq.	Individuals with Disabilities Education Act
	34 CFR 300.519-521	Procedural Safeguards
	§ 20-4-302, MCA	Discipline and punishment of pupils –definition of corporal punishment – penalty – defense
	§ 20-4-402, MCA	Duties of district superintendent or county high school principal
	§ 20-5-105, MCA	Attendance officer – powers and duties
	§ 20-5-106, MCA	Truancy
	§ 20-5-201, MCA	Duties and sanctions
	§ 20-5-202, MCA	Suspension and expulsion
	ARM 10.16.3346	Aversive Treatment Procedures
	<i>Goss v. Lopez</i> , 419 US 565 (1975)	

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

2
3 **STUDENTS**

3300P

page 1 of 2

4
5 Corrective Actions and Punishment

6
7 The Board recognizes that every student is entitled to due process rights that are provided by law.

8
9 Suspension

10
11 The procedure set forth below will be followed when a proposed punishment of a student is to include
12 denial of the right of school attendance from any single class or from a full schedule of classes for at least
13 one (1) day.

14
15 Before any suspension is ordered, a building administrator will meet with a student to explain charges of
16 misconduct, and the student will be given opportunity to respond to the charges.

17
18 When a student's presence poses a continuing danger to persons or property or poses an ongoing threat of
19 disruption to the educational process, a pre-suspension conference will not be required, and an
20 administrator may suspend a student immediately. In such cases, a building administrator will provide
21 notice of and schedule a conference as soon as practicable following the suspension.

22
23 A building administrator will report any suspension immediately to a student's parent or legal guardian.
24 An administrator will provide a written report of suspension that states reasons for a suspension,
25 including any school rule that was violated, and a notice to a parent or guardian of the right to a review of
26 a suspension. An administrator will send a copy of the report and notice to the Superintendent.

27
28 The Superintendent will conduct a review of any suspension on request of a parent or legal guardian. A
29 student and parent or legal guardian may meet with the Superintendent to discuss suspension. After the
30 meeting and after concluding a review, the Superintendent will take such final action as appropriate.

31
32 Students who are suspended from any class or from school may be required to make up any work missed
33 according to the student handbook.

34
35 Expulsion

36
37 The Board, and only the Board, may expel a student from school and may do so only after following due
38 process procedures set forth below.

39
40 The Board will provide written notice to a student and parent or legal guardian of a hearing to consider a
41 recommendation for expulsion, which will be sent by registered or certified mail at least five (5) school
42 days before the date of the scheduled hearing. The notice will include time and place of hearing,
43 information describing the process to be used to conduct the hearing, and notice that the Board intends to
44 conduct the hearing in closed session unless a parent or legal guardian waives the student's right to
45 privacy.

46
47 Within the limitation that a hearing must be conducted during a period of student suspension, a hearing to
48 consider expulsion may be rescheduled when a parent or legal guardian submits a request showing good
49 cause to the Superintendent at least two (2) school days before a hearing date as originally scheduled.

50 The Superintendent will determine if a request shows good cause to reschedule a hearing.

At hearing the student may be represented by counsel, present witnesses and other evidence, and cross-examine witnesses. The Board is not bound by formal rules of evidence in conducting the hearing.

Procedures for Suspension and Expulsion of Students With Disabilities

The District will comply with provisions of the Individuals with Disabilities Education Act (IDEA) and Rehabilitation Act when disciplining students. The Board will not expel any special education student when the student's particular act of gross disobedience or misconduct is a manifestation of the student's disability. The Board may expel pursuant to its expulsion procedures any special education student whose gross disobedience or misconduct is not a manifestation of the student's disability. A disabled student will continue to receive education services as provided in the IDEA or Rehabilitation Act during a period of expulsion.

A building administrator may suspend a child with a disability from the child's current placement for not more than ten (10) consecutive school days for any violation of school rules, and additional removals of not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement under 34 CFR 300.519(b), whether or not a student's gross disobedience or misconduct is a manifestation of a student's disabling condition. Any special education student who has exceeded or who will exceed ten (10) days of suspension may temporarily be excluded from school by court order or by order of a hearing officer, if the District demonstrates that maintaining the student in the student's current placement is substantially likely to result in injury to the student or to others. After a child with a disability has been removed from his or her placement for more than ten (10) school days in the same school year, during any subsequent days of removal the public agency must provide services to the extent required under 34 CFR 300.121(d).

An administrator may remove from current placement any special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function. The District will place such student in an appropriate interim alternative educational setting for no more than forty-five (45) school days in accordance with the IDEA or Rehabilitation Act.

Legal Reference:	§ 20-5-201, MCA	Duties and Sanctions
	§ 20-5-202, MCA	Suspension and Expulsion
		Section 504
		IDEA

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

2
3 **STUDENTS**

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page 1 of 2

4
5 Student Discipline

6
7 The Board grants authority to a teacher or principal to hold a student to strict accountability for disorderly
8 conduct in school, on the way to or from school, or during intermission or recess.
9

10 Disciplinary action may be taken against any student guilty of gross disobedience or misconduct,
11 including but not limited to instances set forth below:
12

- 13 • Using, possessing, distributing, purchasing, or selling tobacco products, including alternative
14 nicotine and vapor products as defined in 16-11-302, MCA.
- 15 • Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who may be
16 under the influence of alcohol will not be permitted to attend school functions and will be treated
17 as though they had alcohol in their possession.
- 18 • Using, possessing, distributing, purchasing, or selling drug paraphernalia, illegal drugs, controlled
19 substances, or any substance which is represented to be or looks like a narcotic drug,
20 hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant,
21 depressant, or intoxicant of any kind, including such substances that contain chemicals which
22 produce the same effect of illegal substances including but not limited to Spice and K2. Students
23 who may be under the influence of such substances will not be permitted to attend school
24 functions and will be treated as though they had drugs in their possession.
- 25 • Using, possessing, controlling, or transferring a weapon in violation of the “Possession of
26 Weapons other than Firearms” section in policy 3311.
- 27 • Using, possessing, controlling, or transferring any object that reasonably could be considered or
28 used as a weapon as referred to in policy 3311.
- 29 • Disobeying directives from staff members or school officials or disobeying rules and regulations
30 governing student conduct.
- 31 • Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct
32 toward anyone or urging other students to engage in such conduct.
- 33 • Causing or attempting to cause damage to, or stealing or attempting to steal, school property or
34 another person’s property.
- 35 • Engaging in any activity that constitutes an interference with school purposes or an educational
36 function or any other disruptive activity.
- 37 • Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic and
38 habitual truants.
- 39 • Hazing or bullying.
- 40 • Forging any signature or making any false entry or attempting to authorize any document used or
41 intended to be used in connection with the operation of a school.
42

43 These grounds stated above for disciplinary action apply whenever a student’s conduct is reasonably
44 related to school or school activities, including but not limited to the circumstances set forth below:
45

- 46 • On, or within sight of, school grounds before, during, or after school hours or at any other
47 time when school is being used by a school group.
- 48 • Off school grounds at a school-sponsored activity or event or any activity or event that bears a
49 reasonable relationship to school.
- 50 • Travel to and from school or a school activity, function, or event.

- Anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member or an interference with school purposes or an educational function.

Disciplinary Measures

Disciplinary measures include but are not limited to:

- Expulsion
- Suspension
- Detention, including Saturday school
- Clean-up duty
- Loss of student privileges
- Loss of bus privileges
- Notification to juvenile authorities and/or police
- Restitution for damages to school property

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

Delegation of Authority

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

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

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

Policy History:

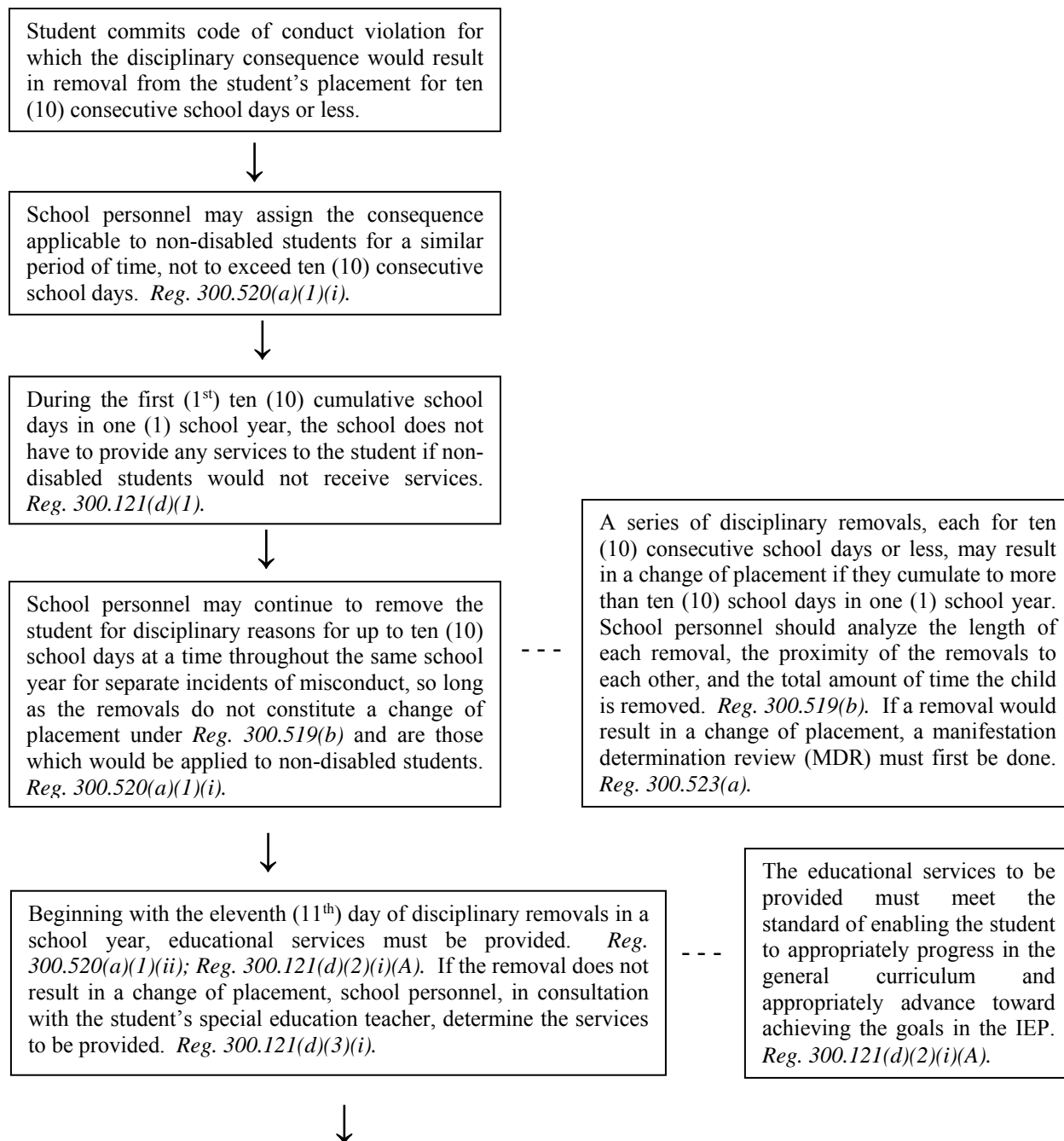
Adopted on: 06/20/13

Reviewed on:

Revised on: 01/11/16

Discipline of Students With Disabilities

**Code of Conduct Violations by Students With Disabilities, Resulting
in Disciplinary Consequences of Ten (10) School Days or Less**



Beginning with the eleventh (11th) day of disciplinary removals in a school year, the IEP Team must address behavioral issues. If the removal does not result in a change of placement, the IEP Team must meet within ten (10) business days of first removing the student for more than ten (10) school days in a school year, to develop a plan to conduct a functional behavioral assessment, if one was not conducted before the behavior that resulted in the removal. *Reg. 300.520(b)(1)(i).*



After the functional behavioral assessment is completed, the IEP Team meets as soon as practicable to develop a behavioral intervention plan to address the behavior and implement the plan. *Reg. 300.520(b)(2).*



If the student is assigned subsequent disciplinary removals in a school year for ten (10) days or less that do not result in a change of placement, the IEP Team members (including the parent) informally review the behavior intervention plan and its implementation to determine if modifications are necessary. *Reg. 300.520(c)(2).*

If the student's IEP already includes a behavior intervention plan, within ten (10) business days of first removing the student for more than ten (10) school days in a school year, the IEP Team must meet to review the behavior intervention plan and its implementation, and modify the plan and its implementation as necessary to address the behavior. *Reg. 300.520(b)(1)(ii).*



If one or more team members believe modifications are needed, the IEP Team must meet to modify the plan and its implementation to the extent the IEP Team deems necessary. *Reg. 300.520(c)(2).*

Code of Conduct Violations by Students With Disabilities for Which Recommended Disciplinary Consequences Would Result in Change of Placement for More Than Ten (10) School Days (Excluding Drug and Weapon Offenses)

Student violates code of conduct, and the recommended disciplinary consequence would result in a removal from the current educational placement for more than ten (10) consecutive school days (alternate placement, expulsion). This constitutes a change of placement. *Reg. 300.519(a).*



The recommended disciplinary consequence may be for a removal from the current educational placement for less than ten (10) consecutive school days, but may constitute a change of placement because the student has already been removed for disciplinary reasons for ten (10) or more school days in the current school year, and the length of each removal, their proximity to each other, and the total amount of time the student has been removed result in a change of placement. *Reg. 300.519(b).*



School personnel may remove from current educational placement for ten (10) school days or less (*Reg. 300.520(a)(1)(i)*) and recommend further discipline according to the code of conduct. (The ten-(10)-day-or-less alternative must be one equally applicable to non-disabled. See pp. 1-2 for educational services to be provided during a short removal.) If a criminal act has been committed, charges may be filed, and law enforcement authorities to whom the crime was reported must be provided special education and disciplinary records to the extent disclosure is permitted by FERPA. *Sec. 1415(k)(9). Reg. 300.529.*



At the time the decision is made to take this action, school personnel must notify parent of decision and provide procedural safeguards notice in *Reg. 300.504. Sec. 1415(k)(4)(A)(i); Reg. 300.523(a)(1).*



Within ten (10) business days, IEP Team and other qualified personnel must meet and review relationship between disability and the behavior subject to disciplinary action (manifestation determination review – MDR). *Sec. 1415(k)(4)(A); Reg. 300.523(a)(2), (b).* If there has been no previous functional behavioral assessment and creation of a behavior intervention plan, the IEP Team must develop an assessment plan. *Reg. 300.520(b)(1)(i).* As soon as practicable after the assessment, the IEP Team must meet again to develop and implement the behavior intervention plan. *Reg. 300.520(b)(2).* If the IEP contains a behavior intervention plan, the IEP Team reviews the plan and its implementation and modifies them as necessary to address the behavior. *Reg. 300.520(b)(1)(ii).*



For the MDR, the IEP Team must look at all information relevant to the behavior subject to discipline, such as evaluation and diagnostic results, including such results and other relevant information from the parent, observation of the student, and the student's IEP and placement. The misbehavior is not a manifestation of the disability, if the IEP Team finds that in relationship to the misbehavior subject to discipline:

- The IEP and placement were appropriate;
 - Consistent with the content of the student's IEP and placement, special education services, supplementary aids, and behavior intervention strategies were actually provided;
 - The disability did not impair the ability of the student to understand the impact and consequences of the misbehavior; and
 - The disability did not impair the ability of the student to control the misbehavior.
- Sec. 1415(k)(4)(C); Reg. 300.523(c).*



If the IEP Team determines any of the standards were not met, the misbehavior was a manifestation of the disability, and no punishment may be assessed. *Reg. 300.523(d).* If IEP Team identified deficiencies in IEP, placement, or implementation, it must take immediate steps to remedy. *Reg. 300.523(f).*



If the IEP Team determines the misbehavior was not a manifestation of the disability, regular disciplinary consequences may be applied to the student, except that the student must continue to be provided a free appropriate public education. *Sec. 1415(k)(5)(A); Sec. 1412(a)(1)(A); Reg. 300.121(a); Reg. 300.524(a).* The campus must ensure that special education and disciplinary records are transmitted for consideration by the school district person making the final determination regarding the disciplinary action. *Sec. 1415(k)(5)(B); Reg. 300.524(b).*

- - -

Parent may appeal a finding that the misbehavior was not a manifestation of the disability. The hearing is expedited before a special education hearing officer, who applies the same standards as the IEP Team. *Sec. 1415(k)(6); Reg. 300.525(a), (b).*

Parent may appeal decision to place student in forty-five-(45)-day interim placement. The hearing is expedited before a special education hearing officer, who applies the standards regarding a dangerous student in *Reg. 300.521. Sec. 1415(k)(6)(B)(ii); Reg. 300.525(b)(2).*

When a parent requests a hearing in a drug or weapon case to challenge the interim alternative placement or the manifestation determination, student remains in interim placement until decision of hearing officer or forty-five (45) days expires, whichever comes first, unless the parent and school agree otherwise. *Reg. 300.526(a).* Then student returns to current placement (defined as placement prior to interim alternative educational setting). School can ask for expedited hearing before special education hearing officer to prevent this return, if the student is substantially likely to injure self or others. *Reg. 300.526(b), (c).* The hearing officer applies the standards in *Reg. 300.121. Reg. 300.526(c).* Hearing officer can order another placement for up to forty-five (45) days. *Reg. 300.526(c)(3).* This procedure may be repeated as necessary. *Sec. 1415(k)(7); Reg. 300.526(c)(4).*

- - -

The standard the educational services must meet is to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. *Reg. 300.121(d)(2)(i)(B); Reg. 300.524(a).* The IEP Team must determine what services are necessary to meet this standard. *Reg. 300.121(d)(3)(ii).*

Drug and Weapon Offenses by Students With Disabilities

Student carries weapon to school, or possesses, uses, sells, or solicits sale of illegal or controlled substance on school property or at a school function.



Illegal drug – controlled substance. Excludes legally used and possessed prescription drugs. *Sec. 1415(k)(10)(B); Reg. 300.520(d)(2).*

Controlled substance – drug or substance in 21 U.S.C. § 812(c), Schedules I-V. *Sec. 1415(k)(10)(A); Reg. 300.520(d)(1).*

Weapon – A firearm and more. Something used for or readily capable of causing death or serious bodily injury. Excludes pocket knife with blade of 2½ inches or less. *Sec. 1415(k)(10)(D); Reg. 300.520(d)(3).*

School personnel may remove from current educational placement for ten (10) school days or less, and recommend further discipline according to the code of conduct. *Sec. 1415(k)(1)(A)(i); Reg. 300.520(a)(1)(i).* (The ten-(10)-day-or-less alternative must be one equally applicable to non-disabled students. See pp. 1-2 for education services to be provided during a short removal.) If a criminal act has been committed, charges may be filed, and special education and disciplinary records will be transmitted to law enforcement authorities to whom the crime was reported, to the extent disclosure is permitted by FERPA. *Sec. 1415(k)(9); Reg. 300.529.*



At time decision is made to take this disciplinary action, school personnel must notify parent of decision and provide procedural safeguards notice in *Reg. 300.504. Sec. 1415(k)(4)(A)(i); Reg. 300.523(a)(1).*



Within ten (10) business days, IEP Team must meet and may extend the removal by placing student in appropriate interim alternative educational setting applicable to non-disabled student for same amount of time non-disabled student would be assigned, but not more than forty-five (45) calendar days. *Sec. 1415(k)(1)(A)(ii) and (3)(A); Reg. 300.520(a)(2); Reg. 300.522(a).* IEP Team must review the behavior intervention plan, if one exists, and its implementation and modify, as necessary, to address behavior. *Reg. 300.520(b)(1)(ii).* If there has been no previous functional behavioral assessment and creation of behavior intervention plan, IEP Team must develop assessment plan. *Sec. 1415(k)(1)(B); Reg. 300.520(b)(1)(i).* As soon as practicable after the assessment, the IEP Team must meet again to develop and implement the behavior intervention plan. *Reg. 300.520(b)(2).* The IEP Team and other qualified personnel must review the relationship between disability and the behavior subject to disciplinary action (manifestation determination review-MDR). *Sec. 1415(k)(4)(A); Reg. 300.523(a)(2)(b).*



The forty-five-(45)-day alternative interim placement must:

- Enable student to progress in general curriculum, although in another setting;
- Enable student to continue to receive those services and modifications, including those described in the student's IEP, that will enable the student to meet the goals set out in that IEP; and
- Include services and modifications designed to address the drug or weapon offense so that it does not recur. *Sec. 1415(k)(3)(B); Reg. 300.522; Reg. 300.121(d)(2)(ii).*

Comments to regulations: Students may be subject to multiple forty - five - (45) - day interim placements for separate drug and weapon offenses. The forty - five - (45) - day interim placement may be completed even if drug or weapon offense was manifestation of disability. If misbehavior was not a manifestation of disability, regular disciplinary consequence can be applied in addition to forty - five - (45) - day interim placement.

- - -

For the MDR, the IEP Team must look at all information relevant to the behavior subject to discipline, such as evaluation and diagnostic results, including such results and other relevant information from the parent, observation of the student, and the student's IEP and placement. The misbehavior is not a manifestation of the disability if the IEP Team finds that, in relationship to the misbehavior subject to discipline:

- The IEP and placement were appropriate;
- Consistent with the content of the student's IEP and placement, special education services, supplementary aids and services, and behavior intervention strategies were actually provided;
- The disability did not impair the ability of student to understand the impact and consequences of the misbehavior; and
- The disability did not impair the ability of the student to control the misbehavior.

Sec. 1415(k)(4)(C); Reg. 300.523(c).



If the IEP Team determines any of the standards were not met, the misbehavior was a manifestation of the disability, and no punishment may be assessed. *Reg. 300.523(d)*. If IEP Team identifies deficiencies in IEP, placement, or implementation, it must take immediate steps to remedy. *Reg. 300.523(f)*.

- or -

If the IEP Team determines the misbehavior was not a manifestation of the disability, regular disciplinary consequences may be applied to the student, except that the student must continue to be provided a free appropriate public education. *Sec. 1415(k)(5)(A); Sec. 1412(a)(1)(A). Reg. 300.121(a). Reg. 300.524(a)*. The campus must ensure that special education and disciplinary record are transmitted for consideration by the school district person making the final determination regarding the disciplinary action. *Sec. 1415(k)(5)(B); Reg. 300.524(b)*.

Parent may appeal a finding that the misbehavior was not a manifestation of the disability. The hearing is expedited before a special education hearing officer, who applies the same standards as the IEP Team. *Sec. 1415(i)(6); Reg. 300.525(a), (b)*.

If IEP Team finds no manifestation and changes placement to comply with the disciplinary recommendation, parent may appeal the placement decision. The hearing is expedited before a special education hearing officer. *Sec. 1415(k)(6)(A); Reg. 300.525(a)(2)*.

During appeals, stay put applies. *Reg. 300.524(c)*. If child is substantially likely to injure self or others in the current placement, the school can request an expedited hearing and request the hearing officer to remove to an interim alternative educational placement for up to forty-five (45) days. Standards to be met are those in *Sec. 1415(k)(2)* and *Reg. 300.521*.

The standard the education services must meet is to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. *Reg. 300.121(d)(2)(i)(B); Reg. 300.524(a)*. The IEP Team must determine what services are necessary to meet this standard. *Reg. 300.121(d)(3)(ii)*.

Students Dangerous to Self or Others

IDEA discipline procedures are followed for a non-drug or weapon offense, the penalty for which would result in expulsion or removal from the student's placement for more than ten (10) school days.

IEP Team meets, determines no manifestation and recommends discipline proceed. Parent disagrees and requests a due-process hearing. Stay put applies, and child stays in the current placement, unless school acts to change the placement. *Reg. 300.524.*



School requests hearing officer to change the placement during the pendency of the hearing because of the likelihood of injury to self or others. *Sec. 1415(k)(2); Reg. 300.521.*



Hearing officer holds expedited hearing to consider request. School has burden of proof to show by more than a preponderance of the evidence that maintaining the child in the current placement is substantially likely to result in injury to self or others. *Sec. 1415(k)(2)(A), (10)(D); Reg. 300.521(a).* Hearing officer must also:

- Consider the appropriateness of the current placement.
- Consider whether the school has made reasonable effort to minimize the risk of harm in the current placement, including the use of supplemental aids and services.
- Determine that the interim alternative setting proposed by the school personnel, in consultation with special education teacher:
 - Enables the student to participate in the general curriculum, although in another setting;
 - Enables the student to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in the IEP; and
 - Include services and modification designed to address the behavior so that it does not recur.

Sec. 1415(k)(2); Reg. 300.521(b), (c), (d); Reg. 300.522(b); Reg. 300.121(d)(2)(ii)(B).

If parent appeals forty-five-(45)-day interim alternative placement by IEP Team in drug or weapon case, hearing officer applies these standards in expedited hearing. *Sec. 1415(k)(6)(B)(ii); Reg. 300.525(b)(2).*

- - -



If all requirements are met, hearing officer may order a change of placement to the interim alternative educational setting for up to forty-five (45) days. *Sec. 1415(k)(2); Reg. 300.521.*



Student returns to his or her current placement (the placement prior to the interim alternative educational setting) at end of forty-five (45) days, if no decision has been issued by hearing officer in pending due-process hearing. If school believes it would be dangerous for student to return to current placement while hearing is still pending, school may request another expedited hearing to again place student in forty-five-(45)-day interim placement while hearing continues to be pending. *Reg. 300.526(b), (c)(4)*. Hearing officer holds same type of hearing initially held when hearing officer ordered first forty-five-(45)-day interim placement. *Sec. 1415(k)(7); Reg. 300.526*. Any subsequent forty-five-(45)-day interim setting must meet the standards in *Reg. 300.522*.

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

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FIREARMS AND WEAPONS

Firearms

For the purposes of the firearms section of this policy, the term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device pursuant to 18 U.S.C. 921 (4). Such term does not include an antique firearm pursuant to 18 U.S.C. 921 (16).

It is the policy of the Joliet School District to comply with the federal Gun Free Schools Act of 1994 and state law 20-5-202 (2), MCA, pertaining to students who bring a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district. In accordance with 20-5-202 (3), MCA, a teacher, superintendent, or a principal shall suspend immediately for good cause a student who is determined to have brought a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district. In accordance with Montana law, a student who is determined to have brought a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district must be expelled from school for a period of not less than 1 year.

However, the Board of Trustees through this policy authorizes the Superintendent to use his/her discretion on a case-by-case basis and modify the requirement of expulsion of a student if he/she deems such modification to be warranted under the circumstances. *Note: Under this Option, there is no expulsion hearing unless the administration determines that the circumstances warrant a recommendation of expulsion of the student for a period of one (1) year to the Board.*

A decision to change the placement of a student with a disability who has been expelled pursuant to this section must be made in accordance with the Individuals with Disabilities Education Act.

Possession of Weapons other than Firearms

The District does not allow weapons on school property. Any student found to have possessed, used or transferred a weapon on school property will be subject to discipline in accordance with the District’s discipline policy. For purposes of this section, “weapon” means any object, device, or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury, including but not limited to air guns; pellet guns; BB guns; fake (facsimile) weapons; all knives; blades; clubs; metal knuckles; numchucks (also known as nunchucks); throwing stars; explosives; fireworks; mace or other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

No person shall possess, use, or distribute any object, device, or instrument having the appearance of a weapon, and such objects, devices, or instruments shall be treated as weapons, including but not limited to weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.) to inflict bodily harm and/or intimidate, and such use will be treated as the possession and use of a weapon.

The District will refer to law enforcement for immediate prosecution any person who possesses, carries, or stores a weapon **in a school building**, and the District may take disciplinary action as well in the case of a student. In addition the District will refer for possible prosecution a parent or guardian of any minor violating this policy on grounds of allowing a minor to possess, carry, or store a weapon in a school building. (45-8-361 (1) (2))

For the purposes of this section only, “school building” means all buildings owned or leased by a local school district that are used for instruction or for student activities. (45-8-361 (5a))

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 must request permission of the Board at a regular meeting. The Board has sole discretion in deciding whether to allow a person to possess, carry, or store a weapon in a school building. (45-8-361 (3b))

This policy does not apply to law enforcement officers acting in his or her official capacity. (45-8-361 (3a))

The trustees shall annually review this policy and update the policy as determined necessary by the trustees based on changing circumstances pertaining to school safety.

Note: Section (g) of the NCLB Section 4141 – Gun Free Requirements, carves out a very significant exception to the Gun Free Schools Act in that it allows a student to have “a firearm that is lawfully stored inside a locked vehicle on school property. . .” Montana law (20-5-202, MCA), on the other hand, does not provide for any exception to the expulsion requirement if a student has a firearm that is lawfully stored inside a locked vehicle on school property. The only reference to federal law in 20-5-202(2), MCA is the federal definition of a firearm. As you well know 20-5-202(2), MCA provides that:

(2) The trustees of a district shall adopt a policy for the expulsion of a student who is determined to have brought a firearm, as defined in 18 U.S.C. 921, to school and for referring the matter to the appropriate local law enforcement agency. A student who is determined to have brought a firearm to school under this subsection must be expelled from school for a period of not less than 1 year, except that the trustees may authorize the school administration to modify the requirement for expulsion of a student on a case-by-case basis.

So, Montana schools are required, by state law, to expel a student from school for a period of not less than 1 year if it is determined that the student brought a firearm to school, subject to the case-by-case exception noted in the statute. Based upon the exception noted in federal law and in circumstances where a student is found to have a firearm on school property in a locked vehicle, Montana schools should be citing state law (20-5-202, MCA) and district policy to support any recommendation for expulsion.

*There is one significant inconsistency between the Federal Gun Free Schools Act and Montana is that under federal law it provides that “State law **shall** allow the chief administering officer of a local educational agency to modify such expulsion requirement for a student on a case-by-case basis if such modification is in writing,” whereas 20-5-202(2), MCA, provides that the trustees **may** authorize the school administration to modify the requirement for expulsion of a student on a case-by-case basis.*

Cross Reference:	Policy 3310	Student Discipline
	Policy 4332	Conduct of School Property

Legal Reference:	§ 20-5-202, MCA	Suspension and expulsion
	§ 45-8-361, MCA	Possession or allowing possession of a weapon in a school building
	20 U.S.C. § 7151, et seq.	Gun Free Schools Act of 1994
	18 U.S.C. § 921	Definitions
	NCLB, Section 4141	Gun Free Requirements

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

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4
5 Extra- and Co-Curricular Alcohol, Drug, and Tobacco Use

6
7 The District views participation in extracurricular activities as an opportunity extended to
8 students willing to make a commitment to adhere to the rules which govern them. The District
9 believes that participation in organized activities can contribute to all-around development of
10 young men and women and that implementation of these rules will serve these purposes:

11
12 Emphasize concern for the health and well-being of students while participating in
13 activities;

14
15 Provide a chemical-free environment which will encourage healthy development;

16
17 Diminish chemical use by providing an education assistance program;

18
19 Promote a sense of self-discipline among students;

20
21 Confirm and support existing state laws which prohibit use of mood-altering chemicals;

22
23 Emphasize standards of conduct for those students who, through their participation, are
24 leaders and role models for their peers and younger students; and

25
26 Assist students who desire to resist peer pressure that often directs them toward the use of
27 chemicals.

28
29 Violations of established rules and regulations governing chemical use by participants in extra-
30 and co-curricular activities will result in discipline as stated in student and athletic handbooks.

31
32
33
34 Legal Reference: § 20-5-201, MCA Duties and sanctions

35
36 Policy History:

37 Adopted on: 06/20/13

38 Reviewed on:

39 Revised on:

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4
5 Student Health/Physical Screenings/Examinations

6
7 The Board may arrange each year for health services to be provided to all students. Such services
8 may include but not be limited to:

- 9
10 1. Development of procedures at each building for isolation and temporary care of students
11 who become ill during the school day;
12
13 2. Consulting services of a qualified specialist for staff, students, and parents;
14
15 3. Vision and hearing screening;
16
17 4. Scoliosis screening;
18
19 5. Immunization as provided by the Department of Public Health and Human Services.
20

21 Parents/guardians will receive written notice of any screening result which indicates a condition
22 that might interfere or tend to interfere with a student's progress.
23

24 In general the District will not conduct physical examinations of a student without parental
25 consent to do so or by court order, unless the health or safety of the student or others is in
26 question. Further, parents will be notified of the specific or approximate dates during the school
27 year when any non-emergency, invasive physical examination or screening administered by the
28 District is conducted, which is:

- 29
30 1. Required as a condition of attendance.
31
32 2. Administered by the school and scheduled by the school in advance.
33
34 3. Not necessary to protect the immediate health and safety of the student or other students.
35

36 Parents or eligible students will be given the opportunity to opt out of the above-described non-
37 emergency, invasive physical examination or screening.
38

39 As used in this policy, the term "invasive physical examination" means any medical examination
40 involving exposure of private body parts or any act during such examination that includes
41 incision, insertion, or injection into the body, but this does not include a hearing, vision, or
42 scoliosis screening.
43

44 Students who wish to participate in certain extracurricular activities may be required to submit to
45 a physical examination to verify their ability to participate in the activity. Students participating
46 in activities governed by the Montana High School Association will be required to follow the

rules of that organization, as well as other applicable District policies, rules, and regulations.

All parents will be notified of requirements of the District's policy on physical examinations and screening of students, at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy.

Legal Reference:	§ 20-3-324(20), MCA	Powers and duties
	20 U.S.C. 1232h(b)	General Provisions Concerning Education

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

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Student Immunization

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

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

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

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

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

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

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on: 01/11/16

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Management of Sports Related Concussions

The Joliet School District recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and other recreational activities.

The Board acknowledges the risk of catastrophic injuries or death is significant when a concussion or head injury is not properly evaluated and managed. Therefore, all K-12 competitive sport athletic activities in the District will be identified by the administration.

Consistent with guidelines provided by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, the National Federation of High School (NFHS) and the Montana High School Association (MHSA), the District will utilize procedures developed by the MHSA and other pertinent information to inform and educate coaches, athletic trainers, officials, youth athletes, and their parents and/or guardians of the nature and risk of concussions or head injuries, including the dangers associated with continuing to play after a concussion or head injury. Resources are available on the Montana High School Association Sports Medicine page at www.mhsa.org; U.S. Department of Health and Human Services page at: www.hhs.gov; and; the Centers for Disease and Prevention page at www.cdc.gov/concussion/sports.index.html.

Annually, the district will distribute a head injury and concussion information and sign-off sheet to all parents and guardians of student-athletes in competitive sport activities prior to the student-athlete's initial practice or competition.

All coaches, athletic trainers, officials, including volunteers participating in organized youth athletic activities, shall complete the training program at least once each school year as required in the District procedure. Additionally, all coaches, athletic trainers, officials, including volunteers participating in organized youth athletic activities will comply with all procedures for the management of head injuries and concussions.

Reference: Montana High School Association, Rules and Regulations
Section 4, Return to Play

Legal Reference: **(Bill title and number)**

Cross Reference: 3415F Student-Athlete & Parent/Legal Custodian Concussion Statement

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

Student-Athlete & Parent/Legal Custodian Concussion Statement 3415F

Because of the passage of the Dylan Steiger's Protection of Youth Athletes Act, schools are required to distribute information sheets for the purpose of informing and educating student-athletes and their parents of the nature and risk of concussion and head injury to student athletes, including the risks of continuing to play after concussion or head injury. Montana law requires that each year, before beginning practice for an organized activity, a student-athlete and the student-athlete's parent(s)/legal guardian(s) must be given an information sheet, and both parties must sign and return a form acknowledging receipt of the information to an official designated by the school or school district prior to the student-athletes participation during the designated school year. The law further states that a student-athlete who is suspected of sustaining a concussion or head injury in a practice or game shall be removed from play at the time of injury and may not return to play until the student-athlete has received a written clearance from a licensed health care provider.

Student-Athlete Name: _____

This form must be completed for each student-athlete, even if there are multiple student-athletes in each household.

Parent/Legal Custodian Name(s): _____

☐ We have read the *Student-Athlete & Parent/Legal Custodian Concussion Information Sheet*.

If true, please check box

After reading the information sheet, I am aware of the following information:

Student-Athlete Initials		Parent/Legal Custodian Initials
	A concussion is a brain injury, which should be reported to my parents, my coach(es), or a medical professional if one is available.	
	A concussion can affect the ability to perform everyday activities such as the ability to think, balance, and classroom performance.	
	A concussion cannot be "seen." Some symptoms might be present right away. Other symptoms can show up hours or days after an injury.	
	I will tell my parents, my coach, and/or a medical professional about my injuries and illnesses.	N/A
	If I think a teammate has a concussion, I should tell my coach(es), parents, or licensed health care professional about the concussion.	N/A
	I will not return to play in a game or practice if a hit to my head or body causes any concussion-related symptoms.	N/A
	I will/my child will need written permission from a licensed health care professional to return to play or practice after a concussion.	
	After a concussion, the brain needs time to heal. I understand that I am/my child is much more likely to have another concussion or more serious brain injury if return to play or practice occurs before concussion symptoms go away.	
	Sometimes, repeat concussions can cause serious and long-lasting problems.	
	I have read the concussion symptoms on the Concussion fact sheet.	

Signature of Student-Athlete

Date

Signature of Parent/Legal Custodian

Date

A concussion is a type of traumatic brain injury, or TBI, caused by a bump, blow, or jolt to the head that can change the way your brain normally works. Concussions can also occur from a blow to the body that causes the head to move rapidly back and forth. Even a “ding,” “getting your bell rung,” or what seems to be mild bump or blow to the head can be serious. Concussions can occur in any sport or recreation activity. So, all coaches, parents, and athletes need to learn concussion signs and symptoms and what to do if a concussion occurs.

