

# **Columbia Falls School District**

## **Board Policy Manual**

Columbia Falls School District

POLICY

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# **COLUMBIA FALLS SCHOOL DISTRICT**

## **THE BOARD OF TRUSTEES**

### **1000 SERIES**

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## Columbia Falls School District

### THE BOARD OF TRUSTEES

1000

#### Legal Status and Organization

The Board of Trustees of the Columbia Falls School District No. 6, Flathead County, is the governmental entity established by the State of Montana to plan and direct all aspects of the District's operations. The District is classified as a first class district and is operated according to the laws and regulations pertaining to a first class district.

The policies of the Board define the organization of the Board and the manner of conducting its official business. The Board's powers and duties include the broad authority to adopt and enforce all powers and duties of the Board that are derived from the Montana Constitution, state statutes, and regulations.

#### *Membership*

The District is governed by a Board of Trustees consisting of eight (8) members: seven (7) members who are residents of and elected by qualified electors of the Columbia Falls Elementary School District and one (1) member who is a resident of and elected by qualified electors of West Glacier Elementary School District. The seven (7) members of the Columbia Falls Elementary School District and the one (1) member of the West Glacier Elementary School District shall make up the Columbia Falls High School District.

The trustees of the District shall participate on an equal basis with other members in all transactions pertaining to the high school maintained by the District. Only the trustees elected from Columbia Falls Elementary School District may participate in decisions pertaining to the elementary schools maintained by the District.

Legal Reference	§ 20-3-323, MCA	District policy and record of acts
	§ 20-3-324, MCA	Powers and Duties
	§ 20-3-341, MCA	Number of trustee positions in elementary school districts

#### Policy History

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### THE BOARD OF TRUSTEES

1110

#### Taking Office

A newly elected or appointed Trustee shall take office as soon as election results have been certified and the newly elected or appointed Trustee has taken and subscribed to an oath to faithfully and impartially discharge the duties of the office to the best of his/her ability. The person shall qualify by taking an oath of office administered by the county superintendent, the superintendent's designee, or any officer provided for by law. Such oath must be filed with the county superintendent not more than fifteen (15) days after the receipt of the certificate of election or the appointment.

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 are staggered as provided by law.

Legal References:	§ 1-6-101, MCA	Officers who may administer oaths
	§ 2-16-116, MCA	Power to administer oaths
	§ 20-1-202, MCA	Oath of office
	§ 20-3-307, MCA	Qualification and oath
	§ 20-3-301, MCA	Election and term of office

#### Policy History

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### THE BOARD OF TRUSTEES

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#### School Board Elections

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

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

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

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

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

The District will provide access to polling places and accessible voting technology for individuals with disabilities. The District Clerk will be responsible for assessing polling place for accessibility and ensuring reasonable access for individuals with disabilities.

Legal Reference:	§ 13-1-101	Definitions ( <i>Revised by Senate Bill 15</i> )
	§ 13-10-211, MCA	Declaration of intent for write-in candidates
	§ 20-3-304, MCA	Annual election
	§ 20-3-305, MCA	Candidate qualification, nomination and withdrawal
	§ 20-3-313, MCA	Election by acclamation – notice
	§ 20-3-322, MCA	Meetings and quorum
	§ 20-3-324(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
Senate Bill 15	Revises election laws related to accessibility for disabled electors

Policy History

Adopted on: 7-24-17

Revised on: 8-16-21

## Columbia Falls School District

### THE BOARD OF TRUSTEES

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#### Resignation and Other Vacancies

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

- Death of the incumbent;
- Resignation, in writing, filed with the Clerk;
- Incumbent moves out of the district, establishing residence elsewhere;
- Incumbent is no longer a registered elector of the District under the provisions of §20-20-301, MCA;
- Incumbent is absent from the District for sixty (60) consecutive days;
- Incumbent fails to attend three (3) consecutive meetings of the trustees without good reason;
- Incumbent has been removed under the provisions of § 20-3-310, MCA; or
- Incumbent ceases to have the capacity to hold office under any other provision of law.

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

When a Trustee vacancy occurs, the remaining trustees shall declare such position vacant and fill such vacancy by appointment. The Board will receive applications from any qualified persons seeking to fill the position after such notices as determined by the board to be appropriate. The Board will appoint one (1) candidate to fill the position. Should the Board fail to fill a vacancy within sixty (60) days from the creation of a vacancy, the county superintendent shall appoint, in writing, a competent person to fill such vacancy. An appointee shall qualify by completing and filing an oath of office with the county superintendent within fifteen (15) days after receiving notice of the appointment and shall serve until the next regularly scheduled school election and a successor has qualified.

Resignation of a Trustee, for whatever reason, must be submitted in writing to the Clerk and shall specify an effective date.

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

Legal	References:	§ 2-16-502, MCA	Registrations
		§ 20-3-308, MCA	Vacancy of trustee position
		§ 20-3-309, MCA	Filling vacated trustee position – appointee qualification and term of office

#### Policy History

Adopted on: 7-24-17

Revised on: 12/9/19

Committees

*Board Member Committees*

The Board may create Board member committees as deemed necessary. The Board Chair will make all appointments to Board member committees. Notice of Board member committee meetings shall be given in the same manner as notice for special meetings, and Board member committee meetings shall be open to the public.

*Citizen Committees*

The Board or the Superintendent may create committees that involve community members as deemed necessary, either on an *ad hoc* or regular basis. The Board Chair or the Superintendent will make all appointments to citizen committees and will establish the parameters and duties for the citizen committees. Notice of citizen committee meetings shall be given in the same manner as notice for special meetings, and citizen committee meetings shall be open to the public.

*Administrative Committees*

The Superintendent may create administrative committees as deemed necessary. The Superintendent will make all appointments to the administrative committees. In determining whether an administrative committee meeting shall be open to the public, the following factors, although not exhaustive in nature, should be considered: (1) the frequency with which the committee meets; (2) whether the committee is deliberating or just gathering facts; (3) whether the deliberations concern a matter of policy rather than ministerial or administrative functions; (4) whether the committee members have executive authority and experience; and (5) the results of the meeting. If the presiding officer determines that the administrative committee should be held in compliance with the Open Meeting Act, he shall provide notice of the meeting in the same manner as notice for a special meeting, and the administrative meeting shall be open to the public.

Legal Reference:        § 2-3-203, MCA       Meetings of public agencies and certain associations of  
public agencies to be open to public - exceptions

**Crofts v. Associated Press** (2004), 2004 MT 120

Policy History

Adopted on: 7-24-17

Revised on:

## THE BOARD OF TRUSTEES

## Qualifications, Terms, and Duties of Board Officers

*Chairperson*

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

*Vice Chairperson*

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), (3), MCA	Organization and officers
		§ 20-3-351(1)(a), MCA	Number of trustee positions in high school district
		§ 20-3-352(2), MCA	Request and determination of number of high school district additional trustee positions – nonvoting trustee

## Revised on:



## Columbia Falls School District

### THE BOARD OF TRUSTEES

1230

#### Clerk

The Clerk of the Board shall attend all meetings of the Board, unless excused by the Chair, 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. The minutes from the meeting will be supplied to the Clerk.

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 District will provide access to polling places and accessible voting technology for individuals with disabilities. The District Clerk will be responsible for assessing polling place for accessibility and ensuring reasonable access for individuals with disabilities.

The Clerk shall be evaluated by the Superintendent at least once annually. Such evaluation shall be based on the job description and established evaluative criteria. 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
	Senate Bill 15	Revises election laws related to accessibility for disabled electors
	§ 13-1-101	Definitions ( <i>Revised by Senate Bill 15</i> )

#### Policy History

Adopted on: 7-24-17

Revised on: 8-16-21



## Columbia Falls School District

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

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

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

Cross Reference:	1112	Resignations and Other Vacancies
Legal References:	§ 20-3-201, MCA	Election and term of office
	§ 20-3-308, MCA	Vacancy of Trustee position
	§ 20-3-324(21), MCA	Powers and duties
	§ 20-3-332, MCA	Personal liability of trustees

#### Policy History

Adopted on: 7-24-17

Revised on:

District Policy and Procedures

*Adoption and Amendment of Policies*

It is the intent of the Board to develop written policies to serve as guidelines and goals for the successful and efficient functioning of the District. The policies are framed and are meant to be interpreted in terms of state statute, administrative rules, and all other regulatory agencies within our local, county, state, and federal levels of government. The policies are also framed and are meant to be interpreted in terms of those educational objectives, procedures, and practices that are broadly accepted by leaders and authorities in the public education field.

Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and additions to the policies of the current Board and those of the future. The Board welcomes suggestions for ongoing policy development.

Policy proposals and suggested amendments to or revisions of existing policies shall be submitted in writing prior to a regularly scheduled board meeting. All new or amended policies become effective upon adoption, unless a specific effective date is provided in the motion for adoption. Minutes of each meeting shall reflect any readings and action taken.

*Administrative Procedures*

The superintendent may develop administrative procedures as are necessary to ensure consistent implementation of policies adopted by the Board.

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

Legal	References:	Mont. Const. Art. X, § 8	School District Trustees
		§ 20-3-323, MCA	District policy and record of acts
		10.55.701, ARM	Board of Trustees

Policy History

Adopted on: 7-24-17

Revised on: 8-16-21

## **Columbia Falls School District**

### **THE BOARD OF TRUSTEES**

**1400**  
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#### Board Meetings

For all meetings of the Board and its committees, the Clerk or designee shall satisfy all notice and posting requirements contained herein, as well as the Open Meetings Act. This shall include providing meeting notification to news media that have officially requested it. Except for an unforeseen emergency or as described below, all meetings must be held in a District building or, by unanimous consent of the Board, in a publicly accessible building located within the District. The Trustees may meet outside the boundaries of the District for collaboration or cooperation on educational issues with other school boards, educational agencies, or cooperatives. Adequate notice of the meeting as well as an agenda will be provided to the public in advance, and decision making must still occur only at properly noticed meetings held within the District's boundaries.

#### ***Regular Meetings***

Unless otherwise specified by the Board, all regular meetings are held on the second Monday of the month at 6:00 pm, in the District Board Room. If the time or place of a Board meeting is changed, notice shall be given in the same manner as provided for special meetings. The Board may choose to not convene a meeting in the month of July if there is no pressing business to attend to at that time.

#### ***Special Meetings***

Special meetings may be called by the Board Chair or by any two (2) members of the Trustees. A written notice of a special meeting, stating the purpose of the meeting, must be provided to each Trustee not less than forty-eight (48) hours prior to the time of the meeting. The forty-eight (48) hour written notice is waived in the event of an unforeseen emergency or to consider a violation of the student code of conduct within a week of graduation. Written notice shall also be sent not less than twenty-four (24) hours prior to the meeting to each newspaper and radio or television station that has filed a written request for such notices.

#### ***Committee Meetings***

Committee meetings may be called by the Committee Chair, and are subject to the requirements of the Open Meetings Act, including notice and posting requirements.

#### ***Budget Meetings***

On or before August 20 of each year, the Board shall meet to consider all budget information and any attachments required by law. The Board may continue the meeting from day to day but shall adopt the final budget for the District and determine the amounts to be raised by tax levies for the District not later than August 25, and before the computation of the general fund net levy requirement by the county superintendent and the fixing of the tax levies for each district.

Between July 1 and August 10 of each year, the Clerk shall publish one notice, in the *Hungry Horse News*, stating the date, time, and place that the Board will meet for the purpose of considering and adopting the final budget. The notice must also state that the meeting may continue from day to day until the final adoption of the budget, and that any taxpayer may appear at the meeting and be heard for or against any part of the budget.

## Columbia Falls School District

### THE BOARD OF TRUSTEES

1400  
Page 2 of 2

#### ***Organizational Meeting***

After the issuance of the election certificates to the newly elected trustees in May, but not later than fifteen (15) days after the election, the Board shall convene and elect from among its members a Chair and a Vice-Chair to serve one (1) year terms. The Chair shall serve until the next organization meeting and shall preside at all the meetings of the Board. In addition, the Board shall employ and appoint a competent person as the Clerk of the District at this meeting.

#### ***Emergency Meetings***

In the event of a storm, fire, explosion, community disaster, insurrection, act of God, or other unforeseen destruction or impairment of school district property that affects the health and safety of the Trustees, students, District employees, or the educational functions of the district, the Board may meet immediately and take official action without prior notification.

#### ***Executive Session of Any Meeting***

The Board or any committee may hold executive sessions to consider matters of individual privacy or 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. Prior to closing the meeting to consider matters of individual privacy, the presiding officer must determine that the demands of individual privacy exceed the merits of public disclosure. The litigation strategy exception is not available if the litigation involves only public bodies or associations as parties.

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
	§ 2-3-203, 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: 7-24-17

Revised on:

Records Available to Public

The District is committed to effective records management including meeting legal standards for record retention and protection of privacy, optimizing the use of space, minimizing the cost of record retention, and properly destroying outdated records. This policy applies to all records, regardless of whether they are maintained in hard (paper) copy, electronically, or in some other fashion.

The District requires that its records be maintained in a consistent and logical manner and be managed so that the District:

- Meets legal standards for protection, storage and retrieval;
- Protects the privacy of students and employees of the District;
- Optimizes the use of space;
- Minimizes the cost of record retention; and
- Destroys outdated records in an appropriate manner.

The Superintendent shall establish appropriate records management procedures and practices, which shall be provided to staff members who manage records within the District. The Board acknowledges the importance of public records as the record of the acts of the District and the repository of information about the District. The Board acknowledges the public's right to inspect and copy the District's public records, with certain exceptions. Unless otherwise provided by law, a public record shall be accessible for inspection and duplication either by written or oral request. The District shall respond to all such requests within a reasonable period of time, generally not to exceed 10 business days. If the District cannot respond to the request within 10 business days, the records custodian shall notify the requestor in writing and provide a timeline for response to the request. If an oral request is not responded to within 10 business days, the requestor must put the request in writing.

The Superintendent shall designate essential records immediately necessary to:

- Respond to an emergency or disaster;
- Begin recovery or reestablishment of operations during and after an emergency or disaster;
- Protect the health, safety, and property of District students and employees; or
- Protect the assets, obligations, rights, history and resources of the District, its employees, and students.

The District will provide copies of all documents, including electronic communications, in the medium in which those documents exists. Reasonable fees shall be charged for copies as follows:

- Copies of Board minutes at 15¢ per page;
- Copies of other materials at 25¢ per page;

**Columbia Falls School District**

**THE BOARD OF TRUSTEES**

**1401**  
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- The actual costs directly incident to fulfilling a records request in the most cost-efficient and timely manner possible, including but not limited to the time required to gather the requested information; and
- Actual cost of purchasing the electronic media used for transferring data, if the person requesting the information does not provide the media.

The District shall comply with Montana law in addressing any unauthorized breaches of its computer data security system, including but not limited to complying with all disclosure and investigation requirements.

Legal Reference:	§ 2-6-102, MCA	Citizen entitled to inspect and copy public writings
	§ 20-3-323, MCA	District Policy and Record of Acts
	§ 20-9-213, MCA	Duties of Trustees

Policy History

Adopted on: 7-24-17

Revised:



School Board Meeting Protocol

***Agenda***

The agenda for any Board meeting shall be prepared by the Superintendent in consultation with the Board Chair. Items submitted by Board members and citizens may be placed on the agenda, though such requests are not required to be placed on the agenda. Such suggestions must be received by the Superintendent at least three (3) days before the Board meeting, unless of immediate importance as determined by the Superintendent. 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 items on the agenda need not request placement on the agenda, and may ask for recognition by the Chair 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 or other adjudicative proceedings. The Board Chair may place reasonable time limits on any “public comment” period to maintain and ensure effective and efficient operations of the Board. The Board may not take immediate action on any matter discussed in the public comment section at that time.

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 forty-eight (48) hours in advance of a Board meeting and will be available to any interested citizen at the Superintendent’s office forty-eight (48) hours before a Board meeting. An agenda for other types of Board meetings will be prepared, if circumstances require an agenda.

***Consent Agenda***

The Board approves the use of a consent agenda, which includes those items considered to be routine in nature. Any item on the consent agenda may be redirected to the action section of the agenda by a member of the Board. Remaining items will be voted on by a single motion.

***Minutes***

The Clerk or the Clerk’s designee shall keep written minutes of all meetings that must be open to the public. The approved minutes must be signed by the Chair and the Clerk. The minutes must include:

- The date, time and place of the meeting;
- The name of the presiding officer;
- A record of Board members present and absent;
- A summary of the discussion on all matters discussed, proposed, deliberated or decided, and a record of any motions made and votes taken;
- A detailed statement of all expenditures;

## Columbia Falls School District

### THE BOARD OF TRUSTEES

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Page 2 of 2

- The purpose of recessing into closed session; and
- The time of adjournment.

The Board shall keep minutes during all closed sessions. Minutes taken during executive sessions shall be sealed.

The Board may direct the Clerk to make an audio recording of any meeting. Any audio recording may be destroyed after the minutes are approved. A file of permanent minutes of all meetings shall be maintained in the office of the Clerk. A written copy of the minutes shall be made available to the public within five (5) days following approval by the Board. Sealed minutes taken during any closed session of the Board shall not be made available to the public without a court order.

If the meeting is audio recorded and designated by the Board as the official record, a written record of the meeting must also be made and must include the information specified above. In addition, 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.

#### ***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.

#### ***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.

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 M T2, 330 Mont 2005</i>	

#### Policy History

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### THE BOARD OF TRUSTEES

1425

#### Abstentions from Voting

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

- When hiring the relative of a Trustee;
- When casting a vote would directly and substantially affect, to its economic benefit, a business or other undertaking in which the Trustee either has a substantial financial interest or in which the Trustee is engaged as counsel, consultant, representative, or agent;
- When casting a vote would directly and substantially affect a business or other undertaking to its economic detriment, where a Trustee has a substantial personal interest in a competing firm or undertaking;
- When casting a vote would cause a Trustee to have a pecuniary interest, either directly or indirectly, in a contract made by the Trustee (while acting in the Trustee's official capacity) or by the Board; and
- When casting a vote would put the Trustee in the position of an agent or solicitor in the sale or supply of goods or services to the District.

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

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

#### Policy History

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### THE BOARD OF TRUSTEES

1441

#### Audience Participation and Public Comment

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. 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 District, with exceptions.

To allow fair and orderly expression of public comments, the Board will permit general comment public participation pertaining to Columbia Falls School District issues that are not specifically listed on the agenda through oral or written comments during the District's General Purpose "public comment" section of the Board agenda. The Board will not engage in dialogue on public comment for items not specifically listed on the agenda. The Board will permit public comment specific to an agenda item prior to a final decision on a matter of significant interest to the public. The Chair shall control such comment to ensure an orderly progression of the meeting, placing reasonable time limits on comments in order to maintain and ensure effective and efficient operations of the Board meeting.

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: 7-24-17

Revised on:

**Columbia Falls School District**

**THE BOARD OF TRUSTEES**

**1511**

Code of Ethics for School Board Members

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy History

Adopted on: 7-24-17

Revised on:

Conflict of Interest

A Trustee may not:

- Engage in a substantial financial transaction for the Trustee's private business purpose, with a person whom the Trustee inspects or supervises in the course of his official duties.
- Perform an official act directly and substantially affecting, to its economic benefit, a business or other undertaking in which the Trustee either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent.
- Act as an agent or solicitor in the sale or supply of goods or services to a district.
- Have a pecuniary interest, directly or indirectly, in any contract made by the Board, when the Trustee has more than a ten percent (10%) interest in the corporation. A contract does not include: 1) merchandise sold to the highest bidder at public auctions; 2) investments or deposits in financial institutions that are in the business of loaning or receiving money, when such investments or deposits are made on a rotating or ratable basis among financial institutions in the community or when there is only one (1) financial institution in the community; or 3) contracts for professional services other than salaried services or for maintenance or repair services or supplies when the services or supplies are not reasonably available from other sources, if the interest of any Board member and a determination of such lack of availability are entered in the minutes of the Board meeting at which the contract is considered.
- Perform an official act directly and substantially affecting a business or undertaking to its economic detriment a business or other undertaking in which the trustee has a substantial personal interest in a competing firm or undertaking;
- Be employed in any capacity by the District, with the exception of officiating at athletic competitions under the auspices of the Montana Officials Association.
- Appoint to a position of trust or emolument any person related or connected by consanguinity within the fourth (4<sup>th</sup>) degree or by affinity within the second (2<sup>nd</sup>) degree.
  - This prohibition does not apply to the issuance of an employment contract to a person as a substitute teacher who is not employed as a substitute teacher for more than thirty five (35) consecutive school days.
  - This prohibition does not apply to the renewal of an employment contract of a person related to a Board member, who was initially hired before the Board member assumed the Trustee position.
  - This prohibition does not apply if Trustees comply with the following requirements: 1) All Trustees, except the Trustee related to the person to be employed or appointed, vote to employ the related person; 2) the Trustee related to the person to be employed abstains from voting; and 3) the Trustees give fifteen (15) days written notice of the time and place of their intended action in a newspaper of general circulation in the county where the school is located.

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
	§ 20-9-204, MCA	Conflict of interest
	§ 20-1-201, MCA	School officers not to act as agents
	§ 2-2-302, MCA	Appointment of relative to office of trust or emolument unlawful -- exceptions -- publication of notice.

Policy History:

Adopted on: 7-24-17

Revised on: 12/9/19

## Columbia Falls School District

### THE BOARD OF TRUSTEES

1513

#### Management Rights

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

- Direct employees;
- Employ, dismiss, promote, transfer, assign and retain employees;
- Relieve employees from duties because of lack of work or funds under conditions where continuation of such work would be inefficient and non-productive;
- Maintain the efficiency of District operations;
- Determine the methods, means, job classifications and personnel by which District operations are to be conducted;
- Take whatever actions may be necessary to carry out the missions of the District in situations of emergency;
- Establish the methods and processes by which work is performed.

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

The Board also reserves the right to delegate authority to the Superintendent for the on-going direction of all District programs.

Cross Reference                      6110    Superintendent-Board Relations

Legal Reference                      § 20-3-324, MCA              Powers and Duties  
   § 39-31-303, MCA              Management Rights of Public Employers

#### Policy History:

Adopted on: 7-24-17

Revised on:



## **Columbia Falls School District**

### **THE BOARD OF TRUSTEES**

**1520**

#### Board/Staff Communications

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

#### ***Staff Communications to the Board***

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

#### ***Board Communications to Staff***

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

#### ***Visits to Schools***

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

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

#### Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### THE BOARD OF TRUSTEES

1531

#### Expenses for Board Members

##### ***In-District***

A Trustee shall not receive remuneration for service as a Trustee. Trustees living more than three miles from the meeting place shall be entitled to mileage at the rate stipulated in 2-18-503, MCA for each mile of travel from their homes to the meeting place for each meeting of the Board or for any meeting called by the County Superintendent. Reimbursement may be paid as the travel is assumed or may accumulate until the end of the fiscal year, at the discretion of the Trustee.

##### ***Out-of District Meetings***

Trustees normally attend workshops, training institutes and conferences at both the state and national level, with Board approval. It is appropriate that Trustee expenditures at these out-of-District meetings be paid by the District. It is the intent of the District to pay all legitimate costs for Trustees to attend out-of-District meetings at the established rates for reimbursement set by the District.

#### Legal References

§ 2-18-503, MCA  
§ 20-1-211, MCA  
§ 20-3-311, MCA

Mileage allowance  
Expenses for officers attending conventions  
Trustee travel reimbursement

#### Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### THE BOARD OF TRUSTEES

1532

#### Trustee Insurance

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

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

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

#### Policy History:

Adopted on: 7-24-17

Revised on:

Indemnification and Defense of Trustees and Employees

The District shall defend and indemnify each of its current and former Trustees and employees whenever such Trustees or employees are civilly sued for their actions taken within the course and scope of their service to or employment by the Board, as a result of an alleged violation of Article VII, Section 17, of the Montana Constitution, except as otherwise provided herein.

In any noncriminal action brought against any current and former Trustee or employee of the District for a negligent act, error or omission, or other actionable conduct of the Trustee or employee committed while acting within the course and scope of the Trustee's office or employee's employment, resulting in an increase in taxes in violation of Article VII, Section 17, of the Montana Constitution, the District shall, except as otherwise provided herein, defend the action on behalf of the Trustee or employee and indemnify the Trustee or employee. Indemnification shall be provided for any money judgments or legal expenses, including attorney fees either incurred by the Trustee or employee or awarded to the claimant, or both, to which the Trustee may be subject as a result of a suit covered under this policy.

Upon receiving service of a summons and complaint in a noncriminal action against him or her alleging a violation of Article VII, Section 17, of the Montana Constitution, the Trustee or employee shall give written notice to the District, requesting that a defense to the action be provided by the District. Except as otherwise provided herein, the District shall offer a defense to the action on behalf of the Trustee or employee. The defense may consist of a defense provided directly by the District. The District shall notify the Trustee or employee, within 15 days after receipt of notice, whether a direct defense will be provided.

In a noncriminal action in which a Trustee or employee is a party defendant, the Trustee or employee shall not be defended or indemnified by the District for any money judgments or legal expenses, including attorney fees, to which the Trustee or employee may be subject as a result of the suit, if it is determined that:

- The conduct on which the claim is based constitutes oppression, fraud, or malice or for any other reason does not arise out of the course and scope of the Trustee's office or the employee's employment;
- The conduct of the Trustee or employee constitutes a criminal offense as defined in Title 45, chapters 4 through 7;
- The Trustee or employee compromised or settled the claim without the consent of the District; or
- The employee failed or refused to cooperate reasonably in the defense of the case.

If no judicial determination has been made applying the exclusions provide herein, the District may independently determine whether those exclusions apply. However, if there is a dispute as to whether the exclusions herein apply and the District concludes it should clarify its obligation to the Trustee or employee arising under this section by commencing a declaratory judgment action or other legal action, the District shall provide a defense or assume the cost of the defense of the Trustee or employee until judgment is rendered in such action holding that the District had no obligation to defend the Trustee or employee.

**Columbia Falls School District**

**THE BOARD OF TRUSTEES**

**1535  
Page 2 of 2**

The District has no obligation to provide a defense to the Trustee or employee in a declaratory judgment action or other legal action brought against the Trustee or employee by the District under this policy.

Legal References:       § 2-9-305, MCA   Immunization, Defense and Indemnification of Employees

Policy History:  
Adopted on: 7-24-17  
Revised on:

## **Columbia Falls School District**

### **THE BOARD OF TRUSTEES**

**1540**

#### Trustee Health Insurance

Trustees are eligible to elect to participate in the District's health insurance program. Trustees electing coverage for themselves and/or their dependents under the District's plan must pay the cost of the coverage. Trustees may elect to continue purchased coverage after serviced as a member of the Board as per COBRA regulations.

Legal Reference:      § 2-18-702, MCA      Group insurance for public employees and officers

#### Policy History

Adopted on: 7-24-17

Revised on:

**Columbia Falls School District**

**THE BOARD OF TRUSTEES**

**1610**

Annual Goals and Objectives

Each year the Board will formulate the District's annual objectives.

Additionally, usually during the summer months, the Superintendent shall provide the Board with a report relating to the District's progress in achieving its Mission, Visions and previous year's objectives.

Legal Reference: 10.55.701, ARM Board of Trustees

Policy History:  
Adopted on: 7-24-17  
Revised on:

## **Columbia Falls School District**

### **THE BOARD OF TRUSTEES**

**1700  
Page 1 of 2**

#### Uniform Complaint Procedure

The Board establishes this Uniform Complaint Procedure as a means to address complaints arising within the District. This Uniform Complaint Procedure is intended to be used for all complaints except those involving challenges to educational material and those governed by a collective bargaining agreement.

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

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

The Superintendent has the authority to contract with an investigator at any time during the complaint procedure process. Within fifteen (15) calendar days of the Superintendent's receipt of the 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.

#### Level 1: Informal

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

#### Level 2: Building Administrator

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



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

If 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 as a violation of Title IX of the Education Amendments of 1972 (the Civil Rights Act), or a violation of Title II of the Americans with Disabilities Act of 1990, or Section 504 of the Rehabilitation Act of 1973, the building administrator will turn the complaint over to the Title IX Coordinator or a District nondiscrimination coordinator. The coordinator will follow the District's Title IX or Section 504 Grievance Process.

#### 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 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 place the appeal on the agenda of a regular or special Board meeting. 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. 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, 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.