SIGNS AND SYMPTOMS OF A CONCUSSION

SIGNS OBSERVED BY PARENTS OR GUARDIANS	SYMPTOMS REPORTED BY YOUR CHILD OR TEEN	
<ul style="list-style-type: none"> •Appears dazed or stunned •Is confused about events •Answers questions slowly •Repeats questions •Can’t recall events prior to the hit, bump, or fall •Can’t recall events after the hit, bump, or fall •Loses consciousness (even briefly) •Shows behavior or personality changes •Forgets class schedule or assignments 	<p><u>Thinking/Remembering:</u></p> <ul style="list-style-type: none"> •Difficulty thinking clearly •Difficulty concentrating or remembering •Feeling more slowed down •Feeling sluggish, hazy, foggy, or groggy <p><u>Physical:</u></p> <ul style="list-style-type: none"> •Headache or “pressure” in head •Nausea or vomiting •Balance problems or dizziness •Fatigue or feeling tired •Blurry or double vision •Sensitivity to light or noise •Numbness or tingling •Does not “feel right” 	<p><u>Emotional:</u></p> <ul style="list-style-type: none"> •Irritable •Sad •More emotional than usual •Nervous <p><u>Sleep*:</u></p> <ul style="list-style-type: none"> •Drowsy •Sleeps less than usual •Sleeps more than usual •Has trouble falling asleep <p><i>*Only ask about sleep symptoms if the injury occurred on a prior day.</i></p>

LINKS TO OTHER RESOURCES

- CDC –Concussion in Sports
 - <http://www.cdc.gov/concussion/sports/index.html>
- National Federation of State High School Association/ Concussion in Sports - What You Need To Know
 - www.nfhslearn.com
- Montana High School Association – Sports Medicine Page
 - <http://www.mhsa.org/SportsMedicine/SportsMed.htm>

A Fact Sheet for **ATHLETES**

WHAT IS A CONCUSSION?

A concussion is a brain injury that:

- Is caused by a bump or blow to the head
- Can change the way your brain normally works
- Can occur during practices or games in any sport
- Can happen even if you haven't been knocked out
- Can be serious even if you've just been "dinged"

WHAT ARE THE SYMPTOMS OF A CONCUSSION?

- Headache or "pressure" in head
- Nausea or vomiting
- Balance problems or dizziness
- Double or blurry vision
- Bothered by light
- Bothered by noise
- Feeling sluggish, hazy, foggy, or groggy
- Difficulty paying attention
- Memory problems
- Confusion
- Does not "feel right"

WHAT SHOULD I DO IF I THINK I HAVE A CONCUSSION?

- **Tell your coaches and your parents.** Never ignore a bump or blow to the head even if you feel fine. Also, tell your coach if one of your teammates might have a concussion.

- **Get a medical checkup.** A doctor or health care professional can tell you if you have a concussion and when you are OK to return to play.
- **Give yourself time to get better.** If you have had a concussion, your brain needs time to heal. While your brain is still healing, you are much more likely to have a second concussion. Second or later concussions can cause damage to your brain. It is important to rest until you get approval from a doctor or health care professional to return to play.

HOW CAN I PREVENT A CONCUSSION?

Every sport is different, but there are steps you can take to protect yourself.

- Follow your coach's rules for safety and the rules of the sport.
- Practice good sportsmanship at all times.
- Use the proper sports equipment, including personal protective equipment (such as helmets, padding, shin guards, and eye and mouth guards). In order for equipment to protect you, it must be:

- > The right equipment for the game, position, or activity
- > Worn correctly and fit well
- > Used every time you play

Remember, when in doubt, sit them out!
It's better to miss one game than the whole season.

A Fact Sheet for PARENTS

WHAT IS A CONCUSSION?

A concussion is a brain injury. Concussions are caused by a bump or blow to the head. Even a “ding,” “getting your bell rung,” or what seems to be a mild bump or blow to the head can be serious.

You can’t see a concussion. Signs and symptoms of concussion can show up right after the injury or may not appear or be noticed until days or weeks after the injury. If your child reports any symptoms of concussion, or if you notice the symptoms yourself, seek medical attention right away.

WHAT ARE THE SIGNS AND SYMPTOMS OF A CONCUSSION?

Signs Observed by Parents or Guardians

If your child has experienced a bump or blow to the head during a game or practice, look for any of the following signs and symptoms of a concussion:

- Appears dazed or stunned
- Is confused about assignment or position
- Forgets an instruction
- Is unsure of game, score, or opponent
- Moves clumsily • Answers questions slowly
- Loses consciousness (even briefly)
- Shows behavior or personality changes
- Can’t recall events prior to hit or fall
- Can’t recall events after hit or fall

Symptoms Reported by Athlete

- Headache or “pressure” in head
- Nausea or vomiting
- Balance problems or dizziness
- Double or blurry vision
- Sensitivity to light
- Sensitivity to noise
- Feeling sluggish, hazy, foggy, or groggy
- Concentration or memory problems
- Confusion
- Does not “feel right”

HOW CAN YOU HELP YOUR CHILD PREVENT A CONCUSSION?

Every sport is different, but there are steps your children can take to protect themselves from concussion.

- Ensure that they follow their coach’s rules for safety and the rules of the sport.
- Encourage them to practice good sportsmanship at all times.
- Make sure they wear the right protective equipment for their activity (such as helmets, padding, shin guards, and eye and mouth guards). Protective equipment should fit properly, be well maintained, and be worn consistently and correctly.
- Learn the signs and symptoms of a concussion.

WHAT SHOULD YOU DO IF YOU THINK YOUR CHILD HAS A CONCUSSION?

1. Seek medical attention right away. A health care professional will be able to decide how serious the concussion is and when it is safe for your child to return to sports.

2. Keep your child out of play. Concussions take time to heal. Don’t let your child return to play until a health care professional says it’s OK. Children who return to play too soon—while the brain is still healing—risk a greater chance of having a second concussion. Second or later concussions can be very serious. They can cause permanent brain damage, affecting your child for a lifetime.

3. Tell your child’s coach about any recent concussion. Coaches should know if your child had a recent concussion in ANY sport. Your child’s coach may not know about a concussion your child received in another sport or activity unless you tell the coach.

Remember, when in doubt, sit them out!

It’s better to miss one game than the whole season.

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4
5 Administering Medicines to Students

6
7 “Medication” means prescribed drugs and medical devices that are controlled by the U.S. Food and
8 Drug Administration and are ordered by a healthcare provider. It includes over-the-counter
9 medications prescribed through a standing order by the school physician or prescribed by the
10 student’s healthcare provider.

11
12 A building principal or other administrator may authorize, in writing, any school employee:

13
14 To assist in self-administration of any drug that may lawfully be sold over the counter
15 without a prescription to a student in compliance with the written instructions and with the
16 written consent of a student’s parent or guardian; and

17
18 To assist in self-administration of a prescription drug to a student in compliance with written
19 instructions of a medical practitioner and with the written consent of a student’s parent or
20 guardian.

21
22 Except in an emergency situation, only a qualified healthcare professional may administer a drug or a
23 prescription drug to a student under this policy. Diagnosis and treatment of illness and the
24 prescribing of drugs are never the responsibility of a school employee and should not be practiced by
25 any school personnel.

26
27 Administering Medication

28
29 The Board will permit administration of medication to students in schools in its jurisdiction. A
30 school nurse (who has successfully completed specific training in administration of medication),
31 pursuant to written authorization of a physician or dentist and that of a parent, an individual who has
32 executed a caretaker relative educational authorization affidavit, or guardian, may administer
33 medication to any student in the school or may delegate this task pursuant to Montana law.

34
35 Emergency Administration of Medication

36
37 In case of an anaphylactic reaction or risk of such reaction, a school nurse or delegate may administer
38 emergency oral or injectable medication to any student in need thereof on school grounds, in a school
39 building, or at a school function, according to a standing order of a chief medical advisor or a
40 student’s private physician.

41
42 In the absence of a school nurse, an administrator or designated staff member exempt from the nurse
43 license requirement under § 37-8-103(1)(c), MCA, who has completed training in administration of
44 medication, may give emergency medication to students orally or by injection.

45
46 The Board requires that there must be on record a medically diagnosed allergic condition that would
47 require prompt treatment to protect a student from serious harm or death.
48

A building administrator or school nurse will enter any medication to be administered in an emergency on an individual student medication record and will file it in a student's cumulative health folder.

Self-Administration of Medication

The District will permit students who are able to self-administer specific medication to do so provided that:

- A physician or dentist provides a written order for self-administration of said medication;
- Written authorization for self-administration of medication from a student's parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian is on file; and
- A principal and appropriate teachers are informed that a student is self-administering prescribed medication.

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

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

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

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

- A written and signed authorization from the parents, an individual who has executed a caretaker relative educational authorization affidavit, or guardians for self-administration of medication, acknowledging that the District or its employees are not liable for injury that results from the student self-administering the medication.
- The student must have the prior written approval of his/her primary healthcare provider. The written notice from the student's primary care provider must specify the name and purpose of the medication, the prescribed dosage, frequency with which it may be administered, and the circumstances that may warrant its use.

- Documentation that the student has demonstrated to the healthcare practitioner and the school nurse, if available, the skill level necessary to use and administer the medication.
- Documentation of a doctor-formulated written treatment plan for managing asthma, severe allergies, or anaphylaxis episodes of the student and for medication use by the student during school hours.

Authorization granted to a student to possess and self-administer medication shall be valid for the current school year only and must be renewed annually.

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

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

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

Administration of Glucagons

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

Handling and Storage of Medications

The Board requires that all medications, including those approved for keeping by students for self-medication, be first delivered by a parent, an individual who has executed a caretaker relative educational authorization affidavit, or other responsible adult to a nurse or employee assisting with self-administration of medication. A nurse or assistant:

- Must examine any new medication to ensure it is properly labeled with dates, name of student, medication name, dosage, and physician's name;
- Must develop a medication administration plan, if administration is necessary for a student, before any medication is given by school personnel;
- Must record on the student's individual medication record the date a medication is delivered and the amount of medication received;
- Must store medication requiring refrigeration at 36° to 46° F;
- Must store prescribed medicinal preparations in a securely locked storage compartment; and
- Must store 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 a school; and all medications, prescription and nonprescription, will be stored in their original containers.

The District will limit access to all stored medication to those persons authorized to administer medications or to assist in the self-administration of medications. The District requires every school to maintain a current list of those persons authorized by delegation from a licensed nurse to administer medications.

The District may maintain a stock supply of auto-injectable epinephrine to be administered by a school nurse or other authorized personnel to any student or nonstudent as needed for actual or perceived anaphylaxis. If the district intends to obtain an order for emergency use of epinephrine in a school setting or at related activities, the district shall adhere to the requirements stated in 20-5-420, Section 2, MCA.

Disposal of Medication

The District requires school personnel either to return to a parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian or, with permission of the parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian, to destroy any unused, discontinued, or obsolete medication. A school nurse, in the presence of a witness, will destroy any medicine not repossessed by a parent or guardian within a seven-(7)-day period of notification by school authorities.

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
	§ 37-8-103(1)(c), MCA	Exemptions – limitations on authority
		conferred
	ARM 24.159.1604	Tasks Which May Be Routinely Assigned to
		an Unlicensed Person in Any Setting When
		a Nurse-Patient Relationship Exists

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

STUDENTS

3415P

Management of Sports Related Concussions

A. Athletic Director or Administrator in Charge of Athletic Duties:

1. *Updating:* Each spring, the athletic director, or the administrator in charge of athletics if there is no athletic director, shall review any changes that have been made in procedures required for concussion and head injury management or other serious injury by consulting with the MHSA or the MHSA Web site, U.S. DPHHS, and CDCP web site. If there are any updated procedures, they will be adopted and used for the upcoming school year.

2. *Identified Sports:* Identified sports include all organized youth athletic activity sponsored by the school or school district.

B. *Training:* All coaches, athletic trainers, and officials, including volunteers shall undergo training in head injury and concussion management at least once each school year by one of the following means: (1) through viewing the MHSA sport-specific rules clinic; (2) through viewing the MHSA concussion clinic found on the MHSA Sports Medicine page at www.mhsa.org; or by the district inviting the participation of appropriate advocacy groups and appropriate sports governing bodies to facilitate the training requirements.

C. *Parent Information Sheet:* On a yearly basis, a concussion and head injury information sheet shall be distributed to the student-athlete and the athlete's parent and/or guardian prior to the student-athlete's initial practice or competition. This information sheet may be incorporated into the parent permission sheet which allows students to participate in extracurricular athletics and should include resources found on the MHSA Sports Medicine page at www.mhsa.org, U.S. DPHHS, and CDCP websites.

D. *Responsibility:* An athletic trainer, coach, or official shall immediately remove from play, practice, tryouts, training exercises, preparation for an athletic game, or sport camp a student-athlete who is suspected of sustaining a concussion or head injury or other serious injury.

E. *Return to Play After Concussion or Head Injury:* In accordance with MHSA Return to Play Rules and Regulations **and (title of bill)**, a student athlete who has been removed from play, practice, tryouts, training exercises, preparation for an athletic game, or sport camp may not return until the athlete is cleared by a licensed health care professional (registered, licensed, certified, or otherwise statutorily recognized health care professional). The health care provider may be a volunteer.

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

Montana Authorization to Carry and Self-Administer Medication

For this student to carry and self-administer medication on school grounds or for school sponsored activities, this form must be fully completed by the prescribing physician/provider and an authorizing parent, an individual who has executed a caretaker relative educational authorization affidavit, or legal guardian.

Student's Name: _____
 Sex: (Please circle) Female/Male
 Birth Date: ____/____/____

School: _____
 City/Town: _____
 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 without school personnel supervision. I have provided a written treatment plan for managing asthma, severe allergies, or anaphylaxis episodes and for medication use by this student during school hours and school activities.

 Signature of Physician

 Physician's Phone Number

 Date

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

The following backup medication has been provided for this student: _____

For Completion by Parent, an individual who has executed a caretaker relative educational authorization affidavit, or Guardian

As the parent, individual who has executed a caretaker relative educational authorization affidavit, or guardian of the above named student, I confirm that this student has been instructed by his/her health care provider on the proper use of this/these medication(s). He/she has demonstrated to me that he/she understands the proper use of this medication. He/she is physically, mentally, and behaviorally capable to assume this responsibility. He/she has my permission to self-medicate as listed above, if needed. If he/she has used an auto-injectable epinephrine, he/she understands the need to alert an adult that emergency medical personnel need to be called. If he/she has used his/her asthma inhaler as prescribed and does not have relief from an asthma attack, he/she is to alert an adult.

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

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

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

I understand that in the event the medication dosage is altered, a new "self-administration form" must be completed, or the physician may rewrite 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, Caretaker Relative Signature: _____ Date: _____

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

**Montana Authorization to Possess or Self-Administer
Asthma, Severe Allergy, or Anaphylaxis Medication**

For this student to possess or self-administer asthma, severe allergy, or anaphylaxis medication while in school, while at a school sponsored activity, while under the supervision of school personnel, before or after normal school activities (such as while in before-school or after-school care on school-operated property), or while in transit to or from school or school-sponsored activities, this form must be fully completed by: 1) the prescribing physician/physician assistant/advanced practice registered nurse, and 2) an authorizing parent, an individual who has executed a caretaker relative educational or medical authorization affidavit, or legal guardian.

Student's Name: _____
Sex: (Please circle) Female/Male
Birth Date: ____/____/____

School: _____
City/Town: _____
School Year: _____ (Must be renewed annually)

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 (times or special circumstances): _____

I confirm that this student has been instructed in the proper use of this medication and is able to self-administer this medication without school personnel supervision. I have formulated and provided to the parent/guardian or caretaker relative a written treatment plan for managing asthma, severe allergies, or anaphylaxis episodes and for medication use by this student during school hours and school activities.

Signature of Physician/PA/APRN

Phone Number

Date

Authorization by Parent, an individual who has executed a caretaker relative educational or medical authorization affidavit, or Guardian

As the parent, individual who has executed a caretaker relative educational or medical authorization affidavit, or guardian of the above named student, I confirm that this student has been instructed by his/her health care provider on the proper use of this/these medication(s). He/she has demonstrated to me that he/she understands the proper use of this medication. He/she is physically, mentally, and behaviorally capable to assume this responsibility. He/she has my permission to self-medicate as listed above, if needed. If he/she has used epinephrine during school hours, he/she understands the need to alert the school nurse or other adult at the school who will provide follow-up care, including making a 9-1-1 emergency call.

I acknowledge that the school district or nonpublic school and its employees and agents are not liable as a result of any injury arising from the self-administration of medication by the student, and I indemnify and hold them harmless for such injury, unless the claim is based on an act or omission that is the result of gross negligence, willful and wanton conduct, or an intentional tort.

I agree to work with the school in establishing a plan for use and storage of backup medication. This will include a predetermined location to keep backup medication to which my child has access in the event of an asthma, severe allergy, or anaphylaxis emergency. I have provided the following backup medication: _____

I understand that in the event the medication dosage is altered, a new "self-administration form" must be completed, or the health care provider may rewrite the order on his/her prescription pad, and I, the parent/caretaker relative/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.

I authorize the school administration to release this information to appropriate school personnel and classroom teachers.

Parent/Guardian, Caretaker Relative Signature: _____ Date: _____

(Original signed authorization to the school; a copy of the signed authorization to the parent/guardian and health care provider) See, generally, Mont. Code Ann. § 20-5-420.

1 **Joliet Public Schools**

2
3 **STUDENTS**

3417

4
5 Communicable Diseases

6 *Note: For purposes of this policy, the term “communicable disease” refers to the diseases identified in*
7 *37.114.203, ARM, Reportable Diseases, with the exception of common colds and flu.*
8

9 In all proceedings related to this policy, the District will respect a student’s right to privacy.
10 Although the District is required to provide educational services to all school-age children who reside
11 within its boundaries, it may deny attendance at school to any child diagnosed as having a communicable
12 disease that could make a child’s attendance harmful to the welfare of other students. The District also
13 may deny attendance to a child with suppressed immunity in order to protect the welfare of that child
14 when others in a school have an infectious disease, which, although not normally life threatening, could
15 be life threatening to a child with suppressed immunity.
16

17 The Board recognizes that communicable diseases that may afflict students range from common
18 childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as human
19 immunodeficiency virus (HIV) infection. The District will rely on advice of the public health and
20 medical communities in assessing the risk of transmission of various communicable diseases to determine
21 how best to protect the health of both students and staff.
22

23 The District will manage common communicable diseases in accordance with Montana Department of
24 Public Health and Human Services guidelines and communicable diseases control rules. The District may
25 temporarily exclude from school attendance a student who exhibits symptoms of a communicable disease
26 that is readily transmitted in a school setting.
27

28 Students who complain of illness at school may be referred to a school nurse or other responsible person
29 designated by the Board and may be sent home as soon as a parent or person designated on a student’s
30 emergency medical authorization form has been notified. The District reserves the right to require a
31 statement from a student’s primary care provider authorizing a student’s return to school.
32

33 When information is received by a staff member or a volunteer that a student is afflicted with a serious
34 communicable disease, the staff member or volunteer will promptly notify a school nurse or other
35 responsible person designated by the Board to determine appropriate measures to be taken to protect
36 student and staff health and safety. A school nurse or other responsible person designated by the Board,
37 after consultation with and on advice of public health officials, will determine which additional staff
38 members, if any, have need to know of the affected student’s condition.
39

40 Only those persons with direct responsibility for the care of a student or for determining appropriate
41 educational accommodation will be informed of the specific nature of a condition, if it is determined that
42 such individuals need to know this information.
43

44 The District may notify parents of other children attending a school that their children have been exposed
45 to a communicable disease without identifying the particular student who has the disease.
46

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

48 Policy History:

49 Adopted on: 06/20/13

50 Reviewed on:

51 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

3431

4
5 Emergency Treatment

6
7 The Board recognizes that schools are responsible for providing first aid or emergency treatment
8 to a student in case of sudden illness or injury; however, further medical attention is the
9 responsibility of a parent or guardian.

10
11 The District requires that every parent or guardian provide a telephone number where a parent or
12 designee of a parent may be reached in case of an emergency.

13
14 When a student is injured, staff will provide immediate care and attention until relieved by a
15 superior, a nurse, or a doctor. The District will employ its normal procedures to address medical
16 emergencies without regard to the existence of a do not resuscitate (DNR) request, as such DNR
17 requests do not apply to school-based programming or eventualities attendant thereto. A
18 principal or designated staff member will immediately call a parent or parental designee so that
19 the parent may arrange for care or treatment of an injured student.

20
21 When a student develops symptoms of illness while at school, a responsible school official will
22 do the following:

23
24 Immediately isolate the student from other children to a room or area segregated for that
25 purpose;

26
27 Inform a parent or guardian as soon as possible about the illness and request the parent or
28 guardian to pick up the child; and

29
30 Report each case of suspected communicable disease the same day by telephone to a
31 local health authority or as soon as possible thereafter if a health authority cannot be
32 reached the same day.

33
34 When a parent or guardian cannot be reached, and it is the judgment of a principal or other
35 person in charge that immediate medical attention is required, an injured student may be taken
36 directly to a hospital and treated by a physician on call. Once located, a parent or a guardian is
37 responsible for continuing treatment or for making other arrangements.

38
39
40
41 Legal Reference: ARM 37.111.825 Health Supervision and Maintenance

42
43 Policy History:

44 Adopted on: 06/20/13

45 Reviewed on:

46 Revised on:

**This form is to be completed by the appropriate employee(s) as soon as possible after an accident occurs.
Please Print or Type.**

Claimant's Name _____		_____	_____
<i>Last Name</i>		<i>First Name</i>	<i>Middle Initial</i>
Claimant's Address _____		_____	_____
<i>City</i>		<i>State</i>	<i>ZIP Code</i>
Claimant's SS # _____	Home Phone Number (____) _____		
Claimant's Age _____	Date of Birth _____	Sex _____	Grade _____
Parent's Name (if student) _____		Work Phone Number (____) _____	

Nature of Injury		Place of Accident		Body Part Injured		
<input type="checkbox"/> Scratch	<input type="checkbox"/> Concussion	<input type="checkbox"/> Classroom	<input type="checkbox"/> Gymnasium	<input type="checkbox"/> Ankle	<input type="checkbox"/> Foot	<input type="checkbox"/> Leg
<input type="checkbox"/> Fracture	<input type="checkbox"/> Head Injury	<input type="checkbox"/> Hallway	<input type="checkbox"/> Parking Lot	<input type="checkbox"/> Arm	<input type="checkbox"/> Face	<input type="checkbox"/> Nose
<input type="checkbox"/> Bruise	<input type="checkbox"/> Sprain/Strain	<input type="checkbox"/> Bathroom	<input type="checkbox"/> Sidewalk	<input type="checkbox"/> Back	<input type="checkbox"/> Finger	<input type="checkbox"/> Teeth
<input type="checkbox"/> Burn	<input type="checkbox"/> Cut/Puncture	<input type="checkbox"/> Cafeteria	<input type="checkbox"/> Stairs	<input type="checkbox"/> Neck	<input type="checkbox"/> Hand	<input type="checkbox"/> Wrist
<input type="checkbox"/> Dislocation	<input type="checkbox"/> Bite	<input type="checkbox"/> Playground	<input type="checkbox"/> Athletic Field	<input type="checkbox"/> Eye	<input type="checkbox"/> Knee	<input type="checkbox"/> Shoulder
<input type="checkbox"/> Other _____		<input type="checkbox"/> Other _____		<input type="checkbox"/> Other _____		

Were efforts made to contact the parent/guardian about the accident? ☐ Yes ☐ No

Was first aid administered? ☐ Yes ☐ No By whom? _____

Was the student ☐ Sent home ☐ Sent to physician ☐ Sent to hospital

Is student covered by Student Accident Insurance? ☐ Yes ☐ No If "yes," please list Company Name, address, and phone number _____

Name and address of doctor or hospital _____

Witnesses (Name, Address, and Phone) _____

Date _____

1 **Joliet Public Schools**

2
3 **STUDENTS**

3440

4
5 Removal of Student During School Day

6
7 The Board recognizes its responsibility for the proper care of students during a school day. In
8 accordance with District procedures, only a duly authorized person may remove a student from
9 school grounds, any school building, or school function during a school day. A person seeking
10 to remove a student from school must present evidence satisfactory to the administrator of
11 having proper authority to remove the student. A teacher should not excuse a student from class
12 to confer with anyone, unless a request is approved by the administrator. The administrator will
13 establish procedures for removal of a student during a school day.
14
15
16

17 Policy History:

18 Adopted on: 06/20/13

19 Reviewed on:

20 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

3440P

4
5 Removal of Student During School Day

6
7 Schools must exercise a high order of responsibility for the care of students while in school. The
8 removal of a student during the school day may be authorized in accordance with the following
9 procedures:

- 10
11 1. Law enforcement officers, upon proper identification, may remove a student from school
12 as provided in Policies 4410 and 4411.
13
14 2. Any other agencies must have a written administrative or court order directing the
15 District to give custody to them. However, employees of the Department of Public Health
16 and Human Services may take custody of a student under provisions of § 41-3-301,
17 MCA, without a court order. Proper identification is required before the student shall be
18 released.
19
20 3. A student shall be released to the custodial parent. When in doubt as to custodial rights,
21 school enrollment records must be relied upon, as the parents (or guardians) have the
22 burden of furnishing schools with accurate, up-to-date information.
23
24 4. The school should always check with the custodial parent before releasing the student to
25 a non-custodial parent.
26
27 5. Prior written authorization from the custodial parent or guardian is required before
28 releasing a student into someone else's custody, unless an emergency situation justifies a
29 waiver.
30
31 6. Police should be called if a visitor becomes disruptive or abusive.
32
33
34

35 Cross Reference: 4410 Relations With the Law Enforcement and Child Protective
36 Agencies
37 4411 Investigations and Arrests by Police
38

39 Procedure History:

40 Promulgated on: 06/20/13

41 Reviewed on:

42 Revised on:

2
3 **STUDENTS**

3520

4
5 Student Fees, Fines, and Charges

6
7 Within the concept of free public education, the District will provide an educational program for
8 students as free of costs as possible.
9

10 The Board may charge a student a reasonable fee for any course or activity not reasonably
11 related to a recognized academic and educational goal of the District or for any course or activity
12 taking place outside normal school functions. The Board may waive fees in cases of financial
13 hardship.
14

15 The Board delegates authority to the Superintendent to establish appropriate fees and procedures
16 governing collection of fees and asks the Superintendent to make annual reports to the Board
17 regarding fee schedules. The Board also may require fees for actual cost of breakage and for
18 excessive supplies used in commercial, industrial arts, music, domestic science, science, or
19 agriculture courses.
20

21 The District holds a student responsible for the cost of replacing materials or property that are
22 lost or damaged because of negligence. A building administrator will notify a student and parent
23 regarding the nature of violation or damage, how restitution may be made, and how an appeal
24 may be instituted. The District may withhold a student's grades or diploma until restitution is
25 made. A student or parent may appeal the imposition of a charge for damages to the
26 Superintendent and to the Board.
27
28
29

30 Legal reference: § 20-5-201, MCA Duties and sanctions
31 § 20-7-601, MCA Free textbook provisions
32 § 20-9-214, MCA Fees
33

34 Policy History:

35 Adopted on: 06/20/13

36 Reviewed on:

37 Revised on:

1 **Joliet Public Schools**

2
3 **STUDENTS**

3600

4
5 Student Records

6
7 School student records are confidential, and information from them will not be released other
8 than as provided by law. State and federal laws grant students and parents certain rights,
9 including the right to inspect, copy, and challenge school records.

10
11 The District will ensure information contained in student records is current, accurate, clear, and
12 relevant. All information maintained concerning a student receiving special education services
13 will be directly related to the provision of services to that child. The District may release
14 directory information as permitted by law, but parents will have the right to object to release of
15 information regarding their child. Military recruiters and institutions of higher education may
16 request and receive the names, addresses, and telephone numbers of all high school students,
17 unless the parent(s) notifies the school not to release this information.

18
19 The Superintendent will implement this policy and state and federal law with administrative
20 procedures. The Superintendent or designee will inform staff members of this policy and inform
21 students and their parents of it, as well as of their rights regarding student school records.

22
23 Each student's permanent file, as defined by the board of public education, must be permanently
24 kept in a secure location. Other student records must be maintained and destroyed as provided in
25 20-1-212, MCA.

26
27 Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R.
28 99
29 § 20-1-212, MCA Destruction of records by school officer.
30 § 20-5-201, MCA Duties and sanctions
31 § 40-4-225, MCA Access to records by parent
32 10.55.909, ARM Student Records
33 No Child Left Behind Act of 2001, P.L. 107-334
34

35 Policy History:

36 Adopted on: 06/20/13

37 Reviewed on:

38 Revised on:

4
5 Student Records

6
7 Notification to Parents and Students of Rights Concerning a Student's School Records

8
9 *This notification may be distributed by any means likely to reach the parent(s)/guardian(s).*

10
11 The District will maintain two (2) sets of school records for each student: a permanent record
12 and a cumulative record. The permanent record will include:

- 13
14 Basic identifying information
15 Academic work completed (transcripts)
16 Level of achievement (grades, standardized achievement tests)
17 Immunization records (per § 20-5-506, MCA)
18 Attendance record
19 Record of any disciplinary action taken against the student, which is educationally related
20

21 The cumulative record may include:

- 22
23 Intelligence and aptitude scores
24 Psychological reports
25 Participation in extracurricular activities
26 Honors and awards
27 Teacher anecdotal records
28 Verified reports or information from non-educational persons
29 Verified information of clear relevance to the student's education
30 Information pertaining to release of this record
31 Disciplinary information
32

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

- 36
37 1. **The right to inspect and copy the student's education records, within a reasonable**
38 **time from the day the District receives a request for access.**

39
40 "Eligible" students, who are eighteen (18) years of age or older, have the right to inspect
41 and copy their permanent record. Parents/guardians or "eligible" students should submit
42 to the school principal (or appropriate school official) a written request identifying the
43 record(s) they wish to inspect. The principal will make, within forty-five (45) days,
44 arrangements for access and notify the parent(s)/ guardian(s) or eligible student of the
45 time and place the records may be inspected. The District charges a nominal fee for
46 copying, but no one will be denied their right to copies of their records for inability to pay

this cost.

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

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

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

If the District decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the District will notify the parent(s)/guardian(s) or eligible student of the decision and advise him or her of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

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

Disclosure is permitted without consent to school officials with legitimate educational or administrative interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the District has contracted to perform a special task (such as contractors, attorneys, auditors, consultants, or therapists); volunteers; other outside parties to whom an educational agency or institution has outsourced institutional services or functions that it would otherwise use employees to perform; or a parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

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

Upon request, the District discloses education records, without consent, to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by state or federal law. Before information is released to individuals described in this paragraph, the parent(s)/guardian(s) will receive written notice of the nature and substance of the information and an opportunity to

inspect, copy, and challenge such records. The right to challenge school student records does not apply to: (1) academic grades of their child, and (2) references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring.

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

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

Throughout the school year, the District may release directory information regarding students, limited to:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph (including electronic version)
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Enrollment status (e.g., undergraduate or graduate; full-time or part-time)
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees
- Honors and awards received
- Most recent educational agency or institution attended

Any parent(s)/guardian(s) or eligible student may prohibit the release of all of the above information by delivering written objection to the building principal within ten (10) days of the date of this notice. No directory information will be released within this time period, unless the parent(s)/guardian(s) or eligible student are specifically informed otherwise. When a student transfers, leaves the District, or graduates, the school must continue to honor a decision to opt-out, unless the parent or student rescinds the decision.

A parent or student 18 years of age or an emancipated student, may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their name [identifier, institutional email address in a class in which the student is enrolled] or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy.

6. **The right to request that information not be released to military recruiters and/or institutions of higher education.**

Pursuant to federal law, the District is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request.

Parent(s)/guardian(s) or eligible students may request that the District not release this information, and the District will comply with the request.

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

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

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

Student Directory Information Notification

*Please sign and return this form to the school within ten (10) days of the receipt of this form **ONLY** if you do not want directory information about your child disclosed to third parties in accordance with the Family Educational Rights and Privacy Act (FERPA). If we receive no response by that date, we will disclose all student directory information at our discretion and/or in compliance with law.*

Date

Dear Parent/Eligible Student:

This document informs you of your right to direct the District to withhold the release of student directory information for _____.

Student's Name

Following is a list of items this District considers student **directory information**.

<ul style="list-style-type: none">-Student's name-Address-Telephone listing-Electronic mail address-Photograph (including electronic version)-Date and place of birth-Major field of study-Dates of attendance-Grade level	<ul style="list-style-type: none">-Enrollment status (e.g., undergraduate or graduate; full-time or part-time)-Participation in officially recognized activities and sports-Weight and height of members of athletic teams-Degrees-Honors and awards received-Most recent educational agency or institution attended
--	---

If you do NOT want directory information provided to the following, please check the appropriate box.

Institutions of Higher Education, Potential Employers, Armed Forces Recruiters, Other

NOTE: If a student's name, grade level, or photograph is to be withheld, the student will not be included in the school's yearbook, program events, or other such publications.

Parent/Eligible Student's Signature

Date

1 **Joliet Public Schools**

2
3 **STUDENTS**

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4
5 Student Records

6
7 Maintenance of School Student Records

8
9 The District maintains two (2) sets of school records for each student – a permanent record and a
10 cumulative record.

11
12 The permanent record will include:

- 13
14 Basic identifying information
15 Academic work completed (transcripts)
16 Level of achievement (grades, standardized achievement tests)
17 Immunization records (per § 20-5-406, MCA)
18 Attendance record
19 Record of any disciplinary action taken against the student, which is educationally related
20

21 Each student's permanent file, as defined by the board of public education, must be permanently kept in a
22 secure location.

23
24 The cumulative record may include:

- 25
26 Intelligence and aptitude scores
27 Psychological reports
28 Participation in extracurricular activities
29 Honors and awards
30 Teacher anecdotal records
31 Verified reports or information from non-educational persons
32 Verified information of clear relevance to the student's education
33 Information pertaining to release of this record
34 Disciplinary information
35

36 Information in the permanent record will indicate authorship and date and will be maintained in
37 perpetuity for every student who has been enrolled in the District. Cumulative records will be maintained
38 for eight (8) years after the student graduates or permanently leaves the District. Cumulative records
39 which may be of continued assistance to a student with disabilities, who graduates or permanently
40 withdraws from the District, may, after five (5) years, be transferred to the parents or to the student if the
41 student has succeeded to the rights of the parents.

42
43 The building principal will be responsible for maintenance, retention, or destruction of a student's
44 permanent or cumulative records, in accordance with District procedure established by the
45 Superintendent.

46
47 Access to Student Records

48
49 The District will grant access to student records as follows:
50

1. The District or any District employee will not release, disclose, or grant access to information found in any student record except under the conditions set forth in this document.
2. The parents of a student under eighteen (18) years of age will be entitled to inspect and copy information in the child's school records. Such requests will be made in writing and directed to the records custodian. Access to the records will be granted within fifteen (15) days of the District's receipt of such request.

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

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

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

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

3. The District may grant access to or release information from student records without prior written consent to school officials with a legitimate educational interest in the information. A school official is a person employed by the District in an administrative, supervisory, academic, or support staff position (including, but not limited to administrators, teachers, counselors, paraprofessionals, coaches, and bus drivers), and the board of trustees. A school official may also include a volunteer or contractor not employed by the District but who performs an educational service or function for which the District would otherwise use its own employees and who is under the direct control of the District with respect to the use and maintenance of personally identifying information from education records, or such other third parties under contract with the District to provide professional services related to the District's educational mission, including, but not limited to, attorneys and auditors. A school official has a legitimate educational interest in student education information when the official needs the information in order to fulfill his or her professional responsibilities for the District. Access by school officials to student education information will be restricted to that portion of a student's records necessary for the school official to perform or accomplish their official or professional duties.

4. The District may grant access to or release information from student records without parental consent or notification to any person, for the purpose of research, statistical reporting, or planning, provided that no student or parent can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.
5. The District may grant release of a child's education records to child welfare agencies without the prior written consent of the parents.
6. The District will grant access to or release information from a student's records pursuant to a court order.
7. The District will grant access to or release information from any student record, as specifically required by federal or state statute.
8. The District will grant access to or release information from student records to any person possessing a written, dated consent, signed by the parent or eligible student, with particularity as to whom the records may be released, the information or record to be released, and reason for the release. One (1) copy of the consent form will be kept in the records, and one (1) copy will be mailed to the parent or eligible student by the Superintendent. Whenever the District requests consent to release certain records, the records custodian will inform the parent or eligible student of the right to limit such consent to specific portions of information in the records.
9. The District may release student records to the superintendent or an official with similar responsibilities in a school in which the student has enrolled or intends to enroll, upon written request from such official. School officials may also include those listed in #3 above.
10. Prior to release of any records or information under items 5, 6, 7, and 8, above, the District will provide prompt written notice to the parents or eligible student of this intended action. This notification will include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.
11. The District may release student records or information in connection with an emergency, without parental consent, if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian will make this decision, taking into consideration the nature of the emergency, the seriousness of the threat to the health and safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. The District will notify the parents or eligible student, as soon as possible, of the information released, date of the release, the person, agency, or organization to whom the release was made, and the purpose of the release.
12. The District may disclose, without parental consent, student records or information to the youth court and law enforcement authorities, pertaining to violations of the Montana Youth Court Act or criminal laws by the student.

13. The District will comply with an *ex parte* order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or consent of the student's parent(s)/guardian(s).
14. The District charges a nominal fee for copying information in the student's records. No parent or student will be precluded from copying information because of financial hardship.
15. A record of all releases of information from student records (including all instances of access granted, whether or not records were copied) will be kept and maintained as part of such records. This record will be maintained for the life of the student record and will be accessible only to the parent or eligible student, records custodian, or other person. The record of release will include:
 - a. Information released or made accessible.
 - b. Name and signature of the records custodian.
 - c. Name and position of the person obtaining the release or access.
 - d. Date of release or grant of access.
 - e. Copy of any consent to such release.

Directory Information

The District may release certain directory information regarding students, except that parents may prohibit such a release. Directory information will be limited to:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph (including electronic version)
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Enrollment status (e.g., undergraduate or graduate; full-time or part-time)
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees
- Honors and awards received
- Most recent educational agency or institution attended

The notification to parents and students concerning school records will inform them of their right to object to the release of directory information.

Military Recruiters/Institutions of Higher Education

Pursuant to federal law, the District is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request. The notification to parents and students concerning school records will inform them of their right to object to the release of this information.

Student Record Challenges

The parents 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 therefor;
- The right to appeal an adverse decision to an administrative tribunal or official, to be established or designated by the State Board.

The parents may insert a written statement of reasonable length describing their position on disputed information. The school will include the statement in any release of the information in dispute.

Legal Reference:	Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2011); 34 C.F.R. 99 (2011)
	§ 20-5-201, MCA Duties and sanctions
	§ 40-4-225, MCA Access to records by parent
	§ 41-5-215, MCA Youth court and department records – notification of school
	10.55.909, ARM Student records

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

STUDENTS

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Transfer of Student Records

The District will forward by mail or by electronic means a certified copy of a permanent or cumulative file of any student and a file of special education records of any student to a local educational agency or accredited school in which a student seeks to or intends to enroll within five (5) working days after receipt of a written or electronic request. The files to be forwarded must include education records in a permanent file – that is, name and address of a student, name of parent or legal guardian, date of birth, academic work completed, level of achievement (grades, standardized tests), immunization records, special education records, and any disciplinary actions taken against a student that are educationally related.

When the District cannot transfer records within five (5) days, the District will notify a requestor, in writing or electronically, and will provide reasons why the District is unable to comply with a five-(5)-day time period. The District also will include in that notice the date by which requested records will be transferred. The District will not refuse to transfer records because a student owes fines or fees.

Cross Reference:	3413	Student Immunization
	3600 - 3600P	Student Records
	3606F	Records Certification

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

Adopted on: 06/20/13

Reviewed on:

Revised on:

Joliet Public Schools

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STUDENTS

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Receipt of Confidential Records

Pursuant to Montana law, the District may receive case records of the Department of Public Health and Human Services and its local affiliate, the county welfare department, the county attorney, and the court concerning actions taken and all records concerning reports of child abuse and neglect. The District will keep these records confidential as required by law and will not include them in a student's permanent file.

The Board authorizes the individuals listed below to receive information with respect to a District student who is a client of the Department of Public Health and Human Services:

- Administration
- Counselor
- Special Education Teacher

When the District receives information pursuant to law, the Superintendent will prevent unauthorized dissemination of that information.

Cross Reference: 3600 - 3600P Student Records

Legal Reference: § 41-3-205, MCA Confidentiality – disclosure exceptions

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

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3 **STUDENTS**

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4
5 District-Provided Access to Electronic Information, Services, and Networks

6
7 General

8
9 The District makes Internet access and interconnected computer systems available to District
10 students and faculty. The District provides electronic networks, including access to the Internet, as
11 part its instructional program and to promote educational excellence by facilitating resource sharing,
12 innovation, and communication.

13
14 The District expects all students to take responsibility for appropriate and lawful use of this access,
15 including good behavior on-line. The District may withdraw student access to its network and to the
16 Internet when any misuse occurs. District teachers and other staff will make reasonable efforts to
17 supervise use of network and Internet access; however, student cooperation is vital in exercising and
18 promoting responsible use of this access.

19
20 Curriculum

21
22 Use of District electronic networks will be consistent with the curriculum adopted by the District, as
23 well as with varied instructional needs, learning styles, abilities, and developmental levels of
24 students, and will comply with selection criteria for instructional materials and library materials.
25 Staff members may use the Internet throughout the curriculum, consistent with the District's
26 educational goals.

27
28 Acceptable Uses

- 29
30 1. Educational Purposes Only. All use of the District's electronic network must be: (1) in
31 support of education and/or research, and in furtherance of the District's stated educational
32 goals; or (2) for a legitimate school business purpose. Use is a privilege, not a right.
33 Students and staff members have no expectation of privacy in any materials that are stored,
34 transmitted, or received via the District's electronic network or District computers. The
35 District reserves the right to monitor, inspect, copy, review, and store, at any time and
36 without prior notice, any and all usage of the computer network and Internet access and any
37 and all information transmitted or received in connection with such usage.
38
39 2. Unacceptable Uses of Network. The following are considered unacceptable uses and
40 constitute a violation of this policy:
41
42 A. Uses that violate the law or encourage others to violate the law, including but not
43 limited to transmitting offensive or harassing messages; offering for sale or use any
44 substance the possession or use of which is prohibited by the District's student
45 discipline policy; viewing, transmitting, or downloading pornographic materials or
46 materials that encourage others to violate the law; intruding into

the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.

- B. Uses that cause harm to others or damage to their property, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating, or otherwise using his/her access to the network or the Internet; uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information.
- C. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.
- D. Uses that are commercial transactions. Students and other users may not sell or buy anything over the Internet. Students and others should not give information to others, including credit card numbers and social security numbers.

Warranties/Indemnification

The District makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this policy. The District is not responsible for any information that may be lost, damaged, or unavailable when using the network or for any information that is retrieved or transmitted via the Internet. The District will not be responsible for any unauthorized charges or fees resulting from access to the Internet. Any user is fully responsible to the District and will indemnify and hold the District, its trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchase of goods or services by a user. The District expects a user or, if a user is a minor, a user's parents or legal guardian to cooperate with the District in the event of its initiating an investigation of a user's use of access to its computer network and the Internet.

Violations

If a student violates this policy, the District will deny the student access or will withdraw access and may subject the student to additional disciplinary action. An administrator or building principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with that decision being final.

Policy History:

Adopted on: 06/20/13

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STUDENTS

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All use of electronic networks shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. These procedures do not attempt to state all required or proscribed behaviors by users. However, some specific examples are provided. **The failure of any user to follow these procedures will result in the loss of privileges, disciplinary action, and/or appropriate legal action.**

Terms and Conditions

1. Acceptable Use – Access to the District's electronic networks must be: (a) for the purpose of education or research and consistent with the educational objectives of the District; or (b) for legitimate business use.
2. Privileges – The use of the District's electronic networks is a privilege, not a right, and inappropriate use will result in cancellation of those privileges. The system administrator (and/or building principal) will make all decisions regarding whether or not a user has violated these procedures and may deny, revoke, or suspend access at any time. That decision is final.
3. Unacceptable Use – The user is responsible for his or her actions and activities involving the network. Some examples of unacceptable uses are:
 - a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any federal or state law;
 - b. Unauthorized downloading of software, regardless of whether it is copyrighted or devirused;
 - c. Downloading copyrighted material for other than personal use;
 - d. Using the network for private financial or commercial gain;
 - e. Wastefully using resources, such as file space;
 - f. Hacking or gaining unauthorized access to files, resources, or entities;
 - g. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information of a personal nature about anyone;
 - h. Using another user's account or password;

- i. Posting material authored or created by another, without his/her consent;
 - j. Posting anonymous messages;
 - k. Using the network for commercial or private advertising;
 - l. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, or illegal material; and
 - m. Using the network while access privileges are suspended or revoked.
4. Network Etiquette – The user is expected to abide by the generally accepted rules of network etiquette. These include but are not limited to the following:
- a. Be polite. Do not become abusive in messages to others.
 - b. Use appropriate language. Do not swear or use vulgarities or any other inappropriate language.
 - c. Do not reveal personal information, including the addresses or telephone numbers, of students or colleagues.
 - d. Recognize that electronic mail (e-mail) is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
 - e. Do not use the network in any way that would disrupt its use by other users.
 - f. Consider all communications and information accessible via the network to be private property.
5. No Warranties – The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.
6. Indemnification – The user agrees to indemnify the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District, relating to or arising out of any violation of these procedures.

7. Security – Network security is a high priority. If the user can identify a security problem on the Internet, the user must notify the system administrator or building principal. Do not demonstrate the problem to other users. Keep your account and password confidential. Do not use another individual’s account without written permission from that individual. Attempts to log on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.
8. Vandalism – Vandalism will result in cancellation of privileges, and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes but is not limited to uploading or creation of computer viruses.
9. Telephone Charges – The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.
10. Copyright Web Publishing Rules – Copyright law and District policy prohibit the republishing of text or graphics found on the Web or on District Websites or file servers, without explicit written permission.
 - a. For each republication (on a Website or file server) of a graphic or text file that was produced externally, there must be a notice at the bottom of the page crediting the original producer and noting how and when permission was granted. If possible, the notice should also include the Web address of the original source.
 - b. Students and staff engaged in producing Web pages must provide library media specialists with e-mail or hard copy permissions before the Web pages are published. Printed evidence of the status of “public domain” documents must be provided.
 - c. The absence of a copyright notice may not be interpreted as permission to copy the materials. Only the copyright owner may provide the permission. The manager of the Website displaying the material may not be considered a source of permission.
 - d. The “fair use” rules governing student reports in classrooms are less stringent and permit limited use of graphics and text.
 - e. Student work may only be published if there is written permission from both the parent/guardian and the student.

Internet Safety

1. Internet access is limited to only those “acceptable uses,” as detailed in these procedures. Internet safety is almost assured if users will not engage in “unacceptable uses,” as detailed in these procedures, and will otherwise follow these procedures.
2. Staff members shall supervise students while students are using District Internet access, to ensure that the students abide by the Terms and Conditions for Internet access, as contained in these procedures.
3. Each District computer with Internet access has a filtering device that blocks entry to visual depictions that are: (1) obscene; (2) pornographic; or (3) harmful or inappropriate for students, as defined by the Children’s Internet Protection Act and determined by the Superintendent or designee.
4. The district shall provide age-appropriate instruction to students regarding appropriate online behavior. Such instruction shall include, but not be limited to: positive interactions with others online, including on social networking sites and in chat rooms; proper online social etiquette; protection from online predators and personal safety; and how to recognize and respond to cyberbullying and other threats.
5. The system administrator and building principals shall monitor student Internet access.

Legal Reference: Children’s Internet Protection Act, P.L. 106-554
Broadband Data Services Improvement Act/Protecting Children in
the 21st Century Act of 2008 (P.L. 110-385)
20 U.S.C. § 6801, et seq. Language instruction for limited English
proficient and immigrant students
47 U.S.C. § 254(h) and (l) Universal service

Procedure History:

Promulgated on: 06/20/13
Reviewed on:
Revised:

1 **Joliet Public Schools**

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3 **STUDENTS**

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4
5 Cell Phones and Other Electronic Equipment

6
7 In order to maintain an educational environment free from distractions, students cannot use cell
8 phones, MP3 players, ipods, headphones, pagers, or other electronic devices in the school
9 building from 8:15 a.m. to 3:35 p.m. (The only exceptions are students who are in the volunteer
10 fire department or ambulance crew.) At no time will any student operate a cell phone or other
11 electronic device with video capabilities in a locker room, bathroom, or other location where
12 such operation may violate the privacy right of another person. If a student is observed using
13 any of these items while in the school from 8:15 a.m. to 3:35 p.m. the item will be confiscated
14 until picked up by the parent. Cell phones, MP3 players, ipods, headphones, pagers or other
15 electronic devices are to be turned off during the school day from 8:15 a.m. to 3:35 p.m. A
16 second offense will result in the item being kept in the office for one month. Further violations
17 of this rule may result in suspension from school until a school board hearing occurs. The Board
18 will decide any additional discipline with expulsion from school as an option.
19
20
21

22 Policy History:

23 Adopted on: 06/20/13

24 Reviewed on:

25 Revised on:

JOLIET SCHOOL DISTRICT

R = required

4000 SERIES COMMUNITY RELATIONS

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4520	Cooperative Programs With Other Districts and Public Agencies
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R 4600	Notice to Parents Required by No Child Left Behind Act of 2001 (“NCLB”)

Joliet Public Schools

COMMUNITY RELATIONS

4000

Goals

The Board, through the leadership of the Superintendent and with the assistance of the total staff, will seek to enhance the District's community relations by striving to achieve the following goals:

1. To encourage and enhance communications, understanding, trust, and mutual support between the District and the people it serves;
2. To increase both the quality and quantity of public participation in school affairs, activities, and programs;
3. To strengthen and improve relations and interactions among staff, trustees, citizens, parents, and students;
4. To promote understanding and cooperation between the schools and community groups.

Legal Reference: 10.55.701, ARM Board of Trustees
 10.55.801, ARM School Climate

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

2
3 **COMMUNITY RELATIONS**

4120

4
5 Public Relations

6
7 The District will strive to maintain effective two-way communications with the public to enable
8 the Board and staff to interpret schools' needs to the community and provide a means for citizens
9 to express their needs and expectations to the Board and staff.

10
11 The Superintendent will establish and maintain a communication process within the school
12 system and between it and the community. Such public information program will provide for
13 news releases at appropriate times, arrange for media coverage of District programs and events,
14 provide for regular direct communications between individual schools and the citizens they
15 serve, and assist staff in improving their skills and understanding in communicating with the
16 public.

17
18 The District may solicit community opinion through parent organizations, parent-teacher
19 conferences, open houses, and other events or activities which may bring staff and citizens
20 together.

21
22
23
24 Legal Reference: Art. II, Sec. 8, Montana Constitution - Right of participation
25 Art. II, Sec. 9, Montana Constitution - Right to know

26
27 Policy History:

28 Adopted on: 06/20/13

29 Reviewed on:

30 Revised on:

4
5 School-Support Organizations

6
7 The Board recognizes that parent, teacher, and student organizations are an invaluable resource
8 to District schools and supports their formation and vitality. While parent, teacher, and student
9 organizations have no administrative authority and cannot determine District policy, their
10 suggestions and assistance are always welcome.

11
12 Parent organizations and booster clubs are recognized by the Board and permitted to use the
13 District's name, a District school's name, or a District school's team name or any logo
14 attributable to the District, provided they first receive the Superintendent's or designee's express
15 written consent. Consent to use one of the above-mentioned names or logos will generally be
16 granted, if the organization or club has bylaws containing the following:

- 17
18 1. The organization's or club's name and purpose, such as to enhance students' educational
19 experiences, to help meet educational needs of students, to provide extra athletic benefits
20 to students, to assist specific sports teams or academic clubs through financial support, or
21 to enrich extracurricular activities.
22
23 2. The rules and procedures under which it operates.
24
25 3. An agreement to adhere to all Board policies and administrative procedures.
26
27 4. A statement that membership is open and unrestricted, meaning that membership is open
28 to parents/guardians of students enrolled in the school, District staff, and community
29 members.¹
30
31 5. A statement that the District is not, and will not be, responsible for the organization's or
32 club's business or the conduct of its members.
33
34 6. An agreement to maintain and protect its own finances.
35
36 7. A recognition that money given to a school cannot be earmarked for any particular
37 expense. Booster clubs may make recommendations, but cash or other valuable
38 consideration must be given to the District to use at its discretion. The Board's legal
39 obligation to comply with Title IX by providing equal athletic opportunity for members
40 of both genders will supersede an organization or club's recommendation.²

¹ An alternative follows:

An agreement not to engage in discrimination based on someone's innate characteristics or membership in a suspect classification.

² Booster clubs are understandably selective in their support. However, by accepting booster club assistance that creates vast gender differences, a school board may face claims that it has violated Title IX. Title IX's focus is on equal funding opportunities, equal facility availability, similar travel and transportation treatment, comparable coaching, and comparable publicity (34 C.F.R. Part 106).

Permission to use one of the above-mentioned names or logos may be rescinded at any time and does not constitute permission to act as the District's representative. At no time does the District accept responsibility for the actions of any parent organization or booster club, regardless of whether it was recognized and/or permitted to use any of the above-mentioned names or logos.³ The Superintendent shall designate an administrative staff member to serve as the liaison to parent organizations or booster clubs. The liaison will serve as a resource person and provide information about school programs, resources, policies, problems, concerns, and emerging issues. Building staff will be encouraged to participate in the organizations.

Fundraising by School Support Groups

Fundraising by school support groups is considered a usual and desirable part of the function of such groups. Specific fundraising activities must be approved in advance by the principal.

The principal must be consulted before any expenditure of such funds. All such funds raised by school adjunct groups are to be used for direct or indirect support of school programs. Equipment purchased by support groups and donated to the schools becomes the property of the District and may be used or disposed of in accordance with District policy and state law.

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

³ Booster clubs present potential liabilities to a school district beyond loss of funds, because they seldom are properly organized (they generally are not incorporated or otherwise legally recognized), carry no insurance, raise and handle large sums of money, and club members hold themselves out as agents of the school (after all, no funds could be raised but for the school connection). A disclaimer, such as the one presented here, may not be sufficient. A district may take several actions, after discussion with its attorney, to minimize liability, such as adding a requirement to item 6 above that the club: (1) operate under the school's authority (activity accounts); or (2) be properly organized and demonstrate fiscal responsibility by being a 501(c)(3) organization, obtaining a bond, and/or arranging regular audits. Ultimately, the best way to minimize liability is to be sure that the district's errors-and-omissions insurance covers parent organizations and booster clubs.

1 **Joliet Public Schools**

2
3 **COMMUNITY RELATIONS**

4301

4
5 Visitors to Schools

6
7 The District encourages visits by parents, and citizens to all District buildings. All visitors shall
8 report to the main high school office on entering any District building. Conferences with
9 teachers should be held outside school hours or during the teacher's conference or preparation
10 time.

11
12
13
14
15 Policy History:

16 Adopted on: 06/20/13

17 Reviewed on:

18 Revised on: 09/12/16

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3 **COMMUNITY RELATIONS**

4310

5 Public Complaints and Suggestions

6
7 The Board is interested in receiving valid complaints and suggestions. Public complaints and
8 suggestions shall be submitted by the Uniform Complaint Procedure to the appropriate-level staff
9 member or District administrator. Each complaint or suggestion shall be considered on its merits.

10
11 Unless otherwise indicated in these policies or otherwise provided for by law, no appeal may be
12 taken from any decision of the Board.

13
14
15
16 Cross Reference: 1700 Uniform Complaint Procedure

17
18 Policy History:

19 Adopted on: 06/20/13

20 Reviewed on:

21 Revised on:

4
5 Spectator Conduct and Sportsmanship for Athletic and Co-Curricular Events

6
7 Any person, including an adult, who behaves in an unsportsmanlike manner during an athletic or
8 co-curricular event may be ejected from the event and/or denied admission to school events for
9 up to a year after a Board hearing. Examples of unsportsmanlike conduct include but are not
10 limited to:

- 11
12 • Using vulgar or obscene language or gestures;
13 • Possessing or being under the influence of any alcoholic beverage or illegal substance;
14 • Possessing a weapon;
15 • Fighting or otherwise striking or threatening another person;
16 • Failing to obey instructions of a security officer or District employee; and
17 • Engaging in any illegal or disruptive activity.

18
19 The Superintendent may seek to deny future admission to any person by delivering or mailing a
20 notice by certified mail with return receipt requested, containing:

- 21
22 1. Date, time, and place of a Board hearing;
23
24 2. Description of the unsportsmanlike conduct; and
25
26 3. Proposed time period admission to school events will be denied.
27

28
29
30 Legal Reference: § 20-1-206, MCA Disturbance of school – penalty
31 § 20-4-303, MCA Abuse of teachers
32 § 45-8-101, MCA Disorderly conduct
33

34 Policy History

35 Adopted on: 06/20/13

36 Reviewed on:

37 Revised on:

2
3 **COMMUNITY RELATIONS**

4316

4
5 Accommodating Individuals With Disabilities

6
7 Individuals with disabilities will be provided opportunity to participate in all school-sponsored
8 services, programs, or activities on a basis equal to those without disabilities and will not be
9 subject to illegal discrimination.

10
11 The District may provide auxiliary aids and services when necessary to afford individuals with
12 disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or
13 activity.

14
15 The Superintendent is designated the Americans with Disabilities Act Title II Coordinator and, in
16 that capacity, is directed to:

- 17
18 1. Oversee District compliance efforts, recommend necessary modifications to the Board,
19 and maintain the District's final Title II self-evaluation document and keep it available
20 for public inspection for at least three (3) years after its completion date (*for districts*
21 *having fifty (50) or more full- or part-time employees*).
22
23 2. Institute plans to make information regarding Title II protection available to any
24 interested party.

25
26 An individual with a disability should notify the Superintendent or building principal if they have
27 a disability which will require special assistance or services and what services are required. This
28 notification should occur as far as possible before the school-sponsored function, program, or
29 meeting.

30
31 Individuals with disabilities may allege a violation of this policy or of federal law by reporting it
32 to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Uniform
33 Complaint Procedure.
34
35
36

37 Cross Reference: 1700 Uniform Complaint Procedure

38
39 Legal Reference : Americans with Disabilities Act, 42 U.S.C. §§ 12111, et seq., and 12131,
40 et seq.; 28 C.F.R. Part 35.
41

42 Policy History:

43 Adopted on: 06/20/13

44 Reviewed on:

45 Revised on:

COMMUNITY RELATIONS

4330

Community Use of School Facilities

School facilities are available to the community for educational, civic, cultural, and other noncommercial uses consistent with the public interest, when such use will not interfere with the school program or school-sponsored activities. Use of school facilities for school purposes has precedence over all other uses. Persons on school premises must abide by District conduct rules at all times.

Student and school-related organizations shall be granted the use of school facilities at no cost. Other organizations granted the use of school facilities shall pay fees and costs. The Superintendent will develop procedures to manage community use of school facilities, which will be reviewed and approved by the Board. Use of school facilities requires the administration's approval and is subject to the procedures.

Administration will approve and schedule various uses of school facilities. A master calendar will be kept in the office for scheduling dates to avoid conflicts during the school year. Should a conflict arise, the District reserves the right to cancel an approved request when it is determined that the facilities are needed for school purposes. Requests for use of school facilities must be submitted to the Superintendent's office in advance of the event.

Legal Reference: § 20-7-805, MCA Recreational use of school facilities secondary
Lamb's Chapel v. Center Moriches Union Free School Dist., 113 S.Ct.
2141

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

FACILITIES USE AGREEMENT Joliet School District

Organization or Individual Requesting Facility Use: _____

Facility Requested: _____

Date and Hours of Requested Use: _____

Purpose of Use: _____

Premises and Conditions

Conditions of Facilities Use - Use of District facilities is conditioned upon the following covenants:

1. That no alcoholic beverages, tobacco, nicotine products, or other drugs are sold or consumed on the premises by the requesting organization or individual or any of its employees, patrons, agents, or members.
2. That no illegal games of chance or lotteries will be permitted.
3. That no functional alteration of the premises or functional changes in the use of such premises shall be made without specific written consent of the District.
4. That adequate supervision is provided by the requesting organization or individual to ensure proper care and use of District facilities.

Rent and Deposit

The requesting organization or individual agrees to pay the District, as rent for the premises and as payment for special services (if any) provided by the District, the sum of \$_____, and this shall be due _____ days in advance. The requesting organization or individual shall be responsible for the actual cost of repair or replacement, including costs, disbursements, and expenses, resulting while it has use of the premises.

Insurance and Indemnification

The requesting organization or individual, by signature below, hereby guarantees that the organization shall indemnify, defend, and hold harmless the District and any of its employees or agents, from any liability, expenses, costs (including attorney's fees), damages, and/or losses arising out of injury or death to any person or persons or damage to any property of any kind in connection with the organization or individual's use of the District facility, which are not the result of fraud, willful injury to a person or property, or willful or negligent violation of a law.

The requesting organization or individual shall provide the District with a certificate of insurance prior to the use of the facility. The certificate shall show coverage for comprehensive general liability insurance in an amount not less than One Million Dollars (\$1,000,000) for injuries to or death of any person or damage to or loss of property arising out of or in any way resulting from the described use of the facility.

Non-Discrimination

The requesting organization or individual agrees to abide by non-discrimination clauses as contained in the Montana Human Rights Act and the Governmental Code of Fair Practices.

District's Rights

The District reserves the right to cancel this Agreement, when it is determined by the District that the facilities are needed for school purposes.

DATED this _____ day of _____, 20__.

_____**School District:**

Requesting Organization or Individual:

By _____

By _____

Address _____

Phone _____

Additional Obligations _____

1 **Joliet Public Schools**

2
3 **COMMUNITY RELATIONS**

4330P

4
5 Rules and Regulations for Building Use

- 6
- 7 1. Applications requesting use of the school facility must be presented to the building administrator
8 at least ten (10) days in advance of the time desired and must be signed by a qualified
9 representative of the organization desiring to use the building.
10
 - 11 2. The school premises shall not be available before 5:00 p.m. on school days, except under special
12 conditions.
13
 - 14 3. Rental fees are as follows: (Example) Gym \$100 + custodian
15
16 Fees (will) (may) be waived for private nonprofit groups that do not charge admission fees.
17 Religious groups or organizations will be charged rental fees as listed above.
18
 - 19 4. The use of the school premises will be denied when, in the opinion of the Superintendent or the
20 Board, such use may be construed to be solely for commercial purposes, there is a probability of
21 damage or injury to school property, or the activity is deemed to be improper to hold in school
22 buildings.
23
 - 24 5. In case of loss or damage to school property, the organization and/or individual signing the
25 request shall be fully responsible and liable.
26
 - 27 6. The District reserves the right to require a certificate of insurance from the renting agency.
28
 - 29 7. No furniture or apparatus shall be moved or displaced without permission.
30
 - 31 8. No access to other rooms in the building shall be permitted unless designated by agreement.
32
 - 33 9. There shall be no narcotics, drugs (including tobacco or nicotine products), stimulants, or alcohol
34 used or sold in or about school buildings and premises, nor shall profane language, quarreling,
35 fighting, or illegal gambling be permitted. Violations of this rule by any organization during
36 occupancy shall be sufficient cause for denying further use of school premises to the
37 organization.
38
 - 39 10. Wax, or other preparations ordinarily used on dance floors, is not to be used on gymnasium
40 floors.
41
 - 42 11. The Superintendent may require a school employee to be present during use of the building by the
43 non-school organization. In such case, the requesting organization will
44 pay for the employee expense (i.e., custodians, overtime).
45
 - 46 12. When the school official finds it necessary that police or other security personnel be retained for
47 crowd control, such requirement may be added as a condition of the Facilities Use Agreement.

48 Procedure History:

49 Promulgated on: 06/20/13

50 Reviewed on:

51 Revised on:

1 **Joliet Public Schools**

2
3 **COMMUNITY RELATIONS**

4331

4
5 Use of School Property for Posting Notices

6
7 Non-school-related organizations may request permission of the building principal to display
8 posters in the area reserved for community posters or to have flyers distributed to students.

9
10 Posters and/or flyers must be student oriented and have the sponsoring organization's name
11 prominently displayed. The District will not permit the posting or distribution of any material
12 that would:

- 13
14 A. Disrupt the educational process;
15
16 B. Violate the rights of others;
17
18 C. Invade the privacy of others;
19
20 D. Infringe on a copyright;
21
22 E. Be obscene, vulgar, or indecent; or
23
24 F. Promote the use of drugs, alcohol, tobacco, or certain products that create community
25 concerns.

26
27 No commercial publication shall be posted or distributed unless the purpose is to further a school
28 activity, such as graduation, class pictures, or class rings.

29
30 If permission is granted to distribute materials, the organization must arrange to have copies
31 delivered to the school. Distribution of the materials will be arranged by administration.

32
33
34
35 Policy History:

36 Adopted on: 06/20/13

37 Reviewed on:

38 Revised on:

1 **Joliet Public Schools**

2
3 **COMMUNITY RELATIONS**

4332

4
5 Conduct on School Property

6
7 In addition to prohibitions stated in other District policies, no person on school property shall:

- 8
9 1. Injure or threaten to injure another person;
- 10
11 2. Damage another's property or that of the District;
- 12
13 3. Violate any provision of the criminal law of the state of Montana or town or county ordinance;
- 14
15
16 4. Smoke or otherwise use tobacco or nicotine products, including alternative nicotine and vapor products as defined in 16-11-302, MCA, or other similar products;
- 17
18
19 5. Consume, possess, or distribute alcoholic beverages, illegal drugs, or possess weapons (as defined in Policy 3310/3311) at any time;
- 20
21
22 6. Impede, delay, or otherwise interfere with the orderly conduct of the District's educational program or any other activity occurring on school property;
- 23
24
25 7. Enter upon any portion of school premises at any time for purposes other than those which are lawful and authorized by the Board; or
- 26
27
28 8. Willfully violate other District rules and regulations.
- 29

30 "School property" means within school buildings, in vehicles used for school purposes, or on
31 owned or leased school grounds. District administrators will take appropriate action, as
32 circumstances warrant.

33

34 Cross Reference: 3310 Student Discipline
35 3311 Firearms and Weapons

36

37 Legal Reference: Pro-Children Act of 1994, 20 U.S.C. § 6081
38 Smoke Free School Act of 1994
39 16-11-302, MCA Definitions
40 § 20-1-220, MCA Use of tobacco product in public school building or on
41 public school property prohibited
42 § 20-5-410, MCA Civil penalty

43 Policy History:

44 Adopted on: 06/20/13

45 Reviewed on:

46 Revised on: 01/11/16

1 **Joliet Public Schools**

2
3 **COMMUNITY RELATIONS**

4340

page 1 of 2

4
5 Public Access to District Records

6
7 Within limits of an individual's right of privacy, the public will be afforded full access to
8 information concerning administration and operations of the District. Public access to District
9 records shall be afforded according to appropriate administrative procedures.

10
11 "District records" include any writing, printing, photostating, photographing, etc. (including
12 electronic mail), which has been made or received by the District in connection with the
13 transaction of official business and presented for informative value or as evidence of a
14 transaction, and all other records required by law to be filed with the District. "District records"
15 do not include personal notes and memoranda of staff which remain in the sole possession of the
16 maker and which are not generally accessible or revealed to other persons.

17
18 The Superintendent will serve as the public records coordinator, with responsibility and authority
19 for ensuring compliance with the display, indexing, availability, inspection, and copying
20 requirements of state law and this policy. As coordinator, the Superintendent will authorize the
21 inspection and copying of District records only in accordance with the criteria set forth in this
22 policy.

23
24 In accordance with Title 2, Chapter 6, MCA, the District will make available for public
25 inspection and copying all District records or portions of records, except those containing the
26 following information:

- 27
- 28 1. Personal information in any file maintained for students. Information in student records
29 will be disclosed only in accordance with requirements of the Family Educational Rights
30 and Privacy Act of 1974 and adopted District policy.
 - 31
 - 32 2. Personal information in files maintained for staff, to the extent that disclosure will violate
33 their right to privacy.
 - 34
 - 35 3. Test questions, scoring keys, or other examination data used to administer academic tests.
 - 36
 - 37 4. The contents of real estate appraisals made for or by the District relative to the
38 acquisition of property, until the project is abandoned or until such time as all of the
39 property has been acquired, but in no event will disclosure be denied for more than three
40 (3) years after appraisal.
 - 41
 - 42 5. Preliminary drafts, notes, recommendations, and intra-District memoranda in which
43 opinions are expressed or policies formulated or recommended, except a specific record
44 shall not be exempt when publicly cited by the District in connection with any District
45 action.
 - 46
 - 47

6. Records relevant to a controversy to which the District is a party, but which would not be available to another party under the rules of pretrial discovery, for cases pending resolution.
7. Records or portions of records, the disclosure of which would violate personal rights of privacy.
8. Records or portions of records, the disclosure of which would violate governmental interests.

If the District denies any request, in whole or in part, for inspection and copying of records, the District will provide the requesting party with reasons for denial.

If the record requested for inspection and/or copying contains both information exempted from disclosure and non-exempt information, the District shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide written explanation for the deletion.

The District will not provide access to lists of individuals, which the requesting party intends to use for commercial purposes or which the District reasonably believes will be used for commercial purposes if such access is provided. However, the District may provide mailing lists of graduating students to representatives of the U.S. armed forces and the National Guard for purpose of recruitment.

The coordinator is authorized to seek an injunction to prevent disclosure of records otherwise suitable for disclosure, when it is determined reasonable cause exists to believe disclosure would not be in the public interest and would substantially or irreparably damage any person or would substantially or irreparably damage vital governmental functions.

Legal Reference: Title 20, Ch. 6, MCA School districts
§ 2-6-109, MCA Prohibition on distribution or sale of mailing lists –
exceptions – penalty

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

5
6 Interrogation and Investigations Conducted by School Officials
7

8 The administration has the authority and duty to conduct investigations and to question students
9 pertaining to infractions of school rules, whether or not the alleged conduct is a violation of
10 criminal law. The administration shall determine when the necessity exists that law enforcement
11 officers be asked to conduct an investigation of alleged criminal behavior which jeopardizes the
12 safety of other people or school property or which interferes with the operation of the schools.
13

14 In instances when the administration has reasonable suspicion that a violation of district policy or
15 the student code of conduct has been violated, the administrator will investigate. The
16 administrator will notify the suspected rule violator(s) or potential witness(es) to the infraction.
17 The suspected student shall be advised orally or in writing of the nature of the alleged offense
18 and of the evidence against the student. Circumstances may arise where it would be advisable to
19 have another adult present during questioning of students.
20

21 Investigations by Law Enforcement
22

23 When a student becomes involved with law enforcement officers due to events outside of the
24 school environment and officers must interact with a student at the school, the officer(s) shall
25 confer with the student when he/she is being investigated for conduct not under the jurisdiction
26 of the school. The following steps shall be taken to cooperate with the authorities.
27

- 28 a. The officer shall contact the Superintendent and present proper identification in all
29 occasions upon his/her arrival on school premises.
30
31 b. Parents or guardians shall be notified by the law enforcement officer or Superintendent as
32 soon as possible. The law enforcement officer or Superintendent shall make every effort
33 to inform parents or guardians of the intent of the law enforcement officers except when
34 that notification may compromise the student's safety.
35
36 c. The student's parent or guardian should be present, if practicable, during any
37 interrogation on school premises.
38

39 Cooperation with Law Enforcement
40

41 Although cooperation with law enforcement officers will be maintained, it is the preference of
42 the District that it will not normally be necessary for law enforcement officers to initiate, and
43 conduct any investigation and interrogation on the school premises, during school hours,
44 pertaining to criminal activities unrelated to the operation of the school. It is preferred that only
45
46

in demonstrated emergencies, when law enforcement officers find it necessary, will they conduct such an investigation during school hours. These circumstances might be limited to those in which delay might result in danger to any person, flight of a person reasonably suspected of a crime from the jurisdiction or local authorities, destruction of evidence, or continued criminal behavior.

No school official, however, should ever place him/herself in the position of interfering with a law enforcement official in the performance of his or her duties as an officer of the law. If the law enforcement officials are not recognized and/or are lacking a warrant or court order, the Superintendent shall require proper identification of such officials and the reason(s) for the visit to the school.

In all cases, the officers shall be requested to obtain prior approval of the Superintendent or other designated person before beginning such an investigation on school premises. The administrator shall document the circumstances of such investigations as soon as practical. Alleged behavior related to the school environment brought to the Superintendent's attention by law enforcement officers shall be dealt with under the provisions of the two previous sections.

Taking a Student into Custody

School officials shall not release students to law enforcement authorities voluntarily unless the student has been placed under arrest or unless the parent or guardians and the student agree to the release. When students are removed from school for any reason by law enforcement authorities, every reasonable effort will be made to notify the student's parents or guardians immediately. Such effort shall be documented. Whenever an attempt to remove a student from school occurs without an arrest warrant, court order, or without acquiescence of the parent or guardian, or the student, the administrator shall immediately notify a superior of the law enforcement officers involved to make objection to the removal of the student and shall attempt to notify the parent or guardian of the student. The Superintendent's office shall be notified immediately of any removal of a student from school by law enforcement officers under any circumstances.

When it is necessary to take a student into custody on school premises and time permits, the law enforcement officer shall be requested to notify the principal and relate the circumstances necessitating such action. When possible, the principal shall have the student summoned to the principal's office where the student may be taken into custody. In all situations of interrogations, arrest or service of subpoenas of a student by law enforcement officers on school premises, all practicable steps shall be taken to ensure a minimum of embarrassment or invasion of privacy of the student and disruption to the school environment.

Disturbance of School Environment

Law enforcement officers may be requested to assist in controlling disturbances of the school environment which the Superintendent or other school administrator has found to be

unmanageable by school personnel and which disturbances have the potential of causing harm to students, other persons, or school property. Staff members may also notify law enforcement officials.

Such potential of possible disturbance includes members of the public who have exhibited undesirable or illegal conduct on school premises or at a school event held on school property, and who have been requested to leave by an administrator or staff member, but have failed or refused to do so.

Legal Reference:	§ 20-1-206, MCA	Disturbance of school - penalty
	§ 20-5-201, MCA	Duties and sanctions
	§ 45-8-101, MCA	Disorderly conduct

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on: 09/12/16

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4520

Whenever it appears to the economic, administrative, and/or educational advantage of the District to participate in cooperative programs with other units of local government, the Superintendent will prepare and present for Board consideration an analysis of each cooperative proposal.

The District may enter into interlocal agreements with a unit of the Montana University System, public community college, and/or tribal college, which would allow students enrolled in the 11th and 12th grades to attend and earn credit for classes not available in the District. Tuition and fees, if assessed, will be provided for in the interlocal agreement.

The District may enter into an interlocal agreement providing for the sharing of teachers, specialists, superintendents, or other professional persons licensed under Title 37, MCA. If the District shares a teacher or specialist with another district(s), the District's share of such teacher's or specialist's compensation will be based on the total number of instructional hours expended by the teacher or the specialist in the District.

Policy History:
Adopted on: 06/20/13
Reviewed on:
Revised on:

1 **Joliet Public Schools**

2
3 **COMMUNITY RELATIONS**

4550

4
5 Registered Sex Offenders

6
7 The State of Montana has determined that perpetrators of certain sex crimes pose a continuing
8 threat to society as a whole even after completion of their criminal sentences. Recognizing that
9 the safety and welfare of students is of paramount importance, the Joliet School District declares
10 that, except in limited circumstances, Joliet School District should be off limits to registered sex
11 offenders.

12
13 Employment

14
15 Notwithstanding any other Board policy, individuals listed by the State of Montana as registered
16 sex offenders are ineligible for employment in any position within the Joliet School District.
17 However, the Superintendent shall have discretion consistent with other Board policies to
18 recommend an individual whose name has been expunged from the Sex Offender Registry.

19
20 School Off Limits

21
22 The District hereby declares that no registered sex offender whose victim was a minor may come
23 on, about, or within any District-owned buildings or property except as otherwise provided in
24 this policy. If an administrator becomes aware that such a sex offender is on school property, the
25 administrator shall direct the sex offender to immediately leave the area. The Board authorizes
26 the administrator to request the assistance of the appropriate law enforcement authorities to
27 secure the removal of any registered sex offender from the area. If a registered sex offender
28 disregards the terms of this policy or the directives of the school administrator, then the
29 Superintendent is authorized to confer with counsel and to pursue such criminal or civil action as
30 may be necessary to enforce compliance with this policy.

31
32 This policy shall not be construed to impose any duty upon any administrator or any other school
33 property to ascertain whether they are on the Registry. This policy shall only apply when
34 administrators are actually aware that the person in question is on the Sex Offender Registry and
35 that the offender's victim was a minor.

36
37 The provisions of this policy prohibiting a registered sex offender from coming on school
38 property shall not apply in the event that a sex offender's name should be expunged from the
39 Registry.