Cross References: Title IX Grievance Procedure  
Section 504 Grievance Procedure

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  
34 C.F.R. Part 106 Nondiscrimination on the Basis of Sex in Education

Policy History:

Adopted on: 7-24-17  
Reviewed on:  
Revised on: 10-9-20

## **Columbia Falls School District**

### **COLUMBIA FALLS SCHOOL DISTRICT**

#### **INSTRUCTION**

#### **2000 SERIES**

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## Columbia Falls School District

### INSTRUCTION

2100

#### School Year Calendar and Day

##### ***School Calendar***

Subject to § 20-1-301 and 20-1-308, MCA, and any applicable collective bargaining agreement covering the employment of affected employees, the trustees of a school district shall set the number of hours in a school term, the length of the school day and the number of school days in a school week. When proposing to adopt changes to a previously adopted school term, school week or school day, the trustees shall:

- Negotiate the changes with the recognized collective bargaining unit representing the employees affected by the changes;
- Solicit input from the employees affected by the changes but not represented by a collective bargaining agreement; and
- Solicit input from the people who live within the boundaries of the school district.

The Board has established a calendar committee to develop, recommend and evaluate the District's school year calendar. Each year, the Board shall adopt a calendar for the upcoming school year after hearing the recommendation from the calendar committee.

##### ***Commemorative Holidays***

The District shall conduct appropriate exercises during the school day on the commemorative days noted in Montana law.

##### ***Saturday School***

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

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

##### ***School Holidays***

The schools in the District shall be closed on the following holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day; and state and national election days when the school building is used as a polling place and the conduct of school would interfere with the election process at the polling place. The Board may establish other holidays.

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
	§ 20-1-305, MCA	School holidays
	§ 20-1-306, MCA	Commemorative exercises on certain days

ARM 10.55.701  
ARM 10.55.714

Board of Trustees  
Professional Development

Policy History:

Adopted on: 7-24-17

Revised on: 10-11-21

Grade Organization

The District has instructional levels for grades pre-kindergarten through twelve. The grouping and housing of instructional levels in school facilities shall be according to plans developed by the Superintendent and approved by the Board.

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

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

Legal Reference

§ 20-6-501, MCA

Definitions of various schools

Policy History:

Adopted on: 7-24-17

Revised on:

**INSTRUCTION**

**2120**

Curriculum Development and Assessment

The Superintendent shall recommend a comprehensive curriculum that is designed to accomplish the learning objectives and goals for excellence contained in the District's educational philosophy, mission statement, objectives and goals. The Board must approve all changes to the curriculum, including the adoption of new textbooks and new courses.

A written sequential curriculum shall be developed that aligns each program area with the appropriate content standards, grade-level learning progressions and the District's educational goals. A curriculum review cycle and time lines for curriculum development and evaluations shall be established by the Superintendent.

In all program areas and at all levels, the District shall assess student progress toward achieving content standards and content-specific grade-level learning progressions 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 educational program and use effective and appropriate tools for assessing such progress. This may include, but is 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 carry-over skills to other program areas and outside of school.

The District may receive and/or provide distance, online and technology delivered learning programs, as provided in Montana law. These learning programs and/or courses shall meet the learner expectations adopted in the District and shall be aligned with state content standards and content-specific grade-level learning progressions. The Superintendent is directed to develop procedures regarding the District's distance, online and technology delivered learning.

The District will provide gifted and talented coursework. The District will provide structured support and assistance to teachers in identifying and meeting the diverse student needs of gifted and talented students and a framework for considering a full range of alternatives for addressing student needs.

The building principal shall be responsible for the supervision and implementation of the adopted curriculum. The teaching staff has a significant responsibility in the development of

curricula and the primary responsibility for the implementation of curricula.

Legal References:	§ 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
	§ 20-7-902, MCA	School district programs to identify and serve the gifted and talented child ( <i>Revised by Senate Bill 109</i> )
	Senate Bill 109	Revise laws related to gifted and talented education.

Cross References: 2000 Goals

Policy History:

Adopted on: 7-24-17

Revised on: 8-16-21



Student and Family Privacy Rights

***Surveys - General***

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

***Surveys Created by a Third Party***

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

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

***Surveys Requesting Personal Information***

School officials and staff members shall neither request nor disclose the identity of any student who completes ANY survey containing one (1) or more of the following items:

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

The student's parent(s)/guardian(s) may inspect the survey within an appropriate time frame and/or refuse to allow their child to participate in any survey requesting personal information. The school shall not penalize any student whose parent(s)/ guardian(s) exercise this option.

***Instructional Material***

A student's parent(s)/guardian(s) may, within an appropriate time frame, 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:

- A student's or parent's first and last name;
- A home or other physical address (including street name and the name of the city or town);
- Telephone number; or
- 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:

- College or other post-secondary education recruitment or military recruitment;
- Book clubs, magazines and programs providing access to low-cost literary products;
- Curriculum and instructional materials used by elementary schools and secondary schools;
- 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;
- The sale by students of products or services to raise funds for school-related or education-related activities; or
- Student recognition programs.

***Notification of Rights and Procedures***

The Superintendent/designee shall notify student's parents/guardians of this policy as well as its availability from the administration office upon request; how to opt their child out of participation in activities as provided in this policy; how to request access to any survey or other material described in this policy; the approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled;

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 18 years of age or is an emancipated minor.

Cross Reference:	3410	Student Health
	2311	Instructional Materials

**Columbia Falls School District**

**INSTRUCTION**

**2132**  
**Page 3 of 3**

3200                      Student Rights and responsibilities  
Administrative Procedures

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

Policy History:  
Adopted on:7-24-17  
Revised on:

Human Sexuality Instruction

The District recognizes the right of a parent or guardian to withdraw a child from instruction or an organized school function regarding human sexuality instruction. Such withdrawals will be classified as an excused absence.

“Human sexuality instruction” means teaching or otherwise providing information about human sexuality, including intimate relationships, human sexual anatomy, sexual reproduction, sexually transmitted infections, sexual acts, sexual orientation, gender identity, abstinence, contraception, or reproductive rights and responsibilities.

***Annual Notice and Availability of Materials***

The District shall annually notify the parent or guardian of each student scheduled to be enrolled in human sexuality in advance of the instruction regarding the basic content of the human sexuality instruction intended to be taught and the parent or guardian’s right to withdraw the student from such instruction.

The District will make curriculum materials used in human sexuality instruction available for public inspection before use. This will occur on an annual basis.

***48-Hour Notice***

Parents and guardians will be notified at least 48 hours prior to holding an event or assembly or introducing material for instructional use.

***No Abortion Curriculum***

The District will not allow personnel to offer, sponsor, or furnish any course materials or instruction relating to human sexuality or sexually transmitted diseases if the person or entity provides abortion services.

Legal References:	MCA § 20-7-120 § 20-5-103, MCA 10.55.701, ARM	Parameters for K-12 Human Sexuality Education Compulsory attendance and excuses Board of Trustees
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Cross References:	Policy 2120	Curriculum Development, Content, and Assessment
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Policy History:

Adopted on: 8-16-21

Revised on: 11-14-22

INSTRUCTION

2140

Guidance and Counseling

The District recognizes that guidance and counseling is 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:

- Provide staff with meaningful information that can be utilized to improve the educational services offered to individual students;
- Provide students opportunities to develop future career and educational plans;
- Refer students with special needs to appropriate specialists and agencies;
- Aid students in identifying options and making choices about their educational program;
- Assist teachers and administrators in meeting academic, social and emotional needs of students;
- Provide for a follow-up of students who continue their education after eighth grade and/or move into the world of work;
- Solicit feedback from students, staff and parents for purposes of program improvement; and
- Assist students in developing a sense of belonging and self-respect.

All staff shall encourage students to explore and develop their individual interests without regard to gender, race, marital status, national origin or handicapping conditions.

Legal Reference

10.55.710, ARM  
10.55.802, ARM  
§ 49-3-203, MCA

Assignment of Guidance Staff  
Opportunity of Educational Equity  
Educational, Counseling and Training  
Programs

Policy History:

Adopted on: 7-24-17

Revised on:

## **Columbia Falls School District**

### **INSTRUCTION**

**2152**

#### Post-Season Pep Band Travel

1. Post season tournament travel to boys' and girls' basketball tournaments only, contingent upon adequate funding.
2. Overnight travel limited to 500 miles.
3. Tournament travel to Missoula or closer return that day, weather permitting.
4. Limit of 28 participants for all trips. Gender appropriate chaperons shall accompany students on overnight trips.

#### Pep Band Personnel Option

If music personnel warrants, split duties and stipend with junior high band instructor.

#### State Music Festival Policy

1. Pay for transportation, entry fees and meals of students when festival is within 350 miles.
2. Commitment by qualifying students to attend state music festival must be made prior to payment of entry fees. Students failing to meet the commitment to attend state music festival must reimburse the district for non-refundable entry fees.
3. District will pay lodging every other year when Helena is host site.

#### Pep Band Policy

The number of events the pep band plays at (14) coincides with the Montana Band Masters Association recommendation.

#### Policy History:

Adopted on: 8-10-98

Revised on: 3-2-15, 11-9-15, 2-24-20

Federal Funding and Title I

The Board may participate in federal programs that, in the judgment of the administrative staff, shall be beneficial to the total school program. All projects written to secure federal funds shall be on the recommendation of the Superintendent/designee and approval of the Board. The Board shall comply with all federal and state certification requirements for alcohol and drug abuse education and prevention programs.

The Superintendent/designee shall pursue funding under Title I of the Elementary and Secondary Education Act, to supplement instructional services and activities in order to improve the educational opportunities of educationally disadvantaged children.

All District schools, regardless of whether they receive Title I funds, shall provide services that, taken as a whole, are substantially comparable. Teachers, administrators and other staff shall be assigned to schools in a manner that ensures equivalency among the District's schools. Curriculum materials and instructional supplies shall be provided in a manner that ensures equivalency among the District's schools

In keeping with the requirements of federal law, the Board assures:

- A salary schedule which applies to all instructional personnel;
- Equivalence among schools in teachers, administrators and auxiliary personnel;
- Equivalence among schools in the provision of curriculum materials and instructional supplies; and
- Parental consultation in project planning, implementation and evaluation.

*Parental and Family Engagement*

District schools operating Title I programs shall undertake the following to engage parents and families:

- Host an annual meeting that accommodates parents' needs to inform parents about Title I requirements and about the right of parents to be involved in the Title I program.
- Involve parents and families in an organized, ongoing, and timely way, in the planning, review, and improvement of the school's Title I program and the school-parent compact.
- Provide parents with timely information about the Title I program/services.
- Provide parents with an explanation of the curriculum used at the school, the assessments used to measure student progress, and the proficiency levels students are expected to meet.
- Provide opportunities for regular meetings that allow the parents to participate in decisions relating to the education of their children.
- Develop, with the assistance of parents and families, and conduct an effective evaluation process regarding the Title I program.

*School-Parent Compact*

The District will distribute to parents a school-parent compact for each school operating a Title I program. The compact, jointly developed with parents, explains how parents, the entire school staff, and students share the responsibility for improved student academic achievement. It shall describe specific ways the school and families will partner to help children achieve the State's academic standards. It will address



the following:

- The school's responsibility to provide high-quality curriculum and instruction;
- The ways parents will be responsible for supporting their children's learning;
- The importance of ongoing communication between parents and teachers through, at a minimum, annual parent-teacher conferences; reports on student progress; access to staff; opportunities for parents to volunteer and participate in their child's class; and opportunities to observe classroom activities .

It will also address any other matters determined in development of the compact.

#### *Interactions with Parents and Families*

The District will engage parents and families in meaningful interactions with schools operating Title I programs. It will support flexible opportunities for a partnership among staff, parents, and the community to improve student academic achievement. To help reach these goals, schools will establish the following practices:

- Provide parents and families with assistance in understanding the State's academic content standards, assessments, and how to monitor and improve the achievement of their children.
- Provide parents and families with materials and training to help them work with their children to improve their children's achievement.
- With the assistance of parents, educate staff members about the value of parent and family contributions, and in how to work with parents and families as equal partners.
- Coordinate and integrate the Title I parental and family engagement program with other programs, and conducts other activities, such as parent/family resource nights/activities, to encourage and support parents and families in more fully participating in the education of their children.
- Distribute information related to school and parent and family programs, meetings, and other activities to parents and families in a format and language that the parents understand.

To the extent feasible and appropriate, the District will attempt to coordinate and integrate parent and family engagement strategies with other relevant federal, state, and local laws and programs.

#### *Accessibility*

The District will provides opportunities for the participation of all parents, including parents with limited English proficiency, parents with disabilities, and parents of migratory students. Information and reports shall be provided in a format and language that parents understand.

#### *Review*

The District shall undertake activities to engage parents and families in the review and revision of this policy.

Cross Reference: Board Policy 4700  
Administrative Procedures

Legal Reference: Title I of the Elementary and Secondary Education Act, 20 U.S.C. § 6301-6514, as implemented by 34 C.F.R. part 200 of the No Child Left

Behind Act of 2001 and as amended by the Every Student Succeeds Act,  
P.L. 114-95

*Agostini v. Felton*, 521 U.S.103 (1997)

Policy History:

Adopted on:7-24-17

Revised on: 12-9-19

## Columbia Falls School District

### INSTRUCTION

2161

#### Special Education

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

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

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

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

Policy History:  
Adopted on: 7-24-17  
Revised on:

Special Education Procedures

*Child Find*

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

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

1. Procedures used to annually inform the public of all child find activities, for children 0 through 21;
2. Identity of the special education coordinator;
3. Procedures used for collecting, maintaining, and reporting data on child identification;
4. Procedures for Child Find Activities (including audiological, health, speech/language, and visual screening and review of data or records for students who have been or are being considered for retention, delayed admittance, long-term suspension or expulsion or waiver of learner outcomes) in each of the following age groups:

A. Infants and Toddlers (Birth through Age 2)

Procedures for referral of infants and toddlers to the appropriate early intervention agency, or procedures for conducting child find.

B. Preschool (Ages 3 through 5)

Part C Transition planning conferences; frequency and location of screenings; coordination with other agencies; follow-up procedures for referral and evaluation; and procedures for responding to individual referrals.

C. In-School (Ages 6 through 18)

Referral procedures, including teacher assistance teams, parent referrals, and referrals from other sources; and follow-up procedures for referral and evaluation.

D. Post-School (Ages 19 through 21)

Individuals who have not graduated from high school with a regular diploma and who were not previously identified.

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 used to identify the role and responsibility of other public or private agencies.

*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. 300-300.328 and the following state administrative rules:

10.16.3320	Request for Initial Evaluation;
10.16.3007-3022	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 - 300.529 and provides a copy of the brochure "Parental Rights in Special Education" to the parent a reasonable time before the District:

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

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.

*Administrative Representative on Evaluation Team*

The Superintendent or building principal shall annually designate the administrative representative for each Evaluation Team in the District. The administrative representative shall be an individual who meets the criteria established by law.

### *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 and A.R.M. 10.16.3340.

### *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 educational environment 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. 300.114-300.118 and a continuum of alternate placements is available as required in 34 C.F.R. 300.115.

### *Children in Private Schools/Out-of-District Placement*

The District implements services to children enrolled in private schools by their parents in accord with the requirements and procedures in 34 C.F.R. 300.129-300.144, 300.148 and A.R.M. 10.16.3122. If a child with a disability is placed or referred to a private school or facility by the District, the District will provide special education and related services in accordance with the requirements and procedures of 34 C.F.R. 300.325 and A.R.M. 10.16.3122.

### *Dispute Resolution*

Disputes relating to the educational placement, evaluation, identification of a student with disabilities, or the provision of a free appropriate public education pursuant to the Individuals with Disabilities Education Act shall be subject to procedures set forth in state and federal law. 34 C.F.R. 300, Parts 100 and 500; 10.16.SubChap 35 and 36, A.R.M.

### *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 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 without unnecessary delay and in no case longer than 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 office, 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 the employees who have access to personally identifiable information, and provide training to those staff members.

E. Destruction of Information

The District will inform parents seven (7) years after the termination of special education services that personally identifiable information is no longer needed for program purposes. The parent will be advised that such information may be important to establish eligibility for certain adult benefits. At the parent's request, the record information shall either be destroyed or made available to the parent or to the student if 18 years or older. Reasonable effort shall be made to provide the parent with notification 60 days prior to taking any action on destruction of records.

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.

Legal Reference:	34 CFR 300.1, et seq. § 20-1-213, MCA 10.16.SubChap 30, A.R.M. 10.16.SubChap 31, A.R.M. 10.16.SubChap 33, A.R.M. 10.16.SubChap 35, A.R.M. 10.16.SubChap 36, A.R.M.	Individuals with Disabilities Act (IDEA) Transfer of school records Definitions State and Local Eligibility Services Procedural Safeguards State Administration – Complaint Procedures
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Procedure History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### INSTRUCTION

2162

#### Section 504 of the Rehabilitation Act of 1973

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.

Cross Reference:                      2162P                      Section 504

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

Policy History:  
Adopted on: 7-24-17  
Revised on:



Section 504 Procedural Safeguards

If the parent 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.

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.

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.

*Impartial Due Process Procedures*

1. The parent 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.
2. 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 3 business days.
3. Within 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.
4. Once the District has selected an impartial hearing officer, the District shall provide the parent and all other interested parties with notice of the person selected.
5. Within 5 days of the District's selection of a hearing officer, a pre-hearing conference shall be scheduled to set a date and time for a hearing, identify the issues to be heard, and stipulate to undisputed facts to narrow the contested factual issues.
6. The hearing officer shall, in writing, notify all parties of the date, time, and location of the due process hearing.
7. 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.
8. 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.
9. At the hearing, the District and the parent may be represented by counsel.
10. 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 parents shall present their case first, followed by the District. Witnesses may be called to testify, and they will be subject to cross examination. Documentary evidence may be admitted and 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.

11. Within 20 days of the hearing, the hearing examiner should issue a written report of his/her decision to the parties. Appeals may be taken as provided by law.

Legal References:        34 CFR 104.31-38        Procedural Safeguards

Cross References:

## Columbia Falls School District

### INSTRUCTION

2166

#### Gifted Program

The District shall offer appropriate instructional programs to challenge academically gifted students who are capable of high performance, within the resources available. The term “gifted and talented” means children of outstanding abilities who are capable of high performance and require differentiated educational programs beyond those normally offered in public schools in order to fully achieve their potential contribution to society and self.

The Superintendent shall 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 through 904, MCA	Gifted and talented children
	10.55.804, ARM	Gifted and talented

#### Policy History:

Adopted on: 7-24-17

Revised on:

Significant Writing Program

The Board of Trustees has determined that a writing program is beneficial for the education of all students. The writing program is guided by the *Montana Common Core Standards in English Language Arts* and specifically in the *College and Career Readiness Standards for Writing*. Additionally, writing will be taught in all subjects as defined by the *Writing Standards for Literacy in History/Social Studies, Science and Technical Subjects*.

Components of the effective writing program include (but are not limited to):

- Explicit writing instruction is part of the course content as a significant, recurring activity;
- Students use writing as a tool for learning and understanding course content;
- Students develop information literacy by finding, evaluating and using information effectively;
- Students formulate and express opinions and ideas in writing;
- Students learn to write in forms and for purposes and audiences typical of disciplines and professions;
- Students receive constructive responses to their writing, with feedback explicitly directed at improving the quality of their writing; and
- Students revise formal documents as part of the process of writing;

Due to financial constraints the District's writing program does not meet the maximum load requirements of a significant writing program as defined in the Administrative Rules of Montana, cited below.

Legal References:

10.55.701(2) (p) ARM  
10.55.713 (4) ARM

Board of Trustees  
Teacher Load and Class Size

Policy History:

Adopted on: 7-24-17

Revised on:

Distance Learning

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

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

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

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

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

- Prior permission has been granted by the principal;
- The program fits the education plan submitted by the regularly enrolled student; and
- 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.

Legal Reference:	ARM 10.55.602	Definitions
	ARM 10.55.705	Administrative personnel; Assignment of School Administrators/Principals
	ARM 10.55.907	Distance, Online, and Technology Delivered Learning

Policy History:

Adopted on: 7-24-17

Revised on:

## **Columbia Falls School District**

### **INSTRUCTION**

**2171**

#### Community and Adult Education

The District makes its resources available to adults and other non-students within the limits of budget, staff and facilities, provided there is no interference with or impairment of the regular school program. Community school, adult education and other offerings may be developed in cooperation with community representatives, subject to approval and authorization by the Board.

Legal Reference:

§ 20-7-703, MCA

Trustees' policies for adult education

#### Policy History:

Adopted on: 7-24-17

Revised on:

INSTRUCTION

2309

Selection and Use of Library Materials

The District maintains libraries primarily for use by District students. The Librarian is responsible for selecting materials for inclusion in the libraries, subject to the approval of the Board of Trustees. Prior to presenting materials for inclusion in the library, the Librarian may consider the existing collection, the curricular needs of the students and the recommendations of the American Association of School Librarians in determining what materials are appropriate for the libraries.

Library materials may be checked out by students or staff during the instructional day. Students and staff who check out library materials are responsible for the care and timely return of such materials. Building principals may assess fines for damaged or unreturned books.

Any individual may challenge the selection of materials for use in the libraries. The Superintendent/designee shall appoint a committee of teachers, librarians and administrators as independent investigators pursuant to the Learning Materials Review to determine if the challenged material is properly located in the library.

Cross Reference:	2314	Learning Materials Review
	1700	Uniform Grievance Protocol
	2311	Instructional Materials

Legal Reference:	§ 20-7-203, MCA	Trustees' policies for school library
	§ 20-7-204, MCA	School library book selection

Policy History:  
Adopted on: 7-24-17  
Revised on:

## Columbia Falls School District

### INSTRUCTION

2311

#### Instructional Materials

The Board is legally responsible to approve and to provide the necessary instructional materials used in the District. Instructional materials are any material used in classroom instruction, library or any materials to which a teacher might refer a student as part of the course of instruction. 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; and
- 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 Provision
	§ 20-7-602, MCA	Textbook Selection and Adoption

#### Policy History:

Adopted on: 7-24-17

Revised on:



Copyright

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

Under the “fair use” doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research.

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

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

Legal Reference:

17 U.S.C. § 101 to 1010

Federal Copyright Law of 1976

Policy History:

Adopted on: 7-24-17

Revised on:

## **Columbia Falls School District**

### **INSTRUCTION**

**2314**

#### Learning Materials Review

Citizens objecting to specific learning materials used in the District are encouraged to submit a complaint in writing and to discuss the complaint with the building principal prior to pursuing a formal complaint. All formal objections to specific learning materials must follow the process outlined in the Administrative Procedures Manual.

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

Cross Reference: Administrative Procedures Manual

Legal Reference:

#### Policy History:

Adopted on: 7-24-17

Revised on:

## **Columbia Falls School District**

### **INSTRUCTION**

**2320**

#### Field Trips, Excursions and Outdoor Education

The Board recognizes that field trips when used as a device for teaching and learning integral to the curriculum are an educationally sound and important ingredient in the instructional program of the schools. Such trips can supplement and enrich classroom procedures by providing learning experiences in an environment beyond the classroom.

The District shall develop procedures for the operation of a safe and productive field trip. Each field trip must be integrated with the curriculum and coordinated with classroom activities which enhance its usefulness.

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

The presence of a person with a currently valid American Red Cross standard first aid card or current certification from an equivalent first aid course is required during school-sponsored activities, including field trips, athletic and other off-campus events.

Cross Reference:                      8121    District Owned Vehicles  
   Administrative Procedures Manual

Legal Reference:                      37.111.825, ARM              Health Supervision and Maintenance

Policy History:  
Adopted on: 7-24-17  
Revised on:

Controversial Issues and Academic Freedom

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

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

The Board encourages and supports the concept of academic freedom, recognizing it as a necessary condition to aid in maintaining an environment conducive to learning and to the free exchange of ideas and information. In a study or discussion of controversial issues or materials, however, the Board directs teaching staff to consider the following criteria:

- Subjects of a controversial nature shall be defined as a political, religious and moral;
- Both the building principal and the teacher must agree to allow a speaker or material of a controversial nature in the classroom. If the teacher and building principal are unable to agree, then they shall include the Superintendent/designee in the decision making process;
- If the material or speaker will be presented a school assembly, the principal shall make the decision and inform the community;
- The person or persons responsible for approving the presentation shall also be responsible for other viewpoints expressed; and
- Opposing viewpoints shall be presented in the same general setting within a month.

Legal References:

§ 20-3-324, MCA  
10.55.701, ARM  
10.55.603, ARM

Powers and duties  
Board of Trustees  
Curriculum and Assessment

Policy History:

Adopted on: 7-24-17

Revised on:

Religion and Religious Activities

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

***Student Prayer and Discussion***

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

***Staff Members***

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

***Assemblies, Extracurricular and Athletic Events***

District officials may not invite or permit members of the clergy, staff members or outsiders to give prayers at school-sponsored assemblies and extracurricular or athletic events. District officials also may not organize or agree to student requests for prayer at assemblies and other school-sponsored events. Furthermore, prayer may not be broadcast over the school public address system, even if the prayer is nonsectarian, non-proselytizing 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 an 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.

#### ***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.

#### ***Release Time for Religious Instruction***

The District may provide for a religious instruction release time program under which a pupil may be released upon written request of the parent or guardian, except that no such program shall take place on public school property. Such written request must be renewed annually, and the Board will determine the amount of time that any pupil will be released for religious instructions. Such release shall not adversely affect the pupil's attendance.

#### ***Religious Holidays***

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

#### **Policy History:**

Adopted on: 7-24-17

Revised on:

Graduation Ceremonies

***Participation***

A student's right to participate in a graduation ceremony at Columbia Falls High School is an honor. As such, participation in this ceremony is reserved for those members of the senior class (or junior in the case of early graduation) who have completed all state and local requirements for graduation before the date of the ceremony. Students who complete their requirements after the date of graduation ceremony will receive their diplomas/certificates at that time.

***Organization and Content of Graduation Ceremonies***

The school administration may invite students to participate in the graduation ceremony according to academic class standing, class officer status or for other reasons at the discretion of school administration. Any student who is requested to participate may choose to decline the invitation.

The school administrators will review any 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 commencement 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 in a fashion appropriate with school policies.*

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

Policy History:

Adopted on:7-24-17

Revised on:

High School Graduation

The Board will award a regular high school diploma to every student enrolled in the District who meets graduation requirements established by the District. The official transcript will indicate the specific courses taken and level of achievement. Prior to registering in high school, each student will be provided with a copy of the current graduation requirements. Graduation requirements shall also be included in the student handbook. The Board has established graduation requirements for Columbia Falls High School. Generally, any change in graduation requirements promulgated by the Board will become effective for the next class to enter ninth grade. Exceptions to this general rule may be made, when it is determined by the Board that proposed changes in graduation requirements will not have a negative effect on students already in grades nine (9) through twelve (12) in Columbia Falls High School.

To graduate from Columbia Falls High School, a student must have satisfactorily completed the last semester prior to graduation as a Columbia Falls High School student.

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

***Credits***

Students may choose between two diploma tracks: earn a total of twenty three (23) credits for a General Diploma and twenty four (24) credits for an Honors Diploma. Specific credit requirements may be found in the Student Handbook.

***Waiver of Requirement***

Graduation requirements generally will not be waived. However, in rare and unique hardship circumstances, the principal may recommend and the Superintendent approve minor deviations from the graduation requirements.

***Alternative Programs***

Credit toward graduation requirements may be granted for planned learning experiences from accredited programs, such as summer school, university courses and correspondence courses. Credit for work experience may be offered when the work program is a part of and supervised by the school. All classes attempted at Columbia Falls High School and all acceptable transfer credits shall be recorded on the transcript. All grades earned, including failures and retakes, shall be recorded as such and utilized in the calculation of Grade Point Average and class rank. Credit shall be awarded only once regardless of repetition of the course.

School District #6 allows students who complete the Montana Youth Challenge Academy to receive a high school diploma. The board approves the awarding of a Columbia Falls High School Alternative diploma to any CFHS/MYCA student who meets the following criteria: 1) Complete the Montana Youth Challenge Academy (MYCA) program of study, 2) Pass the HiSET exam at MYCA, and 3) Receive an endorsement from the Columbia Falls High School administrative team.



***Honor Roll***

A student must have a minimum grade-point average of 3.00- 3.84 for all classes during the entire eight semesters of high school to be placed on the Honor Roll and a 3.85 or better for all classes during the eight semesters of high school to be placed on the High 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***

The Board authorizes the high school principal to recommend students for early graduation who have completed the minimum requirements for graduation after completion of the seventh (7th) semester. The student must petition the high school principal at least one year prior to the requested graduation date. The final decision is made by the Board.

***Educational Disruption***

If a student who has experienced an educational disruption meets the minimum high school credit requirement for graduation as established by administrative rules of the Board of Public Education but will not meet a higher credit requirement established by Board of Trustees, the District shall award the student a diploma. The District may distinguish the diploma in a reasonable manner from standard diplomas issued under this policy.

For the purposes of this policy, "educational disruption" means a disruption experienced during grades nine through twelve caused by homelessness, involvement in the child welfare system or juvenile justice system, a medical or mental health crisis, or another event considered a qualifying educational disruption by the District.

Legal Reference:	§ 20-5-201, MCA	Duties and sanctions
	10.55.904, ARM	Basic Education Program Offerings: High School
	10.55.906, ARM	High School Credit
	10.55.905, ARM	Graduation Requirements
	§ 10-1-1402, MCA	Montana Youth Challenge
	House Bill 246	Revise education laws to enhance local control and opportunities for pupils
	§ 20-1-101, MCA	Definitions ( <i>Revised by House Bill 246</i> )
	§ 20-3-324, MCA	Powers and duties ( <i>Revised by House Bill 246</i> )
	§ 20-7-118, MCA	Offsite provision of educational services by school district ( <i>Revised by House Bill 246</i> )
	§ 20-4-101, MCA	System and definitions of teacher and specialist certification --student teacher exception ( <i>Revised by</i>

**Columbia Falls School District**

**INSTRUCTION**

**2410**  
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*House Bill 246)*  
§ 20-7-1601, MCA      Forms of personalized learning --legislative intent  
*(Revised by House Bill 246)*

Policy History:

Adopted on: 7-24-17

Revised on: 10-11-21 / 11-14-22

Assessment for Placement

***Grades 9-12***

Requests for transfer of credit from any non-accredited, nonpublic school will be denied. Requests for grade placement from any non-accredited, nonpublic school shall be subject to examination and approval before being accepted by the District. This will be done by the school counselor or principal.

***Grades 1-8***

Requests from parents of students in non-accredited, non-public schools for placement in the District school system will be evaluated by an assessment for placement team. That team will consist of the building principal, one (1) teacher of the grade in which the student is being considered for enrollment and one (1) school counselor.

The assessment for placement team will administer and score the District adopted norm referenced test and/or the end of the year subject matter test. The assessment for placement team will consider the following in its recommendation for grade placement:

- Documentation that the non-accredited, non-public school has provided a comparable number of hours as the child would have attended in a public or private school;
- That the child followed a similar curriculum as would have been provided in an accredited public or private school;
- That the result of the end of the year test indicates the student has mastered most prerequisite skills; and
- The age appropriate placement for the child.

If a parent or guardian of a child is not in agreement with the placement of the child, he/she may request a meeting with the Superintendent, and may use the Uniform Complaint Procedure to request a hearing before the Board.

Legal Reference:

§ 20-5-110, MCA

School district assessment for placement of a child who enrolls from a non-accredited, non-public school

Policy History:

Adopted on: 7-24-17

Revised on:

Grading and Progress Reports

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

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

The Board directs the Superintendent to establish a system of reporting student progress and shall require all staff members to comply with such a system as part of their teaching responsibility.

Policy History:

Adopted on: 7-24-17

Revised on:

Promotion and Retention

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

It is the philosophy of the District that students thrive best when placed in or promoted to grade levels with other students of compatible age, physical, social and emotional status. It is the District's philosophy to promote students who demonstrate effort within those compatibilities.

All promotion and retention decisions must be based on academic rationale. Parents/guardians will be included in the decision-making process, but all final placement decisions regarding a student are within the discretion of the administration.

Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### INSTRUCTION

2422

#### Proficiency

In order to increase the flexibility of the District's resources, the Board authorizes the inclusion in the District's Average Number Belonging counts of students who may be enrolled in a program providing fewer than the required aggregate hours of pupil instruction required under Montana law if the student has demonstrated proficiency in the content ordinarily covered by the instruction.

For purposes of this policy and the District's ability to seek additional funding under Montana law based upon student's demonstrating proficiency, "proficiency" is defined as mastering content and courses based upon district assessments at "C" grade or better. A student's time in a school classroom shall not be considered for determining proficiency. The determination of proficiency shall be made concurrent with the deadline for submission of grades for any course.

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

#### Legal Reference:

Article X, Section 1, Montana Constitution	
§ 20-9-311(4)(a)(b)(d), MCA	Calculation of average number belonging (ANB) – 3-year averaging
§ 20-3-324, MCA	Powers and duties
§ 20-7-1602, MCA	Incentives for creation of transformational learning programs
Section 20-7-118, MCA	Offsite Provision of Educational Services
Section 20-7-1601, MCA	Transformational Learning –Legislative Intent

Cross References: Board Policy 2420

#### Policy History:

Adopted on: 8-16-21

Revised on:

## Columbia Falls School District

### INSTRUCTION

2450

#### Recognition of American Indian Peoples' Culture and Heritage in the Curriculum Process

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

In furtherance of the District's educational goals, the District is committed to working cooperatively with Montana Tribes in close proximity to the District when providing instruction, when implementing educational goals or when adopting rules relating to education of students in the District. The District will periodically review its curriculum to ensure the inclusion of cultural heritage of Native Americans, which will include but not necessarily be limited to considering methods by which to provide books and materials reflecting authentic historical and contemporary portrayals of Native Americans, and taking into account individual and cultural diversity and differences among students.

The District will provide the necessary training to school personnel with the objective of gaining an understanding and awareness of Native American culture, which will assist the District's staff in its relations with Native American students and parents. Certified staff may be required to satisfy the requirements for instruction in American Indian studies.

Legal References:	§ 20-1-501, MCA	Recognition of American Indian
	10.55.701, ARM	Cultural Heritage – legislative intent
	10.55.603, ARM	Board of Trustees
		Curriculum and Assessment

#### Policy History:

Adopted on: 7-24-17

Revised on:

Limited English Proficient Students

The Superintendent shall develop and maintain services for students having limited English language proficiency that will:

- Appropriately identify students with limited English proficiency;
- Comply with any applicable federal law and/or any requirements for the receipt of federal grant money for limited English proficient students;
- Determine the appropriate instructional environment for limited English proficient students;
- Annually assess the English proficiency of limited English proficient students and monitor their progress in order to determine their readiness for a mainstream classroom environment; and
- Notify parents/guardians of, and provide information about the instructional services, their child's level of English proficiency, the method of instruction to be used, how the services will meet their child's needs, specific exit requirements of the services, how the services will meet their child's IEP, if applicable, and information on parent/guardian rights. Parental involvement will be encouraged and parents/guardians will be regularly apprised of their child's progress.

Legal References:	42 U.S.C. § 2000d	Title IV, Civil Rights Act of 1964
	20 U.S.C. § 1703 (f)	Equal Education Opportunities Act
	20 U.S.C. § 7401 et seq	Bilingual Education Act

Policy History:

Adopted on:7-24-17

Revised on:



School Wellness

As part of the student fundamental mission, the District's goal is to provide young people with the knowledge and skills they need to become healthy and productive adults.

**Nutrition Education and Promotion.** The District aims to teach, encourage, and support healthy eating by students. Schools should provide nutrition education and engage in nutrition promotion that:

- Is offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects;
- Promotes fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health-enhancing nutrition practices;
- Emphasizes caloric balance between food intake and energy expenditure (physical activity/exercise);
- Includes training for teachers and other staff.

**Food Marketing in Schools.** School-based marketing will be consistent with nutrition education and health promotions. As such, schools will limit food and beverage marketing to the promotion of foods and beverages that meet the nutrition standards for meals or for food and beverages sold individually. The promotion of healthy food, including fruits, vegetables, whole grains and low-fat dairy products is encouraged through the 10 minute break period in the high school which provides nutritious snacks at a low price.

**Nutrition Standards for Foods Available to Students.** The District will serve meals that, at a minimum, meet the nutritional requirements established by the United States Department of Agriculture.

The District strongly encourages that all foods and beverages individually sold outside the school meal programs (including those sold through vending machines, student stores, fundraising, or through programs for students after the school day, will meet nutrition and portion size standards. Schools are discouraged to use foods and beverages, especially those that do not meet the nutrition standards for foods and beverages sold individually as rewards for academic performance or good behavior. In addition, foods and beverages will not be withheld as a form of punishment.

Schools are encouraged to limit the number of celebrations during the school day that involve food. Each celebration should include healthy foods and beverage choices, including water. Foods and beverages offered and sold at school events should include choices that meet the nutrition standards for meals and beverages sold individually.

**Snacks.** Snacks served during the school day or in after-school care or enrichment programs will provide a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks

based on timing of school meals, children's nutrition needs, children's ages, and other considerations.

**School Lunch Program.** Meals served through the National School Lunch and Breakfast Programs will:

- Be appealing and attractive to children;
- Be served in clean and pleasant settings;
- Meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations which includes but is not limited to the nutritional content standards as set by the Healthy Kids Act;
- Offer a variety of fruits and vegetables;
- Serve only low-fat (2 %) and fat –free milk and nutritionally-equivalent non-dairy alternatives (to be defined by USD) ; and
- Ensure that half of the served grains are whole grain.

Schools should engage students and parents, through taste-tests of new entrees and surveys, in selecting foods sold through the school meal programs in order to identify new, healthful, and appealing food choices. In addition, School District Six will share information about the nutritious meals with parents and students. Such information is made available on menus, the school website, and on cafeteria menu.

**Breakfast.** To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn:

- The District will, to the extent possible, operate the School Breakfast Program;
- The District will, to the extent possible, arrange bus schedules and utilize methods to serve school breakfasts that encourage participation, including serving breakfast during morning break or recess;
- The District will notify parents and student of the availability of the School Breakfast Program.

**Free and Reduced-priced Meals.** The District will make every effort to eliminate any social stigma attached to, and prevent the overt identification of student who are eligible for free and reduced-price school meals. Toward this end, schools will utilize electronic identification and payment systems; provide meals at no charge to all children, regardless of income; promote the availability of school meals to all students.

**Qualifications of School Food Service Staff.** Qualified nutrition professionals will administer the school meal programs. As part of the school district's responsibility to operate a food service program, School District Six will provide continuing professional development for all nutrition professionals in schools. Staff development programs should include appropriate certification and/or training programs for child nutrition directors, school nutrition managers, and cafeteria workers, according to their levels of responsibility.

**Integrating Physical Activity into the Classroom Setting.** The District recognizes that students need opportunities for physical activity beyond physical education class. Toward that end:

- Classroom health education will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically-active lifestyle and to reduce time spent on sedentary activities, such as watching television;
- Opportunities for physical activity will be incorporated into other subject lessons; and

- Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate.

**Student Health.** The District highly values the health and well-being of every student. The District will take appropriate measures to address student health issues that arise in the school setting. The Superintendent shall develop procedures for addressing student health issues that may arise.

**Staff Wellness.** The District highly values the health and well-being of every staff member and will plan and implement activities and policies that support personal efforts by staff to maintain a healthy lifestyle. The District will establish and maintain a staff wellness committee composed of at least one staff member, school nurse, nutrition specialist or other health professional, athletic director union representative, and employee benefits specialist. The committee will develop, promote, and oversee a multifaceted plan to promote staff health and wellness. The plan will include an incentive for wellness by giving employees the opportunity to leave for physical activity when the student school day ends if no other obligations interfere. The plan should be based on input solicited from school staff and should outline ways to encourage healthy eating, physical activity, and other elements of a healthy lifestyle among school staff. The staff wellness committee should distribute its plan to the staff.

**Physical Education (P.E.) K-12.** -All physical education will be taught by a certified physical education teacher. Student involvement in other activities involving physical activity (e.g., interscholastic or intramural sports) will not be substituted for meeting the physical education requirements. Student will spend at least 50 percent of physical education class time participating in moderate to vigorous physical activity.

**Daily Recess.** All elementary school students will have at least 20 minutes a day of supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity verbally and through the provision of space and equipment.

Schools should discourage extended periods (i.e., period of two or more hours) of inactivity. When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, the District will give student periodic breaks during which they are encouraged to stand and be moderately active.

**Physical Activity Opportunities Before and After School.** The elementary, middle, and high school will offer extracurricular physical activity programs, such as physical activity clubs or intramural programs including the Outdoor Club. The high school, and middle school as appropriate, will offer interscholastic sports programs.

**Use of School Facilities Outside of School Hours.** School spaces and facilities will be available to students, staff, and community member before, during, and after the school day, on weekends, and during school vacations. These spaces and facilities will also be available to community agencies and organizations offering physical activity and nutrition programs. School policies concerning safety will apply at all times. Agencies will be required to complete a facility use agreement.

**Development, Review, and Implementation of the Policy.** The District will involve the staff, and the public, including but not limited to parents, students, school food service staff, physical education teachers, school health professionals, trustees, administrators, and members of the general public in the development, implementation, review, and modification of this policy. The Superintendent or designee is

responsible for ensuring compliance with this policy and may develop procedures and regulations to support the implementation of this policy.

The District will assess the implementation of this policy and inform and update the public every three years, at a minimum, regarding compliance with the policy, how it compares to model wellness policies, and progress in attaining the goals of the wellness policy.

Legal References:	P.L. 108-265	Child Nutrition and WIC Reauthorization Act of 2004
	P.L. 111-296	The Healthy, Hunger-Free Kids Act of 2010
	10.55.701, ARM	Board of Trustees

Policy History:

Adopted on: 7-24-17

Revised on:

## **COLUMBIA FALLS SCHOOL DISTRICT**

### **STUDENTS**

#### **3000 SERIES**

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## **Columbia Falls School District**

### **STUDENTS**

**3097**

#### Use of Video Surveillance Cameras

The Board recognizes the need to provide a safe learning environment for students and staff and to protect District property and equipment. Therefore, video surveillance cameras may be used as a security measure on any Columbia Falls School District property.

Video cameras will also be used to ensure that students' behavior on school property is consistent with the established safety and conduct rules. If unacceptable behavior is recorded, timely and appropriate corrective action will occur. The Superintendent is responsible for the implementation of safety and security measures at each building and the proper use of video surveillance monitoring systems. No staff member may use video surveillance without permission of the Superintendent.

Signs shall be posted at various locations to inform students, staff and the public that video surveillance cameras are in use. The video surveillance will not include audio recordings unless specific notice is given as required by law.

Legal Reference:

§ 45-8-213, MCA

Privacy in Communications

#### Policy History:

Adopted on: 7-24-17

Revised on:

Publications and Distribution or Posting of Materials

***School Sponsored Publications***

School-sponsored publications and productions are part of the curriculum and are not a public forum for general student use. School authorities may edit or delete material that is inconsistent with the District's educational mission. All student media shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate or inappropriate due to the maturity level of the students, or is materially disruptive to the educational process will not be tolerated. The author's name will accompany personal opinions published/produced and will be provided within the same media.

***Non-School Sponsored Publications***

Distribution in school of written material that is obscene, libelous, invades the privacy of others, will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, or advocates conduct otherwise inconsistent with shared values of a civilized social order is prohibited. Distribution in school includes distribution on school property or at school-related activities. Students who distribute such material or who write or publish such material for distribution engage in gross disobedience and misconduct and will be disciplined in accordance with Board policy.

***Distribution and Posting of Materials***

Except as provided above, the District allows distribution of materials of parent and student organizations sponsored by the District or other governmental agencies. The District also may allow distribution of materials that provide information that supplements or supports the District's curriculum or educational objectives. The Superintendent/designee must approve all materials before they may be distributed by any organization or person. To facilitate the distribution of materials with information about student activities, each building may maintain a centrally located bulletin board for the posting of materials, and/or maintain a table available to students for placing approved materials.

Cross Reference: 3310 Student Discipline

Legal Reference: § 20-5-201, MCA Duties and Sanctions

Policy History:

Adopted on: 7-24-17

Revised on:

Entrance, Placement and Transfer

*Age*

No pupil may be enrolled in the kindergarten or first grade whose 5<sup>th</sup> birthday does not occur on or before September 10 of the school year in which child registers to enter school. A parent may request a waiver of the age requirement. All waivers are in the discretion of and subject to the approval of the Superintendent. No pupil may be enrolled in the District if that pupil has reached his or her 19<sup>th</sup> birthday on or before September 10 of the school year in which the child registers to enter school. A student may request a waiver of the age limitation, which must be approved by the Board.

Except when enrollment is otherwise required by law, the Board of Trustees has the discretion to give special permission to enroll a student who has not reached the age of five (5) on or before September 10 of the school year where there are exceptional circumstances. The Board of Trustees declares the following to be qualifying “exceptional circumstances” within the meaning of the term as used in 20-5-101(3) MCA and “special permission” within the meaning of that term as used in 20-7-117 MCA, that merit waiving the age provisions of 20-7-117 MCA for qualifying children under 5 years of age:

- High needs students as identified by Special Services.

*Entrance – Identity and Immunization*

Students enrolling in the District for the first time must present a birth certificate or other reliable proof of identity and age within 40 days, as well as proof of residence, and immunization from disease as required by Montana. Students who are homeless, in foster care, or are the child of a military family are entitled to immediate enrollment regardless of presentation of the required documentation. If the parent of the student does not provide proof of identification within 40 days, the District shall notify the missing children information program and a local law enforcement authority of the fact that no proof of identity has been presented for the child. Nonresident students shall be admitted when required by law or as permitted by District policy. A student who transfers from one school district to another may photocopy immunization records in the possession of the school of origin. The District shall accept the photocopy as evidence of immunization. Within 30 days after a transferring pupil ceases attendance at the school of origin, the District should have the original immunization records.

When a parent/guardian signs and files with the District, prior to the commencement of attendance each school year, a notarized affidavit on a form prescribed by the State of Montana stating that immunization is contrary to the religious tenets and practices of the parent, immunization of the student seeking to attend in the District will not be required prior to attendance. The statement must be maintained as part of the student's immunization records. The District will also accept medical exemptions as required by law.

*Placement*

The goal of the District shall be to place students at levels and in settings that will enhance the probability of student success. Developmental testing, together with other relevant criteria, including but not limited to health, maturity, emotional stability, and developmental disabilities, 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.



## STUDENTS

3110  
Page 2 of 2

### *Children of Relocated Military Families*

The Board shall assign and admit a child whose parent or guardian is being relocated to Montana under military orders to a school in the district and allow the child to preliminarily enroll in classes and apply for programs offered by the District prior to arrival and establishing residency. The student may attend classes during preliminary enrollment and may receive offsite instruction if not present in the District.

### *Transfer Students*

Resident students seeking to transfer to a District school will be admitted and placed pursuant to the terms of this policy. The District will request the student's records from the prior school district prior to making any final decision on placement.

Elementary students shall be placed at their current grade level on a probationary basis for a period of two weeks. Should any doubt exist with the teacher and/or Principal as to grade and level placement of the student, the student shall be subject to an educational assessment to determine appropriate grade and level placement.

High school students shall be placed according to the number of credits earned in their previous accredited school districts, subject to Montana Accreditation Rules and Standards and local alternate procedures for earning credit.

Cross References:	1700 2413 3125 3130	Uniform Grievance Protocol Credit Transfer/Assessment for Placement Education of Homeless Children Education of Children in Foster Care
Legal References:	§ 1-1-215, MCA § 20-5-101, MCA § 20-5-403, MCA § 20-5-404, MCA § 20-5-405, MCA § 20-5-406, MCA § 20-5-502, MCA § 20-7-117, MCA § 44-2-511, MCA 10.55.701, ARM 10.55.906, ARM House Bill 246 § 20-5-406, MCA § 20-5-502, MCA § 20-7-117, MCA § 44-2-511, MCA 10.55.701, ARM 10.55.906, ARM	Residence -- rules for determining Admittance of child to school Immunization requirements Conditional attendance Medical or religious exemption Immunization record Enrollment by caretaker relative -- residency -- affidavit Kindergarten and preschool programs School enrollment procedures for missing children Board of Trustees High School Credit Omnibus K-12 Education Legislation Immunization record Enrollment by caretaker relative -- residency -- affidavit Kindergarten and preschool programs School enrollment procedures for missing children Board of Trustees High School Credit

### Policy History:

Adopted on: 7-24-17

Revised on: 12-9-19 / 10-11-21

## Columbia Falls School District

### STUDENTS

3123

#### Attendance Policy - Truancy

Students are expected to attend all assigned classes each day. Teachers shall keep a record of absence and tardiness. Specific rules and regulations regarding attendance and tardies can be found in the student handbooks for each building.

For the purpose of this policy “truant” or “truancy” means non-attendance, without excuse, for all or any part of a school day equivalent to the length of one class period of a child required to attend a school under § 20-5-103, MCA. “Habitual truancy” means recorded unexcused absences of 9 or more days or 54 or more parts of a day, whichever is less, in one (1) school year.

Columbia Falls School District has appointed its Building Level Administrators as the attendance officers of their buildings. The attendance officer shall have the powers and duties as stated in law.

Cross Reference: Administrative Procedures

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

#### Procedure History:

Adopted on: 7-24-17

Revised on:

## **Columbia Falls School District**

### **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 other students. In addition, homeless students will have access to services comparable to those offered to other students. A “homeless individual” is defined as provided in the McKinney Homeless Assistance Act. 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 cannot require an out-of-District attendance agreement and tuition for a homeless child.

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

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.

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 Protocol  
   Administrative Procedures

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

Policy History:  
Adopted on: 7-24-17  
Revised on:

## **Columbia Falls School District**

### **STUDENTS**

**3130**  
Page 1 of 2

#### Children of Military Families

It is the intention of the District to remove barriers to educational success imposed on children of military families transitioning to and from school because of frequent moves and/ deployment of a parent on active duty in the regular Armed Forces, National Guard, or Reserves.

##### ***Educational Records and Enrollment***

In the event that official education records cannot be released prior to the transfer of a child of a military family to another school district, the District shall prepare and furnish to the parent a complete set of unofficial educational records, including but not limited to records encompassing all material maintained in the student's permanent and cumulative files (general identifying data, records of attendance and academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status) and special education records. The District shall process and furnish the official educational records to the school in which the child of a military family has transferred within 10 days.

In the event that a child of a military family seeks to enroll in the District, the District shall enroll and appropriately place the student as quickly as possible based upon information in the unofficial educational records pending receipt of the official records. The Trustees shall assign and admit a child whose parent or guardian is being relocated to Montana under military orders to a school in the district and allow the child to preliminarily enroll in classes and apply for programs offered by the district prior to arrival and establishing residency.

##### ***Tuition***

The District shall not charge tuition in relation to a child of a military family transferring into the District who has been placed in the care of a noncustodial parent or other person through a special power of attorney.

##### ***Placement***

The District will initially honor the placement of a child of a military family transferring into the District in the educational courses and educational programs based on the child's enrollment in the previous school or educational assessments of the previous school provided the courses and programs are offered and space is available. Course placement includes, but is not limited to, honors, international baccalaureate, advanced placement, vocational, technical, and career pathways courses. Educational programs include, but are not limited to, gifted and talented programs. If appropriate, the District may perform subsequent evaluations to ensure the child continues to be appropriately placed.

The Superintendent may waive course or program prerequisites or other preconditions for a child of a military family's placement in any courses or programs.

##### ***Extracurricular Activities***

The District shall facilitate the opportunity for a child of a military family transferring into the District to participate in extracurricular activities, regardless of application deadlines, provided that the child is otherwise qualified.

## Columbia Falls School District

### STUDENTS

3130  
Page 2 of 2

#### *Children of Military Families with Disabilities*

The District shall initially provide comparable services to a child of a military family transferring into the District who is receiving special education and related services pursuant to an individual education program under Individuals with Disabilities Education Act. The District shall make appropriate accommodations and modifications to address the educational needs of children of military families transferring into the District who qualify for services under Section 504 of the Rehabilitation Act, subject to any existing Section 504 plan. If appropriate, the District may perform subsequent evaluations to ensure the child continues to be appropriately placed.

Legal References:	§ 20-1-230, MCA	Interstate Compact on Educational Opportunity for Military Children
	§ 20-5-101, MCA	Admittance of child to school ( <i>Revised by House Bill 68</i> )
	House Bill 68	Early school enrollment for children of relocated military families
Cross Reference:	2161	Special Education and Accommodations
	2162	Section 504 Procedural Safeguards
	2413	Credit Transfer/Assessment for Placement
	3130	Entrance, Placement and Transfer
	3123	Attendance
	3141	Discretionary Nonresident Student Attendance
	3606	Transfer of Student Records

#### Policy History:

Adopted on: 8-16-21

Revised on:

## Columbia Falls School District

### STUDENTS

3141

#### Discretionary Nonresident Student Attendance Policy

Recognizing that its resident students need an orderly educational process and environment free from disruption and overcrowding, the Board has determined that the District will permit discretionary nonresident students to attend school in the District, subject to annual approval. The District will screen all nonresident students and consider only those who meet the criteria set forth in this policy. The Superintendent will recommend to the Board any nonresident student admission in accordance with this policy, with the Board making the final decision on admission. Foreign exchange students shall be admitted pursuant to the terms of this policy and according to current federal law regulating foreign exchange programs.

The District will consider the following criteria for discretionary admission of nonresident students: the student's academic record, disciplinary record, including truancy records, and the current student level in the class in which the student would be admitted. The Superintendent, with the assistance of the Principal, will evaluate the student based on the above listed criteria and determine whether or not to recommend continued enrollment of the student.

Admission in one school year does not imply or guarantee admission in subsequent years. All resident students who become nonresident students due to a move by the students' parents from the District may continue attendance for the remainder of school year, barring registration in another school district. At the completion of the current school year, the student must apply for admission as a nonresident student if the student wishes to remain in the District.

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. Unless otherwise provided by law, nonresident students are not eligible transportees for school transportation services.

Legal References:	§ 20-5-320, MCA	Attendance with discretionary approval
	§ 20-5-323, MCA	Tuition and transportation rates
	10.10.301B, ARM	Out of District Attendance Agreements

#### Policy History

Adopted on: 7-24-17

Revised:

## **Columbia Falls School District**

### **STUDENTS**

**3145**

#### Foreign Exchange Students

It is the policy of the Board to recognize the benefits from non-immigrant foreign students in the District. The Board does not, however, financially sponsor student foreign exchange programs. The District does not provide any financial contribution to the student, other than a complimentary TFHS Activity Ticket. The student is responsible for all other fees. The Board assumes no responsibility or control over items such as travel, living accommodations, funding, insurance, etc., which remain the responsibility of the sponsor and/or student.

J-1 visa holders (students sponsored by an approved foreign exchange organization) are eligible to attend secondary school. Any sponsoring organization must have a local representative, be a nonprofit organization, and be approved by the Council on Standards for International Education Travel. F-1 visa holders (individual foreign students sponsored by relatives or friends) may not attend Columbia Falls Public Schools.

Legal Reference: 20 U.S.C. § 221, et seq.

#### Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### STUDENTS

3150

#### Part-Time Attendance

As it is the desire of the Board to accommodate the educational needs of all students residing within its District boundaries, it shall be the policy of the District to allow such students to enroll on a part-time basis for academic classes in grades nine through twelve, at the discretion of the Superintendent. The Superintendent's discretion will be guided by, but not limited to, the following:

- Space must be available in the classes desired (additional instructors will not be added to accommodate requests);
- Registration will not preempt full-time students and, therefore, may be delayed to determine space available;
- Students who have been denied full-time attendance for disciplinary, academic or other reasons will not be admitted on a part-time basis;
- Funding and/or other circumstances which may adversely affect other students;
- Home-schooled students will not be admitted on a part-time basis, unless the home school is appropriately registered; and
- Part-time students shall enroll for a minimum of two courses with aggregate minutes equivalent to 315 minutes per week.

Transportation for part-time students remains the sole responsibility of the student and/or parents. The Montana High School Association standards currently prohibit part-time students from participating in MHSA-sponsored activities at the high school level.

Cross Reference: Montana High School Association Handbook

Legal Reference: § 20-9-311(a), MCA      Calculation of Average number belonging (ANB)

#### Policy History:

Adopted on: 7-24-17

Revised on:



## Columbia Falls School District

### STUDENTS

3200

#### Student Rights and Responsibilities

All students are entitled to enjoy the rights protected by the Federal and State Constitutions and laws for persons of their age and maturity in a school setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures.

Cross Reference:           3231           Searches and Seizures  
                                  3310           Student Discipline

Legal Reference:           § 20-4-302, MCA       Discipline and punishment of pupils  
                                  § 20-5-201, MCA       Duties and sanctions  
                                  Tinker v. Des Moines Ind. Sch. Dist., 89 S.Ct. 733 (1969)

Policy History:  
Adopted on: 7-24-17  
Revised on:

## Columbia Falls School District

### STUDENTS

3210

#### Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to race, color, national origin, sex, religious beliefs, physical and mental handicap or disability, or actual or potential marital or parental status. The District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status. Any student may file a complaint by using the Section 504 and ADA Grievance Procedures for claims relating disability discrimination, the Title IX Sexual Harassment Grievance Procedures for claims of sexual harassment, or the Uniform Grievance Procedure for all other claims.

No student shall, on the basis of sex, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities pursuant to Title IX and its regulations. Any student may file a sex equity complaint by using the District's Uniform Grievance Procedures.