40
41 Legal Reference: § 46-23-501, MCA Sexual or Violent Offender Registration Act
42 www.doj.mt.gov/svor/ Sexual or Violent Offender Registry

43 Policy History:

44 Adopted on: 06/20/13

45 Reviewed on:

46 Revised on:

COMMUNITY RELATIONS

4600

page 1 of 5

Notice to Parents Required by No Child Left Behind Act of 2001 ("NCLB") *

Improving Basic Programs Operated by Local Educational Agencies

1. As required by NCLB § 1111(h)(6)(A): At the beginning of each school year, a district that receives Title I funds shall notify the parents of each student attending any school receiving Title I funds that the parents may request, and the district will provide the parents on request, information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:
 - a. Whether the teacher has met the state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
 - b. Whether the teacher is teaching under emergency or other provisional status.
 - c. The teacher's baccalaureate degree major and any other graduate certifications or degrees.
 - d. Whether paraprofessionals provide services to the student and, if so, their qualifications.
2. As required by NCLB § 1111(h)(6)(B)(i): Districts must provide parents information on the level of achievement of the parent's child in each of the state academic assessments.
3. As required by NCLB § 1111(h)(6)(B)(ii): Districts must provide parents timely notice that the parent's child has been assigned, or has been taught for four (4) or more consecutive weeks by, a teacher who is not highly qualified.

Limited English Proficient Students

1. As required by NCLB § 1112(g)(1)(A) and (g)(2) and § 3302(a): Districts must inform a parent of a limited English proficient child identified for participation or participating in such a program, of the reasons for their child being identified, their child's level of English proficiency, instructional method, how their child's program will meet the child's needs, how the program will help the child learn English, exit requirements for the program to meet the objectives of any limited English proficiency, and information regarding parental rights.
2. As required by NCLB § 1112(g)(1)(B) and § 3302(b): Each district using Title I funds to provide a language instruction educational program, that has failed to make progress on the annual measurable achievement objectives described in § 3122 for any fiscal year for which part A is in effect, shall separately inform the parents of a child identified for participation or participating in such a program, of such failure not later than thirty (30) days after such failure occurs.
3. As required by NCLB § 1112(g)(4) and § 3302(e): Each district shall implement an

effective means of outreach to parents of limited English proficient students to inform the parents regarding how they can be involved in their child's education and be active participants in assisting their child to attain English proficiency, achieve at high levels in core academic subjects, and meet challenging state academic achievement standards and state academic content standards expected of all students. In addition, the outreach shall include holding and sending notice of opportunities for regular meetings for formulating and responding to parent recommendations.

Academic Assessment and Local Education Agency and School Improvement

1. As required by NCLB § 1116(b)(6): Districts shall promptly provide to parents of each student enrolled in an elementary school or a secondary school identified for school improvement under § 1116(b)(1)(E)(I), for corrective action under § 1116(b)(7)(C)(I), or for restructuring under § 1116(b)(8)(A)(I):
 - a. An explanation of what the identification means and how the school compares in terms of academic achievement to other district schools and the state educational agency;
 - b. The reasons for the identification;
 - c. An explanation of what the school identified for school improvement is doing to address the problem;
 - d. An explanation of what the district or state educational agency is doing to help the school address the achievement problem;
 - e. An explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and
 - f. An explanation of the parents' option to transfer their child to another public school under paragraphs (1)(E), (5)(A), (7)(C)(i), (8)(A)(i), and subsection (c)(10)(C)(vii) (with transportation provided by the agency when required by paragraph (9)) or to obtain supplemental educational services for the child in accordance with subsection (e).
2. As required by NCLB § 1116(b)(8)(c): Whenever the school fails to make adequate yearly progress and/or is restructured, the district shall provide the teachers and parents with an adequate opportunity to comment and participate in developing any plan.
3. As required by NCLB § 1116(e)(2)(A): The district shall provide annual notice to parents of:
 - a. The availability of supplemental education services;
 - b. The identity of approved providers of those services within the district or whose services are reasonably available in neighboring districts; and
 - c. A brief description of those services, qualifications, and the demonstrated effectiveness of each such provider.

Parental Involvement

1. As required by NCLB § 1118(b): Parents shall be notified of the parental involvement policy, in an understandable and uniform format and, to the extent practicable, in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.
2. As required by NCLB § 1118(c): Each school shall:
 - a. Convene an annual meeting at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation and to explain the requirements of the NCLB and the right of the parents to be involved;
 - b. Offer a flexible number of meetings;
 - c. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan under § 1114(b)(2);
 - d. Provide parents of participating children:
 - Timely information about programs under this part;
 - A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
 - If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.

Education of Homeless Children and Youths

1. As required by NCLB § 722(e)(3)(C): The district shall provide written notice, at the time any homeless child or youth seeks enrollment in the school and at least twice annually while the child or youth is enrolled in the school, to the parent or guardian of the child or youth (or, in the case of an unaccompanied youth, the youth) that:
 - a. Shall be signed by the parent or guardian;
 - b. Sets forth the general rights provided under this subtitle;
 - c. Specifically states:
 - The choice of schools homeless children and youths are eligible to attend;
 - That no homeless child or youth is required to attend a separate school for homeless children or youths;
 - That homeless children and youths shall be provided comparable services, including transportation services, educational services, and meals through school meals programs;

- That homeless children and youths should not be stigmatized by school personnel;
 - d. Includes contact information for the local liaison for homeless children and youths.
2. As required by NCLB § 722(g)(2)(B)(iii): In the case of an unaccompanied homeless youth, the district shall ensure that the homeless liaison assists in placement or enrollment decisions, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.
3. As required by NCLB § 722(g)(6)(A)(iv): Each district shall ensure that public notice of the educational rights of homeless children is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens.

Persistently Dangerous Schools

If the district is identified as a persistently dangerous school,¹ the district must, in a timely manner:

1. Notify parents of each student attending the school that the state has identified the school as persistently dangerous.
2. Offer all students the opportunity to transfer to a safe public school within the district. If there is not another school in the district, the district is encouraged, but not required, to explore other options such as an agreement with a neighboring district to accept transfer students.
3. For those students who accept the offer, complete the transfer.

In addition a district must also:

¹ **“Persistently dangerous public elementary school or secondary school,”** in the context of the No Child Left Behind Act of 2001 (ESEA), a Montana public elementary or secondary school is considered to be persistently dangerous if each of the following two conditions exist:

(1) In each of three consecutive years, the school has a federal or state gun-free schools violation or a violent criminal offense has been committed on school property, and

(2) In any two years within a three-year period, the school has experienced expulsions for drug, alcohol, weapons or violence that exceed one of the following rates –

(a) more than five expulsions for a school of less than 250 students,

(b) more than 10 expulsions for a school of more than 250 students but less than 1000 students, or

(c) more than 15 expulsions for a school of more than 1,000 students.

1. Develop a corrective action plan; and
2. Implement the plan in a timely manner.

Parental notification regarding the status of the school and the offer to transfer students may be made simultaneously.

Student Privacy

1. As required by NCLB § 1061(c)(2)(A): The student privacy policies developed by the district shall provide for reasonable notice of the adoption or continued use of such policies directly to the parents of students enrolled in schools served by the district. At a minimum, the district shall:
 - a. Provide such notice at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in such policies; and
 - b. Offer an opportunity for the parent to opt the student out of the activity.
2. As required by NCLB § 1061(c)(2): All districts shall provide reasonable notice of such existing policies to parents and guardians of students, e.g., *“The Board has adopted and continues to use policies regarding student privacy, parental access to information, and administration of certain physical examinations to minors. Copies of those policies are available on request.”*

[* This list of parental notice requirements may not be exhaustive. The only notices applying to districts that do **not** receive Title I funds are those regarding student privacy. The notices described in this administrative procedure are paraphrased; please see the specific NCLB section cited for the exact requirements.]

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

JOLIET SCHOOL DISTRICT

R = required

5000 SERIES PERSONNEL

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1 **Joliet Public Schools**

2
3 **PERSONNEL**

5000

4
5 Board Goal/Personnel

6
7 District staff are invaluable in creating an effective educational program and vibrant learning
8 environment. The Board seeks always to employ highly qualified individuals for all positions in
9 the District. The Board realizes opportunities for staff development should be provided
10 periodically.

11
12 The Board expects supervision and evaluation of staff to be conducted in a positive and helpful
13 manner, with the intent of improving staff performance. The Board looks to staff to promote a
14 positive school climate in all educational endeavors, so students may work toward their greatest
15 potential, and the community will be proud of its investment.

16
17 Nothing contained in the policies or administrative procedures included herein is intended to
18 limit the legal rights of the Board or its agents except as expressly stated.

19
20 Should any provision of Board policy or administrative procedure be held to be illegal by a court
21 of competent jurisdiction, all remaining provisions shall continue in full force and effect.

22
23
24
25 Policy History:

26 Adopted on: 06/20/13

27 Reviewed on:

28 Revised on:

2
3 **PERSONNEL**

5002

4
5 Accommodating Individuals With Disabilities

6
7 Individuals with disabilities shall be provided opportunity to participate in all school-sponsored
8 services, programs, or activities on an basis equal to those without disabilities and will not be
9 subject to illegal discrimination.

10
11 The District may provide auxiliary aids and services when necessary to afford individuals with
12 disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or
13 activity.

14
15 Each service, program, or activity operated in existing facilities shall be readily accessible to,
16 and usable by, individuals with disabilities. New construction and alterations to facilities existing
17 before January 26, 1992, will be accessible when viewed in their entirety.

18
19 The Superintendent is designated the Americans with Disabilities Act Title II Coordinator and, in
20 that capacity, is directed to:

- 21
22 1. Oversee District compliance efforts, recommend to the Board necessary modifications,
23 and maintain the District's final Title II self-evaluation document and keep it available
24 for public inspection.
25
26 2. Institute plans to make information regarding Title II protection available to any
27 interested party.
28

29 An individual with a disability should notify the Superintendent or building principal if they have
30 a disability which will require special assistance or services and what services are required. This
31 notification should occur as far as possible before the school-sponsored function, program, or
32 meeting.
33
34
35

36 Cross Reference: 1700 Uniform Complaint Procedure

37
38 Legal Reference: Americans with Disabilities Act, 42 U.S.C. §§ 12111, *et seq.*, and 12131,
39 *et seq.*; 28 C.F.R. Part 35.
40

41 Policy History:

42 Adopted on: 06/20/13

43 Reviewed on:

44 Revised on:

PERSONNEL

5010

Equal Employment Opportunity and Non-Discrimination

The District will provide equal employment opportunities to all persons, regardless of their race, color, religion, creed, national origin, sex, age, ancestry, marital status, military status, citizenship status, use of lawful products while not at work physical or mental disability, if otherwise able to perform essential functions of a other legally protected categories.

The District will make reasonable accommodation for an individual with a disability known to the District, if the individual is otherwise qualified for the position, unless the accommodation would impose undue hardship on the District.

A person with an inquiry regarding discrimination should direct their questions to the Title IX Coordinator. A person with a specific written complaint should follow the Uniform Complaint Procedure.

Retaliation against an employee who has filed a discrimination complaint, testified, or participated in any manner in a discrimination investigation or proceeding is prohibited.

Cross Reference: 1700 Uniform Complaint Procedure

Legal Reference: Age Discrimination in Employment Act, 29 U.S.C. §§ 621, *et seq.*
Americans with Disabilities Act, Title I, 42 U.S.C. §§ 12111, *et seq.*
Equal Pay Act, 29 U.S.C. § 206(d)
Immigration Reform and Control Act, 8 U.S.C. §§ 1324(a), *et seq.*
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, *et seq.*
Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000(e), *et seq.*; 29 C.F.R., Part 1601
Title IX of the Education Amendments, 20 U.S.C. §§ 1681, *et seq.*; 34 C.F.R., Part 106
Montana Constitution, Art. X, § 1 - Educational goals and duties
§ 49-2-101, *et seq.*, MCA Human Rights Act
§ 49-3-102, MCA What local governmental units affected

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

2
3 **PERSONNEL**

5012

4
5 Sexual Harassment/Sexual Intimidation in the Workplace

6
7 The District will strive to provide employees a work environment free of unwelcome sexual advances,
8 requests for sexual favors, and other verbal or physical conduct or communications constituting sexual
9 harassment, as defined and otherwise prohibited by state and federal law.

10
11 The District prohibits its employees from making sexual advances or requesting sexual favors or engaging
12 in any conduct of a sexual nature when:

- 13
14 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an
15 individual's employment;
16
17 2. Submission to or rejection of such conduct by an individual is used as a basis for employment
18 decisions affecting that individual; or
19
20 3. Such conduct has the purpose or effect of substantially interfering with the individual's work
21 performance or creating an intimidating, hostile, or offensive work environment.
22

23 Sexual harassment prohibited by this policy includes verbal or physical conduct. The terms
24 "intimidating," "hostile," or "offensive" include but are not limited to conduct that has the effect of
25 humiliation, embarrassment, or discomfort. The District will evaluate sexual harassment in light of all
26 circumstances.

27
28 A violation of this policy may result in disciplinary action, up to and including termination of
29 employment. Any person who knowingly makes false accusation regarding sexual harassment will
30 likewise be subject to disciplinary action, up to and including termination of employment.

31
32 An aggrieved person who feels comfortable doing so should directly inform the person engaging in
33 sexually harassing conduct or communication that such conduct or communication is offensive and must
34 stop.

35
36 Employees who believe they may have been sexually harassed or intimidated should contact the Title IX
37 Coordinator or an administrator, who will assist them in filing a complaint. An individual with a
38 complaint alleging a violation of this policy shall follow the Uniform Complaint Procedure.

39
40 Cross Reference: 1700 Uniform Complaint Procedure

41
42 Legal Reference: Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000(e), 29 C.F.R.
43 § 1604.11
44 Title IX of the Education Amendments, 20 U.S.C. §§ 1681,
45 Montana Constitution, Art. X, § 1 - Educational goals and duties
46 § 49-2-101, MCA Human Rights Act
47 *Harris v. Fork Lift Systems*, 114 S.Ct. 367 (1993)

48 Policy History:

49 Adopted on: 06/20/13

50 Reviewed on:

51 Revised on:

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5 Bullying/Harassment/Intimidation

7 The Board will strive to provide a positive and productive working environment. Bullying,
8 harassment, or intimidation between employees or by third parties, are strictly prohibited and
9 shall not be tolerated. This includes bullying, harassment, or intimidation via electronic
10 communication devices (“cyberbullying”).

12 Definitions

- 14 1. “Third parties” include but are not limited to coaches, school volunteers, parents, school
15 visitors, service contractors, or others engaged in District business, such as employees of
16 businesses or organizations participating in cooperative work programs with the District,
17 and others not directly subject to District control at inter-district and intra-District athletic
18 competitions or other school events.
- 20 2. “District” includes District facilities, District premises, and non-District property if the
21 employee is at any District-sponsored, District-approved, or District-related activity or
22 function, such as field trips or athletic events, where the employee is engaged in District
23 business.
- 25 3. “Harassment, intimidation, or bullying” means any act that substantially interferes with
26 an employee’s opportunities or work performance, that takes place on or immediately
27 adjacent to school grounds, at any school-sponsored activity, on school-provided
28 transportation, or anywhere such conduct may reasonably be considered to be a threat or
29 an attempted intimidation of a staff member or an interference with school purposes or an
30 educational function, and that has the effect of:
- 32 a. Physically harming an employee or damaging an employee’s property;
33 b. Knowingly placing an employee in reasonable fear of physical harm to the
34 employee or damage to the employee’s property; or
35 c. Creating a hostile working environment.
- 37 4. “Electronic communication device” means any mode of electronic communication,
38 including but not limited to computers, cell phones, PDAs, or the internet.

40 Reporting

42 All complaints about behavior that may violate this policy shall be promptly investigated. Any
43 employee or third party who has knowledge of conduct in violation of this policy or feels he/she
44 has been a victim of harassment, intimidation, or bullying in violation of this policy is
45 encouraged to immediately report his/her concerns to the building principal or the District
46 Administrator, who have overall responsibility for such investigations. Complaints against the

building principal shall be filed with the Superintendent. Complaints against the Superintendent or District Administrator shall be filed with the Board.

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

Responsibilities

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

Consequences

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

Retaliation and Reprisal

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

Legal Reference:	Admin. R. Mont. 10.55.701(3)(g)	Board of Trustees
	Admin. R. Mont. 10.55.801(1)(d)	School Climate

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5120

4
5 Hiring Process and Criteria

6
7 The Superintendent is responsible for recruiting personnel, in compliance with Board policy, and for
8 making hiring recommendations to the Board. The administration will initially screen applicants for
9 educational support positions. The District will hire highly qualified personnel consistent with budget
10 and staffing requirements and will comply with Board policy and state law on equal employment
11 opportunities and veterans' preference. All applicants must complete a District application form to be
12 considered for employment.

13
14 Every applicant must provide the District with written authorization for a criminal background
15 investigation. The Superintendent will keep any conviction record confidential as required by law and
16 District policy. Every newly hired employee must complete an Immigration and Naturalization Service
17 form, as required by federal law.

18
19 Every newly hired employee must provide the District documentation of the results of a tuberculin skin
20 test done within the year prior to initial employment, along with the name of the tester and the date and
21 type of test administered, unless the person provides written medical documentation that he/she is a
22 known tuberculin reactor.

23
24 Certification

25
26 The District requires its' contracted certified staff to hold valid Montana teacher or specialist certificates
27 endorsed for the roles and responsibilities for which they are employed. Failure to meet this requirement
28 shall be just cause for termination of employment. No salary warrants may be issued to a staff member,
29 unless a valid certificate for the role to which the teacher has been assigned has been registered with the
30 county superintendent within sixty (60) calendar days after a term of service begins. Every teacher and
31 administrator under contract must bring their current, valid certificate to the personnel office at the time
32 of initial employment, as well as at the time of each renewal of certification.

33
34 The personnel office will register all certificates, noting class and endorsement of certificates, and will
35 update permanent records as necessary. The personnel office also will retain a copy of each valid
36 certificate of a contracted certified employee in that employee's personnel file.

37
38 Cross Reference: 5122 Fingerprints and Criminal Background Investigations

39
40 Legal Reference: § 20-4-202, MCA Teacher and specialist certification registration
41 § 39-29-102, MCA Point preference or alternative preference in initial hiring
42 for certain applicants – substantially equivalent selection
43 procedure
44 No Child Left Behind Act of 2001 (P.L. 107-110)
45 Admin. R. Mont. 37.114.1010 Employee of School: Day Care
46 Facility Care Provider

47 Policy History:

48 Adopted on: 06/20/13

49 Reviewed on:

50 Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5121

4
5 Applicability of Personnel Policies

6
7 Except where expressly provided to the contrary, personnel policies apply uniformly to the
8 employed staff of the District. However, where there is a conflict between terms of a collective
9 bargaining agreement and District policy, the law provides that the terms of the collective
10 bargaining agreement shall prevail for staff covered by that agreement.

11
12 Board policies will govern when a matter is not specifically provided for in an applicable
13 collective bargaining agreement.

14
15
16
17 Legal Reference: § 39-31-102, MCA Chapter not limit on legislative authority

18
19 Policy History:

20 Adopted on: 06/20/13

21 Reviewed on:

22 Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5122

4
5 Fingerprints and Criminal Background Investigations

6
7 It is the policy of the Board that any finalist recommended for hire to a paid or volunteer position with the
8 District involving regular unsupervised access to students in schools, as determined by the
9 Superintendent, shall submit to a name-based and fingerprint criminal background investigation
10 conducted by the appropriate law enforcement agency prior to consideration of the recommendation for
11 employment or appointment by the Board.
12

13 Any requirement of an applicant to submit to a fingerprint background check shall be in compliance with
14 the Volunteers for Children Act of 1998 and applicable federal regulations. If an applicant has any prior
15 record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other
16 than a minor traffic violation, the facts must be reviewed by the Superintendent, who shall decide whether
17 the applicant shall be declared eligible for appointment or employment in a manner consistent with the
18 expectations and standards set by the board. Arrests resolved without conviction shall not be considered
19 in the hiring process unless the charges are pending.
20

21 The following applicants for employment, as a condition for employment, will be required, as a condition
22 of any offer of employment, to authorize, in writing, a name-based and fingerprint criminal background
23 investigation:
24

- 25 • A certified teacher seeking full- or part-time employment with the District;
26 • An educational support personnel employee seeking full- or part-time employment with the
27 District;
28 • An employee of a person or firm holding a contract with the District, if the employee is assigned
29 to the District;
30 • A volunteer assigned to work in the District, who has regular unsupervised access to students; and
31 • Substitute teachers.
32
33

34 Legal Reference: § 44-5-301, MCA Dissemination of public criminal justice information
35 § 44-5-302, MCA Dissemination of criminal history record information
36 that is not public criminal justice information
37 § 44-5-303, MCA Dissemination of confidential criminal justice
38 information – procedure for dissemination through court
39 Admin. R. Mont. 10.55.716 Substitute Teachers
40 Public Law 105-251, Volunteers for Children Act
41

42 Policy History:

43 Adopted on: 06/20/13

44 Reviewed on:

45 Revised on:

**AUTHORIZATION TO RELEASE INFORMATION,
INCLUDING CONSENT TO FINGERPRINT BACKGROUND CHECK**

5122F

To Whom It May Concern:

I, _____, am () an employee of the District, am seeking () employment, () volunteer assignment, () and/or approval to be selected as an on-call substitute with _____ School District (the District). I hereby expressly authorize release of any and all information of a confidential or privileged nature, **including confidential criminal justice information as defined in § 44-5-103(3), MCA**, to the staff of the District and its agents. I will provide a set of fingerprints.

I ☐ have ☐ have not [check one] been convicted or adjudicated* of any crime in any jurisdiction, besides minor traffic offenses. Attached, if necessary, is a complete description of the circumstances surrounding the crime(s) of which I have been convicted or adjudicated in any jurisdiction. I acknowledged that I have the right to obtain a copy of the fingerprint background check obtained by the District and to challenge its accuracy if necessary. I further acknowledge that my access to children may be denied prior to completion of the fingerprint background check. * *Adjudication – A passing of judgment of a court of law or a decision of a judge.*

I hereby release the District and any organization, company, institution, or person furnishing information to the District and its agents as expressly authorized above, from any liability for damages which may result from any dissemination of the information requested, subject to provisions of Title 44, Chapter 5, Part 3, MCA.

All statements and information provided within this application and attachments, if any, are true and complete. I understand that omission or misrepresentation of material fact may result in refusal of or suspension from employment.

This document is effective until revoked in writing by me.

SIGNATURE

DATE

Print full name: _____

Print full address: _____

STREET CITY STATE ZIP

Birth Date: _____ Social Security Number: _____

STATE OF MONTANA)
: ss.
County of _____)

On this _____ day of _____, 20____, before me, a Notary Public for the state of Montana, personally appeared _____, known to me to be the person named in the foregoing Authorization to Release Information, and acknowledged to me that _____ executed the same as _____ free act and deed for the purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year in this certificate first above written.

(S E A L)

[name]
NOTARY PUBLIC for the state of Montana
Residing at _____, Montana
My commission expires: _____

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5130

page 1 of 2

4
5 Staff Health

6
7 Medical Examinations

8
9 Through its overall safety program and various policies pertaining to school personnel, the Board
10 will promote the safety of employees during working hours and assist them in the maintenance
11 of good health. The Board will encourage all its employees to maintain optimum health through
12 the practice of good health habits.

13
14 The Board may require physical examinations of its employees, under circumstances defined
15 below. The District will maintain results of physical examinations in medical files separate from
16 the employee's personnel file and will release them only as permitted by law.

17
18 Physical Examinations

19
20 The District participates in a Pre-Placement Physical Program for all custodial and maintenance
21 personnel and other positions deemed inclusive of this policy as determined by specific Board
22 action. Subsequent to a conditional offer of employment in a position for which the District may
23 require participation in a pre-placement physical but before commencement of work, the District
24 may require an applicant to have a medical examination and to meet any other health
25 requirements which may be imposed by the state. The District may condition an offer of
26 employment on the results of such examination, if all employees who received a conditional
27 offer of employment in the applicable job category are subject to such examination. The report
28 shall certify the employee's ability to perform the job-related functions of the position for which
29 the employee is being considered. Such examination shall be used only to determine whether the
30 applicant is able to perform with reasonable accommodation job-related functions.

31
32 All bus drivers, whether full-time, regular part-time, or temporary part-time, are required by state
33 law to have a satisfactory medical examination before employment.

34
35 Communicable Diseases

36
37 If a staff member has a communicable disease and has knowledge that a person with
38 compromised or suppressed immunity attends the school, the staff member must notify the
39 school nurse or other responsible person designated by the Board of the communicable disease
40 which could be life threatening to an immune-compromised person. The **contracted** nurse or
41 other responsible person designated by the Board must determine, after consultation with and on
42 the advice of public health officials, if the immune-compromised person needs appropriate
43 accommodation to protect their health and safety.

44
45 An employee with a communicable disease shall not report to work during the period of time in
46 which the employee is infectious. An employee afflicted with a communicable disease capable of

being readily transmitted in the school setting (e.g., airborne transmission of tuberculosis) shall be encouraged to report the existence of the illness so that precautions may be taken to protect the health of others. The District reserves the right to require a statement from an employee's primary care provider, before the employee may return to work.

Confidentiality

In all instances, District personnel will respect an individual's right to privacy and treat any medical diagnosis as confidential information. Any information obtained regarding the medical condition or history of any employee will be collected and maintained on separate forms and in separate medical files and will be treated as confidential information. Only those individuals with a legitimate need to know (i.e., those persons with a direct responsibility for the care of or for determining workplace accommodation for the staff person) will be provided necessary medical information.

Supervisors and managers may be informed of necessary restrictions on the work or duties of an employee and necessary accommodations. First aid and safety personnel may be informed, when appropriate, if a staff member with a disability might require emergency treatment.

Legal Reference:	29 U.S.C. § 794, <i>et seq.</i>	Section 504 of the Rehabilitation Act
	42 U.S.C. § 12101, <i>et seq.</i>	Americans with Disabilities Act
	29 CFR, Part 1630.14(c)	Examination of employees
	Title 49, Chapter 2, MCA	Illegal Discrimination
	Title 49, Chapter 4, MCA	Rights of Persons With Disabilities
	§ 20-10-103(4), MCA	School bus driver qualifications
	Admin. R. Mont. 37.114.1010	Employee of School: Day Care
		Facility Care Provider
	Admin. R. Mont. 37.111.825	Health Supervision and Maintenance

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

5140

Each classified employee will be employed under a written contract of a specified term, of a beginning and ending date, within the meaning of § 39-2-912, MCA. Such employee shall have no expectation of continued employment beyond the current contract term.

The Board will determine salary and wages for classified personnel.

Policy History:
Adopted on: 06/20/13
Reviewed on:
Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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4
5 Assignments, Reassignments, Transfers

6
7 The Superintendent may assign, reassign, and/or transfer positions and duties of all staff.
8 Teachers will be assigned at the levels and in the subjects for which their certificates are
9 endorsed. The Superintendent will provide for a system of assignment, reassignment, and
10 transfer of classified staff, including voluntary transfers and promotions. Nothing in this policy
11 prevents reassignment of a staff member during a school year.
12

13 Classified Staff

14
15 The District retains the right of assignment, reassignment, and transfer. Written notice of
16 reassignment or involuntary transfer will be given to the employee. The staff member will be
17 given opportunity to discuss the proposed transfer or reassignment with the Superintendent.
18

19 Teaching

20
21 Notice of their teaching assignments relative to grade level, building, and subject area will be
22 given to teachers before the beginning of the school year. All District employees assigned
23 extracurricular activities as a contract obligation must honor this obligation as a condition of
24 employment unless released from this responsibility by the Board.
25

26 Provisions governing vacancies, promotions, and voluntary or involuntary transfers may be
27 found in negotiated agreements or employee handbooks.
28
29
30

31 Legal Reference: *Bonner School District No. 14 v. Bonner Education Association, MEA-*
32 *MFT, NEA, AFT, AFL-CIO, (2008) 2008 MT 9*
33 § 20-4-402, MCA Duties of District Superintendent or County High
34 School Principal
35

36 Policy History:

37 Adopted on: 06/20/13

38 Reviewed on:

39 Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5213

4
5 Vacancies

6
7 When the District determines that a vacancy exists, that vacancy may be posted in every school
8 building or, during the summer, outside the office.

9
10 Vacancies may be advertised in-District only or they may be advertised in-District and through
11 job service, Career Services at a college or university, local public advertising, and, where
12 appropriate and if time permits, through a broader regional and/or national basis. A vacancy
13 need not be advertised, as determined by the Superintendent.

14
15
16
17 Policy History:

18 Adopted on: 06/20/13

19 Reviewed on:

20 Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

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4
5 Work Day

6
7 Length of Work Day - Certified Staff

8
9 The current collective bargaining agreement sets forth all conditions pertaining to the certified work day,
10 preparation periods, lunches, etc. Arrival time shall generally be as directed by the principal or as
11 stipulated in the agreement.
12

13 Length of Work Day - Classified Staff

14
15 The length of a work day for classified staff is governed by the number of hours for which the employee
16 is assigned. A “full-time” employee shall be considered to be an eight-(8)-hour-per- day/forty-(40)-hour-
17 per-week employee. The work day is exclusive of lunch but inclusive of breaks unless otherwise and
18 specifically provided for by an individual contract. Supervisors will establish schedules. Normal district
19 clerk office hours in the District will be 8:00 a.m. to 4:30 p.m. Secretary office hours are from 7:45 a.m.
20 – 4:30 p.m.
21

22 Breaks

23
24 The District may make available daily morning and afternoon rest periods of fifteen (15) minutes to all
25 full-time, classified employees. Hourly personnel may take one (1) fifteen-(15)-minute rest period for
26 each four (4) hours worked in a day. Breaks normally are to be taken approximately mid-morning and
27 mid-afternoon and should be scheduled in accordance with the flow of work and with approval of the
28 employee’s supervisor.
29

30 Legal Reference:	29 U.S.C. §§ 201 to 219	Fair Labor Standards Act of 1985
	29 C.F.R. Part 516, <i>et seq.</i>	Records to be kept by employers
	§ 39-3-405, MCA	Overtime compensation
	§ 39-4-107, MCA	State and municipal governments, school
		districts, mines, mills, and smelters
	Admin. R. Mont.10.65.103(2)	Program of Approved Pupil Instruction-Related
		Days
	Admin. R. Mont. 24.16.101,	Wages and Hours
	Admin. R. Mont. 24.16.1006	Rest and Meal Periods

39

40 Policy History:

41 Adopted on: 06/20/13

42 Reviewed on:

43 Revised on:

2
3 **PERSONNEL**

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4
5 Evaluation of Non-Administrative Staff

6
7 Each non-administrative staff member's job performance will be evaluated by the staff member's
8 direct supervisor. The evaluation process includes scheduled annual evaluations using forms
9 applicable to the job classification and description, and day-to-day appraisals. Certified staff
10 members may be evaluated according to the terms stated in the current collective bargaining
11 agreement.

12
13 The supervisor will provide a copy of the completed evaluation to the staff member and will
14 provide opportunity to discuss the evaluation. The original should be signed by the staff member
15 and filed with the Superintendent. If the staff member refuses to sign the evaluation, the
16 supervisor should note the refusal and submit the evaluation to the Superintendent.

17
18
19
20 Policy History:

21 Adopted on: 06/20/13

22 Reviewed on:

23 Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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4
5 Personal Conduct

6
7 Employees are expected to maintain high standards of honesty, integrity, and impartiality in the
8 conduct of District business.

9
10 In accordance with state law, an employee should not dispense or utilize any information gained
11 from employment with the District, accept gifts or benefits, or participate in business enterprises
12 or employment that creates a conflict of interest with the faithful and impartial discharge of the
13 employee's District duties. A District employee, before acting in a manner which might impinge
14 on any fiduciary duty, may disclose the nature of the private interest which would create a
15 conflict. Care should be taken to avoid using or avoid the appearance of using official positions
16 and confidential information for personal advantage or gain.

17
18 Further, employees are expected to hold confidential all information deemed not to be for public
19 consumption as determined by state law and Board policy. Employees also will respect the
20 confidentiality of people served in the course of an employee's duties and use information gained
21 in a responsible manner. The Board may discipline, up to and including discharge, any
22 employee who discloses confidential and/or private information learned during the course of the
23 employee's duties or learned as a result of the employee's participation in a closed (executive)
24 session of the Board. Discretion should be used even within the school system's own network of
25 communication and confidential information should only be communicated on a need to know
26 basis.

27
28 Administrators and supervisors may set forth specific rules and regulations governing staff
29 conduct on the job within a particular building.

30
31
32
33 Legal Reference: § 20-1-201, MCA School officers not to act as agents
34 Title 2, Chapter 2, Part 1 Standards of Conduct
35 § 39-2-102, MCA What belongs to employer

36
37 Policy History:

38 Adopted on: 06/20/13

39 Reviewed on:

40 Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5224

4
5 Political Activity

6
7 The Board recognizes its employees' rights of citizenship, including but not limited to engaging
8 in political activities. A District employee may seek an elective office, provided the employee
9 does not campaign on school property during working hours, and provided all other legal
10 requirements are met. The District assumes no obligation beyond making such opportunities
11 available. An employee elected to office is entitled to take a leave of absence without pay, in
12 accordance with the provisions of § 39-2-104, MCA.

13
14 No person, in or on District property, may attempt to coerce, command, or require a public
15 employee to support or oppose any political committee, the nomination or election of any person
16 to public office, or the passage of a ballot issue.

17
18 No District employee may solicit support for or in opposition to any political committee, the
19 nomination or election of any person to public office, or the passage of a ballot issue, while on
20 the job or in or on District property.

21
22 Nothing in this policy is intended to restrict the right of District employees to express their
23 personal political views.
24
25
26

27 Legal Reference: 5 U.S.C. § 7321 Hatch Act
28 § 39-2-104, MCA Mandatory leave of absence for employees holding
29 public office
30 § 13-35-226, MCA Unlawful acts of employers and employees
31

32 Policy History:

33 Adopted on: 06/20/13

34 Reviewed on:

35 Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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4
5 Drug-Free Workplace

6
7 All District workplaces are drug- and alcohol-free. All employees are prohibited from:

- 8
9 • Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under the
10 influence of a controlled substance while on District premises or while performing work
11 for the District, including employees possessing a “medical marijuana” card.
12 • Distributing, consuming, using, possessing, or being under the influence of alcohol while
13 on District premises or while performing work for the District.
14

15 For purposes of this policy, a controlled substance is one that is:

- 16
17 • Not legally obtainable;
18 • Being used in a manner other than as prescribed;
19 • Legally obtainable but has not been legally obtained; or
20 • Referenced in federal or state controlled-substance acts.
21

22 As a condition of employment, each employee will:

- 23
24 • Abide by the terms of the District policy respecting a drug- and alcohol-free workplace;
25 and
26 • Notify his or her supervisor of his or her conviction under any criminal drug statute, for a
27 violation occurring on District premises or while performing work for the District, no
28 later than five (5) days after such conviction.
29

30 In order to make employees aware of dangers of drug and alcohol abuse, the District will
31 endeavor to:

- 32
33 • Provide each employee with a copy of the District drug- and alcohol-free workplace
34 policy;
35 • Post notice of the District drug- and alcohol-free workplace policy in a place where other
36 information for employees is posted;
37 • Enlist the aid of community and state agencies with drug and alcohol informational and
38 rehabilitation programs, to provide information to District employees; and
39 • Inform employees of available drug and alcohol counseling, rehabilitation, reentry, and
40 any employee-assistance programs.
41

42 District Action Upon Violation of Policy

43
44 An employee who violates this policy may be subject to disciplinary action; up to and including
45 termination of employment. Alternatively, the Board may require an employee to successfully
46 complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program.

The Board will take disciplinary action with respect to an employee convicted of a drug offense in the workplace, within thirty (30) days of receiving notice of a conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant, the Superintendent will notify the appropriate state or federal agency from which the District receives contract or grant moneys of an employee's conviction, within ten (10) days after receiving notice of the conviction.

Legal Reference: 41 U.S.C. §§ 702, 703, 706 Drug-free workplace requirements for
Federal grant recipients
Johnson v. Columbia Falls Aluminum Company LLC, 2009 MT 108N.
Senate Bill 423, Section II Limitations of Medical Marijuana Act

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

2
3 **PERSONNEL**

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4
5 Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

6
7 The District will adhere to federal law and regulations requiring a drug and alcohol testing
8 program for school bus and commercial vehicle drivers.

9
10 The program will comply with requirements of the Code of Federal Regulations, Title 49, §§
11 382, *et seq.* The Superintendent will adopt and enact regulations consistent with federal
12 regulations, defining the circumstances and procedures for testing.

13
14
15
16 Legal Reference: 49 U.S.C. §§ 45101, et seq. Alcohol and Controlled Substances Testing
17 (Omnibus Transportation Employee Testing Act of 1991)
18 49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and
19 Alcohol Testing Programs), 382 (Controlled substance and alcohol use
20 and testing), and 395 (Hours of service of drivers)

21
22 Policy History:

23 Adopted on: 06/20/13

24 Reviewed on:

25 Revised on:

3
4 **PERSONNEL**

5228P

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6 Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

7
8 School bus and commercial vehicle drivers shall be subject to a drug and alcohol testing program
9 that fulfills the requirements of the Code of Federal Regulations, Title 49, Part 382.

10
11 Other persons who drive vehicles designed to transport sixteen (16) or more passengers,
12 including the driver, are likewise subject to the drug and alcohol testing program.

13
14 Testing procedures and facilities used for the tests shall conform with the requirements of the
15 Code of Federal Regulations, Title 49, §§ 40, et seq.

16
17 Pre-Employment Tests

18
19 Tests shall be conducted before the first time a driver performs any safety-sensitive function for
20 the District.

21
22 Safety-sensitive functions include all on-duty functions performed from the time a driver begins
23 work or is required to be ready to work, until he/she is relieved from work and all responsibility
24 for performing work. It includes driving; waiting to be dispatched; inspecting and servicing
25 equipment; supervising, performing, or assisting in loading and unloading; repairing or obtaining
26 and waiting for help with a disabled vehicle; performing driver requirements related to accidents;
27 and performing any other work for the District or paid work for any entity.

28
29 The tests shall be required of an applicant only after he/she has been offered the position.

30
31 Exceptions may be made for drivers who have had the alcohol test required by law within the
32 previous six (6) months and participated in the drug testing program required by law within the
33 previous thirty (30) days, provided that the District has been able to make all verifications
34 required by law.

35
36 Post-Accident Tests

37
38 Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable
39 on any driver:

- 40
41 1. Who was performing safety-sensitive functions with respect to the vehicle, if the accident
42 involved loss of human life; or
43
44 2. Who receives a citation under state or local law, for a moving traffic violation arising
45 from the accident.
46
47

Drivers shall make themselves readily available for testing, absent the need for immediate medical attention.