Students in private or home school have the right to participate in extracurricular activities in public schools. The District will not restrict extracurricular participation of students in non-public school or home school based on their enrollment at the public school.

Inquiries regarding discrimination of any kind should be directed to the building administrator or District's Title IX Coordinator, who shall provide information and, if necessary, direct the individual to the appropriate grievance procedures. Inquiries regarding sex discrimination or sexual harassment may also be directed to the District's Title IX Coordinator, the Assistant Secretary for the U.S. Department of Education, or both. The District will annually publish notice of these rights to students and parents.

The District will not deny or allow educational opportunity based on vaccine status, except those vaccines required by law.

Legal References:	§ 49-2-307, MCA	Discrimination in education
	§ 49-3-201, MCA et seq	Governmental Code of Fair Practices
	20 USC 1681 et seq	Title IX
	42 USC § 12111 et seq.	Americans with Disabilities Act
	29 USC § 791 et seq.	Rehabilitation Act of 1973
	28 CFR 35.107	Nondiscrimination on the Basis of Disability in State and Local Government Services

34 CFR 104.7	Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance
34 CFR Part 106	Nondiscrimination on the Basis of Sex in Education
10.55.701, ARM	Board of Trustees
Senate Bill 157	Allow nonpublic students to participate in public school extracurriculars
§ 20-5-109, MCA	Nonpublic school requirements for compulsory enrollment exemption ( <i>Revised by House Bill 702</i> )
House Bill 702	Prohibits Discrimination Based on Vaccine Status

Policy History:

Adopted on: 7-24-17

Reviewed on:

Revised on: 11-9-20 / 8-16-21

Bullying, Harassment, Intimidation, and 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.

Bullying is any harassment, intimidation, hazing or threatening, insulting or demeaning gesture or physical contact, including any intentional written, verbal or electronic communication or threat directed against a student that is persistent, severe or repeated and that:

- Causes a student physical harm, damages a student's property or places a student in reasonable fear of harm to the student or the student's property;
- Creates a hostile environment by interfering with or denying a student's access to an educational opportunity or benefit; or
- Substantially and materially disrupts the orderly operation of a school.

Bullying also includes acts of hazing associated with athletics or school-sponsored organizations or groups. 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.

Harassment, intimidation and bullying can take many forms - verbal, written, electronic, visual, physical and psychological - and is often, but not always, associated with race, ethnicity, religion, gender, sexual orientation, socioeconomic status or physical differences.

No person, including a district employee or agent, or student, shall bully, harass, haze or intimidate another based on the provisions of applicable local, state and federal laws and regulations that prohibit discrimination or any other reason. It is the policy of the board to comply with all nondiscrimination laws.

Complaints of bullying, harassment, intimidation and hazing will be handled as described below and as set forth in the applicable grievance procedure. The District shall use reasonable measures to inform staff members and students that the District will not tolerate bullying, harassment or intimidation, by including appropriate language in school handbooks.

***Sexual Harassment Prohibited***

Sexual harassment is prohibited. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;

- (1) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- (2) "Sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

### ***Reporting***

Students, who believe they are victims of bullying, harassment, or intimidation, regardless of the reason, or have witnessed bullying, harassment, or intimidation, regardless of the reason, are encouraged to discuss the matter with their teacher, counselor, bus driver, coach, principal, or any responsible adult who is not involved in the alleged bullying, harassment, or intimidation. Students who believe they are victims of sexual harassment are encouraged to discuss the matter, including the formal complaint process, with the Title IX Coordinator. Students who believe they are victims of harassment based upon a disability are encouraged to report the matter to the Section 504 Coordinator or Principal. Students may choose to report to a person of the student's same sex if alleging a violation of Title IX. Complaints will be kept confidential to the extent possible given the need to investigate.

Any adult school employee, adult volunteer, district contractor or agent who witnesses, overhears or receives a report, formal or informal, written or oral, of bullying, harassment, or intimidation shall report it in accordance with procedures developed under this policy. Any adult school employee who has notice of sexual harassment or allegations of sexual harassment shall make a report to the District's Title IX Coordinator.

Formal complaints alleging sexual harassment shall be addressed through the District's Title IX Grievance Procedures. Complaints alleging disability discrimination or harassment shall be addressed through the District's Section 504 Grievance Procedures. All other complaints alleging bullying, discrimination, or harassment shall be addressed through the District's Uniform Grievance Procedure.

The Title IX Coordinator, Section 504, and/or administrator are responsible for taking the following actions in conformance with the applicable grievance procedure:

1. Taking prompt action to investigate/report complaints of harassment, intimidation and bullying.
2. Promptly notifying the complainants and respondents and their parents/guardians regarding the outcome;
3. Taking supportive or remedial measures to ensure continued access to the District's programs or activities while the grievance process is pending; and

4. Taking disciplinary action as appropriate and any other actions appropriate to address the harassment, intimidation, and bullying.

In the event that a staff member or administrator knows or reasonably believes that the alleged behavior constitutes criminal activity or child abuse or neglect, the staff member or administrator shall report such activity to law enforcement and/or the Department of Public Health and Human Services. Nothing herein prohibits other individuals from reporting complaints to law enforcement. If it is determined that the alleged harassment, intimidation, or bullying did not occur at school or school-related activity or does not materially or substantially disrupt the orderly operation of the District, an administrator shall refer the matter, as appropriate, to other persons or entities with appropriate jurisdiction, including but not limited to law enforcement or the Department of Public Health and Human Services.

### ***Consequences***

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

Retaliation and reprisal against any person who reports an act of harassment, intimidation or bullying or participates in an investigation under this policy is prohibited. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature and circumstances of the act, in accordance with district policy.

Cross References:	1700	Uniform Grievance Protocol Title IX Grievance Procedure Section 504 Grievance Procedure
Legal References:	§ 20-5-207, MCA § 49-2-307, MCA § 49-3-201, MCA et seq 20 U.S.C § 1681 et seq 34 C.F.R. Part 106  10.55.701, ARM	Bully-Free Montana Act Discrimination in education Governmental Code of Fair Practices Title IX Nondiscrimination on the Basis of Sex in Education Board of Trustees

10.55.719, ARM  
10.55.801, ARM

Student Protection Procedures  
School Climate

Policy History:

Adopted on: 7-24-17

Reviewed on:

Revised on: 11-9-20

## **Columbia Falls School District**

### **STUDENTS**

**3231**

#### Searches and Seizure

The District has a responsibility for the health and safety of its students during the school day, at all extra-curricular activities and events, and all activities conducted on school premises. Drug and alcohol use and the presence and possession of alcoholic beverages, controlled substances, medications (including over-the-counter medications without permission), any other illegal drug, and/or drug paraphernalia at school pose a serious risk to health and safety to students, employees and visitors. Possession and use of weapons on school grounds poses an additional risk to the health and safety of students, employees and visitors.

To protect students, employees, and visitors from these risks, it is necessary to conduct searches of persons and property under certain, limited circumstances. Such searches are necessary to: deter the presence and possession of prohibited substances and items; deter drug and alcohol abuse among the student population; to educate students as to the serious physical, mental and emotional harm caused by drug and alcohol abuse; to prevent injury, illness and harm as result of drug, alcohol abuse and/or weapons; to help identify student drug use and assist parents in pursuing evaluation and appropriate counseling; and to maintain a safe environment free of weapons, alcohol and drug use.

Searches may be carried out to recover stolen property, to detect illegal substances or weapons, or to mitigate or eliminate risks to and disruption of a safe and healthy educational environment. In keeping with these goals, the Board authorizes school authorities to conduct reasonable searches of school property and equipment, as well as of students and their personal effects, to maintain health, safety, and security in the schools.

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

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

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

The “pat down” or “search” of a student, if conducted, will be conducted by a school official or employee of the same gender as the student being searched.

The types of property that may be searched by school officials include but are not limited to lockers, desks, purses, backpacks, vehicles parked on school property, cellular phones or other electronic communication devices.



### *Students and Their Personal Effects*

School authorities may search a student, the student's property, or District property under the student's control, when there is reasonable suspicion that the search will produce evidence the student has violated or is violating either the law, Board policy, administrative regulation or the District's student conduct rules. Reasonable suspicion shall be based on the specific and objective facts that the search will produce evidence related to the alleged violation.

Immediately following a search, a written report shall be made by the school authority who conducted the search. The report shall be submitted to the Principal and forwarded to the Superintendent. The parent of the student shall be notified of the search as soon as possible.

### *Vehicles Parked on School Property*

Parking on District property is a privilege for all students. Students may not use, transport, carry, or possess alcohol, 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 alcohol, illegal drugs, drug paraphernalia, or weapons. In the event the school has reason to believe that alcohol, 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 by parking on District property. Notice provisions for students will be contained in the student handbook annually.

In addition, by exercising the privilege of parking in the school parking lots, the student acknowledges that the student does not have any expectation of privacy in the odors emanating from the student's vehicle which may alert a human or a canine to the presence of alcohol, illegal drugs, drug paraphernalia or weapons. By exercising the privilege of parking in the school parking lot, the student consents to having the vehicle searched if the school authorities have any other reasonable suspicion to believe that a violation of school rules or policy has occurred.

### *School Property*

School property, including, but not limited to, desks and lockers, is owned and controlled by the District and may be searched by school authorities at any time. School authorities are authorized to conduct area-wide, general administrative inspections of school property without notice to or consent of the student and without reasonable suspicion. Contractors may be employed by the District to handle trained dogs to assist in this search.

### *Seizure of Property*

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

Legal References: *T.L.O. v. New Jersey*, 105 S.Ct. 733 (1985)

Cross References:

Legal Reference:

Redding v. Safford Unified School District, 504 F.3d 828 (9<sup>th</sup> Cir. 2007)

Terry v. Ohio, 392 U.S. 1, 20 (1968)

B.C. v. Plumas, 192 F.3d 1260 (9<sup>th</sup> Cir. 1999)

Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### STUDENTS

3250

#### Student Use of Buildings – Equal Access

Non-curriculum-related secondary school student organizations may conduct meetings on school premises without intervention on the basis of the religious, political, philosophical, or other content of the meeting. If the meeting is student-initiated and not a part of a school sponsored activity, it must be conducted according to the following guidelines:

- The meeting is voluntary and student-initiated;
- There is no sponsorship of the meeting by the school, the government, or its agents or employees;
- The meeting must occur during non-instructional time on regular school days;
- Employees or agents of the school or government are present only in a non-participatory capacity;
- The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
- Non-school persons may not direct, conduct, control, or regularly attend activities.

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

Legal Reference:        20 U.S.C. 4071 Equal Access Act  
                              § 20-5-203, MCA        Secret organization prohibited

Cross References:

Policy History:  
Adopted on: 7-24-17  
Revised on:

Suspension and Expulsion – Corrective Actions and Punishment

***Suspension***

Before suspension, the student shall be provided oral or written notice of the charges. If the student denies the charges, the student shall be given an explanation of the evidence and an opportunity to present his or her version. Prior notice and hearing as stated above is not required and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the necessary notice and hearing shall follow as soon as practicable.

Any suspension shall be reported as soon as possible to the student's parents. A written notice of the suspension shall contain a statement of the reasons for the suspension and a notice to the parents of their right to review the suspension. Upon request of the parents, the Superintendent shall convene a meeting to review the suspension. At the meeting, the student's parents may appear and discuss the suspension with the Superintendent. The Superintendent shall decide whether the suspension is appropriate. The decision of the Superintendent is final and may not be appealed to the Board.

The term of a suspension may vary depending upon the circumstances. A student may be suspended for an initial term not to exceed ten (10) school days. Upon a finding by a school administrator that the immediate return to school by a pupil would be detrimental to the health, welfare, or safety of others or would be disruptive of the educational process, a pupil may be suspended for one additional period not to exceed 10 school days if the pupil 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.

Students may make up work while out on suspension. Students are encouraged to keep up on the assignments for each class. Credit will be earned for work given to the class during the term of the suspension.

***Expulsion***

Expulsion is any removal of a student for more than twenty (20) school days without the provision of educational services. Only the Board may expel a student from school. After the administration has investigated the alleged misconduct and made the decision to recommend an expulsion of the student to the Board, the administration shall send notice to the student and the parent of the following:

- The intent to recommend an expulsion;
- The specific charges against the student;
- What rule or regulation was broken;
- The nature of the evidence supporting the charges;
- The date, time and place where the hearing will be held;

## Columbia Falls School District

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- A copy of the procedure that will be followed by the Board; and
- A reminder of the rights the student and parents have, including the right to counsel, the right to cross examine witnesses, and the right to present witnesses.

The hearing may be rescheduled by the parent/guardian by submitting a request showing good cause to the Superintendent at least 3 school days prior to the scheduled date of the hearing. The Superintendent shall determine if the request shows good cause.

Before expelling a student for bringing a gun to school, the trustees will hold a due process hearing that includes presentation of a summary of the information leading to the allegations and an opportunity for the student to respond to the allegations. The student may not be expelled unless the trustees find that the student knowingly brought a firearm to school or possessed a firearm at school. When a student subject to a hearing is found to have not violated this section, the student's school record must be expunged of the incident.

Students with rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act may be expelled under certain circumstances, and the District must follow all procedural requirements of those Acts, including holding a manifestation determination meeting, prior to moving forward with an expulsion.

Legal References:	§ 20-4-302, MCA	Discipline and punishment of pupils
	§ 20-4-402, MCA	Duties of district superintendent
	§ 20-5-201, MCA	Duties of pupils – sanctions
	§ 20-5-202, MCA	Suspension and expulsion ( <i>Revised by Senate Bill 283</i> )
	20 USC 1415(k)	IDEA
	10.55.701, ARM	Board of Trustees
	Senate Bill 283	Expulsion Policies and Firearms on School Grounds
	MCA 1-1-204	Terms denoting state of mind ( <i>Cited by Senate Bill 283</i> )

#### Policy History:

Adopted on: 7-24-17

Reviewed on: 8-16-21

## Columbia Falls School District

### STUDENTS

3310  
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#### Student Discipline

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

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

1. Using, possessing, distributing, purchasing, or selling tobacco products, vapor products, or alternative nicotine products (tobacco included but is not limited to cigarettes, e-cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco or any other tobacco or nicotine innovation);
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who may be under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing or selling illegal drugs or controlled substances (includes medical marijuana as well), look-alike drugs, drug paraphernalia and any such substances that contain chemicals which produce the same effect of illegal substances. Students who may be under the influence of such substances will not be permitted to attend school functions and will be treated as though they had drugs in their possession;
4. Using, possessing, controlling or transferring a weapon in violation of the "Possession of a Weapon in a School Building" section of this policy;
5. Using, possessing, controlling or transferring any object that reasonably could be considered or used as a weapon;
6. Disobeying directives from staff members or school officials or disobeying rules and regulations governing student conduct;
7. Using violence, force, noise, coercion, threats, intimidation, fear or other comparable conduct toward anyone or urging other students to engage in such conduct, including gang or gang activity.
8. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property;
9. Engaging in any activity that constitutes an interference with school purposes or an educational function or any other disruptive activity;
10. Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic and habitual truants;
11. Hazing or bullying, including cyber bullying;
12. Forging any signature or making any false entry or attempting to authorize any document used or intended to be used in connection with the operation of a school;
13. Gambling for money.

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

- On, or within sight of, school grounds before, during or after school hours or at any other time when school is being used by a school group;

- Off school grounds at a school-sponsored activity or event or any activity or event that bears a reasonable relationship to school;
- Travel to and from school or a school activity, function or event;
- Anywhere if the conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member or an interference with school purposes or an educational function, a threat to the safety and welfare of the student population or conduct that detrimentally affects the climate or efficient operation of the school.

***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.

***Gun-Free Schools***

The Board will expel any student who uses, possesses, controls or transfers a firearm for a definite period of time of at least one (1) calendar year. The Board authorizes the Superintendent, upon written notification to the Board Chair, to modify the discipline on a case-by-case basis, including eliminating the requirement for expulsion. The administrator may immediately suspend a student if, prior to a hearing, there is cause to believe the student brought a firearm to school or possessed a firearm at school. The student may not be expelled unless the trustees find that the student knowingly brought a firearm to school or possessed a firearm at school. A building administrator will notify the criminal justice or juvenile delinquency system of any student who brings a firearm to school.

***Possession of a Weapon in a School Building***

The District will refer to law enforcement for immediate prosecution any person who possesses, carries or stores a weapon in a school building, except as provided below, 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.

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; “weapon” means any type of firearm, a knife with a blade 4 or more inches in length, a sword, a straight razor, a throwing star, nun-chucks, brass or other metal knuckles, or any other article or instrument possessed with the purpose to commit a criminal offense.

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.

This policy does not apply to law enforcement officers acting in their official capacity.

**Legal References:**

§ 16-11-302, MCA	Definitions
§ 20-1-220, MCA	Use of tobacco products in public school building or on public school property prohibited
§ 20-4-302, MCA	Discipline and punishment of pupils
§ 20-5-202, MCA	Suspension and Expulsion <i>(Revised by Senate Bill 283)</i>
§ 45-8-361, MCA	Possession of a weapon in school building
§ 45-8-317, MCA	Exceptions
§§ 50-46-301 et seq., MCA	Montana Marijuana Act
20 USC §§ 7101 et seq.	Safe and Drug-Free Schools & Communities Act
20 USC § 7961	Gun-Free requirements
§ 1-1-204, MCA	Terms denoting state of mind <i>(Cited by Senate Bill 283)</i>
Senate Bill 283	Expulsion Policies and Firearms on School Grounds

**Policy History:**

Adopted on: 7-24-17

Revised on: 12-9-19 / 8-16-21



## Columbia Falls School District

### STUDENTS

3410

#### Student Health/Physical Screenings/Examinations

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

- Development of procedures at each building for isolation and temporary care of students who become ill during the school day;
- Consulting services of a qualified specialist for staff, students and parents;
- Vision and hearing screening;
- Scoliosis screening; and
- Immunization as provided by the Department of Public Health and Human Services.

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

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

- Required as a condition of attendance;
- Administered by the school and scheduled by the school in advance; and
- Not necessary to protect the immediate health and safety of the student or other students.

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

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

Students who wish to participate in certain extracurricular activities may be required to submit to a physical examination to verify their ability to participate in the activity. Students participating in activities governed by the Montana High School Association will be required to follow the rules of that organization, as well as other applicable District policies, rules, and regulations.

Cross Reference: Montana High School Association Handbook

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

#### Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### STUDENTS

3415

#### Management of Sports Related Concussions

The 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 Associations (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/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](http://www.mhsa.org); U.S. Department of Health and Human Services page at: [www.hhs.gov](http://www.hhs.gov); and; the Centers for Disease and Prevention page at [www.cdc.gov/concussion/sports.index.html](http://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 and 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 and 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

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

Legal Reference: (SB112)

#### Policy History:

Adopted on: 7-24-17

Revised on:

Administering Medicines to Students

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

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

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

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

***Administering Medication***

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

***Emergency Administration of Medication***

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

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

The Board requires that there must be on record a medically diagnosed allergic condition that would require prompt treatment to protect a student from serious harm or death. 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
- The building administrator(s) 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; and
- 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.

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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 has filed the necessary designation and acceptance documentation with the District, as required by § 20-5-412(2), MCA, and (2) the employee has filed the necessary written documentation of training with the District, as required by § 20-5-412(4), MCA. All documentation shall be kept on file.

***Handling and Storage of Medications***

The Board requires that all medications, including those approved for keeping by students for self-medication, be first delivered by a parent, an individual who has executed a caretaker relative educational authorization affidavit, or other responsible adult to a nurse or employee assisting with self-administration of medication. A nurse or assistant:

- 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.
- All non-emergency medication shall be kept in a locked, nonportable container, stored in its original container with the original prescription label. Epinephrine, naloxone, and student emergency medication may be kept in portable containers and transported by the school nurse or other authorized school personnel.
- Food is not allowed to be stored in refrigeration unit with medications.
- Shall notify the building administrator, school district nurse, and parent or guardian of any medication error and document it on the medication administration record.

## Columbia Falls School District

### STUDENTS

3416  
page 4 of 4

The District will permit only a forty-five (45) school day supply of a medication for a student to be stored at a school. 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.

Medical sharps shall be disposed of in an approved sharps container. Building administrators should contact the school nurse or designated employee when such a container is needed. Sharps containers are to be kept in a secure location in the school building. Disposal of sharps container, medical equipment, and personal protective equipment is the responsibility of the school nurse or designated employee in accordance with the Montana Infectious Waste Management Act and the manufacture guidelines specific to the container or equipment.

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
	ARM 24.159.1604	Tasks Which May Be Routinely Assigned to an Unlicensed Person in Any Setting When a Nurse-Patient Relationship Exists
	§ 37-8-103(1)(c), MCA	Exemptions – limitations on authority conferred
	§ 75-10-1001, et seq	Infectious Waste Management Act
	37.111.812, ARM	Safety Requirements

#### Policy History:

Adopted on: 7-24-17

Revised on: 8-16-21

## Columbia Falls School District

### STUDENTS

3520

#### Student Fees, Fines and Charges

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

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

The Board delegates the authority to the Superintendent to establish appropriate fees and procedures governing the collection of fees and to make annual reports to the Board regarding fee schedules. Fees may be required for the actual cost of breakage and of excessive supplies used in courses such as commercial, industrial arts, music, domestic science, science or agriculture.

A student shall be responsible for the cost of replacing materials or property that are lost or damaged due to negligence. The student and parent shall be notified regarding the nature of the violation or damage, how restitution may be made and how an appeal may be instituted. A student's grades or diploma may be withheld until restitution is made by payment. The student or parent may appeal the imposition of a charge for damages to the Superintendent and the Board.

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

#### Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### STUDENTS

3600

#### Student Records

School student records are confidential, and information from them will not be released other than as provided by law. State and federal laws grant students and parents certain rights, including the right to inspect, copy and challenge school records.

The District will ensure information contained in student records is current, accurate, clear and relevant. All information maintained concerning a student receiving special education services will be directly related to the provision of services to that child. The District may release directory information as permitted by law, but parents will have the right to object to release of information regarding their child. Military recruiters and institutions of higher education may request and receive the names, addresses and telephone numbers of all high school students, unless the parent(s)/guardian(s) notifies the school not to release this information.

The Superintendent will implement this policy and state and federal law with administrative procedures. The Superintendent or designee will inform staff members of this policy and inform students and their parents of it, as well as of their rights regarding student school records.

Each student's permanent file, as defined by the board of public education, must be permanently kept in a secure location. Other student records must be maintained and destroyed as provided in 20-1-212, MCA.

Cross Reference: Administrative Procedures

Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g;  
34 C.F.R. 99  
§ 20-1-212, MCA Destruction of records by school officer.  
§ 20-5-201, MCA Duties and sanctions  
§ 40-4-225, MCA Access to records by parent  
10.55.909, ARM Student Records  
No Child Left Behind Act of 2001, P.L. 107-334

#### Policy History:

Adopted on: 7-24-17

Revised on:



## Columbia Falls School District

### STUDENTS

3606

#### 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 within 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  
   Administrative Procedures

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

#### Policy History:

Adopted on: 7-24-17

Revised on:

## **Columbia Falls School District**

### **STUDENTS**

**3608**

#### Receipt of Confidential Records

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

The following individuals are authorized by the Trustees to receive information with respect to a student of the District who is a client of the department: Superintendent, Building Principal, and Counselor.

When the District receives information pursuant to law, it is the responsibility of the authorized individual to prevent the unauthorized dissemination of that information.

Cross Reference:                   3600    Student Records  
  Administrative Procedures

Legal Reference:                 § 41-3-205, MCA           Confidentiality – disclosure exceptions

Policy History:  
Adopted on: 7-24-17  
Revised on:

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

The District provides access for students to the Internet as an educational tool. Because the Internet is uncensored and can be misused no student shall be allowed to use the District's access to the Internet unless the student and the student's parent first sign the District's *Authorization for Electronic Network Access*.

***Internet Safety***

Pursuant to the Children's Internet Protection Act, the District will implement measures to prevent:

- Access over its computer networks, or the transmission of, inappropriate material through the Internet, electronic mail, chat rooms or other forms of direct electronic communications;
- Unauthorized access and other unlawful online activity; or
- Unauthorized online disclosure, use or dissemination of personal information of students.

The District shall use technology protection measures to protect against adults and students using District computers with Internet access from visual depictions that are obscene, child pornography or with respect to use by students, harmful to students. Subject to the approval of the Superintendent/designee, an administrator, supervisor or other authorized person may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

The District's provision of educational services shall include educating students about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

The District will provide reasonable supervision of students using its access to the Internet and will monitor the online activities of students.

***Acceptable Use***

Students using the District's Internet access shall have no right of privacy in their use of that system. Misuse of the District's access to the Internet, electronic mail, chat rooms or other forms of direct electronic communications includes, but is not limited to, the following:

- Use of the District's access to the Internet, electronic mail, chat rooms or other forms of direct electronic communications for other than educational purposes;
- Gaining intentional access or maintaining access to materials which are obscene, pornographic or whose dominant appeal is sexual arousal;
- Using the District's access to the Internet, electronic mail, chat rooms or other forms of direct electronic communications for any illegal activity including computer hacking and copyright or intellectual property law violations;
- Accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
- Using abusive or profane language in private messages through the District's access to the Internet, electronic mail, chat rooms or other forms of direct electronic communications;

- Using the District's access to the Internet, electronic mail, chat rooms or other forms of direct electronic communications to harass, insult or verbally attack others;
- Posting anonymous messages through the District's access to the Internet, electronic mail, chat rooms or other forms of direct electronic communications;
- Using encryption software;
- Vandalizing data of another user;
- Obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives or fireworks;
- Gaining unauthorized access to resources or files;
- Identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
- Using the District's access to the Internet, electronic mail, chat rooms or other forms of direct electronic communications for financial or commercial gain without District permission; or
- Introducing a virus to or otherwise improperly tampering with the network or the District's access to the Internet, electronic mail, chat rooms or other forms of direct electronic communications.

Students who fail to abide by District Internet rules may be subject to disciplinary action, revocation of their privilege to use the system or legal action as appropriate.

Cross Reference: Administrative Procedures

Legal Reference:	§ 20-5-201, MCA	Duties and Sanctions
	20 U.S.C. § 9134	Children's Internet Protection Act
	47 C.F.R. 54.520	Children's Internet Protection Act
		Certifications

Policy History:  
 Adopted on: 7-24-17  
 Revised on:

Cell Phones and Other Electronic Equipment

Student possession and use of cellular phones and other electronic devices on school grounds, at school-sponsored activities and while under the supervision and control of school district employees is a privilege which will be permitted only under the circumstances described herein. At no time will any student operate a cell phone or other electronic device with video capabilities in a locker room, bathroom or other location where such operation may violate the privacy right of another person.

Students may use cellular phones and other electronic devices on campus before school begins, during lunch and after school ends. Students may only use such devices during the school day or during a school activity with school staff authorization as per the student handbook. These devices must be kept out of sight and turned off during the instructional day. Unauthorized use of such devices disrupts the instructional program and distracts from the learning environment. Therefore, unauthorized use is grounds for confiscation of the device by school officials, including classroom teachers. Confiscated devices will be returned to the parent or guardian. Unauthorized use of such devices may result in disciplinary action.

Policy History:

Adopted on: 7-24-17

Revised on:

**COLUMBIA FALLS SCHOOL DISTRICT**

**THE BOARD OF TRUSTEES**

**4000 SERIES**

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Conduct on School Property

In addition to prohibitions stated in other District policies, no person on school property shall:

- Possess, carry or store a weapon at any time;
- Injure or threaten to injure another person;
- Damage another's property or that of the District;
- Violate any provision of the criminal law of the state of Montana or town or county ordinance;
- Smoke or otherwise use tobacco products, vapor products, or alternative nicotine products (tobacco includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, or any other tobacco or nicotine innovation;
- Consume, possess, or distribute alcoholic beverages, illegal drugs, or medical marijuana at any time;
- Impede, delay, or otherwise interfere with the orderly conduct of the District's educational program or any other activity occurring on school property;
- Fighting or otherwise striking or threatening another person;
- Use vulgar or obscene language or gestures;
- Disregard the directives of school officials or security personnel;
- Enter upon any portion of school premises at any time for purposes other than those which are lawful and authorized by the Board; or
- Violate other District rules and regulations.

"School property" means within school buildings, in vehicles used for school purposes, or on owned or leased school grounds. These regulations are in effect year round, and during all District extra or co-curricular activities. District administrators will take appropriate action as circumstances warrant, up to and including recommending that the individual violating this policy be denied access to District property. If a recommendation is made to the Board to deny access to District property to an individual, that individual will be notified of date, time and place of the meeting of the Board as well as of the specific allegations to be presented to the Board.

Cross References:	4313	Disruption of School Operations
Legal References:	§ 20-1-206, MCA § 20-1-220, MCA § 45-8-361, MCA § 50-46-301, MCA 20 USC § 7101	Disturbance of school Use of tobacco on school property prohibited Possession of a weapon in a school building Montana Medical Marijuana Act Safe and Drug Free Schools & Community Act

Policy History:

Adopted on: 7-24-17

Revised on: 12-9-19

Public Relations

The District shall strive to maintain effective two-way communication channels with the public. Such channels shall enable the Board and staff to interpret the school's needs to the community and provide a means for citizens to express their needs and expectations to the Board and staff.

The Superintendent shall establish and maintain a communication process within the school system and between it and the community. Such a public information program shall provide for news releases at appropriate times, arrange for news media coverage of district programs and events, provide for regular direct communications between individual schools and the citizens they serve, and assist staff in improving their skill and understanding in communicating with the public.

Community opinion may be solicited through parent organizations, parent-teacher conferences, open houses and other such events or activities which may bring staff and citizens together.

Legal Reference:                      Article II, Sec. 10 Montana Constitution

Policy History:  
Adopted on: 7-24-17  
Revised on:



COMMUNITY RELATIONS

4210

School-Support Organizations

The Board recognizes that parent, teacher and student organizations are an invaluable resource to the District schools and so supports their formation and vitality. The Board encourages their suggestions and assistance. Membership in these organizations must be open and unrestricted.

Booster clubs and/or special interest organizations may be formed to support and strengthen specific activities conducted within the school or District. All such groups must receive the approval of the school principal, Superintendent and the Board in order to be recognized as a booster organization. Staff participation, cooperation and support are encouraged in such recognized organizations.

***Fundraising by School Support Organizations***

Fundraising by school support groups is considered a usual and desirable part of the function of such groups. Specific fundraising activities **including the utilization of crowdfunding sites such as GoFundMe or DonorsChoose**, 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: 7-24-17

Revised on: 12-9-19

**Fundraising**

“Fundraising” means sales made by a school or made by a student that are for the purpose of raising funds for the school to purchase equipment, materials, or provide transportation, and that are part of an officially sanctioned school activity.

Fundraisers may be grouped into the following categories:

*School-based fundraisers* – School-based fundraisers are initiated, planned, and implemented by individuals employed by a given school. Such fundraisers may take a variety of forms including book fairs, school t-shirt sales, box tops for Education, or school festivals. Individuals operating on behalf of the PTO are not involved in such fundraisers in any capacity. Fundraisers through school-based fundraisers are not deposited into the PTO bank accounts and start-up funds for such fundraisers should not be provided by the PTO.

*PTO Fundraisers* – PTA fundraisers are initiated, planned, and implemented by the PTO, which involves representatives from both families and schools. Funds raised through PTO fundraisers are deposited into PTO bank accounts.

*Booster Club Fundraisers* – Booster club fundraisers are initiated, planned and implemented by booster club members. These members include representatives from families, the school, and the community. Funds raised through boosters clubs are deposited into booster club accounts. Booster clubs may include such groups as band boosters, chorus boosters, and athletic boosters.

*School Club Fundraisers* – School Club fundraisers are initiated, planned and implemented by school sanctioned organizations and their advisors. Funds raised through school clubs are deposited into the school bank account and designated for the use of the school club which raised the money.

**Guidelines:**

1. All fundraising efforts including the utilization of crowdfunding sites such as GoFundMe or DonorsChoose, must be approved by the building administrator or designee. An approval form must be submitted. Before giving approval, the administrator or designee will review the purposes of the fundraising effort, how much money will be spent, and the guidelines and directions that will be given to the students regardless of their participation.
2. The request must be filed in the school office before any fundraising activity is initiated and prior to making any commitment to vendors. Once approved, one (1) copy of the form should be maintained on file in the school office.

3. No rewards or prizes may be offered to groups, classes or students unless specifically approved by the building administrator.
4. Student grades or citizenship standing shall not be affected by a student's ability or willingness to participate in fundraising efforts.
5. Sales quotas for students may not be a part of any fundraising effort and students may not be required to pay for any unsold items which are returned to the school.
6. An individual student or group of students may not use the facilities or resources of the school to conduct a personal fundraising effort not sponsored by the school except on the same basis as all other public uses of school facilities.
7. The parents/guardians of elementary students must give permission for their students to participate in a fundraising effort before any products or materials are sent home with the student.
8. Projects where school organizations buy or have donated raw materials, turn them into a finished product under the supervision of school personnel, and sell then to the public may be allowed. When food is prepared, a food handler's permit will be required. The selling of baked goods or other food items intended for human consumption, which have been prepared at home by students or parents/guardians is not allowed unless previously approved.
9. Fundraising projects may include the following:
  - a. Product sales (popcorn, fruit, cookbooks, clothing, cards, etc.)
  - b. Bazaar, carnival (no rides), or fair
  - c. Craft, art, hobby, science fair
  - d. Dance
  - e. Supper, luncheon, or dinner
  - f. Ice cream social
  - g. Athletic competition between students and faculty
  - h. Concert, play, stage production
  - i. Bake sale or food sales
  - j. Sponsored movie night at a theatre or at the school
  - k. Donations
  - l. School pictures
  - m. Bike/bowl/jump/read/skate/walk-a-thons

- n. Gift-wrapping
- o. Fun runs
- p. Car wash
- q. Recycling
- r. Auctions
- s. Raffles

This list is not exhaustive. All fundraising projects, regardless of type, must be approved by building administrators prior to commencement of the activity. No project is guaranteed approval, even if it falls within the categories described above.

10. Raffles may be permitted and must comply with Montana gambling rules. The raffle must be specified as a raffle for "charitable purposes." The proceeds from the raffle may only be used for charitable purposes and to pay for prizes; the proceeds may not be used for the administrative costs of the raffle. The raffle must have a random selection process, meaning that the winning ticket stub (or another "indicator" of the purchaser's identity) is drawn from a drum or other "receptacle" after being "thoroughly mixed." The entity conducting the raffle must maintain the follow records for a minimum of 12 months and provide these upon request to the Gambling Control Division:

- a. a record of the total proceeds collected;
- b. a detailed description of the prize(s) awarded;
- c. a description of the selection process used to determine the winner(s);
- d. a record reflecting the source of the prize(s), including any money paid to purchase prizes;
- e. a record of any administrative costs paid with raffle proceeds;
- f. a description of how the raffle was publically identified as a charitable raffle, where applicable;
- g. the name and address of the person(s) awarded raffle prize(s); and
- h. a detailed record of the distribution of the charitable raffle proceeds, where applicable.

The raffle terms (including the date of the drawing) must be available to the public prior to the sale of any raffle tickets.

11. Staff members and/or advisors of school clubs or school activities involved in fundraising must properly document their activities by submitting approval forms and properly accounting for money received and expended.
12. Members of the school staff are personally responsible for all products and any money handled during fundraising activities.

- a. Security arrangements for all products are to be made with an administrator. With permission of the administrator, fundraising products may be kept in classrooms overnight if they are locked in a secure place.
  - b. Students should take orders prior to the actual delivery of products whenever possible. Students are limited to handling goods valued at no more than \$30.00 before additional products are released for distribution, unless accompanied by a parent or responsible adult.
  - c. Monies collected from students must be turned over to the staff member in charge of finances each day.
  - d. A receipt book must be kept by each fundraising advisor with a record of monies received, including students' names and dates. Receipts shall be given to students each time money is received from them.
  - e. All invoices related to the payment for fundraising merchandise must be submitted to the staff member in charge of finances (bookkeeper, accountant, secretary) for payment.
13. All monies collected in school fundraising activities must be deposited intact in the appropriate school account no less than once a week. No fundraising expenses or payment of merchandise can be made from these receipts.
14. Under no circumstances is money to be kept in classrooms, taken from the building by the fundraising advisor, or deposited in private accounts.
15. Staff members or students are prohibited from opening private bank accounts for money generated from school activities or using the school's name for private activities or private fundraising.
16. Faculty advisors assume personal responsibility for all monies collected up until those monies are deposited with the school office.
17. Parent organization fundraising projects should be undertaken only with the approval and support of the parent organization's membership and not as an individual's effort.
18. Fundraising should be limited to reaching specific objectives rather than general fundraising to increase the treasury. The following procedure must be followed in fundraising projects:
  - a. Parent organizations must keep the building administrators of the schools they represent informed of all fundraising projects. This will ensure that the activities are within the guidelines of the District and will prevent duplication of activities.
  - b. Prior to the ordering of the fundraising products, careful consideration should be given to the storage and safekeeping of the products to be sold.
  - c. All orders for fundraising products should be processed through the treasurer (or other designated officer) of the organization.

- d. A careful record should be kept of all products issued to show those receiving the products to be sold. Each individual receiving products should sign for them. It is suggested that no student receive more than \$30.00 worth of products at one time, unless accompanied by a parent or other responsible adult.
- e. As money is turned in, individual receipts should be issued.
- f. All monies collected by the organization's treasurer should be deposited in the organization's bank account (or school account) on a regular basis. Money shall not be kept in an individual's bank account, nor cash kept in an individual's home or in a staff member's classroom or desk.
- g. The organization shall prepare a summary of the fundraising project after its completion and submit this to the building administrator.

Policy History:

Adopted on: 7-24-17

Revised on: 12-9-19

### Fundraising Request Form

Groups wishing to organize fundraising activities shall complete this *Fundraising Request Form* for approval by the building administrator prior to fundraising plans being initiated.

School or Group requesting or representing: \_\_\_\_\_

Date submitted: \_\_\_\_\_

Sponsor & Coordinator: \_\_\_\_\_

Sponsor email: \_\_\_\_\_

Sponsor phone number: \_\_\_\_\_

Group raising funds: \_\_\_\_\_

Date fundraiser is to take place: \_\_\_\_\_

Amount to be raised: \_\_\_\_\_

Purpose of the fundraiser: \_\_\_\_\_

\_\_\_\_\_

Summarize how the activity will benefit the students of the school, including an estimate of the number of students that will benefit, and the students participating \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Description of the fundraiser in detail: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Have efforts been made to obtain funds from other sources? If yes, please specify such efforts and the amounts of any other funds that have been secured \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Note: Use additional sheets if necessary to explain the fundraising project request.*

I, the building administrator or designee, of \_\_\_\_\_ School

☐ Approve the request

☐ Approve the request subject to following conditions: \_\_\_\_\_

\_\_\_\_\_

☐ Do not approve the request

\_\_\_\_\_  
Building Administrator or Designee

\_\_\_\_\_  
Date

**Columbia Falls School District**

**COMMUNITY RELATIONS**

**4301**

Visitors to the Schools

The District encourages visits by Board members, parents and citizens to all District buildings. All visitors shall report to the school's main office or District office upon entering any District building. Conferences should be held outside school hours or during the teacher's prep time.

Cross Reference: 4313 Disruption of School Operations

Policy History:

Adopted on: 7-24-17

Revised on:



## **Columbia Falls School District**

### **COMMUNITY RELATIONS**

**4313**

#### Disruption of School Operations

If any person disrupts or obstructs any school program, activity or meeting, or threatens to do so, or commits, threatens to commit or incites another to commit any act that will disturb or interfere with or obstruct any lawful task, function, process or procedure of any student, official, employee or invitee of the District, the staff member in charge shall immediately notify the local law enforcement authorities of the incident.

The staff member in charge shall make a written report detailing the incident not later than 24 hours from when the incident occurred. A copy of the report shall be given to the staff member's immediate supervisor.

Cross Reference:

4301

Visitors to Schools

Legal Reference:

§ 20-1-206, MCA

§ 45-8-101, MCA

§ 20-5-201, MCA

Disturbance of school - penalty

Disorderly conduct

Duties of pupils - sanctions

#### Policy History:

Adopted on: 7-24-17

Revised on:

Accommodating Individuals with Disabilities

Individuals with disabilities will be provided opportunity to participate in all school-sponsored services, programs, or activities on a basis equal to those without disabilities and will not be subject to illegal discrimination. The District may provide auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. Covid-19 vaccine status will not be used as a basis to deny or allow equal opportunity to education.

An individual with a disability should notify the Superintendent or building principal if they have a disability which will require special assistance or services. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or of federal law by reporting it to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Section 504 and ADA Grievance Procedure.

***Service animals***

The District will comply with all state and federal laws, regulations, and rules regarding the use of service animals by a staff member, student, and community member required because that individual has a disability and the service animal is individually trained to do work or perform tasks for the benefit of that individual.

A service animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including 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 policy. The work or tasks performed by a service animal must be directly related to the individual's disability. 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 Superintendent will establish procedures regarding the use of service animals by individuals with disabilities.

Legal References:	42 USC § 12111 et seq.	Americans with Disabilities Act
	28 C.F.R. §§ 35.104, 35.136	Nondiscrimination on the Basis of Disability in State and Local Government Services
	§ 49-3-201, MCA et seq	Governmental Code of Fair Practices
	House Bill 702	Prohibits Discrimination Based on Vaccine Status
	§ 50-16-502, MCA	Legislative findings (Cited by House Bill 702)

Policy History:

Adopted on: 7-24-17

Revised on: 8-16-21

## **Columbia Falls School District**

### **COMMUNITY RELATIONS**

**4330**

#### Use of School Facilities

The Trustees are supportive of the people of the community using the school facilities for both educational and recreational purposes. The administration shall be charged with the responsibility of coordinating and authorizing use of all grounds and facilities by groups other than those directly connected with the school. The administration shall develop the rules, regulations, and procedures for the use of facilities. As required by the Boy Scouts of America Equal Access Act, the District shall provide an equal right of access to the Boy Scouts of America and other designated patriotic youth groups.

Legal Reference:

20 USC § 7905 Boy Scouts of America Equal Access Act

#### Policy History:

Adopted on: 7-24-17

Revised on:

Use of School Property for Posting Notices

Non-school related organizations may request permission of the building principal to display posters in the area reserved for community posters or to have flyers distributed to students.

Posters and/or flyers must be student oriented and have the sponsoring organization's name prominently displayed. The District will not permit the posting or distribution of any material that would:

- Disrupt the educational process;
- Violate the rights of others;
- Invade the privacy of others;
- Infringe on a copyright;
- Be obscene, vulgar or indecent; or
- Promote the use of drugs, alcohol, tobacco or certain products that create community concerns.

No commercial publication shall be posted on (inside or outside) school district property, or distributed to the students unless the purpose is to further a school activity such as graduation, class pictures or class rings.

If permission is granted to distribute materials, the organization must arrange to have copies delivered to the school. Distribution of the materials will be arranged by administration.

Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### COMMUNITY RELATIONS

4410

#### Relations with Law Enforcement and Child Protective Agencies

The staff is primarily responsible for maintaining proper order and conduct in the schools. Staff shall be responsible for holding students accountable for infractions of school rules, which may include minor violations of the law, occurring during school hours or at school activities. When there is substantial threat to the health and safety of students or others, such as in the case of bomb threats, mass demonstrations with threat of violence, individual threats of substantial bodily harm, trafficking in prohibited drugs, or the scheduling of events where large crowds may be difficult to handle, the law enforcement agency shall be called upon for assistance. Information regarding major violations of the law shall be communicated to the appropriate law enforcement agency.

The District will strive to develop and maintain cooperative working relationships with law enforcement agencies. Procedures for cooperation between law enforcement, child protective, and school authorities will be established. Such procedures will be made available to affected staff and will be periodically revised.

Cross Reference:                      4313                      Disruption of School Operations

Legal Reference:                      § 20-1-206, MCA                      Disturbance of school - penalty

#### Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### COMMUNITY RELATIONS

4520

#### Cooperative Programs with Other Districts and Public Agencies

Whenever it appears to the economic, administrative and/or educational advantage of the District to participate in cooperative programs with other units of local government, the Superintendent will prepare and present for Board consideration an analysis of each cooperative proposal.

When formal cooperative agreements are developed, such agreements shall comply with requirements of the Interlocal Cooperation Act, with assurances that all parties to the agreement have legal authority to engage in the activities contemplated by the agreement.

The District may enter into an interlocal agreement providing for the sharing of teachers, specialists, superintendents or other professional persons licensed under Title 37, MCA. If the District shares a teacher or specialist with another district(s), the District's share of such teacher's or specialist's compensation will be based on the total number of instructional hours expended by the teacher or the specialist in the District.

Legal Reference:	§ 7-11-101, et seq., MCA	Interlocal Cooperation Act
	§ 20-7-451 through 456, MCA	Authorization to create full service education cooperatives
	§ 20-7-801, et seq., MCA	Public recreation

Policy History:  
Adopted on: 7-24-17  
Revised on:

Family Engagement

The District's Board of Trustees recognizes the importance of engaging families in the education of children. The Superintendent and staff shall undertake activities designed to:

- Encourage families to actively participate in the life of their children's schools;
- Ensure families feel welcomed, valued, and connected to one another, school staff, and to what students are learning and doing in class;
- Encourage families and school staff to engage in regular, two-way meaningful communication about student learning;
- Ensure continuous collaboration between families and school staff to support student learning and healthy development both at home and at school and have regular opportunities to strengthen their knowledge and skills to do so effectively;
- Empower families to be advocates for their own and other children to ensure that students are treated equitably and have access to learning opportunities that will support their success;
- Allow families and school staff to partner in decisions that affect children and families and together inform, influence, and create policies, practices, and programs; and
- Encourage families and school staff to collaborate with members of the community to connect students, families, and staff to expand learning opportunities, community services, and civic preparation.

To the extent feasible and appropriate, the District will attempt to coordinate and integrate parent and family engagement strategies with other relevant federal, state, and local laws and programs, including but not limited to Title I programs.

Cross Reference: Administrative Procedures

Legal Reference: § 10.55.701, ARM Board of Trustees

Policy History

Adopted on: 7-24-17

Revised on: 12-9-19

## **COLUMBIA FALLS SCHOOL DISTRICT**

### **PERSONNEL**

#### **5000 SERIES**

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Equal Employment Opportunity and Non-Discrimination

As required by federal law, including but not limited to the Civil Rights Act of 1964, Title IX, and Section 504 and the Americans with Disabilities Act and their regulations The District will provide equal employment opportunities to and will not discriminate in its educational programs or activities, including in the area of employment, with respect 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 handicap or disability, if otherwise able to perform essential functions of a job with reasonable accommodations, and other legally protected categories. For purposes of this policy, "sex" includes sexual orientation and gender identity.

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. Covid-19 vaccine status will not be used as a basis to deny or allow equal opportunity to employment.

Persons who believe they have not received equal employment opportunities or have been retaliated against should report their claims to the building principal. Inquiries regarding sex discrimination or sexual harassment may also be directed to the District's Title IX Coordinator, the Assistant Secretary for the U.S. Department of Education, or both. Claims of sexual harassment will be handled through the District's Title IX Sexual Harassment Grievance Procedures. Claims of disability discrimination will be handled through the District's Section 504 and ADA Grievance Procedure. All other claims will be handled through the Uniform Complaint Protocol. No employee or applicant will be discriminated against because he or she initiated a complaint, was a witness, supplied information or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws. The District reserves the right to take action against any individual who knowingly makes false accusations or knowingly provides false information.

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  
                                  Title IX Sexual Harassment Grievance Procedure  
                                  Section 504 and ADA Grievance Procedure

Legal Reference:       Age Discrimination in Employment Act, 29 U.S.C. §§ 621, *et seq.*  
                                  Americans with Disabilities Act, Title I, 42 U.S.C. §§ 12111, *et seq.*  
                                  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 IX of the Education Amendments, 20 U.S.C. §§ 1681, *et. seq.*  
                                  Nondiscrimination on the Basis of Sex in Education, 34 C.F.R. Part 106  
                                  Montana Constitution, Art. X, § 1 - Educational goals and duties

§ 49-2-101, <i>et seq.</i> , MCA	Human Rights Act
House Bill 702	Prohibits Discrimination Based on Vaccine Status
§ 50-16-502, MCA	Legislative findings ( <i>Cited by House Bill 702</i> )
<i>Bostock v. Clayton County</i> , 140 S.Ct. 1731 (2020)	

Policy History:

Adopted on: 7-24-17

Reviewed on:

Revised on: 11-9-20 / 10-11-21

Sexual Harassment

The District shall provide employees an environment free of sexual harassment as defined and otherwise prohibited by State and federal law, including Title IX and its implementing regulations, in the educational programs and activities it offers, including the area of employment. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- (3) "Sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action, up to and including discharge.

Employees should report claims of sexual harassment to the District's Title IX Coordinator and/or use the District's Title IX Sexual Harassment Grievance Procedures. All formal complaints about behavior that may violate this policy shall be addressed through the District's Title IX Sexual Harassment Grievance Procedures. Initiating a complaint of sexual harassment shall not adversely affect the complainant's employment, compensation or work assignments.

Cross References: Title IX Sexual Harassment Grievance Procedures

Legal References:	42 USC § 2000(e) et seq.	Title VII of Civil Rights Act
	20 USC §1681 et seq.	Title IX
	34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in Education
	§ 49-2-101, et seq. MCA	Human Rights Act
	§ 49-1-102, MCA	Freedom from discrimination
	§ 49-3-201, MCA et seq.	Governmental Code of Fair Practices

Policy History:

Adopted on: 7-24-17

Reviewed on:

Revised on: 11-9-20

Bullying/Harassment/Intimidation

The Board will strive to provide a positive and productive working environment. Bullying, harassment or intimidation between employees or by third parties is strictly prohibited and shall not be tolerated. This includes bullying, harassment or intimidation via electronic communication devices (“cyber bullying”).

***Definitions***

- A “hostile” working environment is one in which the offensive speech or conduct of another person or persons is so severe or pervasive as to interfere with an employee’s ability to perform his or her job. To be sufficiently severe, the working environment must be one that a reasonable person would find hostile and abusive. In making its determination, the District shall look at all the circumstances, including the frequency of the offensive speech or conduct; its severity, whether it is physically threatening or humiliating or merely an offensive utterance; and whether it unreasonably interferes with an employee’s work performance. To be considered “hostile,” the speech or conduct must go beyond rudeness or casual joking, reaching a level of harassment, mockery, ridicule and/or unrelenting teasing. Isolated incidents or petty slights are generally not sufficient to create a hostile working environment. In the absence of any of the conditions described above, actions such as the issuance of a lawful directive, a disciplinary action, a negative performance evaluation, a recommendation for the nonrenewal of an employment contract or the denial for a request for an employment benefit may not constitute the basis for a claim under this policy, but may be pursued through other dispute resolution procedures.
- “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.
- “District” includes District facilities, District premises, and non-District property if the employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events, where the employee is engaged in District business.
- “Harassment, intimidation, or bullying” means any act that substantially interferes with an employee’s opportunities or work performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, or anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member or an interference with school purposes or an educational function, and that has the effect of:
  - Physically harming an employee or damaging an employee’s property;
  - Knowingly placing an employee in reasonable fear of physical harm to the employee or damage to the employee’s property; or
  - Creating a hostile working environment.
- “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 which allege facts that, if true, could be reasonably found to violate this policy shall be promptly investigated. The investigation may be suspended or terminated if the employee files a claim in another forum making allegations that are the same or similar to those presented in the complaint. Any employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of harassment, intimidation or bullying in violation of this policy is encouraged to immediately report his/her concerns to the building principal, who has overall responsibility for such investigations. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent 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 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: 3325 Bullying, Harassment, Intimidation and Hazing

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

Policy History:

Adopted on: 7-24-17

Revised on:

- Applicability of Personnel Policies

Except where expressly provided to the contrary, personnel policies apply uniformly to the employed staff of the District. However, where there is a conflict between the terms of a collective bargaining agreement and the District's policy, the law provides that the terms of the collective bargaining agreement shall prevail for the staff covered by that agreement.

When a matter is not specifically provided for in an applicable collective bargaining agreement, the policies of the Board to effectively and efficiently manage the District shall govern.

Legal Reference:                      § 39-31-102, MCA              Chapter not a limit on Legislative Authority

Policy History  
Adopted on: 7-24-17  
Revised on:

Employee Electronic Services

The District provides computers, networks, and Internet access to support the educational mission of the school system and to enhance the curriculum and learning opportunities for students and school system staff. Employees are to utilize the school system's computers, networks and Internet services for school system related purposes and performance of job duties. Incidental personal use of school system computers is permitted as long as such use does not interfere with the employee's job duties and performance, with system operations, or other system users. "Incidental personal use..." is defined as use by an individual employee for occasional personal communications. Employees are reminded that such personal use must comply with this policy and all other applicable policies, procedures, and rules.

General examples of *unacceptable* uses that are prohibited include, but are not limited to the following:

1. Any use that is illegal or in violation of other policies, including harassing, discriminatory or threatening communications and behavior; violations of copyright laws, etc.;
2. Any use involving materials that are obscene, pornographic, sexually explicit or sexually suggestive;
3. Any inappropriate communications with students or minors;
4. Any use for private financial gain or commercial advertising or solicitation purposes;
5. Any use as a forum for communicating by e-mail or other medium with other school users or outside parties to solicit, proselytize, advocate or communicate the views of an individual or non-school sponsored organization; to solicit membership in or support of any non-school sponsored organization; or to raise funds for any non-school purpose, whether profit or non-profit. No employee shall knowingly provide school e-mail addresses to outside parties whose intent is to communicate with school employees, students and/or their families for non-school purposes. Employees who are uncertain as to whether particular activities are acceptable should seek further guidance from their immediate supervisor;
6. Any communication that represents personal views as those of the school system or any school unit or that could be misinterpreted as such;
7. Any use of unauthorized, personal networking hardware;
8. Downloading or loading of software applications without permission;
9. Opening and forwarding any e-mail attachments (executable files) from unknown sources and/or that may contain viruses;
10. Sending or facilitating mass e-mails to school users or outside parties for school or non-school purposes without permission;
11. Any misuse or damage to the school system's computer equipment; and

12. Misuse of computer passwords or accounts, including providing personal passwords to non-school system personnel;

The employee is responsible for his/her actions and activities involving school unit computers, network and Internet services, and for his/her computer files, passwords and accounts. The school system retains control, custody and supervision of all computers, networks, and Internet services owned or leased by the school system. The school system reserves the right to monitor all computer and Internet activity by employees and other system users. Employees have no expectation of privacy in their use of school computers, including e-mail messages and stored files.

Employees are expected to use appropriate judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential.

Teachers, staff members and volunteers who utilize school computers for instructional purposes with students have a duty of care to supervise such use. Teachers, staff and volunteers are expected to be familiar with the school system's policies and rules concerning student computer and Internet use and to enforce them. When, in the course of their duties, employees/volunteers become aware of student violations, they are expected to stop the activity and inform the building principal or other appropriate administrator.

Employees shall be responsible for any losses, costs or damages incurred by the school system related to violations of this policy and/or rules.

The school system assumes no responsibility for any unauthorized charges made by employees including but not limited to credit card charges, subscriptions, long distance telephone charges, equipment and line costs, or for any illegal use on its computers.

Legal References:

Cross References:

Policy History:

Adopted on: 7-24-17

Revised on:



PERSONNEL

5120

Hiring Process and Criteria

The Superintendent is responsible for recruiting personnel, in compliance with Board policy, and for making hiring recommendations to the Board. The District will hire highly qualified personnel consistent with budget and staffing requirements and will comply with law on equal employment opportunities and veterans' preference. All applicants must complete a District application form to be considered for employment.

Every applicant must provide the District with written authorization for a criminal background investigation. The Superintendent will keep any conviction record confidential as required by law and District policy. Every newly hired employee must complete all necessary employment verification forms as required by federal and/or state law.

Every newly hired employee must provide the school district documentation of the results of a tuberculin skin test done within the year prior to initial employment, along with the name of tester and the date and type of test administered, unless the person provides written medical documentation that he/she is a known tuberculin reactor.

Certification

The District requires its contracted certified staff to hold valid Montana teacher or specialist certificates endorsed for the roles and responsibilities for which they are employed. Failure to meet this requirement shall be just cause for termination of employment. No salary warrants may be issued to a staff member, unless a valid certificate for the role to which the teacher has been assigned has been registered with the county superintendent within sixty (60) calendar days after a term of service begins. Every teacher and administrator under contract must bring their current, valid certificate to the personnel office at the time of initial employment, as well as at the time of each renewal of certification.

The administrative office will register all certificates, noting class and endorsement of certificates, and will update permanent records as necessary. The personnel office also will retain a copy of each valid certificate of a contracted certified employee in that employee's personnel file.