No such driver shall use alcohol for eight (8) hours after the accident, or until after he/she undergoes a post-accident alcohol test, whichever occurs first.

If an alcohol test is not administered within two (2) hours or if a drug test is not administered within thirty-two (32) hours, the District shall prepare and maintain records explaining why the test was not conducted. Tests will not be given if not administered within eight (8) hours after the accident for alcohol or within thirty-two (32) hours for drugs.

Tests conducted by authorized federal, state, or local officials will fulfill post-accident testing requirements, provided they conform to applicable legal requirements and are obtained by the District. Breath tests will validate only the alcohol test and cannot be used to fulfill controlled substance testing obligations.

Random Tests

Tests shall be conducted on a random basis at unannounced times throughout the year. Tests for alcohol shall be conducted just before, during, or just after the performance of safety-sensitive functions. The number of random alcohol tests annually must equal twenty-five percent (25%) of the average number of driver positions. The number of random drug tests annually must equal fifty percent (50%) of the average number of driver positions. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made.

Reasonable Suspicion Tests

Tests shall be conducted when a supervisor or District official trained in accordance with law has reasonable suspicion that the driver has violated the District's alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The observations may include indications of the chronic and withdrawal effects of controlled substances.

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before, or just after the period of the work day when the driver must comply with alcohol prohibitions. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test. If an alcohol test is not administered within two (2) hours of a determination of reasonable suspicion, the District shall prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests shall terminate after eight (8) hours.

A supervisor or District official who makes observations leading to a controlled substance

reasonable suspicion test shall make a written record of his/her observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

Enforcement

Any driver who refuses to submit to a post-accident, random, reasonable suspicion, or follow-up test shall not perform or continue to perform safety-sensitive functions.

Drivers who test positive for alcohol or drugs shall be subject to disciplinary action up to and including termination of employment.

A driver who violates District prohibitions related to drugs and alcohol shall receive from the District the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug and alcohol-related problems. The employee shall be evaluated by a substance abuse professional who shall determine what help, if any, the driver needs in resolving such a problem. Any substance abuse professional who determines that a driver needs assistance shall not refer the driver to a private practice, person, or organization in which he/she has a financial interest, except under circumstances allowed by law.

An employee identified as needing help in resolving a drug or alcohol problem shall be evaluated by a substance abuse professional to determine that he/she has properly followed the prescribed rehabilitation program and shall be subject to unannounced follow-up tests after returning to duty.

Return-to-Duty Tests

A drug or alcohol test shall be conducted when a driver who has violated the District's drug or alcohol prohibition returns to performing safety-sensitive duties.

Employees whose conduct involved drugs cannot return to duty in a safety-sensitive function until the return-to-duty drug test produces a verified negative result.

Employees whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the return-to-duty alcohol test produces a verified result that meets federal and District standards.

Follow-Up Tests

A driver who violates the District's drug or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a drug or alcohol problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in

accordance with law. Follow-up alcohol testing shall be conducted just before, during, or just after the time when the driver is performing safety-sensitive functions.

Records

Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, a driver shall receive copies of any records pertaining to his/her use of drugs or alcohol, including any records pertaining to his/her drug or alcohol tests. Records shall be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver.

Notifications

Each driver shall receive educational materials that explain the requirements of the Code of Federal Regulations, Title 49, Part 382, together with a copy of the District's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify:

1. The person designated by the District to answer driver questions about the materials;
2. The categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382;
3. Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382;
4. Specific information concerning driver conduct that is prohibited by Part 382;
5. The circumstances under which a driver will be tested for drugs and/or alcohol under Part 382;
6. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results, and ensure that test results are attributed to the correct driver;
7. The requirement that a driver submit to drug and alcohol tests administered in accordance with Part 382;
8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;
9. The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation, and treatment;

10. The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04; and
11. Information concerning the effects of drugs and alcohol on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a coworker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.

Drivers shall also receive information about legal requirements, District policies, and disciplinary consequences related to the use of alcohol and drugs.

Each driver shall sign a statement certifying that he/she has received a copy of the above materials.

Before any driver operates a commercial motor vehicle, the District shall provide him/her with post-accident procedures that will make it possible to comply with post-accident testing requirements.

Before drug and alcohol tests are performed, the District shall inform drivers that the tests are given pursuant to the Code of Federal Regulations, Title 49, Part 382. This notice shall be provided only after the compliance date specified in law.

The District shall notify a driver of the results of a pre-employment drug test if the driver requests such results within sixty (60) calendar days of being notified of the disposition of his/her employment application.

The District shall notify a driver of the results of random, reasonable suspicion, and post-accident drug tests if the test results are verified positive. The District shall also tell the driver which controlled substance(s) were verified as positive.

Drivers shall inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Such a substance may be used only if the physician has advised the driver that it will not adversely affect his/her ability to safely operate a commercial motor vehicle.

Legal Reference:	49 C.F.R. Part 40	Procedures for Transportation Workplace Drug and Alcohol Testing
	49. C.F.R. Part 382	Controlled Substances and Alcohol Use and Testing

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5231

4
5 Personnel Records

6
7 The District maintains a complete personnel record for every current and former employee. The
8 employees' personnel records will be maintained in the District's administrative office, under the
9 Superintendent's direct supervision. Employees will be given access to their personnel records,
10 in accordance with guidelines developed by the Superintendent.

11
12 In addition to the Superintendent or other designees, the Board may grant a committee or a
13 member of the Board access to cumulative personnel files. When specifically authorized by the
14 Board, counsel retained by the Board or by the employee will also have access to a cumulative
15 personnel file.

16
17 In accordance with federal law, the District shall release information regarding the professional
18 qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon
19 request, for any teacher or paraprofessional who is employed by a school receiving Title I funds,
20 and who provides instruction to their child at that school. Access to other information contained
21 in the personnel records of District employees is governed by Policy 4340.

22
23 Personnel records must be kept for 10 years after termination.

24
25 Cross Reference: 4340 Public Access to District Records

26
27 Legal Reference: Admin. R. Mont. 10.55.701(5) Board of Trustees
28 No Child Left Behind Act of 2001, (Public Law 107-334)
29 § 20-1-212(2), MCA Destruction of records by school officer.

30
31 Policy History:

32 Adopted on: 06/20/13

33 Reviewed on:

34 Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5231P

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4
5 Personnel Records

6
7 The District shall maintain a cumulative personnel file in the administrative office for each of its
8 employees, as required by the Office of Public Instruction and current personnel policies. These
9 records are not to leave the administrative office except as specifically authorized by the
10 Superintendent, and then only by signed receipt. Payroll records are maintained separately.
11

12 Contents of Personnel Files

13
14 A personnel file may contain but is not limited to transcripts from colleges or universities,
15 information allowed by statute, a record of previous employment (other than college placement
16 papers for periods beyond active candidacy for a position), evaluations, copies of contracts, and
17 copies of letters of recommendation requested by an employee. All material in the personnel file
18 must be related to the employee's work, position, salary, or employment status in the District.
19 All documents, communications, and records dealing with the processing of a grievance shall be
20 filed separately from the personnel files of the participants.
21

22 No material derogatory to an employee's conduct, service, character, or personality shall be
23 placed in the file, unless such placement is authorized by the Superintendent, as indicated by the
24 Superintendent's initials, and unless the employee has had adequate opportunity to read the
25 material. For the latter purpose, the Superintendent shall take reasonable steps to obtain the
26 employee's initials or signature verifying that the employee has received a copy of the material.
27 If the employee refuses to sign the document indicating that the employee has had an opportunity
28 to read it, the Superintendent will place an addendum to the document, noting that the employee
29 was given a copy but refused to sign. The Superintendent will date and sign the addendum.
30

31 Disposition of Personnel Files

32
33 An employee, upon termination, may request transcripts of college and university work. Any
34 confidential college or university placement papers shall be returned to the sender or destroyed at
35 the time of employment. All other documents shall be retained and safeguarded by the District
36 for such periods as prescribed by law.
37

38 Record-Keeping Requirements Under the Fair Labor Standards Act

- 39
40 1. Records required for ALL employees:
41
42 A. Name in full (same name as used for Social Security);
43 B. Employee's home address, including zip code;
44 C. Date of birth if under the age of nineteen (19);
45 D. Sex (may be indicated with Male/Female, M/F, Mr./Mrs./Miss/Ms.);
46 E. Time of day and day of week on which the employee's workweek begins;

- F. Basis on which wages are paid (such as \$5/hour, \$200/week, etc.);
- G. Any payment made which is not counted as part of the “regular rate”;
- H. Total wages paid each pay period.
- I. Occupation

2. Additional records required for non-exempt employees:

- A. Regular hourly rate of pay during any week when overtime is worked;
- B. Hours worked in any workday (consecutive twenty-four-(24)-hour period);
- C. Hours worked in any workweek (or work period in case of 207[k]);
- D. Total daily or weekly straight-time earnings (including payment for hours in excess of forty (40) per week but excluding premium pay for overtime);
- E. Total overtime premium pay for a workweek;
- F. Date of payment and the pay period covered;
- G. Total deductions from or additions to wages each pay period;
- H. Itemization of dates, amounts, and reason for the deduction or addition, maintained on an individual basis for each employee;
- I. Number of hours of compensatory time earned each pay period;
- J. Number of hours of compensatory time used each pay period;
- K. Number of hours of compensatory time compensated in cash, the total amount paid, and the dates of such payments;
- L. The collective bargaining agreements which discuss compensatory time, or written understandings with individual non-union employees.

All records obtained in the application and hiring process shall be maintained for at least two (2) years.

Legal Reference:	29 USC §§ 201, <i>et seq.</i>	Fair Labor Standards Act
	§§ 2-6-101, <i>et seq.</i> , MCA	Public Records Generally
	Admin. R. Mont. 24.9.805	Employment Records
	29 C.F.R. Part 516	Records to be kept by employers

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5232

4
5 Abused and Neglected Child Reporting

6
7 A District employee who has reasonable cause to suspect, as a result of information they receive
8 in their professional or official capacity, that a child is abused or neglected by anyone regardless
9 of whether the person suspected of causing the abuse or neglect is a parent or other person
10 responsible for the child's welfare, they shall report the matter promptly to the department of
11 public health and human services. An employee does not discharge the obligation to personally
12 report by notifying the Superintendent or principal.

13
14 Any District employee who fails to report a suspected case of abuse or neglect to the Department
15 of Public Health and Human Services, or who prevents another person from doing so, may be
16 civilly liable for damages proximately caused by such failure or prevention and is guilty of a
17 misdemeanor. The employee will also be subject to disciplinary action up to and including
18 termination.

19
20 When a District employee makes a report, the DPHHS may share information with that
21 individual or others as stated in 41-3-201(5). Individuals who receive information pursuant to
22 the above named subsection (5) shall maintain the confidentiality of the information as required
23 in 41-3-205.

24
25
26 Legal Reference: § 41-3-201, MCA Reports
27 § 41-3-202, MCA Action on reporting
28 § 41-3-203, MCA Immunity from liability
29 § 41-3-205, MCA Confidentiality – disclosure exceptions
30 § 41-3-207, MCA Penalty for failure to report

31
32 Policy History:

33 Adopted on: 06/20/13

34 Reviewed on:

35 Revised on: 09/12/16

1 **Joliet Public Schools**

3 **PERSONNEL**

5232F

5 **Joliet School District**
6 **Report of Suspected Child Abuse or Neglect**
7 Hot Line Number – 866-820-5437

9 *Original to: Department of Public Health and Human Services*

10 *Copy to: Building Principal*

12 From: _____ Title: _____

14 School: _____ Phone: _____

16 Persons contacted: ☐ Principal ☐ Teacher ☐ School Nurse ☐ Other _____

18 Name of Minor: _____ Date of Birth: _____

20 Address: _____ Phone: _____

22 Date of Report: _____ Attendance Pattern: _____

24 Father: _____ Address: _____ Phone: _____

26 Mother: _____ Address: _____ Phone: _____

28 Guardian or
29 Stepparent: _____ Address: _____ Phone: _____

31 Any suspicion of injury/neglect to other family members: _____

33 Nature and extent of the child's injuries, including any evidence of previous injuries, and any
34 other information which may be helpful in showing abuse or neglect, including all acts which
35 lead you to believe the child has been abused or neglected: _____

38 Previous action taken, if any: _____

42 Follow-up by Department of Public Health and Human Services (DPHHS to complete and return
43 copy to the Building Principal):

45 Date Received: _____ Date of Investigation: _____

PERSONNEL

5240

Resolution of Staff Complaints/Problem-Solving

As circumstances allow, the District will attempt to provide the best working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question is answered quickly and accurately by District supervisors or administration.

The District will endeavor to promote fair and honest treatment of all employees. Administrators and employees are all expected to treat each other with mutual respect. Each employee has the right to express his or her views concerning policies or practices to the administration in a businesslike manner, without fear of retaliation. Employees are encouraged to offer positive and constructive criticism.

Each employee is expected to follow established rules of conduct, policies, and practices. Should an employee disagree with a policy or practice, the employee can express his or her disagreement through the District's grievance procedure. No employee shall be penalized, formally or informally, for voicing a disagreement with the District in a reasonable, businesslike manner or for using the grievance procedure. **An employee filing a grievance under a collective bargaining agreement is required to follow the grievance procedure for that particular agreement.**

Cross Reference: 1700 Uniform Complaint Procedure

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5253

4
5 Retirement Programs for Employees

6
7 All District employees shall participate in retirement programs under the Federal Social Security
8 Act and either the Teachers' Retirement System or the Public Employees' Retirement System in
9 accordance with state retirement regulations.

10
11 Certified employees who intend to retire at the end of the current school year should notify the
12 Superintendent in writing prior to April 1 of that year.

13
14 Those employees intending to retire, who are not contractually obligated to complete the school
15 year, should notify the Superintendent as early as possible and no less than sixty (60) days before
16 their retirement date.

17
18 The relevant and most current negotiated agreements for all categories of employees shall
19 specify severance stipends, if any, and other retirement conditions and benefits.

20
21 The District will contribute to the PERS whenever a classified employee is employed for more
22 than the equivalent of one hundred twenty (120) full days (960 hours) in any one (1) fiscal year.
23 Part-time employees who are employed for less than 960 hours in a fiscal year may elect PERS
24 coverage, at their option and in accordance with § 19-3-412, MCA.

25
26
27
28 Legal Reference: Title 19, Chapter 1, MCA Social Security
29 Title 19, Chapter 3, MCA Public Employees' Retirement System
30 Title 19, Chapter 20, MCA Teachers' Retirement

31
32 Policy History:

33 Adopted on: 06/20/13

34 Reviewed on:

35 Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5254

4
5 Payment of Employer Contributions and Interest on Previous Service

6
7 A Public Employees' Retirement System (PERS) member may purchase: (1) all or a portion of
8 the member's employment with an employer prior to the time the employer entered into a
9 contract for PERS coverage; and (2) all or a portion of the member's employment for which
10 optional PERS membership was declined (both of which are known as previous service).

11
12 The member must file a written application with the PERS Board to purchase all or a portion of
13 the employment for service credit and membership service. The application must include salary
14 information certified by the member's employer or former employer.

15
16 The District has the option to pay, or not to pay, the employer's contributions due on previous
17 service and the option to pay, or not to pay, the outstanding interest due on the employer's
18 contributions for the previous service.

19
20 It is the policy of this District to not pay the employer's contributions due on previous service.

21
22 It is also the policy of this District to not pay the outstanding interest due on the employer's
23 contributions for the previous service.

24
25 This policy will be applied indiscriminately to all employees and former employees of this
26 District.

27
28 [OPTIONAL: Use if the District is not paying the employer's contributions due on previous
29 service.] If the District opts to not pay the employer's contributions due on previous service
30 and/or the outstanding interest due on the employer's contributions for previous service, then the
31 employee shall pay the amount not paid by the employer in order to receive service credit and
32 membership service for the period of employment.

33
34
35 Legal Reference: § 19-3-505, MCA Purchase of previous employment with employer

36
37 Policy History:

38 Adopted on: 06/20/13

39 Reviewed on:

40 Revised on:

Employer Payment Policy

5254F

I. Section 19-3-505, MCA

Payment of Employer Contributions and Interest on Previous Service

A Public Employees' Retirement System (PERS) member may purchase (1) all or a portion of the member's employment with an employer prior to the time the employer entered into a contract for PERS coverage and (2) all or a portion of the member's employment for which optional PERS membership was declined (both of which are known as previous service). PERS employers must establish policies regarding payment of employer contributions and employer interest due for the previous service being purchased by an employee. The policy must be applied indiscriminately to all employees and former employees. Thus, it is our policy to:

not pay the employer's contributions due on previous service.

and to:

not pay the outstanding interest due on the employer's contributions for the previous service.

II. Section 19-3-504, MCA

Payment of Interest on Employer Contributions for Workers' Compensation Time

A PERS member may purchase time during which the member is absent from service because of an employment-related injury entitling the member to workers' compensation payments. PERS employers are required to pay employer contributions and must establish a policy for the payment of interest on employer contributions due for the workers' compensation time being purchased by an employee. The policy regarding payment of interest must be applied to all employees similarly situated. Thus, it is our policy to:

not pay the outstanding interest due on the employer's contributions for the employee's purchase of workers' compensation time.

NAME OF EMPLOYER _____

Signature of Officer: _____

Printed Name: _____

Title of Officer: _____

Dated: _____, 20____.

1 **Joliet Public Schools**

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3 **PERSONNEL**

5255

4
5 Disciplinary Action

6
7 District employees who fail to fulfill their job responsibilities or to follow reasonable directions
8 of their supervisors, or who conduct themselves on or off the job in ways that affect their
9 effectiveness on the job, may be subject to discipline. Behavior, conduct, or action that may call
10 for disciplinary action or dismissal includes but is not limited to reasonable job-related grounds
11 based on a failure to satisfactorily perform job duties, disruption of the District's operation, or
12 other legitimate reasons. The Superintendent or the Board may order an investigation into the
13 employee's conduct when warranted by the circumstances.

14
15 Discipline will be reasonably appropriate to the circumstance and will include but not be limited
16 to a supervisor's right to reprimand an employee and the Superintendent's right to suspend an
17 employee, with or without pay, or to impose other appropriate disciplinary sanctions. In
18 accordance with Montana law, only the Board may terminate an employee or non-renew
19 employment.

20
21 The District's restrictions on students who have brought to, or possess a firearm at, any setting
22 that is under the control and supervision of the school district and a student who has been found
23 to have possessed, used or transferred a weapon on school district property apply to all
24 employees of the District pursuant to Policy 3311.

25
26 The Superintendent is authorized to immediately suspend a staff member.

27
28
29 Cross Reference Policy 3311 Firearms and Weapons
30
31
32 Legal Reference: § 20-3-210, MCA Controversy appeals and hearings
33 § 20-3-324, MCA Powers and duties
34 § 20-4-204, MCA Termination of tenure teacher services
35 § 20-4-207, MCA Dismissal of teacher under contract
36 § 39-2-903, MCA Definitions
37 *Johnson v. Columbia Falls Aluminum Company LLC*, 2009 MT 108N.

38
39 Policy History:

40 Adopted on: 06/20/13

41 Reviewed on:

42 Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

5256

4
5 Reduction in Force

6
7 The Board has exclusive authority to determine the appropriate number of employees. A
8 reduction in certified employees may occur as a result of but not be limited to changes in the
9 education program, staff realignment, changes in the size or nature of the student population,
10 financial considerations, or other reasons deemed relevant by the Board.
11

12 The Board will follow the procedure stated in the current collective bargaining agreement when
13 considering a reduction in force. The reduction in certified employees, other than administrators,
14 will generally be accomplished through normal attrition when possible. The Board may
15 terminate certified employees, if normal attrition does not meet the required reduction in force.
16

17 The Board will consider performance evaluations, staff needs, and other reasons it deems
18 relevant, in determining order of dismissal when it reduces classified staff or discontinues some
19 type of educational service.
20
21
22

23 Cross Reference: 5250 Non-Renewal of Employment/Dismissal From Employment

24
25 Legal Reference: § 20-4-206, MCA Notification of nontenure teacher reelection –
26 acceptance – termination
27

28 Policy History:

29 Adopted on: 06/20/13

30 Reviewed on:

31 Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5314

4
5 Substitutes

6
7 The Board authorizes the use of substitute teachers as necessary to replace teachers who are
8 temporarily absent. The principal shall arrange for the substitute to work for the absent teacher.
9 Under no condition is a teacher to select or arrange for a private substitute. A substitute teacher
10 may be employed to carry on a teacher's duties not to exceed 35 consecutive teaching days.

11
12 If the absence of the regular, licensed or authorized teacher continues for more than 35
13 consecutive teaching days, the substitute may be placed under contract if licensed or the board of
14 trustees shall place a licensed teacher under contract. If the board of trustees makes a written
15 declaration to the Superintendent of Public Instruction that no licensed teacher is available, the
16 district shall pursue the employment of a teacher authorized under the provisions of Admin. R.
17 Mont. 10.57.107.

18
19
20 The Board annually establishes a daily rate of pay for substitute teachers. No fringe benefits are
21 given to substitute teachers.

22
23 Substitutes for classified positions will be paid by the hour. When a classified employee is called
24 upon to substitute for a teacher, the teacher sub rate shall apply unless the classified rate of pay is
25 higher.

26
27 All substitute teachers will be required to undergo fingerprint and background checks. *The Board*
28 *may pass a motion waiving, in whole or in part, this requirement, if the non-licensed substitute*
29 *has previous teaching or substitute teaching experience in an accredited public school in*
30 *Montana prior to November 28, 2002.*

31
32 Legal Reference: Admin. R. Mont. 10.55.716 Substitute teachers

33
34
35 Policy History:

36 Adopted on: 06/20/13

37 Reviewed on:

38 Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5321

page 1 of 3

4
5 Leaves of Absence

6
7 Sick and Bereavement Leave

8
9 Certified employees will be granted sick leave according to terms of their collective bargaining
10 agreement.

11
12 Classified employees will be granted sick leave benefits in accordance with § 2-18-618, MCA.
13 For classified staff, “sick leave” is defined as a leave of absence, with pay, for a sickness
14 suffered by an employee or an employee’s immediate family. Sick leave may be used by an
15 employee when they are unable to perform job duties because of:

- 16
- 17 • A physical or mental illness, injury, or disability;
 - 18
 - 19 • Maternity or pregnancy-related disability or treatment, including prenatal care, birth, or
20 medical care for the employee or the employee’s child;
 - 21
 - 22 • Parental leave for a permanent employee as provided in § 2-18-606, MCA;
 - 23
 - 24 • Quarantine resulting from exposure to a contagious disease;
 - 25
 - 26 • Examination or treatment by a licensed health care provider;
 - 27
 - 28 • Short-term attendance, in an agency’s discretion, to care for a person (who is not the
29 employee or a member of the employee’s immediate family) until other care can
30 reasonably be obtained;
 - 31
 - 32 • Necessary care for a spouse, child or parent with a serious health condition, as defined in
33 the Family and Medical Leave Act of 1993; or
 - 34
 - 35 • Death or funeral attendance of an immediate family member or, at an agency’s discretion,
36 another person.
 - 37

38 Nothing in this policy guarantees approval of the granting of such leave in any instance. The
39 District will judge each request in accordance with this policy and governing collective
40 bargaining agreements.

41
42 It is understood that seniority will accumulate while a teacher or employee is utilizing sick leave
43 credits. Seniority will not accumulate, unless an employee is in a paid status. Abuse of sick leave
44 is cause for disciplinary action up to and including termination of employment.

45
46 Immediate family is defined as an employee’s spouse and any member of the employee’s

household, or any parent, child, grandparent, grandchild, or corresponding in-law.

An employee who has suffered a death in the immediate family will be eligible for bereavement leave. The Superintendent has the authority to grant bereavement leave for up to five (5) days. Bereavement leave longer than five (5) days must be approved by the Board. Such leave will not exceed three (3) months unless prescribed by a physician.

Personal and Emergency Leave

Teachers will be granted personal and emergency leave according to terms of the current collective bargaining agreement. Upon recommendation of the Superintendent, and in accordance with law and District policy, classified staff may be granted personal leave pursuant to the following conditions:

1. Leave will be without pay unless otherwise stated. If leave is to include expenses payable by the District, leave approval will so state.
2. Notice of at least one (1) week is required for any personal leave of less than one (1) week; notice of one (1) month is required for any personal leave exceeding one (1) week.
3. With approval of the Board, the Superintendent has the flexibility, in unusual or exceptional circumstances, to grant personal leave to employees not covered by sick or annual leave. The employee will not receive fringe benefits during any personal leave of greater than fifteen (15) days. During the leave, the employee may pay the District's share of any insurance benefit program in order to maintain those benefits, provided that is acceptable to the insurance carrier. Staff using personal leave will not earn any sick leave or annual leave credits or any other benefits during the approved leave of absence.

Civic Duty Leave

Leaves for service on either a jury or in the Legislature will be granted in accordance with state and federal law. A certified staff member hired to replace one serving in the Legislature does not acquire tenure.

An employee who is summoned to jury duty or subpoenaed to serve as a witness may elect to receive regular salary or to take annual leave during jury time. An employee who elects not to take annual leave, however, must remit to the District all juror and witness fees and allowances (except for expenses and mileage). The District may request the court to excuse an employee from jury duty, when an employee is needed for proper operation of the school.

Legal Reference:	42 U.S.C §2000e	Equal Employment Opportunities
	§ 2-18-601(15), MCA	Definitions
	§ 2-18-618, MCA	Sick leave
	§ 2-18-619, MCA	Jury Duty – Service as Witness
	§ 39-2-104, MCA	Mandatory Leave of Absence for employees
		Holding public office
	§ 49-2-310, MCA	Maternity leave – unlawful acts of employers
	§ 49-2-311, MCA	Reinstatement to job following pregnancy- related leave of absence

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5321P

page 1 of 2

4
5 Conditions for Use of Leave

6
7 Certified staff may use sick leave for those instances listed in the current collective bargaining
8 agreement. Classified staff may use sick leave for illness; injury; medical disability; maternity-
9 related disability, including prenatal care, birth, miscarriage, or abortion; parental leave for a
10 permanent employee as provided in § 2-18-606, MCA; quarantine resulting from exposure to
11 contagious disease; medical, dental, or eye examination or treatment; necessary care of or
12 attendance to an immediate family member or, at the District's discretion, another relative for the
13 above reasons until other attendants can reasonably be obtained; and death or funeral attendance
14 for an immediate family member. Leave without pay may be granted to employees upon the
15 death of persons not included in this list.

16
17 Accrual and Use of Sick Leave Credits

18
19 Certified employees will accrue and may use their sick leave credits according to the current
20 collective bargaining agreement.

21
22 Classified employees serving in positions that are permanent full-time, seasonal full-time, or
23 permanent part-time are eligible to earn sick leave credits, which will accrue from the first (1st)
24 day of employment. A classified employee must be employed continuously for a qualifying
25 period of ninety (90) calendar days in order to use sick leave. Unless there is a break in service,
26 an employee only serves the qualifying period once. After a break in service, an employee must
27 again complete the qualifying period to use sick leave. Sick leave may not be taken in advance
28 nor may leave be taken retroactively. A seasonal classified employee may carry over accrued
29 sick leave credits to the next season if management has a continuing need for the employee or,
30 alternatively, may be paid a lump sum for accrued sick leave credits when the season ends.

31
32 Employees, whether classified or certified, simultaneously employed in two (2) or more
33 positions, will accrue sick leave credits in each position according to the number of hours
34 worked or a proration of the contract (in the case of certified) worked. Leave credits will be used
35 only from the position in which the credits were earned and with approval of the supervisor or
36 appropriate authority for that position. Hours in a pay status paid at the regular rate will be used
37 to calculate leave accrual. Sick leave credits will not accrue for those hours exceeding forty (40)
38 hours in a workweek, which are paid as overtime hours or recorded as compensatory time. A
39 full-time employee will not earn less than nor more than the full-time sick leave accrual rate
40 provided classified employees.

41
42 When an employee who has not worked the qualifying period for use of sick leave takes an
43 approved continuous leave of absence without pay in excess of fifteen (15) working days, the
44 amount of time an employee is on leave of absence will not count toward completion of the
45 qualifying period. The approved leave of absence exceeding fifteen (15) working days is not a
46 break in service, and the employee will not lose any accrued sick leave credits nor lose credit for

time earned toward the qualifying period. An approved continuous leave of absence without pay of fifteen (15) working days or less will be counted as time earned toward the ninety-(90)-day qualifying period.

Calculation of Sick Leave Credits

Certified employees will earn sick leave credits at the rate stated in the current collective bargaining agreement.

Full-time classified employees will earn sick leave credits at the rate of twelve (12) working days for each year of service. Sick leave credits will be prorated for part-time employees who have worked the qualifying period. The payroll office will refine this data by keeping records per hour worked.

Lump-Sum Payment on Termination of Classified Employees

When a classified employee terminates employment with the District, the employee is entitled to cash compensation for one-fourth ($\frac{1}{4}$) of the employee's accrued and unused sick leave credits, provided the employee has worked the qualifying period. The value of unused sick leave is computed based on the employee's salary rate at the time of termination.

Industrial Accident

An employee who is injured in an industrial accident may be eligible for workers' compensation benefits. Use of sick leave must be coordinated with receipt of workers' compensation benefits on a case-by-case basis, by contacting the Montana Schools Group Workers' Compensation Risk Retention Program (WCRRP).

Sick Leave Substituted for Annual Leave

A classified employee who qualifies for use of sick leave while taking approved annual vacation leave, may be allowed to substitute accrued sick leave credits for annual leave credits. Medical certification of the illness or disability may be required.

Legal Reference:	§ 2-18-601(15), MCA	Definitions
	§ 2-18-618, MCA	Sick Leave

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

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PERSONNEL

5325

Breastfeeding Workplace

Recognizing that breastfeeding is a normal part of daily life for mothers and infants and that Montana law authorizes mothers to breastfeed their infants where mothers and children are authorized to be, the District will support women who want to continue breastfeeding after returning from maternity leave.

The District shall provide reasonable unpaid break time each day to an employee who needs to express milk for the employee's child, if breaks are currently allowed. If breaks are not currently allowed, the District shall consider each case and make accommodations as possible. The District is not required to provide break time if to do so would unduly disrupt the District's operations. Supervisors are encouraged to consider flexible schedules when accommodating employees' needs.

The District will make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, where an employee can express the employee's breast milk. The available space will include the provision for lighting and electricity for the pump apparatus. If possible, supervisors will ensure that employees are aware of these workplace accommodations prior to maternity leave.

Legal Reference:	§ 39-2-215, MCA	Public employer policy on support of women and breastfeeding – unlawful discrimination
	§ 39-2-216, MCA	Private Place for nursing mothers
	§ 39-2-217, MCA	Break time for nursing mothers

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

2
3 **PERSONNEL**

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page 1 of 2

4
5 Family Medical Leave

6
7 In accordance with provisions of the Family Medical Leave Act of 1993 (FMLA), a leave of
8 absence of up to twelve (12) weeks during a twelve-(12)-month period may be granted to an
9 eligible employee for the following reasons: 1) birth of a child; 2) placement of a child for
10 adoption or foster care; 3) a serious health condition which makes the employee unable to
11 perform functions of the job; 4) to care for the employee's spouse, child, or parent with a serious
12 health condition; 5) because of a qualifying exigency (as the Secretary shall, by regulation,
13 determine) arising out of the fact that the spouse or a son, daughter, or parent of the employee is
14 on active duty (or has been notified of an impending call or order to active duty) in the Armed
15 Forces in support of a contingency operation.

16
17 Servicemember Family Leave

18
19 Subject to Section 103 of the FMLA of 1993, as amended, an eligible employee who is the
20 spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to a
21 total of twenty-six (26) workweeks of leave during a twelve-(12)-month period to care for the
22 servicemember. The leave described in this paragraph shall only be available during a single
23 twelve-(12)-month period.

24
25 Eligibility

26
27 An employee is eligible to take FMLA leave, if the employee has been employed for at least
28 twelve (12) months and has worked at least one thousand two hundred fifty (1,250) hours during
29 the twelve (12) months immediately prior to the date leave is requested, and there have been at
30 least fifty (50) District employees within seventy-five (75) miles for each working day during
31 twenty (20) or more workweeks in the current or preceding calendar year.

32
33 The Board has determined that the twelve-(12)-month period during which an employee may
34 take FMLA leave is July 1 to June 30.

35
36 Coordination of Paid Leave

37
38 Employees will be required to use appropriate paid leave while on FMLA leave.
39 Workers' compensation absences will be designated FMLA leave.

40
41 Medical Certification

42
43 The Superintendent has discretion to require medical certification to determine initial or
44 continued eligibility under FMLA as well as fitness for duty.

NOTE: *This provision applies to school districts with fifty (50) or more employees. Those districts with less than fifty (50) employees must comply with notice and record retention but are not obligated to provide the leave as a benefit of any employee's employment. The FMLA poster may be obtained by going to the Montana Department of Labor website, highlight "Resources & Services" tab and click on "Required Postings".*

Legal Reference: 29 U.S.C §2601, *et seq.* - Family and Medical Leave Act of 1993
29 C.F.R. Part 825, Family and Medical Leave Regulations
§§2-18-601, *et seq.*, MCA Leave Time
§§49-2-301, *et seq.*, MCA Prohibited Discriminatory Practices
Section 585 – National Defense Authorization Act for FY 2008, Public Law [110-181]

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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4
5 Insurance Benefits for Employees

6
7 Newly hired employees are eligible for insurance benefits offered by the District for the
8 particular bargaining unit to which an employee belongs. Other employees will be offered
9 benefits consistent with the District benefit plan, with exceptions noted below:

- 10
11 1. Classified employees who are employed less than half (½) time (that is, who are regularly
12 scheduled to work less than twenty (20) hours per week) will not be eligible for group
13 health, dental, and life insurance and will not be considered to be a member of defined
14 employee insurance benefit groups.
15
16 2. Any permanent employee who works half (½) time or more is eligible for group health
17 and dental insurance, irrespective of the unit to which the employee belongs. All medical
18 and dental insurance premiums will be prorated in the amount of the full contract in terms
19 of full-time equivalency multiplied by the District's maximum contribution as prescribed
20 by the applicable collective bargaining agreement or Board policy.

21
22 A medical examination at the expense of the employee may be required, if the employee elects to
23 join the District health insurance program after initially refusing coverage during the "open
24 season" (*July). An eligible employee wishing to discontinue or change health insurance
25 coverage must initiate the action by contacting the personnel office and completing appropriate
26 forms.

27
28 Anniversary dates of the health and dental insurance policies for the District shall be July 1st
29 through June 30th.

30
31
32
33 Legal Reference: § 2-18-702, MCA Group insurance for public employees and officers
34 § 2-18-703, MCA Contributions

35
36 Policy History:

37 Adopted on: 06/20/13

38 Reviewed on:

39 Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

5333

4
5 Holidays

6
7 Holidays for certified staff are dictated in part by the school calendar. Temporary employees will
8 not receive holiday pay. Part-time employees will receive holiday pay on a prorated basis.

9
10 The holidays required for classified staff, by § 20-1-305, MCA, are:

- 11
12 1. Independence Day
13 2. Labor Day
14 3. Thanksgiving Day
15 4. Christmas Day
16 5. New Year's Day
17 6. Memorial Day
18 7. State and national election days when the school building is used as a polling place and
19 conduct of school would interfere with the election process

20
21 When an employee, as defined above, is required to work any of these holidays, another day
22 shall be granted in lieu of such holiday, unless the employee elects to be paid for the holiday in
23 addition to the employee's regular pay for all time worked on the holiday.

24
25 When one of the above holidays falls on Sunday, the following Monday will be a holiday. When
26 one of the above holidays falls on Saturday, the preceding Friday will be a holiday.

27
28 When a holiday occurs during a period in which vacation is being taken by an employee, the
29 holiday will not be charged against the employee's annual leave.

30
31
32
33 Legal Reference: § 20-1-305, MCA School holidays
34 37 A.G. Op. 150 (1978)

35
36 Policy History:

37 Adopted on: 06/20/13

38 Reviewed on:

39 Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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4
5 Vacations

6
7 Classified and twelve-(12)-month administrative employees will accrue annual vacation leave
8 benefits in accordance with §§ 2-18-611, 2-18-612, 2-18-614 through 2-18-617 and 2-18-621,
9 MCA. Nothing in this policy guarantees approval for granting specific days as annual vacation
10 leave in any instance. The District will judge each request for vacation in accordance with
11 staffing needs.

12
13 Employees are not entitled to any vacation leave with pay until they have been continuously
14 employed for a period of six (6) calendar months.

15
16
17
18 Legal Reference: § 2-18-611, MCA Annual vacation leave
19 § 2-18-612, MCA Rate earned
20 § 2-18-617, MCA Accumulation of leave – cash for unused – transfer

21
22 Policy History:

23 Adopted on: 06/20/13

24 Reviewed on:

25 Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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page 1 of 2

4
5 Vacations

6
7 All classified employees, except those in a temporary status, serving more than six (6) months,
8 are eligible to earn vacation leave credits retroactive to the date of employment. Leave credits
9 may not be advanced nor may leave be taken retroactively. A seasonal employee's accrued
10 vacation leave credits may be carried over to the next season, if management has a continuing
11 need for the employee, or paid out as a lump-sum payment to the employee when the season
12 ends (generally in June). The employee may request a lump-sum payment at the end of each
13 season.

14
15 Vacation is earned according to the following schedule:

16
17 RATE-EARNED SCHEDULE

18

19 Years of	20 Working Days
21 <u>Employment</u>	22 <u>Credit per Year</u>
23 1 day - 10 years	24 15
25 10 - 15 years	26 18
27 15 - 20 years	28 21
29 20 years on	30 24

31
32 Time as an elected state, county, or city official, as a school teacher, or as an independent
33 contractor, does not count toward the rate earned. For purposes of this paragraph, an employee of
34 a district or the university system is eligible to have school district or university employment
35 time count toward the rate-earned schedule, if that employee was eligible for annual leave in the
36 position held with the school district or university system.

37
38 Maximum Accrual of Vacation Leave

39
40 All full-time and part-time employees serving in permanent and seasonal positions may
41 accumulate two (2) times the total number of annual leave credits they are eligible to earn per
42 year, according to the rate-earned schedule.

43
44 Sick Leave Bank

45
46 An employee may contribute accumulated vacation leave to the sick leave bank provided for in §
47 2-18-618, MCA. Donation of vacation leave credits to and use of vacation leave credits in the
48 sick leave bank are governed by terms of the current collective bargaining agreement.