Cross Reference:	5122	Fingerprints and Criminal Background Investigations Administrative Procedures
Legal Reference:	§ 20-4-202, MCA § 39-29-102, MCA  Public Law 114-95 37.114.1010, DPHHS	Teacher and specialist certification registration Point preference or alternative preference in initial hiring for certain applicants - - substantially equivalent selection procedure Every Student Succeeds Act Employee of School: Day Care Facility Care Provider

Policy History:

Adopted on: 7-24-17

Revised on:

Criminal Background Investigations

Any finalist recommended to be employed in a paid or volunteer position with the District, involving regular unsupervised access to students in schools, as determined by the Superintendent, shall submit to a name-based and fingerprint criminal background investigation conducted by the appropriate law enforcement agency. Any offer of employment or appointment will be contingent on results of the fingerprint criminal background check. This policy shall also be applied to an employee of a person or firm holding a contract with the District, if the employee is assigned to the District, and the employee may have unsupervised access to students.

Any requirement of an applicant or employee of a contractor to submit to a fingerprint background check will be in compliance with the National Child Protection Act and applicable federal regulations. If an applicant has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent, who will decide whether the applicant will be declared eligible for appointment or employment. Arrests resolved without conviction will not be considered in the hiring process, unless the charges are pending. The Superintendent shall keep all criminal record information confidential as required by law.

Legal Reference:	§ 44-5-301, MCA	Dissemination of public criminal justice information
	§ 44-5-302, MCA	Dissemination of criminal history record information that is not public criminal justice information
	§ 44-5-303, MCA	Dissemination of confidential criminal justice information
	ARM 10.57.113	Substitute Teachers
	Public Law 105-251	Volunteers for Children Act

Policy History

Adopted on: 7-24-17

Revised on:

Staff Health

***Medical Examinations***

Through its overall safety program and various policies pertaining to school personnel, the Board will promote the safety of employees during working hours and assist them in the maintenance of good health. The Board will encourage all its employees to maintain optimum health through the practice of good health habits. The Board may require physical examinations of its employees, under circumstances defined below. The District will maintain results of physical examinations in medical files separate from the employee's personnel file and will release them only as permitted by law.

***Physical Examinations***

The District participates in a Pre-Placement Physical Program for all custodial and maintenance personnel and other positions deemed inclusive of this policy as determined by specific Board action. Subsequent to a conditional offer of employment in a position for which the District may require participation in a pre-placement physical but before commencement of work, the District may require an applicant to have a medical examination and to meet any other health requirements which may be imposed by the state. The District may condition an offer of employment on the results of such examination, if all employees who received a conditional offer of employment in the applicable job category are subject to such examination. The report shall certify the employee's ability to perform the job-related functions of the position for which the employee is being considered. Such examination shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions.

All bus drivers, whether full-time, regular part-time or temporary part-time, are required by state law to have a satisfactory medical examination before employment.

***Communicable Diseases***

If a staff member has a communicable disease and has knowledge that a person with compromised or suppressed immunity attends the school, the staff member must notify the school nurse or other responsible person designated by the Board of the communicable disease which could be life threatening to an immune-compromised person. The school nurse or other responsible person designated by the Board must determine, after consultation with and on the advice of public health officials, if the immune-compromised person needs appropriate accommodation to protect their health and safety.

An employee with a communicable disease shall not report to work during the period of time in which the employee is infectious. An employee afflicted with a communicable disease capable of being readily transmitted in the school setting (e.g., airborne transmission of tuberculosis) shall be encouraged to report the existence of the illness so that precautions may be taken to protect the health of others. The District reserves the right to require a statement from an employee's primary care provider, before the employee may return to work.

***Confidentiality***

In all instances, District personnel will respect an individual's right to privacy and treat any medical diagnosis as confidential information. Any information obtained regarding the medical condition or history of any employee will be collected and maintained on separate forms and in separate medical files and will be treated as confidential information. Only those individuals with a legitimate need to know (i.e., those persons with a direct responsibility for the care of or for determining workplace

accommodation for the staff person) will be provided necessary medical information.

Supervisors and managers may be informed of necessary restrictions on the work or duties of an employee and necessary accommodations. First aid and safety personnel may be informed, when appropriate, if a staff member with a disability might require emergency treatment.

Legal Reference:	29 U.S.C. § 794,  42 U.S.C. § 12101, et seq. 29 CFR, Section 1630.14(c)(1)(2)(3) Title 49, Chapter 2, MCA Title 49, Chapter 4, MCA  § 20-10-103(4), MCA ARM 37.114.1010  ARM 37.111.825	Section 504 of the Rehabilitation Act Americans with Disabilities Act Examination of employees Illegal Discrimination Rights of Persons With Disabilities School bus driver qualifications Employee of School: Day Care Facility Care Provider Health Supervision and Maintenance
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Policy History:  
Adopted on: 7-24-17  
Revised on:

Classified Employment and Assignment

Each classified employee not included in/covered by the Columbia Falls Classified Employees Association Agreement will be employed under a written contract of a specified term, with a beginning and ending date, within the meaning of § 39-2-912, MCA, after the employee has satisfied the requisite probationary period of six months. During the probationary period of employment, the employment may be terminated at the will of either the School District or the employee on notice to the other for any reason or no reason.

The District reserves the right to change employment conditions affecting an employee's duties, assignment, supervisor or grade.

The Board will determine salary and wages for classified personnel.

Good cause' means any reasonable job-related grounds for an employee's dismissal based on: (a) the employee's failure to satisfactorily perform job duties; (b) the employee's disruption of the employer's operation; (c) the employee's material or repeated violation of an express provision of the employer's written policies; or (d) other legitimate business reasons determined by the employer while exercising the employer's reasonable business judgment.

Legal Reference: § 39-2-904, MCA Elements of wrongful discharge – presumptive probationary period (*Revised by House Bill 254*)

§ 39-2-912, MCA Exceptions to Wrongful Discharge from  
Employment Act

§ 39-2-912, MCA Exemptions-wrongful discharge (*Revised by House Bill 254*)

§ 39-2-903 Definitions-wrongful discharge (*Revised by House Bill 254*)

§ 39-2-905, MCA Remedies- wrongful discharge (*Revised by House Bill 254*)

§ 39-2-911 Limitation of actions (*Revised by House Bill 254*)

House Bill 254 Revisions of Montana Wrongful Discharge Act

*Hunter v. City of Great Falls* (2002), 2002 MT 331

*Whidden v. Nerison*, 294 Mont. 346, 981 P.2d 271 (1999)

*Bowden v. The Anaconda Co.*, 38 St. Rep. 1974 (D.C. Mont. 1981)

*Prout v. Sears, Roebuck & Co.*, 236 Mont. 152, 722 P.2d 288 (1989)

*Stowers v. Community Medical Center, Inc.*, 2007 MT 309, 340 Mont. 116, 172 P.2d 1252.

Policy History:

Adopted on: 7-24-17

Revised on: 5-10-21 / 8-16-21

**PERSONNEL**

**5213**

Vacancies

When the District determines that a vacancy exists, that vacancy may be posted in each school building or, during the summer, outside the office.

Vacancies may be advertised in-District only or they may be advertised in-District and through job service, Career Services at a college or university, local public advertising and, where appropriate, if time permits, through a broader regional and/or national basis. Except as required in negotiated agreements, a vacancy need not be advertised as determined by the Superintendent.

Policy History:

Adopted on:7-24-17

Revised on:

Sexual Misconduct

The District prohibits any employee, contractor, agent, or volunteer from engaging in sexual misconduct with a minor or student. “Sexual misconduct” includes:

- any actual or attempted sexual contact with a minor or student;
- any actual or attempted violation of Montana criminal laws, including but not limited to laws addressing sexual intercourse without consent, sexual assault, sexual abuse, sexual exploitation, and indecent exposure; and/or
- sexual harassment as addressed in Board Policy 5012.

Reports of sexual misconduct may be made to any administrator or to the District’s Title IX Coordinator. An administrator or the Title IX Coordinator may require a verbal complaint to be reduced to writing.

Any employee, contractor, or volunteer who becomes aware of possible sexual misconduct shall immediately report the conduct or behavior to an administrator or the Title IX Coordinator in writing. Alleged sexual misconduct that may constitute a crime or child abuse shall be immediately reported to law enforcement or child protective services in accordance with the law. The District shall conduct its own investigation as required by law.

All complaints, written or verbal, about conduct or behavior that may constitute sexual harassment or sexual misconduct shall be promptly investigated. Complaints and investigations alleging violations of this policy shall be addressed through the District’s Title IX Grievance Procedures.

Any District employee who is determined, after an investigation, to have engaged in sexual misconduct will be subject to disciplinary action up to and including discharge. Any person who knowingly makes false accusation regarding sexual misconduct will likewise be subject to disciplinary action, up to and including termination of employment. An employee who knowingly condoned sexual misconduct, failed to assist a target or victim of sexual misconduct, knew of sexual misconduct but failed to report, or interfered with an investigation is also subject to discipline, up to and including termination of employment.

In accordance with Montana law, the Board of Trustees may report a certified employee found to have engaged in sexual misconduct to the Board of Public Education, which may revoke the certified employee’s license.

Retaliation against persons who file a complaint or participate in an investigation of a complaint under this policy is prohibited and will lead to disciplinary action against an offender, up to and including termination of employment. Retaliation is any significant adverse action that may dissuade a reasonable person from reporting a violation of this policy or participating in an investigation or proceeding to enforce this policy.

A written record will be kept of each reported incident, including the written report, investigation, findings, referrals to other entities, and disciplinary and/or remedial action taken. Reference to a substantiated finding of sexual misconduct may be placed in the personnel record of the employee or volunteer who is the subject of the complaint at the discretion of the supervisor.

### *Prohibition on Aiding Sexual Abuse*

The district prohibits any employee, trustee, officers, contractor or agent from assisting a current or former school employee, contractor or agent in obtaining new employment if the individual or district knows or has probable cause to believe that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or a student in violation of the law. This prohibition does not include the routine transmission of administrative and personnel files.

This prohibition does not apply under the following conditions:

1. The information giving rise to probable cause has been reported to state and/or federal law enforcement authorities with jurisdiction over the alleged violation and it has been officially closed or the school officials have been notified by the prosecutor or police after an investigation that there is insufficient information to establish probable cause that the individual committed or attempted, solicited, or conspired to commit the criminal act in violation of state and/or federal criminal law involving a minor or student, or;
2. The information giving rise to probable cause has been reported to law enforcement with jurisdiction and the individual has been acquitted or otherwise cleared of the alleged misconduct, or;
3. The information giving rise to probable cause has been reported to law enforcement with jurisdiction and the case remains open without charges for more than 4 years after the information was reported to a law enforcement agency.

Cross Reference: Board Policy 5012

Legal Reference: ESSA section 8038, § 8546  
Title IX, 20 U.S.C. 1681 *et seq.*  
Montana Human Rights Act, Mont. Code Ann., MCA § 49-2-301 *et seq.*  
Montana Governmental Code of Fair Practices, MCA §§ 49-3-101 *et seq.*  
MCA § 20-4-110  
MCA §45-501, *et seq.*  
MCA §41-3-101 *et seq.*  
Senate Bill 132

Policy History:

Adopted on: 12-9-19

Revised on:



Work Day

***Length of Work Day – Certified Staff***

The current collective bargaining agreement sets forth conditions pertaining to the certified workday, preparation periods, lunches, etc. Arrival time shall generally be as directed by the principal or as stipulated in the Agreement.

***Length of Work Day – Classified Staff***

The length of a workday for classified staff is governed by the number of hours for which the employee is assigned. A “full time” employee shall be considered to be an eight (8) hour-per-day/forty (40) hour-per-week employee. The workday is exclusive of lunch, but inclusive of breaks, unless otherwise and specifically provided for by an individual contract. Supervisors will establish schedules. Normal office hours in the District will be 8:00 a.m. to 4:00 p.m.

Legal Reference:	29 U.S.C § 201 to 219	Fair Labor Standards Act of 1985
	29 CFR 516, et seq.	FLSA Regulations
	§ 39-3-405 MCA	Overtime Compensation
	§ 39-4-107, MCA	State and municipal governments, school districts, mines, mills and smelters
	10.65.103(2), ARM	Program of Approved Pupil Instruction Related Days
	24.16.102, et seq., ARM	Wages and Hours

Policy History:

Adopted on:7-24-17

Revised on:

Evaluation of Non-Administrative Staff

Each non-administrative staff member's job performance will be evaluated by the staff member's direct supervisor. The evaluation process includes scheduled annual evaluations using forms developed by the District and applicable to the job classification and description, and day-to-day appraisals.

Certified and/or classified staff members may be evaluated according to the terms stated in the current collective bargaining agreement, if applicable.

The supervisor will provide a copy of the completed evaluation to the staff member and will provide opportunity to discuss the evaluation. The original should be signed by the staff member and filed with the Superintendent. If the staff member refuses to sign the evaluation, the supervisor should note the refusal and submit the evaluation to the Superintendent.

Policy History:  
Adopted on: 7-24-17  
Revised on:

Personal Conduct

Employees are expected to maintain high standards of honesty, integrity and impartiality in the conduct of District business.

In accordance with state law, an employee should not dispense or utilize any information gained from employment with the District, accept gifts or benefits, or participate in business enterprises or employment that creates a conflict of interest with the faithful and impartial discharge of the employee's District duties. A District employee, before acting in a manner that might impinge on any fiduciary duty, may disclose the nature of the private interest that would create a conflict. Care should be taken to avoid using or avoid the appearance of using official positions and confidential information for personal advantage or gain.

Further, employees are expected to hold confidential all information deemed not to be for public consumption as determined by state law, Federal law and Board policy. Employees also will respect the confidentiality of people served in the course of an employee's duties and use information gained in a responsible manner. The Board may discipline, up to and including discharge, any employee who discloses confidential and/or private information learned during the course of the employee's duties. Discretion should be used even within the school system's own network of communication.

Administrators and supervisors may set forth specific rules and regulations governing staff conduct.

Cross Reference:                      Staff Handbooks

Legal Reference:                      § 20-1-201, MCA                      School officers not to act as agents

Policy History:  
Adopted on: 7-24-17  
Revised on

Political Activity - Staff Participation

The Board recognizes its individual employees' rights of citizenship, including, but not limited to, engaging in political activities. An employee of the District may seek an elective office, provided that the staff member does not campaign on school property during working hours, and provided all other legal requirements are met. The District assumes no obligation beyond making such opportunities available. In the event the staff member is elected to office, the employee is entitled to take a leave of absence without pay in accordance with the provisions of § 2-18-620, MCA.

No person may attempt to coerce, command or require a public employee to support or oppose any political committee, the nomination or election of any person to public office or the passage of a ballot issue.

No District employee may solicit support for, or opposition to, any political committee, the nomination or election of any person to public office or the passage of a ballot issue while on the job or at his place of employment. However, nothing in this section is intended to restrict the right of a District employee to express his or her personal political views.

Legal Reference:

5 U.S.C § 7321, et seq.  
§ 2-18-620, MCA

§13-35-226, MCA

Hatch Act

Mandatory leave of absence of public employees attending training camp or similar training program

Unlawful acts of employers and employees

Policy History:

Adopted on: 7-24-17

Revised on:

Tobacco, Alcohol and Drug-Free Workplace

All District workplaces are tobacco-, drug- and alcohol free. All employees are prohibited from:

- Smoking or otherwise using a tobacco product, vapor product, or alternative nicotine product (tobacco includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, or any other tobacco or nicotine innovation) while on District property or while performing work for the District;
- Unlawfully manufacturing, dispensing, distributing, possessing, using or being under the influence of a controlled substance while on District premises or while performing work for the District; and
- Distributing, consuming, using, possessing or being under the influence of alcohol while on District premises or while performing work for the District.

Nothing herein prohibits an employee from using a smoking cessation product on school property. Upon prior notice and approval by a building administrator, a teacher or other employee may possess a tobacco product, vapor product, or alternative nicotine product in a classroom or otherwise on school property as part of a lecture, demonstration, or educational forum concerning the risks associated with the use of a tobacco product, vapor product, or alternative nicotine product.

For purposes of this policy, a controlled substance is one that is not legally attainable, being used in a manner other than as prescribed, legally obtainable but has not been legally obtained or referenced in federal or state controlled-substance acts. For purposes of this policy, a controlled substance includes medical marijuana. Any employee must notify his or her supervisor of his or her conviction under any criminal drug statute, for a violation occurring on District premises or while performing work for the District, no later than five (5) days after such conviction.

In order to make employees aware of dangers of drug and alcohol abuse, the District will endeavor to:

- Provide each employee with notice of the District drug- and alcohol-free workplace policy;
- Enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs, to provide information to District employees; and
- Inform employees of available drug and alcohol counseling, rehabilitation, reentry, and any employee-assistance programs.

An employee who violates this policy may be subject to disciplinary action, including termination.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant of \$5,000 or more, the 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 References: 20 U.S.C. § 7101  
41 U.S.C. § 702 *et al.*  
§ 20-1-220, MCA

Safe and Drug Free Schools & Community Act  
Drug Free Workplace Act  
Use of tobacco products in public school  
building or on public school property prohibited

§ 50-46-101 *et al.*, MCA  
10.57.601a, ARM

Montana Medical Marijuana Act  
Definition of Immoral Conduct

Policy History:

Adopted on: 7-24-17

Revised on: 12-9-19

Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

School bus and commercial vehicle drivers shall be subject to a drug and alcohol testing program that fulfills the requirements of the federal law. Other persons who drive vehicles designed to transport sixteen (16) or more passengers, including the driver, are likewise subject to the drug and alcohol testing program. Testing procedures and facilities used for the tests shall conform with the requirements of the Code of Federal Regulations, Title 49, §§ 40, et seq.

*Pre-Employment Testing*

Tests shall be conducted before the first time a driver performs any safety-sensitive function for the District. Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work, until he/she is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing, or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; performing driver requirements related to accidents; and performing any other work for the District or paid work for any entity. Exceptions may be made for drivers who have had the alcohol test required by law within the previous six (6) months and participated in the drug testing program required by law within the previous thirty (30) days, provided that the District has been able to make all verifications required by law.

*Post Accident Testing*

Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable on any driver:

- who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life; or
- who receives a citation under state or local law, for a moving traffic violation arising from the accident where there is bodily injury or vehicle damage.

Drivers shall make themselves readily available for testing, absent the need for immediate medical attention. No such driver shall use alcohol for 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 2 hours or if a drug test is not administered within 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 8 hours after the accident for alcohol or within 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.

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 25% of the average number of driver positions. The number of random drug tests annually must equal 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 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 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 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, and will be subject to discipline up to and including termination. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action up to and including termination. 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 or she has properly followed the prescribed rehabilitation program and shall be subject to unannounced follow-up tests if permitted to return to work.

*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:

- the person designated by the District to answer driver questions about the materials;
- the categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382;
- 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;
- specific information concerning driver conduct that is prohibited by Part 382;

- the circumstances under which a driver will be tested for drugs and/or alcohol under Part 382;
- 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;
- the requirement that a driver submit to drug and alcohol tests administered in accordance with Part 382;
- an explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;
- 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;
- the consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04; and
- 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.

The requirement that the following personal information collected and maintained under this part shall be reported to the Commercial Driver's License Drug and Alcohol Clearinghouse:

1. A verified positive, adulterated, or substituted drug test result;
2. An alcohol confirmation test with a concentration of 0.04 or higher;
3. A refusal to submit to any test required by law;
4. An employer's report of actual knowledge, as defined in law;
5. On duty alcohol use;
6. Pre-duty alcohol use;
7. Alcohol use following an accident;
8. Controlled substance use;
9. A substance abuse professional report of the successful completion of the return-to-duty process;
10. A negative return-to-duty test; and
11. An employer's report of completion of follow-up testing.

Drivers shall also receive information about legal requirements, District policies, and disciplinary consequences related to the use of alcohol and drugs. Each driver shall sign a statement certifying that he/she has received a copy of the above materials. The District shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of his/her employment application. The District shall notify a driver of the results of random, reasonable suspicion, and post-accident drug tests if the test results are verified positive. The District shall also tell the driver which controlled substance(s) were verified as positive. Drivers shall inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Such a substance may be used only if the physician has advised the driver that it will not adversely affect his/her ability to safely operate a commercial motor vehicle.

*Clearinghouse*

The District will comply with the requirements of the Commercial Driver's License Drug and Alcohol Clearinghouse. The District and transportation service providers are called upon to report DOT drug and alcohol testing program violations to the Clearinghouse. Drivers must be notified that any information subject to disclosure will be submitted to the Clearinghouse in accordance with this policy and applicable regulations.

Legal Reference: 49 USC § 31306 Alcohol and Controlled Substances Testing  
49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs), 382 (Controlled substance and alcohol use and testing), and 395 (Hours of service of drivers)

Policy History:

Adopted on: 7-24-17

Revised on: 8-16-21

PERSONNEL

5231

Personnel Records

The District maintains a complete personnel record for every current and former employee. The employees' personnel records will be maintained in the District's administrative office, under the Superintendent's direct supervision. Employees will be given access to their personnel records, in accordance with procedures developed by the Superintendent.

In addition to the Superintendent or other designees, the Board may grant a committee or a member of the Board access to cumulative personnel files. Counsel retained by the District or by the employee will also have access to a cumulative personnel file.

In accordance with federal law, the District shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon request, for any teacher or paraprofessional who is employed by a school receiving Title I funds, and who provides instruction to their child at that school.

Personnel records must be kept for 10 years after termination.

Cross Reference: Administrative Procedures

Legal Reference:	Admin. R. Mont. 10.55.701(5)	Board of Trustees
	§ 2-6-1001 <i>et al</i> , MCA	Public Records
	Public Law 114-95	Every Student Succeeds Act
	§ 20-1-212(2), MCA	Destruction of records by school officer

Policy History

Adopted on: 7-24-17

Revised on:

Abused and Neglected Child Reporting

A District employee who has reasonable cause to suspect that a student may be an abused or neglected child shall report such a case to the Montana Department of Public Health and Human Services and notify the Superintendent or principal that a report has been made. An employee does not discharge the obligation to personally report by notifying the Superintendent or principal.

Any District employee who fails to report a suspected case of abuse or neglect to the Department of Public Health and Human Services, or who prevents another person from doing so, may be civilly liable for damages proximately caused by such failure or prevention and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination.

When a District employee makes a report, the DPHHS may share information with that individual or others as stated in 41-3-201(5). Individuals who receive information pursuant to the above named subsection (5) shall maintain the confidentiality of the information as required in 41-3-205.

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

Policy History

Adopted on: 7-24-17

Revised on:

Non-Renewal of Employment/Dismissal from Employment

The non-renewal or termination of certificated and classified staff shall be determined by the Board after receiving the recommendation of the Superintendent in conformity with state statutes and applicable District policy.

Cross Reference:        5140    Classified Employment and Assignment

Legal Reference:	20-4-204, MCA	Termination of tenure teacher services
	20-4-206, MCA	Notification of nontenure teacher reelection - acceptance - termination.
	20-4-207, MCA	Dismissal of teacher under contract

Policy History:

Adopted on: 7-24-17

Revised on:

Resignations

The Board authorizes the Superintendent and/or building level administrator to accept on its behalf resignations from any school district employee. The Superintendent shall provide written acceptance of the resignation, including the date of acceptance, to the employee setting forth the effective date of the resignation.

Once the Superintendent and/or building level administrator has accepted the resignation it may not be withdrawn by the employee. The resignation and its acceptance should be reported to the Board at the next regular or special meeting.

Legal Reference: Booth v. Argenbright, 225 M 272, 731 P2d 1318, 44 St. Rep. 227 (1987)

Policy History

Adopted on: 7-24-17

Revised on:

Retirement Programs for Employees

All employees of the District shall participate in the retirement programs under the Federal Social Security Act and either the Teachers' Retirement System or the Public Employees' Retirement System according to state retirement regulations.

Certified employees who intend to retire at the end of the current school year should notify the Superintendent according to the terms of the current collective bargaining agreement.

Those employees intending to retire who are not contractually obligated to complete the school year should notify the Superintendent as early as possible and no less than sixty (60) days prior to their retirement date.

The relevant and most current negotiated agreements for all categories of employees shall specify severance stipends and other retirement conditions and benefits.

Legal Reference:

Title 19, Chapter 1, MCA  
Title 19, Chapter 3, MCA  
Title 19, Chapter 20, MCA

Social Security  
Public Employees' Retirement System  
Teachers' Retirement System

Policy History

Adopted on: 7-24-17

Revised on:



Disciplinary Action

District employees who fail to fulfill their job responsibilities or to follow reasonable directions of their supervisors, or who conduct themselves on or off the job in ways that affect their effectiveness on the job, may be subject to discipline. Behavior, conduct or action that may call for disciplinary action or dismissal includes but is not limited to reasonable job-related grounds based on a failure to satisfactorily perform job duties, disruption of the District's operation or other legitimate reasons.

Discipline will be reasonably appropriate to the circumstance and will include but not be limited to a supervisor's right to reprimand an employee and the Superintendent's right to suspend an employee, with or without pay, or to impose other appropriate disciplinary sanctions. In accordance with Montana law, only the Board may terminate an employee or non-renew employment.

The Superintendent is authorized to immediately suspend a staff member.

Legal Reference:	§ 20-3-210, MCA	Controversy appeals and hearings
	§ 20-3-324, MCA	Powers and duties
	§ 20-4-207, MCA	Dismissal of teacher under contract
	§ 39-2-903, MCA	Definitions
	<i>Johnson v. Columbia Falls Aluminum Company LLC</i> , 2009 MT 108N.	

Policy History:

Adopted on: 7-24-17

Revised on:

Reduction in Force

The Board has the exclusive authority to determine the appropriate number of employees. A reduction of certified employees may occur as a result of, but not be limited to, changes in the education program, staff realignment, changes in the size or nature of the student population, financial situation considerations or other reasons deemed relevant by the Board. The requirements stated in the collective bargaining agreement covering employees in the certified collective bargaining unit and the Board, regarding the reduction in force of such employees, shall be followed.

A reduction of classified employees may occur as a result of, but not be limited to, changes in the education program, staff realignment, changes in the size or nature of the student population, financial situation considerations or other reasons deemed relevant by the Board. The requirements stated in the collective bargaining agreement covering employees in the classified collective bargaining unit and the Board, regarding the reduction in force of such employees, shall be followed.

Legal Reference:                      § 20-4-206(4), MCA      Notification of non-tenure teacher reelection

Policy History:  
Adopted on: 7-24-17  
Revised on:

**PERSONNEL**

**5314**

Substitutes

The Board authorizes the use of substitute teachers as necessary to replace teachers who are temporarily absent. Authorized school personnel shall arrange for the substitute to work for the absent teacher. Under no condition is a teacher to select or arrange for a private substitute.

The Board annually establishes a daily rate of pay for substitute teachers. No fringe benefits are given to substitute teachers.

Substitutes for classified positions will be paid by the hour. When a classified employee is called upon to substitute for a teacher, the teacher sub rate shall apply unless the classified rate of pay is higher.

Legal Reference: 10.55.716, ARM Substitutes

Policy History

Adopted on: 7-24-17

Revised on:

Leave of Absence

The District provides leave to its employees pursuant to Montana law, collective bargaining agreements and individual contracts. Those employees in paid leave status continue to accrue seniority and are eligible for District benefits. Employees in unpaid leave status do not accrue seniority and may not be eligible for benefits through the District.

***Sick Leave and Bereavement Leave***

Certified employees will be granted sick leave according to terms of the collective bargaining agreement and/or individual contracts. Administrators shall be granted sick leave pursuant to the terms of their individual contracts. Classified employees shall be granted sick leave pursuant to Montana law governing public employees. Unless otherwise stated by contract, “sick leave” means a leave of absence, with pay, for an illness suffered by an employee or his or her immediate family. Unless otherwise stated by contract, “immediate family” is defined as is stated in the CFEA Agreement. A maximum of three (3) days of accumulated sick leave may be used per year because of death in the immediate family. Bereavement leave longer than five (5) days must be approved by the Board of Trustees.

If the District has established, either through collective bargaining or through policy, a sick leave fund, employees may contribute any portion of the employee's accumulated sick leave or accumulated vacation leave to a nonrefundable sick leave fund and become eligible to draw upon the fund pursuant to the rules established for the fund.

***Personal and Emergency Leave - Leave Without Pay***

Certified employees will be granted personal and emergency leave according to the terms of the current collective bargaining agreement (CBA). Administrators will be granted personal and emergency leave pursuant to the terms of their individual contracts, or at the discretion of the Board. Classified staff will be granted personal and emergency leave according to the terms of the current CBA, or if not covered by a CBA, they may be granted personal and emergency leave under the following circumstances:

- Personal and emergency leave is without pay unless otherwise stated;
- Leave will only be granted in units of half or full hours;
- Notice of at least one week is required for any personal leave of less than one (1) week. Notice of at least one (1) month is required for any personal leave exceeding one (1) week; and
- The Superintendent, with the approval of the Board, has the authority to grant leave without pay for other occasions in his/her sole discretion. During any personal leave of greater than fifteen (15) days, the employee will not receive fringe benefits. During the leave, the employee may pay the District's portion of any insurance benefit program in order to maintain those benefits, provided such is acceptable to the insurance carrier. Staff using personal leave shall not earn any sick or annual leave credit or any other benefit during the approved leave.

***Civic Duties Leave***

Employees shall be granted leave for service on a jury, in the Legislature or in response to a subpoena in accordance with state law. The District will notify employees of any reimbursement requirements in the board policies or employee handbook.

***Military Leave***

Employees shall be granted leave for service in the military in accordance with state and federal law. The District will comply with all federal regulations regarding the employee's return to service following military leave.

***Outside Employment (Including Firefighting)***

Employees will not accept employment outside of the Columbia Falls School District that constitutes a conflict of interest, interferes with the efficient performance of duties outlined in their respective job descriptions, interferes with the employee's normal working hours, or involves duties which the employee should perform as part of his or her employment. Employees performing outside consultant work or any types of work not job related during normal working hours will be required to get prior approval from the Superintendent and must utilize annual leave.

***Vacation Leave***

Administrators will be granted vacation leave pursuant to the terms of their individual contracts and Montana law. Classified employees will be granted vacation leave pursuant to Montana law. The District, in its sole discretion and/or subject to the terms of the collective bargaining agreement, may provide cash compensation for unused vacation leave in lieu of the accumulation of vacation leave.

***Absence without Leave (AWOL)***

An employee shall contact his/her immediate supervisor by the quickest means possible when he or she is going to be late or absent from the assigned job responsibilities. Any unapproved absence constitutes grounds for disciplinary action. An employee accumulating any unapproved absence time, whether consecutive or cumulative, shall be automatically suspended pending recommendation for termination.

Certified staff must provide substantiated emergency reason for leave and present those reasons to the Superintendent within twenty four (24) hours of the return to duty. The Superintendent may excuse absences without leave only for life threatening illness, injury or bereavement in the immediate family. If absent without leave is not requested within twenty four (24) hours of the return to duty, the leave will constitute a violation of Board policy and the employee will be recommended for termination.

Classified staff will comply with the terms stated in the current collective bargaining agreement regarding absences without leave.

Legal References:	§ 2-18-601, MCA	Definitions
	§ 2-18-611, MCA	Annual vacation leave
	§ 2-18-617, MCA	Accumulation of leave -- cash for unused – transfer
	§ 2-18-618, MCA	Sick Leave

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§ 2-18-619, MCA	Jury duty – service as witness
§ 2-18-620, MCA	Mandatory leave for employees holding public office – return requirements
2.21.222, ARM	Calculating Annual Vacation Leave Credits

Policy History:

Adopted on: 7-24-17

Revised on:

Breastfeeding in the 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. Supervisors are encouraged to consider flexible schedules when accommodating employee's needs.

The school will provide reasonable accommodations for students and staff on the school campus to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. Employees and students shall be provided the use of a clean, comfortable space or "Lactation Area." A toilet shall not serve as the lactation area.

The Lactation Area will:

- be shielded from view and free from intrusion from the public, students, and other staff;
- be equipped with an electrical outlet;
- have access to a place to store expressed breast milk safely;
- be in close proximity to the employee's work area, if possible;
- contain comfortable seating.

Legal References:	§ 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
	§ 50-19-501, MCA	Nursing mother and infant protection
	37.111.811(1)(g) ARM	Physical Requirements

Cross References:	Policy 1085	Uniform Grievance Procedure
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Policy History

Adopted on: 7-24-17

Revised on: 8-16-21

Family Medical Leave

In accordance with provisions of the Family Medical Leave Act of 1993 (FMLA), a leave of absence of up to twelve (12) weeks during a twelve (12) month period may be granted to an eligible employee for the following reasons: 1) birth of a child; 2) placement of a child for adoption or foster care; 3) a serious health condition which makes the employee unable to perform functions of the job; 4) to care for the employee's spouse, child or parent with a serious health condition; 5) because of a qualifying exigency (as the Secretary shall, by regulation, determine) arising out of the fact that the spouse or a son, daughter or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

Subject to Section 103 of the FMLA of 1993, as amended, an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member shall be entitled to a total of twenty-six (26) workweeks of leave during a twelve (12) month period to care for the service member. The leave described in this paragraph shall only be available during a single twelve (12) month period.

An employee is eligible to take FMLA leave, if the employee has been employed for at least twelve (12) months and has worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) months immediately prior to the date leave is requested, and there have been at least fifty (50) District employees within seventy-five (75) miles for each working day during twenty (20) or more workweeks in the current or preceding calendar year.

The Board has determined that the twelve (12) month period during which an employee may take FMLA leave is measured forward from the first date an employee takes FMLA leave. Employees will be required to use appropriate paid leave while on FMLA leave. Workers' compensation absences will be designated FMLA leave. The Superintendent has discretion to require medical certification to determine initial or continued eligibility under FMLA as well as fitness for duty.

Legal Reference:	29 U.S.C § 2601, <i>et seq.</i>	Family and Medical Leave Act of 1993
	29 C.F.R. Part 825,	Family and Medical Leave Regulations
	§§2-18-601, <i>et seq.</i> , MCA	Leave Time
	§§49-2-301, <i>et seq.</i> , MCA	Prohibited Discriminatory Practices
	Section 585 – National Defense Authorization Act for FY 2008,	
	Public Law [110-181]	

Policy History

Adopted on: 7-24-17

Reviewed on:



Insurance Benefits for Employees

Newly hired employees will be eligible for insurance benefits offered by the District for the particular bargaining unit to which the employee belongs. Employees not covered by a negotiated agreement are eligible for health insurance benefits, with the exceptions noted below:

- Employees who are less than full time (that is, who are regularly scheduled to work less than 30 hours per week) will be eligible for group health and life insurance, and will be considered a member of the defined employee insurance benefit groups, but will receive a pro-rated contribution from the District.
- Any permanent employee who works 30 hours per week or more is eligible for group health and life insurance. District contributions for medical insurance premiums shall be established by the contracts with employees who are not members of a bargaining unit. Life insurance benefits shall be determined by the Board.
- An employee who does not work during the summer, but who has been employed during the previous academic year, shall be eligible at the employee's election to continue group health and life insurance coverages during the summer months.

If an eligible employee wishes to discontinue or change health insurance coverage, it is incumbent upon the employee to initiate the action by contacting the personnel office and completing the appropriate forms. A medical examination at the expense of the employee may be required if the employee elects to join the District health insurance program after initially refusing coverage during the initial enrollment period, the employee and their dependents cannot enroll until the next group open enrollment period unless they qualify for a special enrollment period.

Legal Reference:	§ 2-18-702, MCA	Group insurance for public employees and officers
	§ 2-18-703, MCA	Contributions

Policy History:

Adopted on: 7-24-17

Revised on:

Vacations for Classified Employees

All classified employees, except those in a temporary status, serving more than six (6) months, are eligible to earn vacation leave credits retroactive to the date of employment. Leave credits may not be advanced nor may leave be taken retroactively. A seasonal employee's accrued vacation leave credits may be carried over to the next season, if management has a continuing need for the employee, or paid out as a lump-sum payment to the employee when the season ends (generally in June). The employee may request a lump-sum payment at the end of each season.

Vacation is earned according to the following schedule:

***Rate-Earned Schedule***

<u>Years of Employment</u>	<u>Working Days Credit per Year</u>
1 day to 10 years	15
10 years and 1 day through 15 years	18
15 years and 1 day through 20 years	21
20 years and 1 day or more	24

Time as an elected state, county, or city official, as a school teacher, or as an independent contractor, does not count toward the rate earned. For purposes of this paragraph, an employee of the District or the university system is eligible to have school district or university employment time count toward the rate-earned schedule, if that employee was eligible for annual leave in the position held with the school district or university system.

***Maximum Accrual of Vacation Leave***

All full-time and part-time employees serving in permanent and seasonal positions may accumulate two (2) times the total number of annual leave credits they are eligible to earn per year, according to the rate-earned schedule.

***Annual Pay-Out***

The District may, in its sole discretion and/or subject to the terms of a collective bargaining agreement, provide cash compensation 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

Policy History:

Adopted on: 7-24-17

Revised on:

Compensatory Time and Overtime for Classified Employees

Non-exempt classified employees who work more than forty (40) hours in a given work week may receive overtime pay of one and one-half (1 ½) 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 (1 ½) times all hours worked in excess of forty (40) hours in any work week. 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.

Legal Reference:

29 U.S.C § 201, et seq.

Fair Standards Act

Policy History:

Adopted on: 7-24-17

Revised on:

Employee Electronic Mail and On-Line Services Usage

Electronic mail (“email”) is an electronic message that is transmitted between two (2) or more computers or electronic terminals. Email includes all electronic messages that are transmitted through a local, regional or global computer network.

Because of the unique nature of email/Internet, and because the District desires to protect its interest with regard to its electronic records, the following rules have been established to address email/Internet usage by all employees:

The District email and Internet systems are intended to be used for educational purposes only, and employees should have no expectation of privacy when using the email or Internet systems for any purpose. Employees have no expectation of privacy in district-owned technology equipment, including but not limited to district-owned desktops, laptops, memory storage devices and cell phones.

Users of District email and Internet systems are responsible for their appropriate use. All illegal and improper uses of the email and Internet system, including but not limited to extreme network etiquette violations including mail that degrades or demeans other individuals, pornography, obscenity, harassment, solicitation, gambling and violating copyright or intellectual property rights, are prohibited. Abuse of the email or Internet systems through excessive personal use, or use in violation of the law or District policies, will result in disciplinary action, up to and including termination of employment.

All email/Internet records are considered District records and should be transmitted only to individuals who have a need to receive them. If the sender of an email or Internet message does not intend for the email or Internet message to be forwarded, the sender should clearly mark the message “Do Not Forward.”

In order to keep District email and Internet systems secure, users may not leave the terminal “signed on” when unattended and may not leave their password available in an obvious place near the terminal or share their password with anyone. The District reserves the right to bypass individual passwords at any time and to monitor the use of such systems by employees.

Additionally, District records and email/Internet records are subject to disclosure to law enforcement or government officials or to other third parties through subpoena or other process.

Consequently, the District retains the right to access stored records in cases where there is reasonable cause to expect wrongdoing or misuse of the system and to review, store and disclose all information sent over the District email 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 email/Internet messages may not necessarily reflect the views of the District.

Except as provided herein, District employees are prohibited from accessing another employee's email without the expressed consent of the employee. All District employees should be aware that email messages can be retrieved, even if they have been deleted, and that statements made in email communications can form the basis of various legal claims against the individual author or the District.

Email 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 email and Internet communications may be monitored.

Policy History:  
Adopted on: 7-24-17  
Revised on:

Electronic Resources and Social Networking

The District recognizes that an effective public education system develops students who are globally aware, civically engaged and capable of managing their lives and careers. The District also believes that students need to be proficient users of information, media and technology to succeed in a digital world. Therefore, the District will use electronic resources as a powerful and compelling means for students to learn core subjects and applied skills in relevant and rigorous ways. The District intends to teach technology use that reflects and anticipates its application in workplaces and other real-life settings. The appropriate use of the District's technology will enable educators and students to communicate, learn, share, collaborate and create; to analyze and solve problems; to manage their work and to take ownership of their lives.

Because the use of technology as a communication tool presents a relatively new frontier in public education, the District reminds all staff to review the *Professional Educators of Montana Code of Ethics*. This Code, set forth by the Montana Department of Education, serves as a statement of the requirements for maintaining a professional relationship with each student, both in and outside the classroom. Staff is cautioned that the same relationship, exchange, interaction, information or behavior that would be unacceptable in a non-technological medium is equally unacceptable when brought about through the use of technology. In fact, staff should exercise extra caution when communicating through social media because of the potential for vastly increased dissemination, as well as the negative impacts on the learning environment and educational process brought about by communication indiscretions.

The District realizes that a certain degree of real-life connections and interactivity occurs between staff and students within an educational or living community. To provide an appropriate forum, the Board permits the following:

- The creation of administratively approved and sanctioned "groups" on social networking sites that allow the broadcast of information without granting students access to staff members' personal information; and
- The acceptance of student solicitations to be 'friends' or contacts on social networking sites.

Since staff misuse of social media could be a source of major disruption to the educational environment, indiscretions could potentially lead to disciplinary action being taken against the staff member, up to and including termination or nonrenewal of contract of employment. In order to help define the parameters of conduct, the following activities are expressly forbidden:

- Emailing students other than through and to school controlled and monitored accounts;
- Soliciting students as 'friends' or contacts on social networking sites; and

Sharing information with students that would allow access to personal websites or other media, through which the staff member would post personal information or narrative, may subject the staff member to disciplinary consequences if the personal information or narrative is not appropriate given the professional relationship between a staff member and student.

Accessing social networking websites via district or personal technology equipment for individual use during school hours is prohibited, unless requested by administration or accessed during an employee's authorized break time (lunch for certified staff; lunch or other authorized breaks for classified staff). Use of District equipment under any circumstances must be appropriate, and the District retains the right to inspect all use of its equipment. The posting of any private or confidential school district material on social networking websites is strictly prohibited.

The Board directs the Superintendent or his/her designee to create safe and secure electronic educational systems that support innovative teaching and learning, to provide appropriate staff development opportunities and to develop procedures to support this policy.

Cross Reference:           5013           Bullying/Harassment/Intimidation  
                                  5223           Personal Conduct  
                                  5255           Disciplinary Action  
                                  *Professional Educators of Montana Code of Ethics*

Legal Reference:

Policy History:  
Adopted on: 7-24-17  
Revised on:



Payment of Wages Upon Termination

When a District employee quits, is laid off or is discharged, wages owed will be paid on the next regular pay day for the pay period in which the employee left employment or within fifteen (15) days from the date of separation of employment, whichever occurs first.

In the case of an employee discharged for allegations of theft connected to the employee's work, the District may withhold the value of the theft, provided:

- The employee agrees in writing to the withholding; or
- The District files a report of the theft with law enforcement within seven (7) business days of separation.

If no charges are filed within thirty (30) days of the filing of a report with law enforcement, wages are due within a thirty (30) day period.

Legal Reference:

§ 39-3-205, MCA

Payment of wages when employee separated from employment prior to payday – exceptions

Policy History:

Adopted on: 7-24-17

Revised on:

**PERSONNEL**

5700

Conflicts of Interest

Employees shall refrain from any activity that can be reasonably seen as creating a conflict of interest with their duties and responsibilities as employees of the District.

The following conduct is specifically prohibited:

- Using public time, facilities, equipment, supplies, personnel, or funds for the employee's private business purposes;
- Engaging in a substantial financial transaction for the employee's private business purposes with a person whom the employee inspects or supervises in the course of official duties;
- Assisting any person for a fee or other compensation in obtaining a contract, claim, license, or other economic benefit from the District;
- Assisting any person for a contingent fee in obtaining a contract, claim, license, or other economic benefit from the District;
- Performing an official act directly and substantially affecting to its economic benefit a business or other undertaking in which the employee either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent;
- Performing an official act directly and substantially affecting a business or undertaking to its economic detriment a business or other undertaking in which the employee has a substantial personal interest in a competing firm or undertaking;
- Soliciting or accepting employment, or engaging in negotiations or meetings to consider employment, with a person whom the employee regulates in the course of official duties without first giving written notification to the employee's supervisor and Superintendent.
- Chaperones receiving compensation for large group travel will be excluded from this policy.

Employees who violate this policy will be subject to disciplinary action, up to and including termination from employment.

Cross Reference:

Legal Reference:      § 2-2-121, MCA      Rules of conduct for public officers and public employees

Policy History:

Adopted on: 12/9/19

Revised on:

# **COLUMBIA FALLS SCHOOL DISTRICT**

## **ADMINISTRATION**

### **6000 SERIES**

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Superintendent

***Duties and Authorities***

The Superintendent is the District's executive officer and is responsible for the administration and management of the District schools, in accordance with Board policies and directives and state and federal law. The Superintendent is authorized to develop administrative procedures to implement Board policy and to delegate duties and responsibilities. Delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action that was delegated.

***Qualifications and Appointment***

The Superintendent shall have the experience and the skills necessary to work effectively with the Board, District employees, students and the community. The Superintendent shall have a valid administrative certificate and superintendent's endorsement issued by the State Certification Board.

When the office of the Superintendent becomes vacant, the Board will conduct a search to find the most capable person for the position.

***Evaluation***

The Board will evaluate, at least annually, the performance of the Superintendent, using standards and objectives developed by the Superintendent and Board, which are consistent with the District's strategic plan. A specific time shall be designated for a formal evaluation session. The evaluation should include a discussion of professional strengths, as well as performance areas needing improvement.

***Compensation and Benefits***

The Board and the Superintendent shall enter into a contract that shall govern the employment relationship between the Board and the Superintendent.

Legal Reference:

§ 20-4-402, MCA

Duties of district superintendent or county high school principal

Policy History:

Adopted on: 7-24-17

Revised on:

## ADMINISTRATION

Superintendent

The Board shall:		The Superintendent shall:
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 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.

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**ADMINISTRATION**

**6110P**  
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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 ad hoc citizen 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 all criticisms, complaints and suggestions called to its attention to the Superintendent.		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.

Policy History:

Adopted on: 7-24-17

Revised on:

**ADMINISTRATION**

**6121**

District Organization

The Superintendent shall develop an organizational chart indicating the channels of authority and reporting relationships for school personnel. These channels should be followed and no level should be bypassed, except in unusual circumstances.

All personnel should refer matters requiring administrative action to the responsible administrator, and may appeal a decision to a higher administrative officer. Whenever possible, each employee should be primarily responsible to only one immediate supervisor. When this is not possible, the division of responsibility must be clear.

If the Superintendent, building principal or other administrator is temporarily absent, the succession of authority and responsibility of the respective office shall follow administrative procedure.

Legal Reference:

Cross Reference: Administrative Procedure

Policy History:

Adopted on: 7-24-17

Revised on:

Duties and Qualifications of Administrative Staff Other Than Superintendent

***Duty and Authority***

As authorized by the Superintendent, administrative staff shall have full responsibility for the day-to-day administration of the area to which they are assigned. Administrative staff are governed by the policies of the District and are responsible for implementing the administrative procedures that relate to their assigned responsibilities.

Each administrator's duties and responsibilities shall be listed in the job description for that position.

***Qualifications***

All administrative personnel shall have a valid administrator's certificate and appropriate endorsements issued by the State Certification Board, or other qualifications as specified in the position's job description.

***Administrative Work Year***

The administrators' work year shall be the same as the District's fiscal year, unless otherwise stated in the employment contract.

***Compensation and Benefits***

The administrators shall receive compensation and benefits as stated in the employment contract.

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

Policy History:

Adopted on:7-24-17

Revised on:



Principals

Principals are the chief administrators of their assigned buildings. 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 and their ability to maintain a positive learning environment.

Legal Reference:

§ 20-4-403, MCA  
10.55.701, ARM

Powers and duties of principal  
Board of Trustees

Policy History:

Adopted on: 7-24-17

Revised on:

ADMINISTRATION

6410

Evaluation of Administrative Staff

Each administrator shall be evaluated annually to provide guidance and direction to the administrator in the performance of his/her assignment. Such evaluation shall be based on the job description, accomplishment of annual goals and performance objectives, and established evaluative criteria.

The Superintendent shall establish procedures for the conduct of these evaluations. Near the beginning of the school year, the Superintendent shall inform the administrator of the criteria to be used for evaluation purposes, including the adopted goals for the District. Such criteria may include performance statements dealing with leadership; administration and management; school financing; professional preparation; effort toward improvement; interest in students, staff, citizens and programs; and staff evaluation.

Both staff members, when involved in an evaluation conference, shall sign any written reports that are discussed and retain a copy for their records. The person being evaluated shall have the right to submit and attach a written statement to the evaluation within two weeks following the conference.

Cross Reference:	6140	Duties and Qualifications of Administrative Staff Other Than Superintendent
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Legal Reference:	10.55.701, ARM	Board of Trustees
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Policy History:  
Adopted on: 7-24-17  
Revised on:

## **Columbia Falls School District**

### **ADMINISTRATION**

**6420**

#### Professional Growth and Development

The Board recognizes that training and study for administrators contribute to skill development necessary to better serve the needs of the District. Each year the Superintendent should develop an administrative in-service program based upon the needs of the District, as well as the needs of individual administrators.

Administrative staff are encouraged to be members of and participate in professional associations which have as their purposes the upgrading of school administration and the continued improvement of education in general.

Legal Reference:                      § 20-1-304, MCA              Pupil-instruction-related day

Policy History:  
Adopted on: 7-24-17  
Revised on:

# **COLUMBIA FALLS SCHOOL DISTRICT**

## **FINANCIAL MANAGEMENT**

### **7000 SERIES**

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## **Columbia Falls School District**

### **FINANCIAL MANAGEMENT**

**7110**

#### Fiscal and Business Management

The Superintendent is responsible for the District's fiscal and business management. To that end, the Superintendent, in conjunction with the Clerk, shall prepare a budget that supports immediate and long-range goals and established priorities within all areas, i.e., instructional, non-instructional and administrative programs. The community shall have the opportunity to comment on this budget to the Board prior to final adoption by the Board.

#### ***Budget Year, Adoption, and Amendments***

The District's fiscal year is from July 1 until June 30. Prior to presentation of the proposed budget for adoption, the Superintendent and the Clerk shall prepare recommendations for the Board's consideration, with supporting documentation when necessary. This budget shall represent the culmination of an ongoing process of planning for the fiscal support needed for the District's educational programs. Upon adoption by the Board, the budget shall be forwarded to the County Superintendent as provided by law.

The Board may transfer money between funds as provided by law. In addition, the Board, by resolution, may determine that a budget amendment is necessary and shall proceed to amend the budget pursuant to law.

#### ***Budget Implementation***

The Superintendent shall implement the District's budget and provide the Board with a monthly financial report. The amount budgeted as the expenditure in each fund is the maximum amount that may be expended for that category, except when a transfer of funds is authorized by the Board. All purchasing shall be handled pursuant to Board policy and any administrative regulations.

#### Legal References:

§ 20-9-115, MCA  
§ 20-9-131, MCA  
§ 20-9-133, MCA  
  
§ 20-9-162, MCA  
§ 20-9-163, MCA

Notice of final budget meeting  
Final budget meeting  
Adoption and expenditure limitations of  
final budget  
Authorization for budget amendment adoption  
Resolution for budget amendment

#### Policy History

Adopted on: 7-24-17

Revised on:

## **Columbia Falls School District**

### **FINANCIAL MANAGEMENT**

**7210**

#### Revenues and Investments

The Superintendent is responsible for making all claims for property tax revenue, state aid, special state funds for specific programs, federal funds, and categorical grants when such grants may assist in improving the educational program. The County Treasurer is the depository and custodian of all District funds except as provided by law and by agreement between the County Treasurer and the Board.

#### ***Investments***

The Board shall either direct the County Superintendent to invest its funds or establish an independent investment account as provided by law. In addition, the Board may choose to participate in an investment pool as provided by law. All decisions regarding the investment of District funds shall be made by the Board, after receiving financial information from the Superintendent and the public has had an opportunity for input.

#### ***Gifts and Endowments***

The Board may accept gifts, endowments, legacies and devises subject to the lawful conditions imposed by the donor. -Acceptance of gifts, endowments, legacies and devises to the District will be carefully considered in terms of their ongoing financial impact to the District. Except where otherwise specified by the donor, the Board may deposit the gift, legacy, devise, or proceeds in any nonbudgeted fund and may thereafter transfer any portion of the gift, legacy, devise, or proceeds to any other fund at the Board's discretion. The Board may transfer any previously donated funds deposited into an endowment fund along with any accumulated interest to any nonbudgeted fund and may spend such funds at the discretion of the Board unless restricted by the donor. In the event the donor has specified or imposed any conditions for the gift, legacy, or devise, the Board shall deposit the gift, legacy, devise, or proceeds into an endowment fund.

The revenue derived should:

1. Enhance student achievement;
2. Assist in maintenance of existing District athletic and activity programs; and
3. Provide scholarships for students participating in athletic, academic, and activity programs, who demonstrate financial need and merit.

Appropriate opportunities for marketing activities include but are not limited to:

1. Fixed signage;
2. Banners;
3. District-level publications;
4. Television and radio broadcasts,
5. Athletic facilities, including stadiums, high school baseball fields, and high school gymnasiums;
6. District-level projects;
7. Expanded usage of facilities beyond traditional uses (i.e., concerts, rallies, etc.);
8. The interior and exterior of a limited number of District buses, if the advertising is associated with student art selected by the District. The only advertising information allowed will note sponsorship of the student art by the participant. Maintenance for these buses will include, but not exceed normal maintenance costs;
9. Individual school publications (when not in conflict with current contracts).

Legal References:

§ 20-6-702, MCA  
§ 20-9-235, MCA  
§ 20-9-212, MCA  
§ 20-9-604, MCA

10.10.306, ARM  
10.10.611, ARM  
10.10.625, ARM

Funding for K-12 school districts  
Authorization for school district investment account  
Duties of county treasurer  
Gifts, legacies, devises and administration of  
endowment fund  
Bank Accounts or Other Repositories  
Establishment of Investment Accounts  
Investment Pools

Policy History

Adopted on: 7-24-17

Revised on: 12-9-19, 4-12-21

## **Columbia Falls School District**

### **FINANCIAL MANAGEMENT**

**7310**

#### Budget Implementation and Execution

Once adopted by the Board, the operating budget shall be administered by the Superintendent or his/her designees. All actions of the Superintendent/designees in executing the programs and/or activities delineated in that budget are authorized according to these provisions:

- Expenditure of funds for the employment and assignment of staff shall meet the legal requirements of the State of Montana and adopted Board policies;
- Funds held for contingencies may not be expended without approval from the Board;
- A listing of warrants describing goods and/or services for which payment has been made must be presented for Board ratification each month; and
- Purchases shall be made according to the legal requirements of the State of Montana and adopted Board policy.

Legal Reference:	§ 20-9-213, MCA	Duties of trustees
	§ 20-3-332, MCA	Personal immunity and liability of trustees

#### Policy History:

Adopted on: 7-24-17

Revised on:



Purchasing

***Authorization and Control***

The Superintendent is authorized to direct expenditures and purchases within limits of the detailed annual budget for the school year. The Board must approve purchase of capital outlay items, when the aggregate total of a requisition exceeds Eighty Thousand Dollars (\$80,000). However, the Superintendent shall have the authority to make capital outlay purchases without advance approval when necessary to protect the interests of the District or the health and safety of staff or students. The Superintendent will establish requisition and purchase order procedures to control and maintain proper accounting of expenditure of funds. Staff who obligate the District without proper authorization may be held personally responsible for payment of such obligations.

***Bids and Contracts***

Whenever any building, furnishing, repairing or other work for the benefit of the District or purchasing of supplies for the District is necessary, the work done or the purchase made must be by contract if the sum exceeds Eighty Thousand Dollars (\$80,000). The District will call for formal bids by issuing public notice as specified in statute. Specifications will be prepared and made available to all vendors interested in submitting a bid. The contract shall be awarded to the lowest responsible bidder, except that the Board may reject any or all bids. In making a determination as to which vendor is the lowest responsible bidder, the Board will take into consideration not only the amount of each bid, but will also consider the skill, ability and integrity of a vendor to do faithful, conscientious work and to promptly fulfill the contract according to its letter and spirit. Bidding requirements do not apply to a registered professional engineer, surveyor, real estate appraiser or registered architect; a physician, dentist, pharmacist or other medical, dental or health care provider; an attorney; a consulting actuary; a private investigator licensed by any jurisdiction; a claims adjuster; or an accountant licensed under Title 37, Chapter 50.

Advertisement for bid must be made once each week for two (2) consecutive weeks, and a second (2<sup>nd</sup>) publication must be made not less than five (5) nor more than twelve (12) days before consideration of bids.

The Superintendent/designee will establish bidding and contract-awarding procedures. Bid procedures will be waived only as specified in statute.

***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.

**Columbia Falls School District**

**FINANCIAL MANAGEMENT**

**7320**  
**Page 2 of 2**

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: 7-24-17

Revised on:

## **Columbia Falls School District**

### OPERATIONAL SERVICES

7322

#### Procurement of Supplies, Materials, Equipment and Services Using Federal Funds

Procurement of all supplies, materials, equipment, and services paid for from federal funds or District matching funds shall be made in accordance with all applicable federal, state, and local statutes and/or regulations, the terms and conditions of the federal grant, Board policy, and administrative procedures. Procurement of any supplies, materials, equipment or services not using federal funds shall be subject to Board Policy 7010 and state law.

The Superintendent shall maintain a procurement and contract administration system in accordance with the requirements for the administration and management of Federal grants and Federally-funded programs. The District shall maintain a contract administration system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the District's general purchasing policy.