49
50 Annual Pay-Out

51
52 The District may, in its sole discretion and/or subject to the terms of a collective bargaining

agreement, provide cash compensation in January of each year for unused vacation leave in lieu of the accumulation of vacation leave.

Lump-Sum Payment Upon Termination

An employee who terminates employment for reasons not reflecting discredit on the employee shall be entitled, upon the date of such termination, to cash compensation for unused vacation leave, assuming that the employee has worked the qualifying periods set forth in § 2-18-611, MCA. The District shall not pay accumulated leaves to employees who have not worked the qualifying period. Vacation leave contributed to the sick leave bank is nonrefundable and is not eligible for cash compensation upon termination.

Legal Reference: §§ 2-18-611 ---- § 2-18-618, MCA Leave Time

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

PERSONNEL

5336

Compensatory Time and Overtime for Classified Employees

Non-exempt classified employees who work more than forty (40) hours in a given workweek may receive overtime pay of one and one-half (1½) times the normal hourly rate, unless the District and the employee agree to the provision of compensation time at a rate of one and one-half (1½) times all hours worked in excess of forty (40) hours in any workweek. The Superintendent must approve any overtime work of a classified employee.

Under Montana law and the Federal Fair Labor Standards Act, a classified employee may not volunteer to work without pay in an assignment similar to the employee's regular work.

A non-exempt employee who works overtime without authorization may be subject to disciplinary action.

NOTE: *Please be advised that comp time is not required. If a district adopts a comp time policy, there are basically two (2) types of employees: 1) Those who are covered before the policy was adopted need to be treated on a case-by-case basis, and the agreement to allow comp time must be entered into before the work is performed. 2) Those hired after the policy is in place – the Department of Labor has determined that the employee agreed to the policy. Some experts have said comp time is a credit card, not a savings account. The employee has broad latitude to decide when the time will be taken.*

Legal Reference:	29 U.S.C § 201, <i>et seq.</i> Title 39, Chapter 3, Part 4	Fair Labor Standards Act Minimum Wage and Overtime Compensation
	Admin. R. Mont. 24.16.2501—2581	Overtime Compensation

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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4
5 Workers' Compensation Benefits

6
7 All employees of the District are covered by workers' compensation benefits. In the event of an
8 industrial accident, an employee should:

- 9
10 1. Attend to first aid and/or medical treatment during an emergency;
11
12 2. Correct or report as needing correction a hazardous situation as soon as possible after an
13 emergency situation is stabilized;
14
15 3. Report the injury or disabling condition, whether actual or possible, to the immediate
16 supervisor, within forty-eight (48) hours, on the Employer's First Report of Occupational
17 Injury or Disease; and
18
19 4. Call or visit the administrative office after medical treatment, if needed, to complete the
20 necessary report of accident and injury on an Occupational Injury or Disease form.
21

22 The administrator will notify the immediate supervisor of the report and will include the
23 immediate supervisor as necessary in completing the required report.
24

25 An employee who is injured in an industrial accident may be eligible for workers' compensation
26 benefits. By law, employee use of sick leave must be coordinated with receipt of workers'
27 compensation benefits, on a case-by-case basis, in consultation with the Workers' Compensation
28 Division, Department of Labor and Industry.
29

30 The District will not automatically and simply defer to a report of industrial accident but will
31 investigate as it deems appropriate to determine: (1) whether continuing hazardous conditions
32 exist which need to be eliminated; and (2) whether in fact an accident attributable to the District
33 working environment occurred as reported. The District may require the employee to authorize
34 the employee's physician to release pertinent medical information to the District or to a
35 physician of the District's choice, should an actual claim be filed against the Workers'
36 Compensation Division, which could result in additional fees being levied against the District.
37
38
39

40 Legal Reference: §§ 39-71-101, *et seq.*, MCA Workers' Compensation Act
41

42 Policy History:

43 Adopted on: 06/20/13

44 Reviewed on:

45 Revised on:

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PERSONNEL

5338

Payment of Interest on Employer Contributions for Workers' Compensation Time

An employee absent because of an employment-related injury entitling the employee to workers' compensation payments may, upon the employee's return to service, contribute to the retirement system an amount equal to the contributions that would have been made by the employee to the system on the basis of the employee's compensation at the commencement of the employee's absence plus regular interest accruing from one (1) year from the date after the employee returns to service to the date the employee contributes for the period of absence.

The District has the option to pay, or not pay, the interest on the employer's contribution for the period of absence based on the salary as calculated. If the employer elects not to pay the interest costs, this amount must be paid by the employee.

It is the policy of this District to not pay the interest costs associated with the employer's contribution.

Cross Reference: 5254F Employer Payment Policy Form

Legal Reference: §§ 19-3-504, MCA Absence due to illness or injury.

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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4
5 Teachers' Aides/Paraeducators

6
7 Teachers' aides/paraeducators, as defined in the appropriate job descriptions, are under the
8 supervision of a principal and a teacher to whom the principal may have delegated responsibility
9 for close direction. The nature of the work accomplished by paraeducators will encompass a
10 variety of tasks that may be inclusive of "limited instructional duties."

11
12 Paraeducators are employed by the District mainly to assist the teacher. A paraeducator is an
13 extension of the teacher, who legally has the direct control and supervision of the classroom or
14 playground and responsibility for control and the welfare of the students.

15
16 In compliance with applicable legal requirements, the Board shall require all paraeducators with
17 instructional duties, that are newly hired in a Title I school-wide program, to have:

- 18
19 1. Completed at least two (2) years of study at an institution of higher education;
20
21 2. Obtained an Associate's or higher degree; or
22
23 3. Met a rigorous standard of quality, and can demonstrate through a formal state or local
24 academic assessment the knowledge of and ability to assist in the instruction of reading,
25 writing, or mathematics or the instruction of readiness of these subjects.
26

27 It is the responsibility of each principal and teacher to provide adequate training for a
28 paraeducator. This training should take into account the unique situations in which a
29 paraeducator works and should be designed to cover the general contingencies that might be
30 expected to pertain to that situation. During the first thirty (30) days of employment, the
31 supervising teacher or administrator shall continue to assess the skills and ability of the
32 paraeducator to assist in reading, writing, and mathematics instruction.
33

34 The Superintendent shall develop and implement procedures for an annual evaluation of
35 teachers' aides/paraeducators. Evaluation results shall be a factor in future employment
36 decisions.
37

38 Legal Reference: No Child Left Behind Act of 2001(PL 107-110)
39 20 U.S.C. § 6319 Qualifications for teachers and paraprofessionals
40
41
42

43 Policy History:

44 Adopted on: 06/20/13

45 Reviewed on:

46 Revised on:

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3 **PERSONNEL**

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4
5 Volunteers

6
7 The District recognizes the valuable contributions made to the total school program by members
8 of the community who act as volunteers. By law, a volunteer is an individual who:

- 9
10 1. Has not entered into an express or implied compensation agreement with the District;
11
12 2. Is excluded from the definition of “employee” under appropriate state and federal
13 statutes;
14
15 3. May be paid expenses, reasonable benefits, and/or nominal fees in some situations; and
16
17 4. Is not employed by the District in the same or similar capacity for which he/she is
18 volunteering.

19
20 District employees who work with volunteers shall clearly explain duties for supervising children
21 in school, on the playground, and on field trips. An appropriate degree of training and/or
22 supervision of each volunteer shall be administered commensurate with the responsibility
23 undertaken.

24
25 Volunteers who have unsupervised access to children are subject to the District’s policy
26 mandating background checks.

27
28 Chaperones

29
30 The Superintendent may direct that appropriate screening processes be implemented to assure
31 that adult chaperones are suitable and acceptable for accompanying students on field trips or
32 excursions.

33
34 When serving as a chaperone for the District, the parent(s)/guardian(s) or other adult volunteers,
35 including employees of the District, assigned to chaperone, shall not use tobacco products in the
36 presence of students, nor shall they consume any alcoholic beverages or use any illicit drug
37 during the duration of their assignment as a chaperone, including during the hours following the
38 end of the day’s activities for students. The chaperone shall not encourage or allow students to
39 participate in any activity that is in violation of District policy during the field trip or excursion,
40 including during the hours following the end of the day’s activities. Chaperones shall be given a
41 copy of these rules and sign a letter of understanding verifying they are aware of and agree to
42 these District rules before being allowed to accompany students on any field trip or excursion.

43
44 Any chaperone found to have violated these rules shall not be used again as a chaperone for any
45 District-sponsored field trips or excursions and may be excluded from using District-sponsored
46 transportation for the remainder of the field trip or excursion and be responsible for their own

transportation back home. Employees found to have violated these rules may be subject to disciplinary action.

Cross Reference: 5122 Fingerprints and Criminal Background Investigations
5430F Volunteer/Chaperone Letter of Understanding [Note: We developed one of these for MSGIA. Should we add a similar one as a new policy form?]

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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4
5 Student Teachers/Interns

6
7 The District recognizes its obligation to assist in the development of members of the teaching
8 profession. The District shall make an effort to cooperate with accredited institutions of higher
9 learning in the education of student teachers and other professionals in training (such as interns)
10 by providing a reasonable number of classroom and other real-life situations each year.

11
12 The District and the respective training institutions shall enter into mutually satisfactory
13 agreements whereby the rules, regulations, and guidelines of the practical experiences shall be
14 established.

15
16 The Superintendent shall coordinate all requests from cooperating institutions for placement with
17 building principals so that excessive concentrations of student teachers and interns shall be
18 avoided. As a general rule:

- 19
20 1. A student teacher shall be assigned to a teacher or other professional who has agreed to
21 cooperate and who has no less than three (3) years of experience in the profession;
22
23 2. A supervising professional shall be assigned no more than one (1) student teacher/intern
24 per school year;
25
26 3. The supervising professional shall remain responsible for the class;
27
28 4. The student teacher shall assume the same conditions of employment as a regular teacher
29 with regard to meeting the health examination requirements, length of school day,
30 supervision of co-curricular activities, staff meetings, and in-service training; and
31
32 5. The student teacher shall be subject to the District policy regarding background checks, if
33 the student teacher has unsupervised access to children.
34
35
36

37 Cross Reference: 5122 Fingerprints and Criminal Background Investigations

38
39 Legal Reference: § 20-4-101(2) and (3), MCA System and definitions of teacher and
40 specialist certification – student teacher
41 exception
42

43 Policy History:

44 Adopted on: 06/20/13

45 Reviewed on:

46 Revised on:

4
5 Employee use of Electronic Mail, Internet, and District Equipment

6
7 Electronic mail (“e-mail”) is an electronic message that is transmitted between two (2) or more
8 computers or electronic terminals, whether or not the message is converted to hard-copy format
9 after receipt, and whether or not the message is viewed upon transmission or stored for later
10 retrieval. E-mail includes all electronic messages that are transmitted through a local, regional, or
11 global computer network.

12
13 Because of the unique nature of e-mail/Internet, and because the District desires to protect its
14 interest with regard to its electronic records, the following rules have been established to address
15 e-mail/Internet usage by all employees:

16
17 The District e-mail and Internet systems are intended to be used for educational purposes only,
18 and employees should have no expectation of privacy when using the e-mail or Internet systems
19 for any purpose. Employees have no expectation of privacy in district owned technology
20 equipment, including but not limited to district-owned desktops, laptops, memory storage
21 devices, and cell phones.

22
23 Users of District e-mail and Internet systems are responsible for their appropriate use. All illegal
24 and improper uses of the e-mail and Internet system, including but not limited to extreme
25 network etiquette violations including mail that degrades or demeans other individuals,
26 pornography, obscenity, harassment, solicitation, gambling, and violating copyright or
27 intellectual property rights, are prohibited. Abuse of the e-mail or Internet systems through
28 excessive personal use, or use in violation of the law or District policies, will result in
29 disciplinary action, up to and including termination of employment.

30
31 All e-mail/Internet records are considered District records and should be transmitted only to
32 individuals who have a need to receive them. If the sender of an e-mail or Internet message does
33 not intend for the e-mail or Internet message to be forwarded, the sender should clearly mark the
34 message “Do Not Forward.”

35
36 In order to keep District e-mail and Internet systems secure, users may not leave the terminal
37 “signed on” when unattended and may not leave their password available in an obvious place
38 near the terminal or share their password with anyone except the system administrator. The
39 District reserves the right to bypass individual passwords at any time and to monitor the use of
40 such systems by employees.

41
42 Additionally, District records and e-mail/Internet records are subject to disclosure to law
43 enforcement or government officials or to other third parties through subpoena or other process.
44 Consequently, the District retains the right to access stored records in cases where there is
45
46

reasonable cause to expect wrongdoing or misuse of the system and to review, store, and disclose all information sent over the District e-mail systems for any legally permissible reason, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation, and to access District information in the employee's absence. Employee e-mail/Internet messages may not necessarily reflect the views of the District.

Except as provided herein, District employees are prohibited from accessing another employee's e-mail without the expressed consent of the employee. All District employees should be aware that e-mail messages can be retrieved, even if they have been deleted, and that statements made in e-mail communications can form the basis of various legal claims against the individual author or the District.

E-mail sent or received by the District or the District's employees may be considered a public record subject to public disclosure or inspection. All District e-mail and Internet communications may be monitored.

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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4
5
6 Electronic Resources and Social Networking

7
8 The Joliet School District recognizes that an effective public education system develops students
9 who are globally aware, civically engaged, and capable of managing their lives and careers. The
10 District also believes that students need to be proficient users of information, media, and
11 technology to succeed in a digital world.

12
13 Public school employees are held to a high standard of behavior. The Montana Department of
14 Education *Professional Educators of Montana Code of Ethics* requires District staff to maintain a
15 professional relationship with each student, both in and outside the classroom. The District
16 encourages all staff to read and become familiar with the Code of Ethics.

17
18 Therefore, the Joliet School District will use electronic resources as a powerful and compelling
19 means for students to learn core subjects and applied skills in relevant and rigorous ways. It is
20 the District's goal to provide students with rich and ample opportunities to use technology for
21 important purposes in schools just as individuals in workplaces and other real-life settings. The
22 District's technology will enable educators and students to communicate, learn, share,
23 collaborate and create, to think and solve problems, to manage their work and to take ownership
24 of their lives.

25
26 The School Board discourages district staff from socializing with students on social networking
27 websites (during school or out-of-school). Staff are reminded that the same relationship,
28 exchange, interaction, information, or behavior that would be unacceptable in a non-
29 technological medium, is unacceptable when done through the use of technology. In fact, due to
30 the vastly increased potential audience digital dissemination presents, extra caution must be
31 exercised by staff to ensure they don't cross the line of acceptability.

32
33 Specifically, the following forms of technology based interactivity or connectivity are expressly
34 permitted or forbidden:¹

35
36 What in other mediums of expression could remain private opinions, when expressed by staff on
37 a social networking website, have the potential to be disseminated far beyond the speaker's
38 desire or intention, and could undermine the public perception of fitness of the individual to
39 educate students, and thus undermine teaching effectiveness. In this way, the effect of the
40 expression and publication of such opinions could potentially lead to disciplinary action being
41 taken against the staff member, up to and including termination or nonrenewal of the contract of
42 employment.

43
44 Accessing social networking websites for individual use during school hours is prohibited, unless
45 asked to do so by administration. Except in an emergency situation, staff shall not access social
46 networking sites using district equipment or personal equipment, including during breaks or

preparation periods. All school district employees who participate in social networking websites, shall not post any school district data, documents, photographs, logos, or other district owned or created information on any website. Further, the posting of any private or confidential school district material on such websites is strictly prohibited.

The Board directs the Superintendent or his/her designee to create strong electronic educational systems that support innovative teaching and learning, to provide appropriate staff development opportunities and to develop procedures to support this policy.

Note: ¹ What is and is not acceptable staff/student interaction on social networking sites is an education community decision, and will vary from district to district. As a general rule, the greater the degree of real-life connections and interactivity between staff and students that occur in the community, the greater the tolerance will be for virtual connections and interactivity. Use the following list to help guide discussions with staff to determine which should be included in the policy and with what modifications/stipulations. It is as important to include in the policy what **is** permitted as what **is not** permitted. The discussions may elicit additional bullets to include in the policy.

- Sharing personal landline or cell phone numbers with students;
- Text messaging students;
- Emailing students other than through and to school controlled and monitored accounts;
- Soliciting students as friends or contacts on social networking sites;
- Accepting the solicitation of students as friends or contacts on social networking sites;
- Creation of administratively approved and sanctioned “groups” on social networking sites that permit the broadcast of information without granting students access to staff member’s personal information;
- Sharing with student’s access information to personal websites or other media through which the staff member would share personal information and occurrences.

Cross Reference:	5015	Bullying/Harassment/Intimidation
	5223	Personal Conduct
	5255	Disciplinary Action
		<i>Professional Educators of Montana Code of Ethics</i>

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

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3 **PERSONNEL**

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4
5 Payment of Wages Upon Termination

6
7 When a District employee quits, is laid off, or is discharged, wages owed will be paid on the next
8 regular pay day for the pay period in which the employee left employment or within fifteen (15)
9 days from the date of separation of employment, whichever occurs first.

10
11 In the case of an employee discharged for allegations of theft connected to the employee's work,
12 the District may withhold the value of the theft, provided:

- 13
14 • The employee agrees in writing to the withholding; or
15
16 • The District files a report of the theft with law enforcement within seven (7) business
17 days of separation.

18
19 If no charges are filed within thirty (30) days of the filing of a report with law enforcement,
20 wages are due within a thirty-(30)-day period.

21
22
23
24 Legal Reference: § 39-3-205, MCA Payment of wages when employee separated from
25 employment prior to payday – exceptions

26
27 Policy History:

28 Adopted on: 06/20/13

29 Reviewed on:

30 Revised on:

2
3 **PERSONNEL**

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4
5 HIPAA

6
7 Background

8
9 **Health Insurance Portability and Accountability Act of 1996 (HIPAA)**

10
11 The District's group health plan is a Covered Entity under the Health Insurance Portability and
12 Accountability Act of 1996 (HIPAA) and its implementing regulations, the Standards for the
13 Privacy of Individually Identifiable Information. In order to comply with HIPAA and its related
14 regulations, the District has implemented the following HIPAA Privacy Policy:

15
16 **The HIPAA Privacy Rule**

17
18 HIPAA required the federal government to adopt national standards for *electronic health care*
19 *transactions*. At the same time, Congress recognized that advances in electronic technology
20 could erode the privacy of health information and determined there was a need for national
21 privacy standards. As a result HIPAA included provisions which mandated the adoption of
22 federal privacy standards for individually identifiable health information.

23
24 The standards found in the Privacy Rule are designed to protect and guard against the misuse of
25 individually identifiable health information, with particular concern regarding employers using
26 an employee's (or dependent's) health information from the group health plan to make adverse
27 employment-related decisions. The Privacy Rule states that verbal, written, or electronic
28 information that can be used to connect a person's name or identity with medical, treatment, or
29 health history information is Protected Health Information (PHI) under the HIPAA Privacy Rule.

30
31 Under the HIPAA Privacy Rule:

- 32
- 33 1. Individuals have a right to access and copy their health record to the extent allowed by
34 HIPAA.
 - 35
 - 36 2. Individuals have the right to request an amendment to their health record. The plan may
37 deny an individual's request under certain circumstances specified in the HIPAA Privacy
38 Rule.
 - 39
 - 40 3. Individuals have the right to an accounting of disclosures of their health record for
41 reasons other than treatment, payment, or healthcare operations.
 - 42
 - 43 4. PHI, including health, medical, and claims records, can be used and disclosed without
44 authorization for specific, limited purposes (treatment, payment, or operations of the
45 group health plan). A valid authorization from the individual must be provided for use or
46 disclosure for other than those purposes.

5. Safeguards are required to protect the privacy of health information.
6. Covered entities are required to issue a notice of privacy practices to their enrollees.
7. Violators are held accountable with civil and criminal penalties for improper use or disclosure of PHI.

Compliance

District Clerk has been designated Privacy Officer. The Privacy Officer will oversee all ongoing activities related to the development, implementation, maintenance of, and adherence to the District's policies and procedures covering the privacy of and access to patient health information in compliance with HIPAA, other applicable federal and state laws, and the District's privacy practices.

As required for a Covered Entity under HIPAA, the plan has developed these internal privacy policies and procedures to assure that PHI is protected and that access to and use and disclosure of PHI are restricted in a manner consistent with HIPAA's privacy protections. The policies and procedures recognize routine and recurring disclosures for treatment, payment, and healthcare operations and include physical, electronic, and procedural safeguards to protect PHI. The procedures include safeguards for sending PHI via mail or fax, receiving PHI for plan purposes, and workstation safeguards and procedures for securing and retaining PHI received by the plan. Plan participants are entitled to receive a copy of the plan's policies and procedures upon request.

Designating a limited number of privacy contacts allows the District to control who is receiving PHI from the contract claims payer for plan operations purposes. The contract claims payer will provide only the minimum PHI necessary for the stated purpose and, as required under the Privacy Rule, will provide PHI only to individuals with a legitimate need to know for plan operations purposes.

The District has distributed a notice of privacy practices to plan participants. The notice informs plan participants of their rights and the District's privacy practices related to the use and disclosure of PHI. A copy of this notice may be obtained by contacting the Privacy Officer.

The District has reviewed how PHI is used and disclosed by the plan and has limited disclosure of that information to employees who have a legitimate need to know or possess the PHI for healthcare operations and functions. The District will make reasonable efforts to use de-identified information whenever possible in the operations of the plan and will only use the minimum PHI necessary for the stated purpose.

Some of the District's employees need access to PHI in order to properly perform the functions of their jobs. The District has identified these employees and has given them training in the

important aspects of the HIPAA Privacy Rule, the privacy policy, and procedures. New employees who will have access to PHI will receive training on the HIPAA Privacy Rule and related policies and procedures as soon as reasonably possible after they are employed. Employees who improperly use or disclose PHI or misuse their access to that information may be subject to discipline, as deemed appropriate.

In the event the group health plan must disclose PHI in the course of performing necessary plan operations functions or as required by law or a governmental agency, the District has developed a system to record those disclosures and requests for disclosures. An individual may request a list of disclosures of his or her PHI made by the plan for other than treatment or claims payment purposes. All requests for an accounting of PHI disclosures must be made in writing, and the plan may impose fees for the cost of production of this information. Requests will be responded to within sixty (60) days. If the plan is not able to provide the requested information within sixty (60) days, a written notice of delay will be sent to the requesting individual, with the reasons for the delay and an estimated time for response.

In order to comply with the new privacy regulations, the plan has implemented compliant communication procedures. Except for its use in legitimate healthcare operations, written permission will be required in order for the District to disclose PHI to or discuss it with a third party.

The HIPAA Privacy Rule prohibits the District from disclosing medical information without the patient's written permission other than for treatment, payment, or healthcare operations purposes. An authorization signed by the patient and designating specified individuals to whom the District may disclose specified medical information must be on file, before the plan can discuss a patient's medical information with a third party (such as a spouse, parent, group health plan representative, or other individual).

The District has taken the following steps to ensure PHI is safeguarded:

- The District has implemented policies and procedures to designate who has and who does not have authorized access to PHI.
- Documents containing PHI are kept in a restricted/locked area.
- Computer files with PHI are password protected and have firewalls making unauthorized access difficult.
- Copies of PHI will be destroyed when information is no longer needed, unless it is required by law to be retained for a specified period of time.
- The District will act promptly to take reasonable measures to mitigate any harmful effects known to the group health plan, due to a use or disclosure of PHI in violation of the

plan's policies, procedures, or requirements of the HIPAA Privacy Rule.

- The District will appropriately discipline employees who violate the District's group health plan's policies, procedures, or the HIPAA Privacy Rule, up to and including termination of employment if warranted by the circumstances.

The District has received signed assurances from the plan's business associates that they understand the HIPAA Privacy Rule, applicable regulations, and the Privacy Policy and will safeguard PHI just as the plan would.

The contract claims payer and certain other entities outside the group health plan require access on occasion to PHI, if they are business associates of the group health plan and in that role need to use, exchange, or disclose PHI from the group health plan. The plan requires these entities to sign an agreement stating they understand HIPAA's privacy requirements and will abide by those rules just as the group health plan does, to protect the PHI to which they have access. For example the plan engages a certified public accountant to audit the plan annually and to make sure payments are made in compliance with the Plan Document. In order for the CPA to complete an audit, the auditor reviews a sample of the claims for accuracy.

The District will ensure health information will not be used in making employment and compensation decisions. The HIPAA Privacy Rule and other applicable laws expressly prohibit an employer from making adverse employment decisions (demotions, terminations, etc.) based on health information received from the group health plan. To the extent possible, the District has separated the plan operations functions from the employment functions and has safeguards in place to prevent PHI from the plan from going to or being used by an employee's supervisor, manager, or superior to make employment-related decisions.

Complaints

If an employee believes their privacy rights have been violated, they may file a written complaint with the Privacy Officer. No retaliation will occur against the employee for filing a complaint. The contact information for the Privacy Officer is:

District Clerk
Joliet School District
PO Box 590
Joliet, MT 59041

Legal Reference: 45 C.F.R. Parts 160, 162, 164

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

Request for Protected Health Information

This form should be used when release of a patient's protected health information is being made to the health care provider for an employee or student for a purpose other than treatment, payment or health care operations.

I, _____, hereby authorize _____
Name of Employee, Student 18 or older, or Parent/Guardian *Name of Physician/Practice*
to use and/or disclose my protected health information described below to Joliet School District..

My protected health information will be used or disclosed upon request for the following purposes (name and explain each purpose): _____

This authorization for use and/or disclosure applies to the following information (please mark those that apply):

- ☐ Any and all records in the possession of the above-named physician or physician's practice, including mental health, HIV, and/or substance abuse records. (Please cross out any item you do not authorize to be released.)
- ☐ Records regarding treatment for the following condition or injury _____ on or about _____.
- ☐ Records covering the period of time _____ to _____.
- ☐ Other (Specify and include dates.) _____.

I understand that I have the right to revoke this authorization, in writing, at any time by sending such written notification to above-named physician/practice. I also understand that my revocation is not effective to the extent that the persons I have authorized to use and/or disclose my protected health information have acted in reliance upon this authorization.

I understand that I do not have to sign this authorization and that the above-named physician/practice may not condition treatment or payment on whether I sign this authorization.

I understand that information used or disclosed pursuant to this authorization may be subject to re-disclosure by the recipient and no longer protected by federal laws and regulations regarding the privacy of my protected health information.

This authorization expires on the following date or event: _____.

I certify that I have received a copy of this authorization.

Signature of Patient or Personal Representative

Date

Name of Patient or Personal Representative

Personal Representative's Authority

1 **Joliet Public Schools**

2
3 **PERSONNEL**

5630

4
5 Employee Use of Cellular Phones and Other Electronic Devices

6
7 The Board recognizes that the use of cellular telephones and other electronic communication
8 devices may be appropriate to help ensure the safety and security of District property, students,
9 staff, and others while on District property or engaged in District-sponsored activities.

10 Use of cellular telephones and other electronic communication devices in violation of Board
11 policies, administrative regulations, and/or state/federal laws will result in discipline up to and
12 including termination of employment.

13 An employee is prohibited from operating a district-owned or personally-owned vehicle when on
14 official district duty, while using a cellular phone, including hands free cellular phone devices,
15 except:

- 16 (1) During an emergency situation;
17 (2) To call for assistance if there is a mechanical breakdown or other mechanical
18 problem;
19 (3) When the vehicle is parked.
20

21 Emergency Use

22 Staff are encouraged to use any available cellular telephone in the event of an emergency that
23 threatens the safety of students, staff, or other individuals.

24 Use of Personal Cell Phones and Communication Devices

25 Employees are strongly discouraged from using their personal cell phone during the school days.
26 When necessary, employees may use their personal cell phones and similar communication
27 devices only during non-instructional time. In no event shall an employee's use of a cell phone
28 interfere with the employee's job obligations and responsibilities. If such use is determined to
29 have interfered with an employee's obligations and responsibilities, the employee may be
30 disciplined in accordance with Board policies.

31
32 Policy History:

33 Adopted on: 06/20/13

34 Reviewed on:

35 Revised on:

JOLIET SCHOOL DISTRICT

R = required

6000 SERIES ADMINISTRATION

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6310	Internships
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6420	Professional Growth and Development

1 **Joliet Public Schools**

2
3 **ADMINISTRATION**

6000

4
5 Goals

6
7 The administrative staff's primary functions are to manage the District and to facilitate the
8 implementation of a quality educational program. It is the goal of the Board that the
9 administrative organization:

- 10
11 1. Provide for efficient and responsible supervision, implementation, evaluation, and
12 improvement of the instructional program, consistent with the policies established by the
13 Board;
14
15 2. Provide effective and responsive communication with staff, students, parents, and other
16 citizens; and
17
18 3. Foster staff initiative and rapport.

19
20 The District's administrative organization will be designed so that all divisions and departments
21 of the District are part of a single system guided by Board policies implemented through the
22 Superintendent. Principals and other administrators are expected to administer their facilities in
23 accordance with Board policy and the Superintendent's rules and procedures.
24
25
26

27 Policy History:

28 Adopted on: 06/20/13

29 Reviewed on:

30 Revised on:

2
3 **ADMINISTRATION**

6110

4
5 Superintendent

6
7 Duties and Authorities

8
9 The Superintendent is the District's executive officer and is responsible for the administration
10 and management of District schools, in accordance with Board policies and directives and state
11 and federal law. The Superintendent is authorized to develop administrative procedures to
12 implement Board policy and to delegate duties and responsibilities; however, delegation of a
13 power or duty does not relieve the Superintendent of responsibility for that which was delegated.
14

15 Qualifications and Appointment

16
17 The Superintendent will have the experience and skills necessary to work effectively with the
18 Board, District employees, students, and the community. The Superintendent must hold a valid
19 administrative certificate with superintendent's endorsement issued by the State Certification
20 Board.
21

22 When the Superintendent position becomes vacant, the Board will conduct a search to find the
23 most capable person for the position. Qualified staff members who apply for the position will be
24 considered for the vacancy.
25

26 Evaluation

27
28 At least annually the Board will evaluate the performance of the Superintendent, using standards
29 and objectives developed by the Superintendent and the Board, which are consistent with District
30 mission and goal statements. A specific time shall be designated for a formal evaluation session.
31 The evaluation will include a discussion of professional strengths, as well as performance areas
32 needing improvement.
33

34 Compensation and Benefits

35
36 The Board and the Superintendent will enter into a contract which conforms to this policy and
37 state law. The contract will govern the employment relationship between the Board and the
38 Superintendent.
39

40 Legal Reference: § 20-4-402, MCA Duties of district superintendent or county high
41 school principal
42

43 Policy History:

44 Adopted on: 06/20/13

45 Reviewed on:

46 Revised on:

ADMINISTRATION

6110P

page 1 of 2

Superintendent

The Board will:	The Superintendent will:
Select the Superintendent and delegate to him/her all necessary administrative powers.	Serve as chief executive officer of the District.
Adopt policies for the operations of the school system and review administrative procedures.	Recommend policies or policy changes to the Board and develop procedures which implement Board policy.
Formulate a statement of goals reflecting the philosophy of the District.	Provide leadership in the development, operation, supervision, and evaluation of the educational program.
Adopt annual objectives for improvement of the District.	Recommend annual objectives for improvement of the District.
Approve courses of study.	Recommend courses of study.
Approve textbooks.	Recommend textbooks.
Approve the annual budget.	Prepare and submit the annual budget.
Employ certificated and classified staff, in its discretion, upon recommendation of the Superintendent.	Recommend candidates for employment as certificated and classified staff.
Authorize the allocation of certificated and classified staff.	Recommend staff needs based on student enrollment, direct and assign teachers and other employees of the schools under his/her supervision; shall organize, reorganize, and arrange the administrative and supervisory staff, including instruction and business affairs, as best serves the District, subject to the approval of the Board.
Approve contracts for major construction, remodeling, or maintenance.	Recommend contracts for major construction, remodeling, or maintenance.
Approve payment of vouchers and payroll.	Recommend payment of vouchers and payroll.
Approve proposed major changes of school plant and facilities.	Prepare reports regarding school plant and facilities needs.

The Board will:	The Superintendent will:
Approve collective bargaining agreements.	Supervise negotiation of collective bargaining agreements.
Assure that appropriate criteria and processes for evaluating staff are in place.	Establish criteria and processes for evaluating staff.
Appoint citizens and staff to serve on special Board committees, if necessary.	Recommend formation of <i>ad hoc</i> citizens' committees.
Conduct regular meetings.	As necessary, attend all Board meetings and all Board and citizen committee meetings, serve as an ex-officio member of all Board committees, and provide administrative recommendations on each item of business considered by each of these groups.
Serve as final arbitrator for staff, citizens, and students.	Inform the Board of appeals and implement any such forthcoming Board decisions.
Promptly refer to the Superintendent all criticisms, complaints, and suggestions called to its attention.	Respond and take action on all criticism, complaints, and suggestions, as appropriate.
Authorize the ongoing professional enrichment of its administrative leader, as feasible.	Undertake consultative work, speaking engagements, writing, lecturing, or other professional duties and obligations.
Approve appropriate District expenditures recommended by the Superintendent for the purpose of ongoing District operations.	Diligently investigate and make purchases that benefit the most efficient and functional operation of the District.

Procedure History:

Promulgated on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **ADMINISTRATION**

6121

4
5 District Organization

6
7 The Superintendent shall develop an organizational chart indicating the channels of authority and
8 reporting relationships for school personnel. These channels should be followed, and no level
9 should be bypassed, except in unusual circumstances.

10
11 The organization of District positions of employment for purposes of supervision, services,
12 leadership, administration of Board policy, and all other operational tasks shall be on a “line and
13 staff” basis. District personnel occupying these positions of employment shall carry out their
14 duties and responsibilities on the basis of line and staff organization.

15
16
17
18 Policy History:

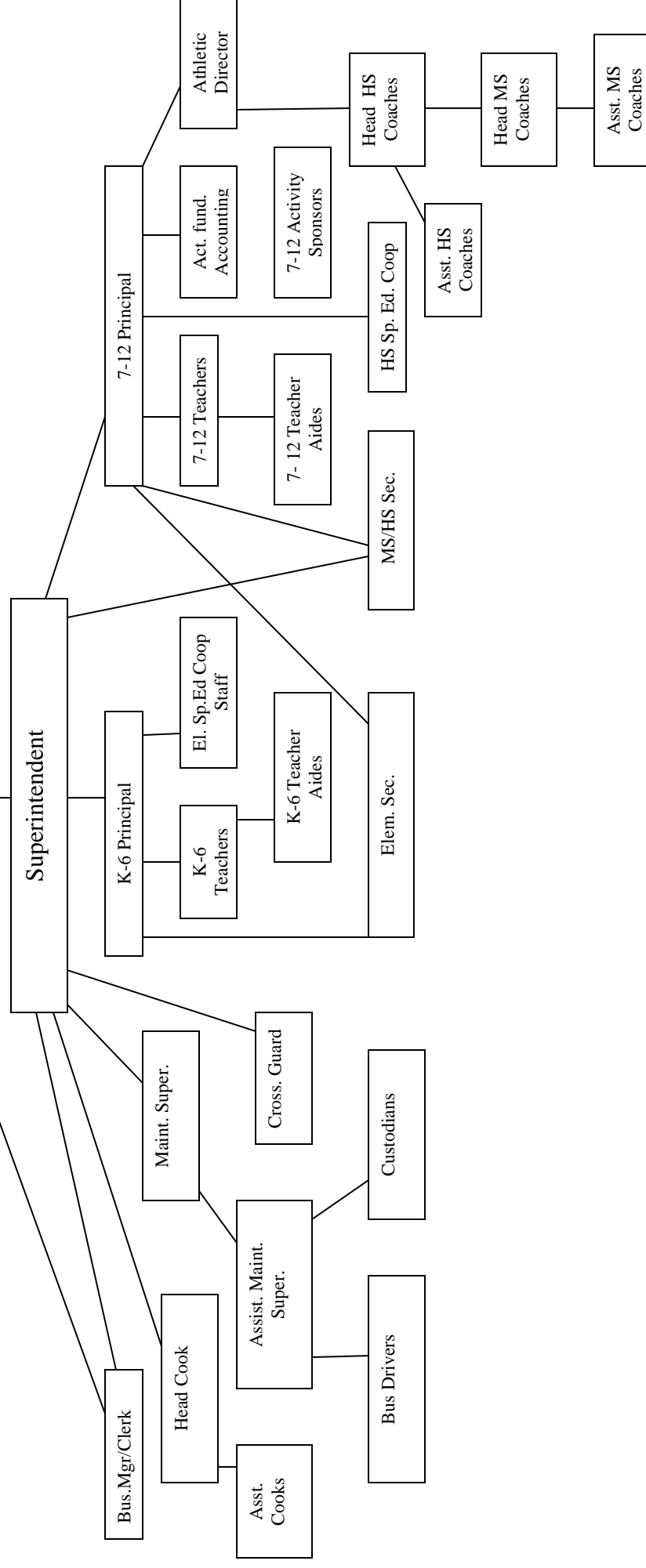
19 Adopted on: 06/20/13

20 Reviewed on:

21 Revised on:

BOARD OF TRUSTEES
Chairman: Melvin Stene Vice Chair: Justin Oswald Members: Brad Stephenson Corie Mydland Sharon Songstad Dawn Blain, Clinton Kramer

Chairman: Melvin Stene Vice Chair: Justin Oswald Members: Brad Stephenson Corie Mydland Sharon Songstad Dawn Blain, Clinton Kramer



**JOLIET SCHOOL
ORGANIZATIONAL
CHART
2011-2012**

1 **Joliet Public Schools**

2
3 **ADMINISTRATION**

6122

4
5 Delegation of Authority

6
7 Unless otherwise specified, the Superintendent has the authority to designate a staff member to
8 serve in an official capacity for the implementation of District policies or as his/her personal
9 representative. This authorization will include those responsibilities appropriate for the position
10 as designated or directed by the Superintendent.
11
12
13

14 Policy History:

15 Adopted on: 06/20/13

16 Reviewed on:

17 Revised on:

6140

1 **Joliet Public Schools**

2
3 **ADMINISTRATION**

6141

4
5 Employment Restrictions for Administrative Personnel

6
7 The Superintendent must give prior approval for time taken by administrators from the regularly
8 assigned work schedules, for such paid activities as consulting, college teaching, lecturing, etc.

9
10 The amount of time lost to the District will be, but is not restricted to being: deducted from
11 vacation time; granted as additional personal leave as specified by a written contract; or prorated
12 to a dollar amount to be deducted in the next regularly scheduled pay period.

13
14 Time taken from the regularly assigned work schedule for non-paid activities shall follow the
15 format established above.

16
17
18
19 Policy History:

20 Adopted on: 06/20/13

21 Reviewed on:

22 Revised on:

ADMINISTRATION

6210

Principals

Principals are the chief administrators of their assigned schools. The primary responsibility of Principals is the development and improvement of instruction. The majority of the Principals' time shall be spent on curriculum and staff development through formal and informal activities, establishing clear lines of communication regarding the school rules, accomplishments, practices, and policies with parents and teachers. Principals are responsible for management of their staff, maintenance of the facility and equipment, administration of the educational program, control of the students attending the school, management of the school's budget, and communication between the school and the community. Principals will be evaluated on their instructional leadership ability and their ability to maintain a positive education and learning environment.

Legal Reference:	§ 20-4-403, MCA	Powers and duties of principal
	10.55.701, ARM	Board of Trustees

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **ADMINISTRATION**

6310

4
5 Internships

6
7 The Board recognizes the need to provide training opportunities for prospective administrators.
8 Internships for those in the process of acquiring administrative credentials shall be considered
9 and approved on an individual basis. The Superintendent or designee and the District
10 administrator involved will review the internship proposal with the candidate and the university
11 representative, much in the same manner as student teachers are assigned.
12
13
14

15 Policy History:

16 Adopted on: 06/20/13

17 Reviewed on:

18 Revised on:

2
3 **ADMINISTRATION**

6410

4
5 Evaluation of Administrative Staff

6
7 Each administrator will be evaluated annually, in order to provide guidance and direction to the
8 administrator in the performance of his/her assignment. Such evaluation will be based on job
9 descriptions, accomplishment of annual goals and performance objectives, and established
10 evaluative criteria.

11
12 The Superintendent shall establish procedures for the conduct of these evaluations. Near the
13 beginning of the school year, the Superintendent shall inform the administrator of the criteria to
14 be used for evaluation purposes, including the adopted goals for the District. Such criteria shall
15 include performance statements dealing with leadership; administration and management; school
16 financing; professional preparation; effort toward improvement; interest in students, staff,
17 citizens, and programs; and staff evaluation.

18
19 Both the evaluator and the administrator involved in the evaluation will sign the written
20 evaluation report and retain a copy for their records. A person being evaluated has the right to
21 submit and attach a written statement to the evaluation within a reasonable time following the
22 evaluation conference.

23
24
25
26 Cross Reference: 6140 Duties and Qualifications of Administrative Staff Other Than
27 Superintendent

28
29 Legal Reference: 10.55.701, ARM Board of Trustees

30
31 Policy History:

32 Adopted on: 06/20/13

33 Reviewed on:

34 Revised on:

1 **Joliet Public Schools**

2
3 **ADMINISTRATION**

6420

4
5 Professional Growth and Development

6
7 The Board recognizes that training and study for administrators contribute to skill development
8 necessary to better serve the District's needs.

9
10 The Administrator is encouraged to be a member of and participate in professional associations
11 which have as their purposes the upgrading of school administration and the continued
12 improvement of education in general.

13
14
15
16 Legal Reference: § 20-1-304, MCA Pupil-instruction-related day

17
18 Policy History:

19 Adopted on: 06/20/13

20 Reviewed on:

21 Revised on:

R = required

JOLIET SCHOOL DISTRICT

7000 SERIES FINANCIAL MANAGEMENT

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1 **Joliet Public Schools**

2
3 **FINANCIAL MANAGEMENT**

7000

4
5 Goals

6
7 Because educational programs are dependent on adequate funding and the proper management of
8 those funds, District goals can best be attained through efficient fiscal management. As trustee
9 of local, state, and federal funds allocated for use in public education, the Board shall fulfill its
10 responsibility to see that funds are used to achieve the intended purposes.

11
12 Because of resource limitations, fiscal concerns often overshadow the educational program.
13 Recognizing this, the District must take specific action to ensure that education remains primary.
14 This concept shall be incorporated into Board operations and into all aspects of District
15 management and operation.

16
17 The Board seeks to achieve the following goals in the District's fiscal management:

- 18
19 1. Engage in advance planning, with staff and community involvement, to develop budgets
20 which will achieve the greatest educational returns in relation to dollars expended.
21
22 2. Establish levels of funding which shall provide superior education for District students.
23
24 3. Provide timely and appropriate information to staff who have fiscal responsibilities.
25
26 4. Establish efficient procedures in all areas of fiscal management.
27
28
29

30 Legal Reference: Title 20, Chapter 9, MCA Finance

31
32 Policy History:

33 Adopted on: 06/20/13

34 Reviewed on:

35 Revised on:

1 **Joliet Public Schools**

2
3 **FINANCIAL MANAGEMENT**

7110

4
5 Budget and Program Planning

6
7 The annual budget is evidence of the Board's commitment to the objectives of the instruction
8 programs. The budget supports immediate and long-range goals and established priorities within
9 all areas – instructional, noninstructional, and administrative programs.

10
11 Before presentation of a proposed budget for adoption, the Superintendent and [business
12 manager/district clerk] will prepare, for the Board's consideration, recommendations (with
13 supporting documentation) designed to meet the needs of students, within the limits of
14 anticipated revenues.

15
16 Program planning and budget development [will/may] provide for staff participation and the
17 sharing of information with patrons before any action by the Board.

18
19
20
21 Policy History:

22 Adopted on: 06/20/13

23 Reviewed on:

24 Revised on:

1 **Joliet Public Schools**

2
3 **FINANCIAL MANAGEMENT**

7121

4
5 Budget Adjustments

6
7 When any budgeted fund line item is in excess of the amount required, the Board may transfer any of
8 the excess appropriation to another line item(s) within the same fund.
9

10 The Board authorizes the administration to transfer line items within the same budgeted fund to
11 adjust line item overdrafts or to meet special line item needs. Line item budget transfers to adjust line
12 item overdrafts are at the discretion of the administrators.
13

14 Total budget expenditures for each fund as adopted in the final budget shall constitute the
15 appropriations of the District for the ensuing fiscal year. The Board will be limited in the incurring
16 of expenditures to the total of such appropriations.
17

18 With timely notice of a public meeting, trustees, by majority vote of those present, may declare by
19 resolution that a budget amendment (in addition to the final budget) is necessary. Budget
20 amendments are authorized for specified reasons by § 20-9-161, MCA. The resolution must state the
21 facts constituting the need for the budget amendment, the funds affected by the budget amendment,
22 the anticipated source of financing, the estimated amount of money required to finance the budget
23 amendment, and the time and place the trustees will meet for the purpose of considering and adopting
24 the budget amendment for the current school fiscal year.
25

26 The meeting to adopt a budget amendment will be open and will provide opportunity for any
27 taxpayer to appear and be heard. Budget procedures will be consistent with statutory requirements.
28 When applicable, the District will apply for state financial aid to supplement the amount to be
29 collected from local taxes.
30

31 Legal Reference:	§ 20-9-133, MCA	Adoption and expenditure limitations of final budget
32	§ 20-9-161, MCA	Definition of budget amendment for budgeting
33		purposes
34	§ 20-9-162, MCA	Authorization for budget amendment adoption
35	§ 20-9-163, MCA	Resolution for budget amendment – petition to
36		superintendent of public instruction
37	§ 20-9-164, MCA	Notice of budget amendment resolution
38	§ 20-9-165, MCA	Budget amendment limitation, preparation, and
39		adoption procedures
40	§ 20-9-166, MCA	State financial aid for budget amendments
41	§ 20-9-208, MCA	Transfers among appropriation items of fund –
42		transfers from fund to fund
43		

44 Policy History:

45 Adopted on: 06/20/13

46 Reviewed on:

47 Revised on:

1 **Joliet Public Schools**

2
3 **FINANCIAL MANAGEMENT**

7210

4
5 Revenues

6
7 The District will seek and utilize all available sources of revenue for financing its educational
8 programs, including revenues from non-tax, local, state, and federal sources. The District will
9 properly credit all revenues received to appropriate funds and accounts as specified by federal
10 and state statutes and accounting and reporting regulations for Montana school districts.

11
12 The District will collect and deposit all direct receipts of revenues as necessary but at least once
13 monthly. The District will make an effort to collect all revenues due from all sources, including
14 but not limited to rental fees, bus fees, fines, tuition fees, other fees and charges. Uncollectible
15 checks may be turned over to the county attorney for collection.

16
17
18
19 Legal Reference: Title 20, Chapter 9, MCA Finance
20 Title 10, Chapter 10, ARM Special Accounting Practices

21
22 Policy History:

23 Adopted on: 06/20/13

24 Reviewed on:

25 Revised on:

The Board may accept gifts, endowments, legacies, and devises subject to the lawful conditions imposed by the donor. Endowments received by the District will be deposited to an endowment fund as an expendable or nonexpendable trust. Neither the Board nor the Superintendent will approve any gifts that are inappropriate. Unless conditions of an endowment instrument require immediate disbursement, the Board will invest money deposited in the endowment fund according to the provisions of the Uniform Management of Institutional Funds Act (Title 72, chapter 30, MCA).

Educational foundations which seek to promote, enhance, and enable educational opportunities and school improvement activities in the District may solicit and receive tax-deductible funds from donors. Educational foundations may be sanctioned by the Board but not managed or directed by it. The Board may appoint nonvoting advisors to the foundation board, if the bylaws of the foundation permit that action.

The Board directs that all school funds be invested in a prudent manner so as to achieve maximum economic benefit to the District. Funds not needed for current obligations may be invested in investment options as set out in Montana statutes, whenever it is deemed advantageous for the District to do so.

Legal Reference:	§ 20-6-601, MCA	Power to accept gifts
	§ 20-7-803, MCA	Authority to accept gifts
	§ 20-9-212, MCA	Duties of county treasurer
	§ 20-9-213(4), MCA	Duties of trustees
	§ 20-9-604, MCA	Gifts, legacies, devises, and administration of endowment fund
	§ 72-30-209, MCA	Appropriation for expenditure or accumulation of endowment fund – rules of construction

Adopted on: 06/20/13
Reviewed on:
Revised on:

1 **Joliet Public Schools**

2
3 **FINANCIAL MANAGEMENT**

7310

4
5 Budget Implementation and Execution

6
7 Once adopted by the Board, the operating budget shall be administered by the Superintendent's
8 designees. All actions of the Superintendent/designees in executing programs and/or activities
9 delineated in that budget are authorized according to these provisions:

- 10
11 1. Expenditure of funds for employment and assignment of staff shall meet legal
12 requirements of the state of Montana and adopted Board policies.
13
14 2. Funds held for contingencies may not be expended without Board approval.
15
16 3. A listing of warrants describing goods and/or services for which payment has been made
17 must be presented for Board ratification each month.
18
19 4. Purchases will be made according to the legal requirements of the state of Montana and
20 adopted Board policy.
21
22
23

24 Legal Reference: § 20-3-332, MCA Personal immunity and liability of trustees
25 § 20-9-213, MCA Duties of trustees
26

27 Policy History:

28 Adopted on: 06/20/13

29 Reviewed on:

30 Revised on:

1 **Joliet Public Schools**

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3 **FINANCIAL MANAGEMENT**

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4
5 Purchasing

6
7 Authorization and Control

8
9 The Superintendent is authorized to direct expenditures and purchases within limits of the
10 detailed annual budget for the school year. The Board must approve purchase of capital outlay
11 items, when the aggregate total of a requisition exceeds \$_____ (*cannot exceed \$80,000*),
12 except the Superintendent shall have the authority to make capital outlay purchases without
13 advance approval when necessary to protect the interests of the District or the health and safety
14 of staff or students. The Superintendent will establish requisition and purchase order procedures
15 to control and maintain proper accounting of expenditure of funds. Staff who obligate the
16 District without proper authorization may be held personally responsible for payment of such
17 obligations.

18
19 Bids and Contracts

20
21 Whenever any building furnishing, repairing, or other work for the benefit of the District or
22 purchasing of supplies for the District is necessary, the work done or the purchase made must be
23 by contract if the sum exceeds Eighty Thousand Dollars (\$80,000). The District will call for
24 formal bids by issuing public notice as specified in statute. Specifications will be prepared and
25 made available to all vendors interested in submitting a bid. The contract shall be awarded to the
26 lowest responsible bidder, except that the trustees may reject any or all bids. The Board, in
27 making a determination as to which vendor is the lowest responsible bidder, will take into
28 consideration not only the amount of each bid, but will also consider the skill, ability, and
29 integrity of a vendor to do faithful, conscientious work and to promptly fulfill the contract
30 according to its letter and spirit. Bidding requirements do not apply to a registered professional
31 engineer, surveyor, real estate appraiser, or registered architect; a physician, dentist, pharmacist,
32 or other medical, dental, or health care provider; an attorney; a consulting actuary; a private
33 investigator licensed by any jurisdiction; a claims adjuster; or an accountant licensed under Title
34 37, Chapter 50.

35
36 Advertisement for bid must be made once each week for two (2) consecutive weeks, and a
37 second (2nd) publication must be made not less than five (5) nor more than twelve (12) days
38 before consideration of bids.

39
40 The Superintendent will establish bidding and contract-awarding procedures. Bid procedures
41 will be waived only as specified in statute. Any contract required to be let for bid shall contain
42 language to the following effect:

43
44 *In making a determination as to which vendor is the lowest responsible bidder, if*
45 *any, the District will take into consideration not only the pecuniary ability of a*
46 *vendor to perform the contract, but will also consider the skill, ability, and*

integrity of a vendor to do faithful, conscientious work and promptly fulfill the contract according to its letter and spirit. References must be provided and will be contacted. The District further reserves the right to contact others with whom a vendor has conducted business, in addition to those listed as references, in determining whether a vendor is the lowest responsible bidder. Additional information and/or inquiries into a vendor's skill, ability, and integrity are set forth in the bid specifications.

Cooperative Purchasing

The District may enter into cooperative purchasing contracts with one or more districts for procurement of supplies or services. A district participating in a cooperative purchasing group may purchase supplies and services through the group without complying with the provisions of 20-9-204(3), MCA if the cooperative purchasing group has a publicly available master list of items available with pricing included and provides an opportunity at least twice yearly for any vendor, including a Montana vendor, to compete, based on a lowest responsible bidder standard, for inclusion of the vendor's supplies and services on the cooperative purchasing group's master list.

Legal Reference:	§§ 18-1-101, et seq., MCA	Preferences and General Matters
	§§ 18-1-201, et seq., MCA	Bid Security
	§ 20-9-204, MCA	Conflicts of interests, letting contracts, and calling for bids
	§ 20-10-110, MCA	School Bus Purchases – contracts- bids
	<i>Debcon v. City of Glasgow</i> , 305 Mont. 391 (2001)	

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

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3 **FINANCIAL MANAGEMENT**

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4
5 Accounting System Design

6
7 The District accounting system will be established to present, with full disclosure, the financial
8 position and results of financial operations of District funds and account groups in conformity
9 with generally accepted accounting principles. The accounting system must be in compliance
10 with accounting system requirements established by legislative action. The accounting system
11 shall be able to demonstrate compliance with finance-related legal and contractual provisions.
12
13
14

15 Policy History:

16 Adopted on: 06/20/13

17 Reviewed on:

18 Revised on:

1 **Joliet Public Schools**

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3 **FINANCIAL MANAGEMENT**

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4
5 Documentation and Approval of Claims

6
7 All financial obligations and disbursements must be documented in compliance with statutory
8 provisions and audit guidelines. Documentation will specifically describe acquired goods and/or
9 services, budget appropriations applicable to payment, and required approvals. All purchases,
10 encumbrances and obligations, and disbursements must be approved by the administrator
11 designated with authority, responsibility, and control over budget appropriations. The
12 responsibility for approving these documents cannot be delegated.

13
14 The District business office is responsible for developing procedures and forms to be used in the
15 requisition, purchase, and payment of claims.
16
17
18

19 Policy History:

20 Adopted on: 06/20/13

21 Reviewed on:

22 Revised on:

1 **Joliet Public Schools**

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3 **FINANCIAL MANAGEMENT**

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4
5 Petty Cash Funds

6
7 The use of petty cash funds shall be authorized for specific purchases only. Those purchases will
8 include individual purchases of supplies and materials under the amount of \$2,000, postage,
9 delivery charges, and freight. Individual personal reimbursements which exceed \$2,000 should
10 not be made from petty cash funds. The main District petty cash account will be maintained as
11 cash on hand, with the total dollar amount of the petty cash account limited to \$2,000 for
12 secondary and elementary schools and school offices and departments. The District Clerk
13 maintains this account, with the Superintendent as co-signor of checks.
14

15 There are not to be any other individual petty cash funds kept within the elementary or high
16 school offices.
17

18 The District business office is responsible for establishing procedures for use and management of
19 petty cash funds.
20
21
22

23 Policy History:

24 Adopted on: 06/20/13

25 Reviewed on:

26 Revised on:

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4
5 Payroll Procedures/Schedules

6
7 The District will establish one (1) or more days in each month as fixed paydays for payment of
8 wages in accord with the current collective bargaining agreement or District practice. Employees
9 may choose to have their salaries paid in full upon the last pay date following completion of their
10 assignments or may annualize their pay. Employees who choose to receive payment of wages
11 beyond the period in which the wages were earned (deferred payment) will be subject to Internal
12 Revenue Service (IRS) penalties, unless they provide a written election of such deferral prior to
13 (the first (1st) duty day) (July 1)¹ of the year of deferral. Forms for such deferral shall be made
14 available. Any change to the election must be made prior to the first (1st) duty day of the fiscal
15 year of the deferment.

16 When a District employee quits, is laid off, or is discharged, wages owed will be paid on the next
17 regular payday for the pay period in which the employee left employment or within fifteen (15)
18 days, whichever occurs first.

19
20
21
22 Cross Reference: 5500 Payment of Wages upon Termination

23
24 Legal Reference: § 409A, Internal Revenue Code, Deferred Compensation

25
26 Policy History:

27 Adopted on: 06/20/13

28 Reviewed on:

29 Revised on:

1—The District must choose between the first (1st) duty day of the deferral year or July 1 of the deferral year.

1 **Joliet Public Schools**

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3 **FINANCIAL MANAGEMENT**

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4
5 **PAYROLL PROCEDURES/SCHEDULES**
6 **(Deferred Wage Payment Election Form)**
7

8 By my signature I hereby acknowledge that I have read and understand the School District's
9 policy on deferred wages. Furthermore, by my signature on this form, I am electing to defer
10 payment of my wages on an annualized basis consisting of _____ payments.
11 I understand that any change from an annualized election of payment requires that I notify the
12 District prior to the beginning of duty for the fiscal year in which the change is being given.
13
14
15

16 _____
17 Signature

Position

18
19 _____
20 Printed name

Date signed

21
22
23
24 Form History:

25 Adopted on:

26 Reviewed on:

27 Revised on:

4
5 Advertising in Schools/Revenue Enhancement

6
7 Revenue enhancement through a variety of District-wide and District-approved marketing
8 activities, including but not limited to advertising, corporate sponsorship, signage in or on
9 District facilities, etc., is a Board-approved venture. The Board may approve such opportunities
10 subject to certain restrictions in keeping with the contemporary standards of good taste.
11 Advertising will model and promote positive values for District students through proactive
12 educational messages and not be simply traditional advertising of a product. Preferred
13 advertising includes messages encouraging student achievement and establishment of high
14 standards of personal conduct.

15
16 All sponsorship contracts will allow the District to terminate the contract on at least an annual
17 basis, if it is determined that it will have an adverse impact on implementation of curriculum or
18 the educational experience of students.

19
20 The revenue derived should:

- 21
22 1. Enhance student achievement;
23 2. Assist in maintenance of existing District athletic and activity programs; and
24 3. Provide scholarships for students participating in athletic, academic, and activity
25 programs, who demonstrate financial need and merit.

26
27 Appropriate opportunities for marketing activities include but are not limited to:

- 28
29 1. Fixed signage.
30 2. Banners.
31 3. District-level publications.
32 4. Television and radio broadcasts.
33 5. Athletic facilities, including stadiums, high school baseball fields, and high school
34 gymnasiums.
35 6. District-level projects.
36 7. Expanded usage of facilities beyond traditional uses (i.e., concerts, rallies, etc.).
37 8. The interior and exterior of a limited number of District buses, if the advertising is
38 associated with student art selected by the District. The only advertising information
39 allowed will note sponsorship of the student art by the participant. Maintenance for these
40 buses will include but not exceed normal maintenance costs.
41 9. Individual school publications (when not in conflict with current contracts).

42
43 Advertising will not be allowed in classrooms, other than corporate-sponsored curriculum
44 materials approved subject to Board policy.

45
46 The following restrictions will be in place when seeking revenue enhancement. Revenue

enhancement activities will not:

1. Promote hostility, disorder, or violence;
2. Attack ethnic, racial, or religious groups;
3. Discriminate, demean, harass, or ridicule any person or group of persons on the basis of gender;
4. Be libelous;
5. Inhibit the functioning of the school and/or District;
6. Promote, favor, or oppose the candidacy of any candidate for election, adoption of any bond/budget issues, or any public question submitted at any general, county, municipal, or school election;
7. Be obscene or pornographic, as defined by prevailing community standards throughout the District;
8. Promote the use of drugs, alcohol, tobacco, firearms, or certain products that create community concerns;
9. Promote any religious or political organization;
10. Use any District or school logo without prior approval.

Cross Reference: 2120 Curriculum Development and Assessment
 2309 Library Materials
 2311 Instructional Materials

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

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3 **FINANCIAL MANAGEMENT**

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4
5 Personal Reimbursements

6
7 While it is recommended that all purchases of goods or services be made within established
8 purchasing procedures, there may be an occasional need for an employee to make a purchase for
9 the benefit of the District from personal funds. In that event, an employee will be reimbursed for
10 a personal purchase under the following criteria:

- 11
12 1. It is clearly demonstrated that the purchase is of benefit to the District;
13
14 2. The purchase was made with the prior approval of an authorized administrator;
15
16 3. The item purchased was not available from District resources; and
17
18 4. The claim for personal reimbursement is properly accounted for and documented with an
19 invoice or receipt.
20

21 The District business office is responsible for developing procedures and forms to be used in
22 processing claims for personal reimbursements.
23
24
25

26 Policy History:

27 Adopted on: 06/20/13

28 Reviewed on:

29 Revised on:

7336

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1 **Joliet Public Schools**

2
3 **FINANCIAL MANAGEMENT**

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4
5 Financial Reporting and Audits

6
7 The Board directs that financial reports of all District funds be prepared in compliance with
8 statutory provisions and generally accepted accounting and financial reporting standards. In
9 addition to reports required for local, state, and federal agencies, financial reports will be
10 prepared monthly and annually and presented to the Board. Financial reports shall reflect
11 financial activity and status of District funds.

12
13 Appropriate interim financial statements and reports of financial position, operating results, and
14 other pertinent information will be prepared to facilitate management and control of financial
15 operations.

16
17 The Board directs that District audits be conducted in accordance with Montana law. Each audit
18 shall be a comprehensive audit of the affairs of the District and District funds. The audits shall
19 comply with all statutory provisions and generally accepted governmental auditing standards.
20 Each audit may be made every two (2) years and cover the immediately preceding two (2) fiscal
21 years, or it may be conducted annually.

22
23
24
25 Legal Reference: §§ 2-7-501, et seq., MCA Audits of Political Subdivisions
26 § 2-7-503, MCA Financial Reports and Audits of local
27 government entities
28 § 20-9-212, MCA Duties of county treasurer
29 § 20-9-213, MCA Duties of trustees
30

31 Policy History:

32 Adopted on: 06/20/13

33 Reviewed on:

34 Revised on:

1 **Joliet Public Schools**

2
3 **FINANCIAL MANAGEMENT**

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4
5 Property Records

6
7 Property and inventory records will be maintained for all land, buildings, and physical property
8 under District control and will be updated annually.

9
10 For purposes of this policy, “equipment” means a unit of furniture or furnishings, an instrument,
11 a machine, an apparatus or a set of articles which retains its shape and appearance with use, is
12 nonexpendable, and does not lose its identity when incorporated into a more complex unit. The
13 Superintendent will ensure inventories of equipment are systematically and accurately recorded
14 and updated annually. Property records of facilities and other fixed assets will be maintained on
15 an ongoing basis. No equipment will be removed for personal or non-school use except in
16 accordance with Board policy.

17
18 Property records will show, appropriate to the item recorded, the:

- 19
20 1. Description and identification
21 2. Manufacturer
22 3. Date of purchase
23 4. Initial cost
24 5. Location
25 6. Serial number, if available
26 7. Model number, if available

27
28 Equipment may be identified with a permanent tag providing appropriate District and equipment
29 identification.

30
31
32
33 Cross Reference: 7510 Capitalization Policy for Fixed Assets

34
35 Legal Reference: § 20-6-602, MCA Trustees’ power over property
36 § 20-6-608, MCA Authority and duty of trustees to insure district
37 property

38
39 Policy History:

40 Adopted on: 06/20/13

41 Reviewed on:

42 Revised on:

4
5 Capitalization Policy for Fixed Assets

6
7 A fixed asset is a property that meets all the following requirements:

- 8
9 1. Must be tangible in nature;
10
11 2. Must have a useful life of longer than the current fiscal year; and
12
13 3. Must be of significant value.
14

15 Fixed assets may be acquired through donation, purchase, or may be self-constructed. The asset
16 value for a donation will be the fair market value at the time of donation. The asset value for
17 purchases will be the initial cost plus the trade-in value of any old asset given up, plus all costs
18 related to placing the asset into operation. The cost of self-constructed assets will include both
19 the cost of materials used and the cost of labor involved in construction of the asset.
20

21 The following significant values will be used for different classes of assets:

22

<u>Class of Fixed Asset</u>	<u>Significant Value</u>
Equipment and machinery	\$5000.00 or more
Buildings - improvements	\$5000.00 or more
Improvements other than to buildings	\$5000.00 or more
Land	Any amount

32
33
34

35 Cross Reference: 7500 Property Records

36
37 Policy History:

38 Adopted on: 06/20/13

39 Reviewed on:

40 Revised on:

1 **Joliet Public Schools**

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3 **FINANCIAL MANAGEMENT**

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4
5 Fund Balances

6
7 **I. PURPOSE**

8
9 The fund balance policy establishes a framework for the management of all excess funds managed by the
10 Joliet School District. The policy is in accordance with GASB Statement 54; management of fund
11 balance. It also provides guidance and direction for elected and appointed officials as well as staff in the
12 use of excess funds at year-end.

13
14 **II. SCOPE**

15
16 This fund balance policy applies to all funds in the custody of the School District Business
17 Manager/Clerk of the Joliet School District, Joliet, Montana. These funds are accounted for in the
18 District's annual audited financial reports and include, but are not limited to, the following:

- 19
 - General Fund
 - 20 • Special Revenue Funds
 - 21 • Capital Project Funds
 - 22 • Enterprise Funds
 - 23 • Any new funds created by the District, unless specifically exempted by the governing body; in
24 accordance with state law or GASB pronouncements.

25
26 **III. CLASSIFICATION OF FUND BALANCES**

27
28 The school district shall classify its fund balances in its various funds in one or more of the following five
29 classifications: nonspendable, restricted, committed, assigned, and unassigned.

30
31 **IV. DEFINITIONS**

32
33 A. *Fund balance*---means the arithmetic difference between the assets and liabilities reported in a school
34 district fund.

35
36 B. *Committed fund balance*—amounts constrained to specific purposes by the District itself, using its
37 highest level of decision-making authority; to be reported as committed, amounts cannot be used for any
38 other purpose unless the District takes the same highest-level action to remove or change the constraint

39
40 C. *Assigned fund balance*—amounts a school district *intends* to use for a specific purpose; intent
41 can be expressed by the District or by an official to which the Board of Trustees delegates the authority

42
43 D. *Nonspendable fund balance*—amounts that are not in a spendable form (such as inventory) or are
44 required to be maintained intact (such as the corpus of an endowment fund)

45
46 E. *Restricted fund balance*—amounts constrained to specific purposes by their providers (such
47 as grantors, bondholders, and higher levels of government), through constitutional
48 provisions, or by enabling legislation

F. *Unassigned fund balance*—amounts that are available for any purpose; these amounts are reported only in the general fund.

V. MINIMUM FUND BALANCE

The school district will strive to maintain a minimum unassigned general fund balance of two (2) percent of the annual budget.

VI. ORDER OF RESOURCE USE

If resources from more than one fund balance classification could be spent, the school district will strive to spend resources from fund balance classifications in the following order (first to last): restricted, committed, assigned, and unassigned.

VII. COMMITTING FUND BALANCE

A majority vote of the school board is required to commit a fund balance to a specific purpose and subsequently to remove or change any constraint so adopted by the board.

VIII. ASSIGNING FUND BALANCE

The school board, by majority vote, may assign fund balances to be used for specific purposes when appropriate. The board also delegates the power to assign fund balances to the following: Superintendent and Business Manager. Assignments so made shall be reported to the school board on a monthly basis, either separately or as part of ongoing reporting by the assigning party if other than the school board.

An appropriation of an existing fund balance to eliminate a projected budgetary deficit in the subsequent year's budget in an amount no greater than the projected excess of expected expenditures over expected revenues satisfies the criteria to be classified as an assignment of fund balance.

IV. STABILIZATION ARRANGEMENTS

None

IX. REVIEW

The school board will conduct, at a minimum, an annual review of the sufficiency of the minimum unassigned general fund balance level.

Legal References: Statement No. 54 of the Governmental Accounting Standards Board

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public School**

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3 **FINANCIAL MANAGEMENT**

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4
5 Lease-Purchase Agreement

6
7 The trustees of a district can lease property with an option to purchase.

8
9 Personal property -- the lease cannot be more than seven (7) years.

10
11 Real property -- the lease cannot be more than fifteen (15) years.

12
13 The terms of the lease must comply with 20-6-625, MCA. If real property is acquired, the
14 trustees shall comply with 20-6-603, MCA.

15
16 The trustees of any district may lease buildings or land suitable for school purposes when it is
17 within the best interests of the district to lease the buildings or land from the county,
18 municipality, another district, or any person. The term of the lease may not be for more than
19 fifteen (15) years unless prior approval of the qualified electors of the district is obtained in the
20 manner prescribed by law for school elections, in which case the lease may be for a term
21 approved by the qualified electors, but not exceeding ninety-nine (99) years. Whenever the lease
22 is for a period of time that is longer than the current school fiscal year, the lease requirements for
23 the succeeding school fiscal years shall be an obligation of the final budgets for such years.

24
25
26 Cross Reference: Policy 7251 Disposal of school district property without
27 a vote.

28
29
30 Legal Reference: § 20-6-603, MCA Trustees' authority to acquire or dispose of
31 sites and buildings – when election required.
32 § 20-6-609, MCA Trustees' authority to acquire property by
33 lease-purchase agreement.
34 § 20-6-625, MCA Authorization to lease buildings or land for
35 school purposes.

36
37 Policy History:

38 Adopted on: 01/11/16

39 Reviewed on:

40 Revised on:

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3 **FINANCIAL MANAGEMENT**

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4
5 Procurement of Supplies or Services

6
7 The Board adopts the following provisions of the Montana Procurement Act:

- 8
9
10 1. § 18-4-303(8), MCA – Competitive sealed bidding. With the exception of construction
11 contracts, allows the District to negotiate an adjustment of the bid price with the lowest
12 responsible and responsive bid in order to bring the bid within the amount of available
13 funds, if, and only if, all bids exceed available funds and the lowest responsible bid does
14 not exceed available funds by more than five percent (5%).
15
16 2. § 18-4-306, MCA – Sole source procurement. A contract may be awarded for a supply or
17 service item without competition when, the District determines in writing that:
18 (a) there is only one source for the supply or service item;
19 (b) only one source is acceptable or suitable for the supply or service item; or
20 (c) the supply or service item must be compatible with current supplies or
21 services.
22
23
24

25 Legal Reference: § 18-4-121, et seq., MCA Montana Procurement Act
26 § 18-4-303, MCA Competitive Sealed Bidding
27 § 18-4-306, MCA Sole Source Procurement--records
28 2.5.604, ARM Sole Source Procurement
29

30 Policy History:

31 Adopted on: 06/20/13

32 Reviewed on:

33 Revised on:

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FINANCIAL MANAGEMENT

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Electronic Signatures

“Electronic signature” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Electronic signatures or digital signatures can take many forms and can be created using many different types of technology. For the purpose of this policy an electronic signature means any electronic identifier intended by the person using it to have the same force and effect as a manual signature.

District Use of Electronic Signatures

When not practical or possible to have an approved individual physically sign a document, and not otherwise prohibited by applicable laws, electronic signatures may satisfy the requirement of a written signature when transacting business with and/or for the District and/or with parents/guardians when the authenticity and reliability of such electronic signature(s) meets the provisions of this policy. In such instances, the electronic signature shall have the full force and effect of a manual signature.

In order to qualify for acceptance of an electronic signature the following additional requirements are applicable:

1. The electronic signature identifies the individual signing the document by his/her name and title;
2. The identity of the individual signing the document with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature, as well as the documents to which it is affixed, cannot be altered once the electronic signature is affixed. If the document needs to be altered, a new electronic signature must be obtained; and
4. The electronic signature conforms to all other provisions of this policy.

The District shall maintain District electronically signed records in a manner consistent with the District’s document retention policies yet also capable of accurate and complete reproduction of the electronic records and signatures in their original form. Such retention should include a process whereby the District can verify the attribution of a signature to a specific individual, detect changes or errors in the information contained in the record submitted electronically and protect and prevent access and/or manipulation or use access/use by an unauthorized person.

The District shall maintain a hardcopy of the actual signature of any District employee authorized to provide an electronic signature in connection with school board business.

Abuse of the electronic signature protocols by any District employee serves as grounds for disciplinary action up to and including termination.

Parent/Student Use of Electronic Signatures

With regard to documentation received by the District with an electronic signature from a parent/legal guardian, so long as the following provisions are met, the District may receive and accept such electronic signature as an original document:

1. Such communication with signature, of its face, appears to be authentic and unique to the person using such signature;
2. The District is unaware of any specific individualized reason to believe that the signature has been forged;
3. The District is unaware of any specific reason to believe the document has been altered subsequent to the electronic signature; and
4. The signature is capable of verification.

The District's Superintendent or designee may, at his or her discretion, request that an original of the electronic communication, signed manually by hand, be forwarded to the District in a timely manner.

District personnel may periodically audit the authenticity of such signature via a security procedure including such acts as making follow-up inquiry to the individual/entity who has submitted such electronic signature.

Should it be discovered that a student has falsified a parent's electronic signature on an official District document, the student may be subjected to discipline and the Administrators of the District are authorized, at their discretion, to thereafter only accept manual signatures associated with any submitted school document.

Legal Reference: 30-18-102(9), MCA
 30-18-106(4), MCA

 42.8.106, ARM

Definitions
Legal recognition of electronic records,
electronic signatures, and electronic
contracts
Electronic submission of documents and
electronic signatures

Joliet Public Schools

Adopted on: 09/12/16

Reviewed on:

7550

FINANCIAL MANAGEMENT

Revised on:

Indirect Cost Reimbursement

Occasionally the Joliet School District will receive indirect cost reimbursements from the Office of Public Instruction. Montana Code Annotated, 20-9-507, provides indirect costs reimbursements be spent at the discretion of the trustees.

The indirect cost reimbursements are not usually accumulated year-to-year without purpose, and are normally used for general administrative expenses.

Prior to the end of each budget year the Superintendent or Business Manager will present to the Board of Trustees, at a regular or special meeting, information regarding the amount of indirect cost reimbursement received along with a recommendation of expenditure for the amount. The Board of Trustees must approve the indirect costs reimbursement each year.

Legal Reference: § 20-9-507, MCA Miscellaneous programs fund

Additional Reference: Indirect Cost Rates, OPI

JOLIET SCHOOL DISTRICT

R = required

8000 SERIES NONINSTRUCTIONAL OPERATIONS

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4
5 Goals

6
7 In order for students to obtain the maximum benefits from their educational program, a complex
8 set of support services must be provided by the District. These services are essential to the
9 success of the District, and the staff that provides them is an integral part of the educational
10 enterprise. Because resources are always scarce, all assets of District operations, including
11 noninstructional support services, shall be carefully managed in order to obtain maximum
12 efficiency and economy. To that end, the goal of the District is to seek new ways of supporting
13 the instructional program, which shall maximize the resources directly available for students'
14 learning programs.
15
16
17

18 Policy History:

19 Adopted on: 06/20/13

20 Reviewed on:

21 Revised on:

1 **Joliet Public Schools**

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3 **NONINSTRUCTIONAL OPERATIONS**

8100

4
5 Transportation

6
7 The District may provide transportation to and from school for a student who:

- 8
9 1. Resides three (3) or more miles, over the shortest practical route, from the nearest operating
10 public elementary or public high school;
11 2. Is a student with a disability, whose IEP identifies transportation as a related service; or
12 3. Has another compelling and legally sufficient reason to receive transportation services.
13

14 The District may elect to reimburse the parent or guardian of a student for individually transporting any
15 eligible student.
16

17 The District may provide transportation by school bus or other vehicle or through individual
18 transportation such as paying the parent or guardian for individually transporting the student. The Board
19 may pay board and room reimbursements, provide supervised correspondence study, or provide
20 supervised home study. The Board may authorize children attending an approved private school to ride a
21 school bus, provided that space is available and a fee to cover the per-seat cost for such transportation is
22 collected. The District may transport and charge for an ineligible public school student, provided the
23 parent or guardian pays a proportionate share of transportation services. Fees collected for transportation
24 of ineligible students shall be deposited in the transportation fund. Transportation issues that cannot be
25 resolved by the trustees may be appealed to the county transportation committee.
26

27 Homeless students shall be transported in accordance with the McKinney Homeless Assistance Act and
28 state law.
29

30 In-Town Busing

31
32 In-town busing is defined as the busing of students within three (3) miles of their school. In-town busing
33 is a privilege the District can discontinue at any time. The Superintendent will establish guidelines under
34 which a student may request in-town busing.
35

36 Legal Reference:	§ 20-10-101, MCA	Definitions
	§ 20-10-121, MCA	Duty of trustees to provide transportation – types
		of transportation – bus riding time limitation
	§ 20-10-122, MCA	Discretionary provision of transportation and
		payment for this transportation
	§ 20-10-123, MCA	Provision of transportation for nonpublic school
		children
	10.7.101, et seq., ARM	Pupil Transportation
	10.64.101-700, et seq., ARM	Transportation
	No Child Left Behind Act of 2001 (P.L. 107-110)	

46
47 Policy History:

48 Adopted on: 06/20/13

49 Reviewed on:

50 Revised on:

1 **Joliet Public Schools**

2
3 **NONINSTRUCTIONAL OPERATIONS**

8110

page 1 of 3

4
5 Bus Routes and Schedules

6
7 The Superintendent's designee is responsible for scheduling bus transportation, including
8 determination of routes and bus stops. Such routes are subject to approval of the county
9 transportation committee. The purpose of bus scheduling and routing is to achieve maximum
10 service with a minimum fleet of buses consistent with providing safe and reasonably equal
11 service to all bus students.

12
13 In order to operate the transportation system as safely and efficiently as possible, the following
14 factors shall be considered in establishing bus routes:

- 15
16 1. A school bus route shall be established with due consideration of the sum total of local
17 conditions affecting the safety, economic soundness, and convenience of its operation,
18 including road conditions, condition of bridges and culverts, hazardous crossings,
19 presence of railroad tracks and arterial highways, extreme weather conditions and
20 variations, length of route, number of families and children to be serviced, availability of
21 turnaround points, capacity of bus, and related factors.
22
23 2. The District may extend a bus route across another transportation service area, if it is
24 necessary in order to provide transportation to students in the District's own
25 transportation service area. A district may not transport students from outside its
26 transportation service area.
27
28 3. No school child attending an elementary school shall be required to ride the school bus
29 under average road conditions more than one (1) hour without consent of the child's
30 parent or guardian.
31
32 4. School bus drivers are encouraged to make recommendations in regard to establishing or
33 changing routes.
34
35 5. Parents should be referred to the Superintendent for any request of change in routes,
36 stops, or schedules.
37

38 The Board reserves the right to change, alter, add, or delete any route at any time such changes
39 are deemed in the best interest of the District, subject to approval by the county transportation
40 committee.

41
42 Bus Stops

43
44 Buses should stop only at designated places approved by school authorities. Exceptions should
45 be made only in cases of emergency and inclement weather conditions.
46

Bus stops shall be chosen with safety in mind. Points shall be selected where motorists approaching from either direction will have a clear view of the bus for a distance of at least three hundred (300) to five hundred (500) feet.

School loading and unloading zones are to be established and marked to provide safe and orderly loading and unloading of students. The principal of each building is responsible for the conduct of students waiting in loading zones.

Delay in Schedule

The driver is to notify the administration of a delay in schedule. The administration will notify parents on routes and radio stations, if necessary.

Responsibilities - Students

Students must realize that safety is based on group conduct. Talk should be in conversational tones at all times. There should be no shouting or loud talking which may distract the bus driver. There should be no shouting at passersby. Students should instantly obey any command or suggestions from the driver and/or his/her assistants.

Responsibilities - Parents

The interest and assistance of each parent is a valued asset to the transportation program. Parents' efforts toward making each bus trip a safe and pleasant experience are requested and appreciated. The following suggestions are only three of the many ways parents can assist:

1. Ensure that students are at the bus stop in sufficient time to efficiently meet the bus.
2. Properly prepare children for weather conditions.
3. Encourage school bus safety at home. Caution children regarding safe behavior and conduct while riding the school bus.

Safety

The Superintendent will develop written rules establishing procedures for bus safety and emergency exit drills and for student conduct while riding buses.

If the bus and driver are present, the driver is responsible for the safety of his/her passengers, particularly for those who must cross a roadway prior to loading or after leaving the bus. Except in emergencies, no bus driver shall order or allow a student to board or disembark at other than his/her assigned stop unless so authorized by the Superintendent. In order to assure the safety of all, the bus driver may hold students accountable for their conduct during the course of transportation and may recommend corrective action against a student. Bus drivers are expressly prohibited from using corporal punishment.

The bus driver is responsible for the use of the warning and stop signaling systems and the consequent protection of his/her passengers. Failure to use the system constitutes negligence on the part of the driver.

Inclement Weather

The Board recognizes the unpredictability and resulting dangers associated with weather in Montana. In the interest of safety and operational efficiency, the Superintendent is empowered to make decisions as to emergency operation of buses, cancellation of bus routes, and closing of school, in accordance with his or her best judgment. The Board may develop guidelines in cooperation with the Superintendent to assist the Superintendent in making such decisions.

NOTE: To receive full state/county reimbursement, budgets must have enough funds to cover the costs of any changes to the route.

NOTE: The county transportation committee has authority to establish transportation service areas, should circumstances and/or geography (demographics) warrant.

Legal Reference:	§ 20-10-106, MCA	Determination of mileage distances
	§ 20-10-121, MCA	Duty of trustees to provide transportation – types of transportation – bus riding time limitation
	§ 20-10-132, MCA	Duties of county transportation committee

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1 **Joliet Public Schools**

2
3 **NONINSTRUCTIONAL OPERATIONS**

8111

4
5 Transportation of Students With Disabilities

6
7 Transportation shall be provided as a related service, when a student with a disability requires
8 special transportation in order to benefit from special education or to have access to an
9 appropriate education placement. Transportation is defined as:

- 10
11 (a) Travel to and from school and between schools;
12
13 (b) Travel in and around school buildings or to those activities that are a regular part of the
14 student's instructional program;
15
16 (c) Specialized equipment (such as special or adapted buses, lifts, and ramps) if required to
17 provide special transportation for a student with disabilities.
18

19 The Evaluation Team that develops the disabled student's Individualized Education Program will
20 determine, on an individual basis, when a student with a disability requires this related service.
21 Such recommendations must be specified on the student's IEP. Only those children with
22 disabilities who qualify for transportation as a related service under the provisions of the IDEA
23 shall be entitled to special transportation. All other children with disabilities in the District have
24 access to the District's regular transportation system under policies and procedures applicable to
25 all District students. Utilizing the District's regular transportation service shall be viewed as a
26 "least restrictive environment."
27

28 Mode of Transportation

29
30 One of the District's education buses will be the preferred mode of transportation. Exceptions
31 may be made in situations where buses are prohibited from entering certain subdivisions due to
32 inadequate turning space, or when distance from school may seriously impact bus scheduling. In
33 such situations other arrangements, such as an individual transportation contract, may be
34 arranged with parents. Such voluntary agreement will stipulate in writing the terms of
35 reimbursement.
36
37

38 Cross Reference: 3300P Corrective Actions and Punishment

39
40 Legal Reference: 10.16.3820, ARM Transportation for Special Education Students with
41 Disabilities
42

43 Policy History:

44 Adopted on: 06/20/13

45 Reviewed on:

46 Revised on:

1 **Joliet Public Schools**

2
3 **NONINSTRUCTIONAL OPERATIONS**

8121

4
5 District-Owned Vehicles

6
7 The District owns and maintains certain vehicles. Included among them are pickups, school
8 buses, and vans. These are for use by properly authorized personnel of the District for District
9 business purposes.

10
11 Any driver who receives a citation for a driving violation while operating a District vehicle shall
12 personally pay all fines levied.

13
14 Bus and Vehicle Maintenance, District

15
16 Buses used in the District's transportation program shall be in safe and legal operating condition.
17 All buses shall be inspected by the Department of Justice, Montana Highway Patrol, before the
18 beginning of each semester. The Superintendent will establish a specific list of tasks bus drivers
19 will perform on a daily basis. All other District vehicles shall be maintained following
20 established programs developed by the Superintendent.

21
22
23
24 Policy History:

25 Adopted on: 06/20/13

26 Reviewed on:

27 Revised on:

1 **Joliet Public Schools**

2
3 **NONINSTRUCTIONAL OPERATIONS**

8123

4
5 Driver Training and Responsibility

6
7 Bus drivers shall observe all state statutes and administrative rules governing traffic safety and
8 school bus operation. At the beginning of each school year, the District will provide each driver
9 with a copy of the District's written rules for bus drivers and for student conduct on buses.

10
11 School bus drivers must hold a valid Montana school bus certificate in order for a district to
12 receive state reimbursement for that driver's bus routes. Qualifications for bus drivers are
13 prescribed by 20-10.103, MCA, and by the board of Public Education in Arm 10.64.201. The
14 first aid certificate required by ARM 10.64.201 must include certification in CPR, be signed by a
15 certified instructor, and be received after an initial in-person training of at least four hours with
16 annual renewals.

17
18 A school bus driver is prohibited from operating a school bus while using a cellular phone,
19 including hands free cellular phone devices, except:

- 20 (1) During an emergency situation;
21 (2) To call for assistance if there is a mechanical breakdown or other mechanical
22 problem;
23 (3) When the school bus is parked.

24
25 A driver may not operate a school bus without a valid, current certificate.

26
27 A teacher, coach, or other certified staff member assigned to accompany students on a bus will
28 have primary responsibility for behavior of students in his or her charge. The bus driver has final
29 authority and responsibility for the bus. The Superintendent will establish written procedures for
30 bus drivers.

31
32
33
34 Legal Reference: § 20-10-103, MCA School bus driver qualifications
35 10.7.111, ARM Bus Drivers
36 Certification Requirement for
37 Reimbursement
38 10.64.201, ARM School Bus Driver Qualifications
39 National Highway Traffic Safety Administration
40

41 Policy History:

42 Adopted on: 06/20/13

43 Reviewed on:

44 Revised on: 09/12/16

1 **Joliet Public Schools**

2
3 **NONINSTRUCTIONAL OPERATIONS**

8124

4
5 Student Conduct on Buses

6
7 The Superintendent will establish written rules of conduct for students riding school buses. Such
8 rules will be reviewed annually by the Superintendent and revised if necessary. If rules are
9 substantially revised, they will be submitted to the Board for approval.

10
11 At the beginning of each school year, a copy of the rules of conduct for students riding buses will
12 be provided to students, and the classroom teacher and bus driver will review the rules with the
13 students. A copy of the rules will be posted in each bus and will be available upon request at the
14 District office and in each building principal's office.

15
16 The bus driver is responsible for enforcing the rules and will work closely with a parent and
17 building principal to modify a student's behavior. Rules shall include consistent consequences
18 for student misbehavior. A recommendation for permanent termination of bus privileges,
19 accompanied by a written record of the incident(s) that led to the recommendation, shall be
20 referred to the Superintendent for final determination. The student's parent or guardian may
21 appeal a termination to the Board. No further appeal shall be allowed.

22
23
24
25 Cross Reference: 3310 Student Discipline
26 8111 Transportation of Students With Disabilities

27
28 Legal Reference: § 20-4-302, MCA Discipline and punishment of pupils – definition of
29 corporal punishment – penalty – defense
30 § 20-5-201, MCA Duties and sanctions

31
32 Policy History:

33 Adopted on: 06/20/13

34 Reviewed on:

35 Revised on:

1 **Joliet Public Schools**

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3 **NONINSTRUCTIONAL OPERATIONS**

8125

4
5 School Bus Emergencies

6
7 In the event of an accident or other emergency, the bus driver shall follow the emergency
8 procedures developed by the Superintendent. A copy of the emergency procedures will be
9 located in every bus. To ensure the success of such emergency procedures, every bus driver will
10 conduct an emergency evacuation drill as early as possible within the first six (6) weeks of each
11 school semester. The District will conduct such other drills and procedures as may be necessary.
12
13
14

15 Policy History:

16 Adopted on: 06/20/13

17 Reviewed on:

18 Revised on:

NONINSTRUCTIONAL OPERATIONS

8200

Food Services

The District supports the philosophy of the National School Lunch Program and will provide wholesome, appetizing, and nutritious meals for children in District schools. The Board may authorize a portion of federal funds received in lieu of taxes to be used to provide free meals for federally connected indigent students.

Because of the potential liability of the District, the food services program will not accept donations of food without approval of the Board. Should the Board approve a food donation, the Superintendent will establish inspection and handling procedures for the food and determine that provisions of all state and local laws have been met before selling the food as part of school meals.

Commodities

The District will use food commodities made available under the Federal Food Commodity Program for school meals.

Free and Reduced-Price Food Services

The District will provide free and reduced-price meals to students, according to the terms of the National School Lunch Program and the laws, rules, and regulations of the state. The District will inform parents of the eligibility standards for free or reduced-price meals. Identity of students receiving free or reduced-price meals will be confidential, in accordance with National School Lunch Program guidelines. A parent has the right to appeal to a designated hearing official any decision with respect to his or her application for free or reduced-price food services.

The Board may establish programs whereby meals may be provided in the District in accordance with National School Lunch Program guidelines.

The amount charged for such meals shall be sufficient to cover all costs of the meals, including preparation labor and food, handling, utility, and equipment depreciation costs.

Legal Reference:	§ 20-10-204, MCA	Duties of trustees
	§ 20-10-205, MCA	Allocation of federal funds to school food services fund for federally connected, indigent pupils
	§ 20-10-207, MCA	School food services fund

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

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8225

The District maintains tobacco-free buildings and grounds. Tobacco includes but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine and any other tobacco innovation.

Use of tobacco products in a public school building or on public school property is prohibited, unless used in a classroom or on other school property as part of a lecture, demonstration, or educational forum sanctioned by a school administrator or faculty member, concerning the risks associated with using tobacco products or in connection with Native American cultural activities.

For the purpose of this policy, “public school building or public school property” means:

- Public land, fixtures, buildings, or other property owned or occupied by an institution for the teaching of minor children, that is established and maintained under the laws of the state of Montana at public expense; and
- Includes playgrounds, school steps, parking lots, administration buildings, athletic facilities, gymnasiums, locker rooms, and school vehicles.

Violation of the policy by students and staff will be subject to actions outlined in District discipline policies.

Legal Reference:	§ 20-1-220, MCA	Use of tobacco product in public school building or on public school property prohibited
	§ 50-40-104(5)(f), MCA	Smoking in enclosed public places prohibited – place where prohibition inapplicable
	ARM 37.111.825(5)	Health Supervision and Maintenance

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

Joliet Public Schools

NONINSTRUCTIONAL OPERATIONS

8300

Risk Management

The Board believes that the District must identify and measure risks of loss which may result from damage to or destruction of District property or claims against the District by persons claiming to have been harmed by action or inaction of the District, its officers or staff. The District will implement a risk management program to reduce or eliminate risks where possible and to determine which risks the District can afford to assume. Such program will consider the benefits, if any, of joining with other units of local government for joint purchasing of insurance, joint self-insuring, or joint employment of a risk manager. The Board will assign primary responsibility for administration and supervision of the risk management program to a single person and will review the status of the risk management program each year.

The District will purchase surety bonds for the Clerk, and such other staff and in such amounts as the Board shall from time to time determine to be necessary for honest performance of the staff in the conduct of the District's financial operations.

Legal Reference:	§ 20-6-608, MCA	Authority and duty of trustees to insure district property
	§ 20-3-331, MCA	Purchase of insurance – self-insurance plan
	§§ 2-9-101, et seq., MCA	Liability Exposure
	§ 2-9-211, MCA	Political subdivision insurance
	§ 2-9-501, MCA	Application – bonds excepted

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

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1 **Joliet Public Schools**

2
3 **NONINSTRUCTIONAL OPERATIONS**

8320

4
5 Property Damage

6
7 The District will maintain a comprehensive insurance program which will provide adequate
8 coverage, as determined by the Board, in the event of loss or damage to school buildings and/or
9 equipment, including motor vehicles. The comprehensive insurance program will maximize the
10 District's protection and coverage while minimizing costs for insurance. This program may
11 include alternatives for sharing the risk between the District and an insurance carrier and through
12 self-insurance plans.

13
14 Privately Owned Property

15
16 The District will not assume responsibility for maintenance, repair, or replacement of any
17 privately owned property brought to a school or to a District function, unless the use or presence
18 of such property has been specifically requested in writing by the administration.

19
20
21
22 Legal Reference: § 20-6-608, MCA Authority and duty of trustees to insure district
23 property

24
25 Policy History:

26 Adopted on: 06/20/13

27 Reviewed on:

28 Revised on:

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1 **Joliet Public Schools**

2
3 **NONINSTRUCTIONAL OPERATIONS**

8410

4
5 Operation and Maintenance of District Facilities

6
7 The District seeks to maintain and operate facilities in a safe and healthful condition. The head
8 of maintenance, in cooperation with principals, fire chief, and county sanitarian, will periodically
9 inspect plant and facilities. The head of maintenance will develop a program to maintain the
10 District physical plant by way of a continuous program of repair, maintenance, and
11 reconditioning. Budget recommendations will be made each year to meet these needs and any
12 such needs arising from an emergency.

13
14 The head of maintenance will formulate and implement energy conservation measures.
15 Principals and staff are encouraged to exercise other cost-saving procedures in order to conserve
16 District resources in their buildings.

17
18
19
20 Legal Reference: 10.55.908, ARM School Facilities

21
22 Policy History:

23 Adopted on: 06/20/13

24 Reviewed on:

25 Revised on:

1 **Joliet Public Schools**

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3 **NONINSTRUCTIONAL OPERATIONS**

8420

4
5 District-Wide Asbestos Program

6
7 It is the intent of the District that the Asbestos Hazard Emergency Response Act (AHERA) and
8 all of its amendments and changes be complied with by all District employees, vendors, and
9 contractors.

10
11
12
13 Legal Reference: 15 USC § 2641 Congressional findings and purpose

14
15 Policy History:

16 Adopted on: 06/20/13

17 Reviewed on:

18 Revised on:

1 **Joliet Public Schools**

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3 **NONINSTRUCTIONAL OPERATIONS**

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Page 1 of 2

4
5 Lead Renovation

6
7 In accordance with the requirements of the Environmental Protection Agency (EPA), the Joliet
8 School District has this Lead Renovation Policy that is designed to recognize, control and
9 mitigate lead hazards at all District owned facilities and grounds.

10
11 The Lead-based paint renovation, repair and painting program (RRP) is a federal regulatory
12 program affecting contractors, property managers, and others who disturb painted surfaces. It
13 applies to child-occupied facilities such as schools and day-care centers built prior to 1978.

14
15 “*Renovation*” is broadly defined as any activity that disturbs painted surfaces and includes most
16 repair, remodeling, and maintenance activities, including window replacement.

17
18 The District has implemented this policy to identify, inspect, control, maintain and improve the
19 handling of lead related issues across the district facilities and grounds. In an effort to reduce
20 potential hazards, the District through training has put together maintenance programs that will
21 not only better protect the environment, but the students and employees of the District as well.

22
23 The District’s Lead Renovation Policy shall apply too not only employees of the maintenance
24 department but to outside contractors as well. No outside painting contractor will be permitted to
25 work for the District after April 22, 2010 unless they can show proof of training relative to lead
26 renovation or maintenance from an accredited training institution.

27
28 Information Distribution Requirements

29
30 No more than 60 days before beginning renovation activities in any school facility of the District,
31 the company performing the renovation must:

- 32 1. Provide the Superintendent with EPA pamphlet titled *Renovate Right: Important Lead*
33 *Hazard Information for Families, Child Care Providers and Schools*.
34 2. Obtain, from the District, a written acknowledgement that the District has received the
35 pamphlet.
36 3. Provide the parents and guardians of children using the facility with the pamphlet and
37 information describing the general nature and locations of the renovation and the
38 anticipated completion date by complying with one of the following:
39 (i) Mail or hand-deliver the pamphlet and the renovation information to each parent or guardian of
40 a child using the child-occupied facility.
41 (ii) While the renovation is ongoing, post informational signs describing the general nature and
42 locations of the renovation and the anticipated completion date. These signs must be posted in
43 areas where they can be seen by the parents or guardians of the children frequenting the child-
44 occupied facility. The signs must be accompanied by a posted copy of the pamphlet or information
45 on how interested parents or guardians can review a copy of the pamphlet or obtain a copy from
46 the renovation firm at no cost to the parents or guardians.
47 4. The renovation company must prepare, sign, and date a statement describing the steps
48

performed to notify all parents and guardians of the intended renovation activities and to provide the pamphlet.

Recordkeeping Requirements *

All documents must be retained for three (3) years following the completion of a renovation.

- Records that must be retained include:
- Reports certifying that lead-based paint is not present.
- Records relating to the distribution of the lead pamphlet.
- Documentation of compliance with the requirements of the Lead-Based Paint Renovation, Repair, and Painting Program.

**Note: The MTSBA recommends that districts follow the same record retention schedule as they do for Asbestos abatement (forever).*

Legal Reference:	40 CFR Part 745, Subpart E	Lead-based paint poisoning in certain residential structures
	15 U.S.C. 2682 and 2886	Toxic Substances Control Act, Sections 402 and 406

Policy History:

Adopted on: 06/20/13
Reviewed on:
Revised on:

Joliet Public Schools

NONINSTRUCTIONAL OPERATIONS

8425

Service Animals

For the purposes of this policy, state law defines a service animal as a dog or any other animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Federal law definition of a disability includes a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

The District shall permit the use of a miniature horse by an individual with a disability, according to the assessments factors as outlined in Policy 8425P, if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

The Joliet School District will permit the use of service animals by an individual with a disability according to federal regulations. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

The District may ask an individual with a disability to remove a service animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it; or
- The animal is not housebroken

The District is not responsible for the care or supervision of the service animal.

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the District's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

Cross Reference:	Policy 8425P	Procedure for allowance of service animals
	Policy 8425F	Service Animals in District Facilities Form
	Policy 2161	Special Education
	Policy 2162	Section 504 of the Rehabilitation Act of 1973

Legal Reference:	28 CFR 35.136	Service Animals
	28 CFR 35.104	Definitions
	49-4-203(2), MCA	Definitions

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

1. Parent/Staff and/or emergency contact information: _____

2. Type of service animal (breed, age, and history): _____

3. Insurance company insuring the service animal: _____

Attached proof of insurance: ☐ Received ☐ Not Received

4. Agent name and address: _____

5. Phone number: _____

Proof of current and proper vaccinations: ☐ Received ☐ Not Received

Documentation of Public Access Test (PAT): ☐ Received ☐ Not Received

8. Name of trainer or organization who administered the PAT: _____

9. Address of trainer or organization: _____

10. Phone number of trainer or organization: _____

11. List and attach any letters or other documentation from medical providers or other service providers regarding the student's/staff's need for the service animal:

☐ Received ☐ Not Received

12. Has the student/staff member requesting use of the animal been trained as the animal's handler? ☐ Yes
☐ No

If no, who will act as the trained handler for the animal during the school/work day?

13. Is the student/staff able to independently care for the service animal's needs (i.e., bathroom, feeding, cleaning up messes, hygiene, etc.) ☐ Yes ☐ No

14. Describe the manner in which the service animal will meet the student's/staff's individual needs:

1 **Joliet Public Schools**

2
3 **NONINSTRUCTIONAL OPERATIONS**

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4
5 Service Animal Allowance Procedure

6
7 The following procedures have been developed which will help guide the administration when a request
8 for the use of a service animal has been presented by an individual with a disability.
9

10 Inquiries: The administration shall not ask about the nature or extent of a person's disability, but
11 may make two inquiries to determine whether an animal qualifies as a service animal. The
12 administration may ask if the animal is required because of a disability and what work or task the
13 animal has been trained to perform. The administration shall not require documentation, such as
14 proof that the animal has been certified, trained, or licensed as a service animal. Generally, the
15 administration may not make these inquiries about a service animal when it is readily apparent
16 that an animal is trained to do work or perform tasks for an individual with a disability (*e.g.*, the
17 dog is observed guiding an individual who is blind or has low vision, pulling a person's
18 wheelchair, or providing assistance with stability or balance to an individual with an observable
19 mobility disability).
20

21 Exclusions: The administration may ask the individual to remove the service animal from the premises if
22 the animal is out of control and the handler does not take effective action to control it, or if the animal is
23 not housebroken. If the administration properly excludes the service animal, it shall give the individual
24 the opportunity to participate in the service, program, or activity without having the service animal on the
25 premises.
26

27 Surcharges: The administration shall not ask or require the individual to pay a surcharge, even if people
28 who are accompanied by pets are required to pay fees, or to comply with other requirements generally not
29 applicable to people without pets. If the District normally charges individuals for the damage they cause,
30 the individual may be charged for damage caused by his or her service animal.
31

32 Miniature horses assessment factors: In determining whether reasonable modifications can be made to
33 allow a miniature horse into a specific facility, the District shall consider:
34

- 35
 - The type, size, and weight of the miniature horse
 - Whether the miniature horse is housebroken, and
 - Whether the miniature horse's presence in a specific facility compromises legitimate safety

38 requirements that are necessary for safe operation.
39
40

41 Policy History:

42 Promulgated on: 06/20/13

43 Reviewed on:

44 Revised on:

2
3 **NONINSTRUCTIONAL OPERATIONS**

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4
5 Records Management

6
7 The District will retain, in a manner consistent with applicable law and the state's *Rules for*
8 *Disposition of Local Government Records*, such records as are required by law or regulations to
9 be created and/or maintained, and such other records as are related to students, school personnel,
10 and the operations of the schools.

11
12 For the purpose of this policy, "records" are all documentary materials, regardless of media or
13 characteristics, made or received and maintained by the school unit in transaction of its business.
14 Records include email and other digital communications sent and received.

15
16 Records may be created, received, and stored in multiple formats, including but not limited to
17 print, microfiche, audio and videotapes, and various digital forms (on hard drives, computer
18 disks and CDs, servers, flash drives, etc.).

19
20 The Superintendent will be responsible for developing and implementing a records management
21 program for the cataloging, maintenance, storage, retrieval, and disposition of school records.
22 The Superintendent will also be responsible for developing guidelines to assist school employees
23 in understanding the kinds of information that must be saved and those which can be disposed of
24 or deleted. The Superintendent may delegate records-management responsibilities to other
25 school personnel at his/her discretion to facilitate implementation of this policy.

26
27 All personnel records made or kept by an employer, including, but not necessarily limited to,
28 application forms and other records related to hiring, promotion, demotion, transfer, layoff or
29 termination, rates of pay or other terms of compensation and selection for training or
30 apprenticeship, shall be preserved for 2 years from the date the record is made or from the date
31 of the personnel action involved, whichever occurs later.

32
33 Student records must be permanently kept, and employment records must be kept for 10 years
34 after termination.

35
36 Litigation Holds for Electronic Stored Information (ESI)

37
38 The School District will have an ESI Team. The ESI Team is a designated group of individuals
39 who implement and monitor litigation holds, a directive not to destroy ESI that might be relevant
40 to a pending or imminent legal proceeding. The ESI Team will include a designated school
41 administrator, an attorney, and a member from the Technology Department. In the case of a
42 litigation hold, the ESI Team shall direct employees and the Technology Department, as
43 necessary, to suspend the normal retention procedure for all related records.

Inspections of ESI

Any requests for ESI records should be made in writing and will be reviewed by the Superintendent or designee, in consultation with an attorney if needed, and released in accordance with Montana public records law.

Delegated Authority

The Board delegates to the Superintendent or designees the right to implement and enforce additional procedures or directives relating to ESI retention consistent with this policy, as needed.

Information Security Breach

Information security breaches shall be handled in accordance with 30-14-1704, MCA, Computer Security Breach, including, but not limited to, investigations and notifications.

Cross Reference:	1402	School Board Use of Electronic Mail
	3600, 3600P	Student Records
	5231, 5231P	Personnel Records
	5450	Employee Electronic Mail and On-Line Services Usage

Legal Reference:	Montana Secretary of State (Rules for Disposition of Local Government Records)	
	Federal Rules of Civil Procedure (FRCP)	
	§ 2-6-403, MCA	Duties and responsibilities
	§ 20-1-212, MCA	Destruction of records by school officer
	§ 20-9-215, MCA	Destruction of certain financial records
	24.9.805 (4), ARM	Employment Records
	30-14-1704, MCA	Computer Security Breach

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on: 09/12/16

1 **Joliet Public Schools**

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4
5 Computer Software

6
7 Unauthorized copying of any computer software licensed or protected by copyright is theft.
8 Failure to observe software copyrights and/or license agreements may result in disciplinary
9 action by the District and/or legal action by a copyright owner.

10
11 No District-owned computing resources should be used for unauthorized commercial purposes.
12
13
14

15 Policy History:

16 Adopted on: 06/20/13

17 Reviewed on:

18 Revised on:

4
5 Automated External Defibrillators (AED)

6
7 The Board of Trustees of the Joliet School District recognizes that from time to time
8 emergencies may arise that justify the use of an Automated External Defibrillator (AED). The
9 Board has purchased one or more of these units for use by qualified personnel. The Board of
10 Trustees approves the use of AED units, subject to the following conditions:

- 11
- 12 1. Establish a program for the use of an AED that includes a written plan that must specify:
 - 13 • Where the AED will be placed;
 - 14 • The individuals who are authorized to operate the AED;
 - 15 • How AED use will be coordinated with an emergency medical service providing
16 services in the area where the AED is located;
 - 17 • The medical supervision that will be provided;
 - 18 • The maintenance that will be performed on the AED;
 - 19 • Records that will be kept by the program;
 - 20 • Reports that will be made of AED use;
 - 21 • The name, location, and telephone number of a Medical Supervisor designated to
22 provide medical supervision of the AED program; and
 - 23 • Other matters as specified by the Department of Public Health and Human
24 Services;
 - 25 2. Adhere to the written plan required by subsection (1);
 - 26 3. Ensure that before using the AED, an individual authorized to operate the AED receives
27 appropriate training approved by the DPHHS in cardiopulmonary resuscitation and the
28 proper use of an AED;
 - 29 4. Maintain, test, and operate the AED according to the manufacturer's guidelines and
30 maintain written records of all maintenance and testing performed on the AED;
 - 31 5. Each time an AED is used for an individual in cardiac arrest, require that an emergency
32 medical service is summoned to provide assistance as soon as possible and that the AED
33 use is reported to the supervising physician or the person designated by the physician and
34 to the District as required by the written plan;
 - 35 6. Before allowing any use of an AED, provide the following to all licensed emergency
36 services and any public safety answering point or emergency dispatch center providing
37 services to the area where the AED is located:
 - 38 a. A copy of the plan prepared pursuant to this section; and
 - 39 b. Written notice, in a format prescribed by the DPHHS rules, stating:
 - 40 i. That an AED program has been established by the District;
 - 41 ii. Where the AED is located; and
 - 42 iii. How the use of the AED is to be coordinated with the local
43 emergency medical service system.
- 44
45
46

Liability Limitations

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability for a personal injury that results from that care or treatment.

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability as a result of any act or failure to act in providing or arranging further medical treatment for the individual upon whom the AED was used, unless the individual using the AED or the person providing CPR, as applicable, acts with gross negligence or with willful or wanton disregard for the care of the person upon whom the AED is or may be used.

The following individuals or entities are immune from civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence, if applicable provisions of this part have been met by the individual or entity:

- a. A person providing medical oversight of the AED program, as designated in the plan;
- b. The entity responsible for the AED program, as designated in the plan;
- c. An individual providing training to others on the use of an AED.

Legal Reference:	Title 37, Chapter 104, subchapter 6, ARM – Automated External Defibrillators (AED)
	§50-6-501, MCA Definitions
	§50-6-502, MCA AED program – requirements for AED use
	§50-6-503, MCA Rulemaking
	§50-6-505, MCA Liability limitations

Policy History:

Adopted on: 06/20/13

Reviewed on:

Revised on:

JOLIET SCHOOL DISTRICT
AUTOMATIC EXTERNAL DEFIBRILLATOR
INCIDENT REPORT

Name of person completing report: _____

Date report is being completed: _____ Date of Incident: _____

Name of patient on which AED was applied: _____ Age _____

Known status of patient

Student

Parent of Student

Other, explain _____

Describe incident: _____

List series of events from the start of the emergency until its conclusion: _____

Your Signature: _____

Please forward to the Superintendent of Schools no later than forty-eight (48) hours after the incident.

Operational Services

Exhibit - School Staff AED Notification Letter

On District letterhead

Date:

To: Staff members

Re: Notification to School Staff of the Physical Fitness Facility Medical Emergency Response Instructions and AED Availability

We would like to notify you about our plan for responding to medical emergencies that might occur in our gymnasium or other indoor physical fitness facility. This plan includes access to an Automatic External Defibrillator (AED) in the following locations in these buildings:

Building	Location
_____	_____
_____	_____
_____	_____

The AEDs are strategically placed and readily accessible to predetermined AED users to maximize rapid use. The AED is available during school hours and after school during on-site school activities. The predetermined AED users are school nurses and any other person who has received AED training (American Heart Association, American Red Cross, or equivalent training) and has a completion card on file with the Superintendent.

The following information is posted with each AED:

1. Instructions to immediately call 9-1-1 and instructions for emergency care.
2. A statement that the AED is to be used only by trained users.
3. Instructions for using an AED.

Please contact me if you would like information on becoming a trained AED user. We appreciate your support.

Sincerely,

Superintendent

JOLIET SCHOOL DISTRICT
Joliet, Montana

AUTOMATIC EXTERNAL DEFIBRILLATOR
SERVICE LOG

Date	Inspected and In-Service	Inspected and Out-of-Service	Signature of Designee

Once per month or more often the designee will inspect the AED. If the AED is out-of-service or does not have the appropriate equipment, the designee will contact the Superintendent of Schools or designee immediately.

CHAPERONE LETTER OF UNDERSTANDING

I understand that as a chaperone for the Joliet School District I must adhere to the following rules:

1. I shall not use tobacco products in the presence of students;
2. I shall not consume any alcoholic beverages nor use any illicit drugs during the duration of my assignment as a chaperone, including during the hours following the end of the day's activities for students;
3. I will not encourage or allow students to participate in any activity that is in violation of District policy during the field trip or excursion, including during the hours following the end of the day's activities.

I understand that should I have been found to have violated these rules, I will not be used again as a chaperone for any District-sponsored field trips or excursions and may be excluded from using District-sponsored transportation for the remainder of the field trip or excursion and that I will be responsible for my own transportation back home.

I also understand that, if found to have violated these rules, I may be subject to disciplinary action.

Signature of Chaperone

Date

DESIGNATION AND ACCEPTANCE TO ADMINISTER GLUCAGON

As a parent, an individual who has executed a caretaker relative educational authorization affidavit, an individual who has executed a caretaker relative medical authorization affidavit, or a guardian of a diabetic student, I have designated _____ to administer glucagon to _____ only in emergency situations. I understand the designee must be an adult.

Signature

Date

As the parent-designated adult, I agree to administer glucagon only in emergency situations to _____. I understand the glucagon must be provided by the parent, an individual who has executed a caretaker relative educational authorization affidavit, an individual who has executed a caretaker relative medical authorization affidavit, or the guardian of the student. I confirm that I have been trained in recognizing hypoglycemia and the proper method of administering glucagon. I have been trained by _____ on the _____ day of _____, 20____.

Signature of parent-designated adult

Date



Dissemination Log

For national criminal history fingerprint-based background checks under

Date	Person Making Dissemination	Name and Date of Birth on Disseminated Information	Receiving Entity (Name, Phone Number, Person)	Disseminated by Telephone, Fax, Mail or E-mail?	Date Qualified Entity Status Verified by ID
Instructions: A log entry must be made every time you share with another qualified entity any information you obtained from a criminal history records check through the Montana Department of Justice (MDOJ) or the FBI. This includes the sharing of "No Record" information. The Dissemination Log must be retained for four (4) years from the date of the entry, and it must be made available to MDOJ and FBI auditors.					
Reminder: Criminal history record information received from MDOJ or the FBI under NCPA/VCA and/or Public Law 92-544, shall be used or shared only for the screening of current or prospective Montana employees, volunteers, contractors, and/or vendors of QUALIFIED ENTITIES, pursuant to these laws.					

EDUCATIONAL AUTHORIZATION AFFIDAVIT

Joliet School District

The completion and signing of the affidavit before a notary public are sufficient to authorize educational enrollment and services and school-related medical care for the named child. Please print clearly.

The child named below lives in my home, and I am eighteen (18) years of age or older.

Name of child: _____

Child's date of birth: _____

My name (caretaker relative): _____

My date and year of birth: _____

My home address: _____

My relationship to the child: _____

(The caretaker relative must be an individual related by blood, marriage, or adoption by another individual to the child whose care is undertaken by the caretaker relative, but who is not a parent, foster parent, stepparent, or legal guardian of the child.)

I hereby certify that this affidavit is not being used for the purpose of circumventing school residency laws, to take advantage of a particular academic program or athletic activity, or for an otherwise unlawful purpose.

- ☐ The child was subject to formal disciplinary action, including suspension or expulsion, at the child's previous school. The school may either implement the previous school district's disciplinary action without further due process or hold a hearing and determine whether the student's conduct in the previous school district merits denial of enrollment. If the district decides to enroll the child, then the school may require the child to comply with a behavior contract as a condition of enrollment.

Check the following if true (all must be checked for this affidavit to apply):

- ☐ A parent of the child identified above has left the child with me and has expressed no definite time period when the parent will return for the child.
- ☐ The child is now residing with me on a full-time basis.
- ☐ No adequate provision, such as appointment of a legal custodian or guardian or execution of a notarized power of attorney, has been made for enrollment of the child in school, other educational services, or educationally related medical services.

DO NOT SIGN THIS FORM IF ANY OF THE ABOVE STATEMENTS ARE INCORRECT, OR YOU WILL BE COMMITTING A CRIME PUNISHABLE BY A FINE, IMPRISONMENT, OR BOTH.

I declare under penalty of false swearing under the laws of Montana that the foregoing is true and correct.

Signed this _____ day of _____, 20__.

(Signature of caretaker relative)

STATE OF MONTANA)
 : ss.
County of _____)

On this _____ day of _____, 20__, before me, a Notary Public for the state of Montana, personally appeared _____, known to me to be the person named in the foregoing Educational Authorization Affidavit, and acknowledged to me that _____ executed the same as _____ free act and deed for the purposes therein mentioned.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my notarial seal the day and year in this certificate first above written.

(SEAL)

[name]
NOTARY PUBLIC for the state of Montana
Residing at _____, Montana
My commission expires: _____

NOTES:

1. Completion of this affidavit does not affect the rights of the child's parents or legal guardian regarding the care, custody, and control of the child and does not mean that the caretaker relative has legal custody of the child.
2. A person who relies on this affidavit has no obligation to make any further inquiry or investigation.
3. The completed affidavit is effective for the earlier of:
 - a. The end of the first school year after delivery of the affidavit to a school district;
 - b. Until it has been revoked by the caretaker relative; or
 - c. Until the child no longer resides with the caretaker relative.
4. If the child stops living with you, you shall notify anyone to whom you have given this affidavit.