The District shall take affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

All District employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts.

The District will avoid acquisition of unnecessary or duplicative items and shall give consideration to mechanisms to obtain a more economical purchase (i.e., consolidating or breaking out procurements where permitted under state law). Where appropriate, the District shall conduct an analysis of lease versus purchase alternatives and any other appropriate options to determine the most economical approach.

To foster greater economy and efficiency, the District may engage in cooperative purchasing where appropriate for procurement or use of common or shared goods and services.

#### **Competition**

All procurement transactions paid for from federal funds or District matching funds shall be conducted in a manner that encourages full and open competition and that is in good administrative practice and sound business judgment. To promote these purposes, the District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Further, the District does not use statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals under this policy, unless (1) an applicable federal statute expressly mandates or encourages a geographic preference; or (2) the District is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the District uses a pre-qualified list of persons, firms, or products to acquire goods and services that are subject to this policy, the pre-qualified list shall include a sufficient number of qualified sources as to ensure maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list at any time and they must re-qualify every twenty-four (24) months in accordance with administrative procedures established by the Superintendent.

### **Solicitation Language**

The District shall require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications will be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The Board shall not approve any expenditure for an unauthorized purchase or contract.

### **Procurement Methods**

The District shall utilize the following methods of procurement:

#### *Micro-Purchases*

Purchases of supplies, materials, services, or equipment using federal funds less than \$10,000 shall be "Micro-Purchases." The District is not required to use a formal bidding process for Micro-Purchases, but it shall ensure that purchases are reasonable and equitably distributed among all qualified sources. The District shall maintain all procurement documentation to ensure the cost is less than \$10,000 for a Micro-Purchase.

### *Small Purchases*

Purchases of supplies, materials, services, or equipment using federal funds between \$10,000 and \$80,000 shall be considered "Small Purchases." The District is not required to use a formal bidding process for Small Purchases, but it shall use a competitive process to ensure fairness. For any Small Purchase, the District shall obtain at least two or more price quotes. The District shall maintain all procurement documentation to ensure the cost is less than \$80,000 but more than \$10,000 for a Small Purchase.

### *Sealed Bids*

Sealed bids shall be used when the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price. Sealed, competitive bids shall be obtained when the purchase of, and contract for supplies, materials, or equipment (including construction projects) which exceeds \$80,000 and would utilize federal funds or District matching funds.

1. Bids shall be solicited in accordance with the provisions of state law and board policy. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
2. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
3. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
4. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder.
5. The Board reserves the right to reject any or all bids for sound documented reason.

### *Competitive Proposals*

Procurement by competitive proposal, normally conducted with more than one source submitting an offer, is generally used when conditions are not appropriate for the use of sealed bids.

If this method is used, the following requirements apply:

1. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
2. Proposals shall be solicited from an adequate number of sources.
3. The District shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
4. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered. Price may not be considered where procuring architectural/engineering services; compensation is subject to negotiation of a fair and reasonable fee after selection.

#### *Noncompetitive Proposals*

The District may only solicit a proposal from a sole source when one or more of the following circumstances apply:

1. The item is available only from a single source;
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
3. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; or
4. After solicitation of a number of sources, competition is determined to be inadequate.

#### **Contract/Price Analysis**

The District shall perform a cost or price analysis in connection with every procurement action in excess of \$80,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

#### **Time and Materials Contracts**

The District uses a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. A time and materials type contract is a contract whose cost to the District is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

#### **Suspension and Debarment**

The District will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance; and (4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts.

The District shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the District shall confirm that the vendor is not debarred or suspended by verifying such status.

### **Maintenance of Procurement Records**

The District maintains records sufficient to detail the history of all procurements. These records include, but are not limited to the following: rationale for the method of procurement, selection of contract type, contractor selection, or rejection, and the basis for the contract price (including a cost or price analysis).

Legal References:	§ 18-1-101 et seq., MCA	Public Contracts
	§ 20-9-204, MCA	Conflicts of interest, letting contracts and calling for bids
	2 C.F.R. Part 180	
	2 C.F.R. 200.317	
	2 C.F.R. 200.318	
	2 C.F.R. 200.319	
	2 C.F.R. 200.320	
	2 C.F.R. 200.321	
	2 C.F.R. 200.322	
	2 C.F.R. 200.323	
	2 C.F.R. 200.324	
	2 C.F.R. 200.325	
	2 C.F.R. 200.326	
	48 C.F.R. chapter 1	
Cross References:	Policy 5700	Conflicts of Interest
	Policy 7320	Purchasing

### Policy History:

Adopted on: 12-9-19

Revised on:

## **Columbia Falls School District**

### **FINANCIAL MANAGEMENT**

**7325**

#### Accounting Standards

The Board intends that accounting practices follow state and federal laws and regulations and Generally Accepted Accounting Principles (GAAP). Therefore, the District shall follow a uniform financial accounting system required by state and federal agencies. Determination of liabilities and assets, prioritization of expenditures of governmental funds and provisions for accounting disclosures shall be made in accordance with governmental accounting standards.

Fund balance measures the net financial resources available to finance expenditures of future periods. The District's Unassigned General Fund Balance will be maintained to provide the District with sufficient working capital and a margin for safety to address emergencies without borrowing. The Unassigned General Fund Balance may only be appropriated by resolution of the Board of Trustees.

Fund Balance of the District may be committed for a specific source by formal action of the Board of Trustees. Amendments or modifications to the committed fund balance must also be approved by formal action of the Board of Trustees. Committed fund balance does not lapse at year-end. The formal action required to commit fund balance shall be by board resolution or majority vote.

The Board delegates authority to assign fund balance for a specific purpose to the Clerk of the District.

For purposes of fund balance classification, expenditures are to be spent from restricted fund balance first then unrestricted. Expenditures incurred in the unrestricted fund balances shall be reduced first, from the committed fund balance, then from the assigned fund balance and lastly, the unassigned fund balance.

The Board must annually review and approve this policy.

#### Legal References:

Statement 54  
Governmental Accounting Standards Board (GASB)

#### Policy History:

Adopted on: 7-24-17

Revised on:



## **Columbia Falls School District**

### **FINANCIAL MANAGEMENT**

**7330**

#### Payroll Procedures/Schedules

The District will establish one (1) or more days in each month as fixed paydays for payment of wages in accordance with the current collective bargaining agreement or District practice. Employees may choose to have their salaries paid in full upon the last pay date following completion of their assignments or may annualize their pay. Employees who choose to receive payment of wages beyond the period in which the wages were earned (deferred payment) will be subject to Internal Revenue Service (IRS) penalties unless they provide a written election of such deferral prior to the first duty day of the year of deferral. Forms for such deferral shall be made available. Any change to the election must be made prior to the first duty day of the fiscal year of the deferment.

When a District employee quits, is laid off or is discharged, wages owed will be paid on the next regular pay day for the pay period in which the employee left employment or within fifteen (15) days, whichever occurs first.

Legal Reference:                      Section 409A, Internal Revenue Code, Deferred Compensation

#### Policy History:

Adopted on: 7-24-17

Revised on:

## **Columbia Falls School District**

### **FINANCIAL MANAGEMENT**

**7335**

#### Personal Reimbursements

While it is recommended that all purchases of goods or services be made within established purchasing procedures, there may be an occasional need for an employee to make a purchase for the benefit of the District from personal funds. In that event, an employee will be reimbursed for a personal purchase under the following criteria:

- It is clearly demonstrated that the purchase is of benefit to the District;
- The purchase was made with the prior approval of an authorized administrator;
- The item purchased was not available from resources within the District; and
- The claim for personal reimbursement is properly accounted for and documented with an invoice/receipt.

The District business office will be responsible for the development of the procedures and forms to be used in processing claims for personal reimbursements.

Cross Reference: Administrative Procedure

#### Policy History:

Adopted on: 7-24-17

Revised on:

## **Columbia Falls School District**

### **FINANCIAL MANAGEMENT**

**7336**

#### Travel Allowances and Expenses

Every District employee and trustee will be reimbursed for travel expenses while traveling outside of the District and engaged in official District business. District employees who are not exempted by another policy will be reimbursed according to the current levels established by the Board. All travel expenses must be reported on the established travel expense and voucher forms and approved by the employee's supervisor and the Superintendent or his/her designee.

The District business office will be responsible for the development of procedures and forms to be used in connection with travel expense claims and reimbursements.

Cross Reference: Administrative Procedures

Legal Reference:	§ 2-18-501, MCA	Meals, lodging and transportation of persons in state service
	§ 2-18-502, MCA	Computation of meal allowance
	§ 2-18-503, MCA	Mileage - allowance

#### Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### FINANCIAL MANAGEMENT

7425

#### Extra- and Co-Curricular Funds

The Board is responsible for establishment and management of student extra- and co-curricular funds. The purpose of student extra- and co-curricular funds is to account for revenues and disbursements of those funds raised by students through recognized student body organizations and activities. The funds shall be deposited and expended by check, in a bank account maintained by the District for student extra- and co-curricular funds. The use of the student extra- and co-curricular funds is limited to the benefit of the students. Students will be involved in the decision-making process related to use of the funds.

The Board shall follow the *Student Activity Fund Accounting* (published by the Montana Association of School Business Officials (MASBO)) in establishing accounting procedures for administration of student extra- and co-curricular funds and will appoint a fund administrator.

Specific procedures are available in the Clerk's office.

Legal References:	§ 2-7-503, MCA	Financial reports and audits of local government entities
	§ 20-5-109, MCA	Nonpublic school requirements for compulsory enrollment exemption ( <i>Cited by Senate Bill 157</i> )
	§ 20-9-311, MCA	Calculation of average number belonging (ANB) -- 3-year averaging ( <i>Revised by Senate Bill 72</i> )
	10.10.304, ARM	Student extra-curricular activity funds
	Senate Bill 157	Allow nonpublic students to participate in public school extracurriculars
	Senate Bill 72	Allows non-fulltime enrolled students who participate in extracurricular activities to be counted in the average number belonging calculation.

#### Policy History:

Adopted on: 7-24-17

Revised on: 8-16-21

## **Columbia Falls School District**

### **FINANCIAL MANAGEMENT**

**7430**

#### Financial Reporting and Audits

The Board directs that financial reports of all District funds be prepared in compliance with statutory provisions and generally accepted accounting and financial reporting standards. In addition to reports required for local, state and federal agencies, financial reports will be prepared monthly and annually and presented to the Board. Financial reports shall reflect financial activity and status of District funds.

The Board directs that District audits be conducted in accordance with Montana law. Each audit shall be a comprehensive audit of the affairs of the District and District funds. The audits shall comply with all statutory provisions and generally accepted governmental auditing standards. Each audit may be made every year and cover the immediately preceding fiscal year.

#### ***Inventories***

The Superintendent is responsible for developing and maintaining an inventory of District buildings and capital equipment. The inventory record of equipment shall include such items as a description of each item, the quantity, the location, the date of purchase and the cost or the estimated replacement cost.

#### ***Disposition of District Property***

The Board is authorized to dispose of a site, building or any other real or personal property of the District, pursuant to the specific procedures outlined in Montana law.

Legal References:	§ 20-9-203, MCA	Examination of district accounting records
	§ 20-6-602, MCA	Trustees' power of over property
	§ 20-6-603, MCA	Trustees' authority to acquire or dispose of sites and buildings -- when election required.
	§ 20-6-604, MCA	Sale of property when resolution passed after hearing -- appeal procedure.

#### Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### FINANCIAL MANAGEMENT

7500

#### Property Records

Property and inventory records will be maintained for all land, buildings, and physical property under District control and will be updated annually.

For purposes of this policy, “equipment” means a unit having a significant value of \$5000 or more of furniture or furnishings, an instrument, a machine, an apparatus or a set of articles which retains its shape and appearance with use, is nonexpendable, and does not lose its identity when incorporated into a more complex unit. The Superintendent will ensure inventories of equipment are systematically and accurately recorded and updated annually. Property records of facilities and other fixed assets will be maintained on an ongoing basis. No equipment will be removed for personal or non-school use except in accordance with Board policy.

Property records will show, appropriate to the item recorded, the:

1. Description and identification
2. Manufacturer
3. Date of purchase
4. Initial cost
5. Location
6. Serial number, if available
7. Model number, if available

Equipment may be identified with a permanent tag providing appropriate District and equipment identification.

The District will identify anticipated improvements or projects in any resolution required to pass a permissive levy.

#### Cross References:

Legal Reference:	§ 20-6-602, MCA	Trustees’ power over property
	§ 20-6-608, MCA	Authority and duty of trustees to insure district property
	House Bill 192 MT Facilities Finance Modifications	
	§ 20-9-116, MCA	Resolution of intent to increase non-voted levy – notice ( <i>Revised by House Bill 192</i> )

#### Policy History:

Adopted on: 7-24-17

Revised on: 8-16-21

## Columbia Falls School District

### FINANCIAL MANAGEMENT

7510

#### Capitalization Policy for Fixed Assets

A fixed asset is a property that meets all the following requirements.

- Must be tangible in nature;
- Must have a useful life of longer than the current fiscal year; and
- Must be of significant value.

Fixed assets may be acquired through donation, purchase or may be self-constructed. The asset value for donations will be the fair market value at the time of the donation. The asset value, when purchased, will be the initial cost plus the trade-in value of any old asset given up, plus all costs related to placing the asset into operation. The cost of self-constructed assets will include both the materials used and the cost of labor involved in the construction of the asset.

The following significant values will be used for different classes of assets:

<u>Class of Fixed Asset</u>	<u>Significant Value</u>
Equipment and machinery	\$5,000.00 or more
Improvements - Buildings	\$5,000.00 or more
Improvements other than buildings	\$5,000.00 or more
Land	Any amount

Cross Reference: 7500 Property Records

#### Policy History:

Adopted on: 7-24-17

Revised on:

## **Columbia Falls School District**

### **FINANCIAL MANAGEMENT**

**7530**

#### Procurement of Supplies or Services

The Board adopts the following provisions of the Montana Procurement Act (i.e., 18-4-101, et seq., MCA):

1. 18-4-303, MCA. Competitive sealed bidding: With the exception of construction contracts, allows the District to negotiate an adjustment of the bid price with the lowest responsible bidder in order to bring the bid within the amount of available funds, if, and only if, all bids exceed available funds and the lowest responsible bid does not exceed available funds by more than five percent (5%).
2. 18-4-306, MCA. Sole source procurement: Allows the District to purchase supplies or services without having to comply with required bidding procedures, when and only when it is determined that there is only one (1) source for the required supply or service item.

Legal Reference:

§ 18-4-101, et seq., MCA  
2.5.604, ARM

Montana Procurement Act  
Sole Source Procurement

#### Policy History:

Adopted on: 7-24-17

Revised on:



## **COLUMBIA FALLS SCHOOL DISTRICT**

### **NON-INSTRUCTIONAL OPERATIONS**

#### **8000 SERIES**

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**Columbia Falls School District**

**NON-INSTRUCTIONAL OPERATIONS**

**8100**

Transportation

The District may provide transportation to and from school for a student who:

- Resides three (3) or more miles, over the shortest practical route, from Columbia Falls Public School;
- Is a student with a disability, whose IEP identifies transportation as a related service; or
- Has another compelling and legally sufficient reason to receive transportation services.

The type of transportation provided by the District may be by a school bus or other vehicle, or by such individual transportation as paying the parent or guardian for individually transporting the pupil. The District will transport only eligible public school students.

The District may permit in-town busing for students who reside less than three (3) miles from their school. The Superintendent will establish guidelines under which a student may request in-town busing, and the privilege of in-town busing may be discontinued at any time.

Legal Reference:	§ 20-7-441, MCA	Special education child eligibility for transportation
	§ 20-10-101, MCA	Definitions
	§ 20-10-121, MCA	Duty of trustees to provide transportation - types of transportation - bus riding time limitation
	§ 20-10-122, MCA	Discretionary provision of transportation and payment for this transportation
	§ 20-10-123, MCA	Provision of transportation for nonpublic school children
	10.7.101, et seq., ARM	Pupil transportation
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Policy History:

Adopted on:7-24-17

Revised on:

## **Columbia Falls School District**

### **NONINSTRUCTIONAL OPERATIONS**

8110  
Page 1 of 3

#### Bus Routes and Schedules

The Superintendent's designee is responsible for scheduling bus transportation, including determination of routes and bus stops. Such routes are subject to approval of the county transportation committee. The purpose of bus scheduling and routing is to achieve maximum service with a minimum fleet of buses consistent with providing safe and reasonably equal service to all bus students.

In order to operate the transportation system as safely and efficiently as possible, the following factors shall be considered in establishing bus routes:

1. A school bus route shall be established with due consideration of the sum total of local conditions affecting the safety, economic soundness, and convenience of its operation, including road conditions, condition of bridges and culverts, hazardous crossings, presence of railroad tracks and arterial highways, extreme weather conditions and variations, length of route, number of families and children to be serviced, availability of turnaround points, capacity of bus, and related factors.
2. The District may extend a bus route across another transportation service area, if it is necessary in order to provide transportation to students in the District's own transportation service area. A district may not transport students from outside its transportation service area.
3. No K-5 school child attending a K-5 elementary school shall be required to ride the school bus under average road conditions more than one (1) hour without consent of the child's parent or guardian.
4. School bus drivers are encouraged to make recommendations in regard to establishing or changing routes.
5. Parents should be referred to the Superintendent for any request of change in routes, stops, or schedules.

The Board reserves the right to change, alter, add, or delete any route at any time such changes are deemed in the best interest of the District, subject to approval by the county transportation committee.

#### Bus Stops

Buses should stop only at designated places approved by school authorities. Exceptions should be made only in cases of emergency and inclement weather conditions.

Bus stops shall be chosen with safety in mind. Points shall be selected where motorists approaching from either direction will have a clear view of the bus for a distance of at least three hundred (300) to five hundred (500) feet.

School loading and unloading zones are to be established and marked to provide safe and orderly loading and unloading of students. The principal of each building is responsible for the conduct of students waiting in loading zones.

Delay in Schedule

The driver is to notify the administration of a delay in schedule. The administration will notify parents on routes and radio stations, if necessary.

Special Activities

The District may use passenger vehicles to transport students to or from school-sponsored functions or activities. However, the District will not use passenger vehicles for purposes of transporting students to or from school on a regular bus route.

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

## NONINSTRUCTIONAL OPERATIONS

8110  
Page 3 of 3

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.

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
	§ 61-8-35, MCA	Meeting or passing school bus --vehicle operator liability for violation –penalty ( <i>Revised by House Bill 267</i> )
	§ 20-10-109, MCA	Liability insurance for school bus ( <i>Cited by House Bill 300</i> )
	House Bill 267	Improve school bus safety laws
	House Bill 300	Generally revise school transportation laws

### Policy History:

Adopted on: 10-11-21

Reviewed on:

Revised on:

## **Columbia Falls School District**

### **NON-INSTRUCTIONAL OPERATIONS**

**8121**

#### District-Owned Vehicles

The District owns and maintains certain vehicles. Included among them are passenger cars, pickups, school buses, sport utility vehicles and vans. These are for use by properly authorized and insurable personnel of the District including district staff and district approved volunteers for District business purposes only. Only authorized district staff and district approved volunteers are allowed in District owned vehicles while on District approved business or activities. Authorized drivers shall not transport or permit any family or non-school passengers in any District-owned vehicles at any time.

Any individual who receives a citation for a driving violation while operating a District vehicle shall personally pay all fines levied. All citations received while the individual is in the course and scope of employment, whether operating a District vehicle or not, must be reported and may result in disciplinary action up to and including termination.

#### ***Vehicle Maintenance***

Vehicles used in the District's transportation program shall be in safe and legal operating condition. All buses shall be inspected by the Department of Justice, Montana Highway Patrol before the beginning of each semester. The Superintendent or his/her designee shall establish a specific list of tasks that bus drivers shall perform on a daily basis. All other District vehicles shall be maintained following established programs as developed by the Superintendent or his/her designee.

Legal Reference:                      § 39-2-205, MCA              Workforce Drug and Alcohol Testing Act

Cross Reference:                      Administrative Procedures

#### Policy History

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### NON-INSTRUCTIONAL OPERATIONS

8123

#### Driver Training and Responsibility

Bus drivers shall observe all state statutes and administrative rules governing traffic safety and school bus operation. At the beginning of each school year, the District will provide each driver with a copy of the District's written rules for bus drivers and for student conduct on buses.

School bus drivers must hold a valid Montana school bus certificate for the District to receive state reimbursement for that driver's route. Drivers must meet all state qualifications to be considered for employment. Failure to meet state qualifications or any suspension of a school bus certificate is grounds for termination.

A school bus driver is prohibited from operating a school bus while using a cellular phone, including hands free cellular phone devices, except:

- During an emergency situation;
- To call for assistance if there is a mechanical breakdown or other mechanical problem; or
- When the school bus is parked.

A teacher, coach or other staff member assigned to accompany students on a bus will have primary responsibility for behavior of students in his or her charge. The bus driver has final authority and responsibility for the bus. The Superintendent/designee will establish written procedures for bus drivers.

Cross Reference: Administrative Procedures

Legal Reference:	§ 20-10-103, MCA	School bus driver qualifications
	10.7.111, ARM	Qualification of Bus Drivers
	10.64.201, ARM	Drivers
	§ 50-46-205, MCA	Limitations of Medical Marijuana Act

#### Policy History:

Adopted on: 7-24-17

Reviewed on:

## Columbia Falls School District

### NON-INSTRUCTIONAL OPERATIONS

8130

#### Outdoor Air Quality

The District will work to ensure the safety of students participating in physical education, recess, practices or athletic contests. The District Board of Trustees and school administration will use the Recommendations for Outdoor Activities Based on Air Quality for Schools guidelines, developed by the Montana Department of Environmental Quality (DEQ) and the DEQ's Air Data Map, as the determining factor when making a decision to allow or not allow students to participate in outdoor activities and contests.

The following protocol will be used to decide whether students will be allowed to participate in outdoor activities when Air Quality Restrictions have reached the Unhealthy for Sensitive Groups or higher categories as indicated on the DEQ guidelines.

1. The District shall use the [todaysair.mt.gov](http://todaysair.mt.gov) website to determine the air quality for our school district.
2. The following personnel shall make the decision to hold or cancel outdoor activities, practices, or contests:
  - a) Recess (all levels) Principals
  - b) Junior High practices (all levels) Principals/Athletic Director
  - c) Junior High contests (all levels) Principals/Athletic Director
  - d) High School practices (all levels) Principals/Athletic Director
  - e) High School contests (all levels) Principals/Athletic Director
  - f) All outdoor activities (all levels) Principals/Athletic Director
3. The decision to hold or cancel outdoor activities shall be made by the school administrator or athletic director in advance of the activity.

The notice to hold or cancel an outdoor activity shall be communicated via social media, phone message or website, depending on situation.

Legal References:	37.111.827, ARM	Outdoor Air Quality
	10.55.701(q), ARM	Board of Trustees

#### Policy History:

Adopted on: 10-11-21

Revised on:



## Columbia Falls School District

### NON-INSTRUCTIONAL OPERATIONS

8131

#### Indoor Air Quality

The District will ensure ventilation systems operate properly and increase circulation of outdoor air as much as possible. District ventilation systems will undergo annual checks by the school facility manager, superintendent or other staff approved by the superintendent to ensure ventilation systems are operating within manufacturer parameters.

Air filters in the District will have a minimum efficiency reporting value of between 8 and 13 as recommended by the National Air Filtration Association and the EPA unless other types of non-MERV rated filters are used.

To the greatest extent possible during times of poor outdoor air quality, the District will change filters to MERV 13 or greater in ventilation systems using MERV rated air filters. The District also will clean any electrostatic air filters according to manufacturer specifications.

The school facility manager, superintendent or other staff approved by the superintendent will complete annual indoor air quality inspections using the Walk-Through Inspection Checklist from EPA's Indoor Air Quality Tools for Schools or other DPHHS-approved inspection form.

The District will maintain records of indoor air quality inspection on site for no less than three years and the records shall be made available to the local health authority and DPHHS upon request.

Legal References:	37.111.826, ARM	Indoor Air Quality
	10.55.701(q), ARM	Board of Trustees

#### Policy History:

Adopted on: 10-11-21

Revised on:



## Columbia Falls School District

### NON-INSTRUCTIONAL OPERATIONS

8200

#### Food Services

The District supports the philosophy of the National School Lunch Program and shall provide wholesome, appetizing and nutritious meals for children in the District's schools. The Board may authorize a portion of the federal funds received in lieu of taxes to be used to provide free meals for federally connected indigent pupils.

Because of the potential liability of the District, the food services program shall not accept donations of food without the approval of the Board. Should the Board approve a food donation, the Superintendent shall establish inspection and handling procedures for the food and determine that the provisions of all state and local laws have been met before selling the food as part of the school meals.

#### ***Free and Reduced Price Food Services***

The District shall 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 shall 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 the National School Lunch Program guidelines. The business manager shall be responsible for determining eligibility. Students in the foster care system and other students as provided by the Child Nutrition Act shall be categorically eligible for free meals. A parent has the right to appeal any decision with respect to his/her application for free or reduced price food services to a designated hearing official.

#### ***Nutrition***

The District shall provide school meals that meet or exceed the nutritional standards required by state and federal school lunch programs.

The Superintendent shall establish rules for the sale of foods during the school day. To encourage the eating of nutritious lunches, competitive food services shall not be permitted to operate anywhere on school premises during or for the period of one hour before and after the lunch period.

Any food sales of an occasional nature must have the prior approval of the building principal.

Cross Reference: Administrative Procedures

Legal Reference:	§ 20-10-204, MCA	Duties of trustees
	§ 20-10-207, MCA	Food services fund
	§ 20-10-205, MCA	Allocation of federal funds to school fund services fund

#### Policy History:

Adopted on: 7-24-17

Revised on:

## NON-INSTRUCTIONAL OPERATIONS

Meal Charges

The District recognizes that students may forget or lose lunch money and may have an unpaid meal account balance. The District endeavors to treat all students with dignity regarding unpaid meal charges; however, unpaid meal charges create a significant financial burden for the District. To ensure that students do not go hungry, but also minimize the financial burden, The District shall charge meals and collect on meal account charges in all schools consistent with this policy.

The intent of this policy is to establish uniform meal account procedures throughout the Columbia Falls School District. The provisions of this policy pertain to reduced and regular priced school breakfast and lunch meals only. While the USDA Child Nutrition Program does not require that a student who pays for regular priced meals be served a meal without payment, the Columbia Falls School District provides this policy as a courtesy to those students in the event that they forget or lose their lunch money, or have an unpaid balance in their lunch account.

Free status students will be allowed to receive a free breakfast and lunch each day. A la carte purchases are exempt from free and reduced purchases and should be paid at the point of sale.

Students who receive the reduced lunch benefit will pay the rate established by the District in accordance with federal law. A student/family will be allowed to charge a maximum of \$20.00 on the family account after the balance reaches zero. Once a \$20.00 negative balance has been reached, a designated menu alternate (sample: cheese sandwich, veggie sticks, fruit and mile) will be provided. Charges cannot be made on a la carte items.

Full pay students will pay for meals at the District's published standard rate. A student/family will be allowed to charge a maximum of \$20.00 on the family account after their balance reaches zero. Once the \$20.00 negative balance has been reached, a designated menu alternate (sample: cheese sandwich, veggie sticks, fruit and milk) will be provided. Charges cannot be made on a la carte items.

Payment of Meal Account

Each school shall maintain records regarding student meal balances. The District will send out notices to parents/guardians informing them of low or negative meal account balances.

Parents/guardians can view and submit payment for meal accounts online on the Infinite Campus parent portal. A link to the parent portal can be accessed on the District website at [www.cfmtschoools.net](http://www.cfmtschoools.net). Payments can also be made at the point of sale, or by check. Checks can be mailed to School District Six – Attn: Food Service Director, P.O. Box 1259, Columbia Falls, MT 59912.

The District may use reasonable efforts as permitted by state and federal law to collect meal account balances which are delinquent debts, including payment plans as determined appropriate.

Legal References:      2 C.F.R. § 200.426  
                                 7 C.F.R. Part 210  
                                 7 C.F.R. § 245.5

Cross References:      Board Policy 5030  
                                 Board Policy 7050

Policy History:  
Adopted on:7-24-17

## **Columbia Falls School District**

### **NON-INSTRUCTIONAL OPERATIONS**

**8210**

#### Procurement of School Food

The District will abide by the following requirements for any procurement related to its food services:

##### *Purchases Greater than \$80,000*

Except as permitted below, whenever the cost of food service supplies, products, or equipment exceed \$80,000, the District will call for formal bids by issuing public notice as required by law. Specifications will be prepared and made available to all vendors interested in submitting a bid. The contract shall be awarded to the lowest responsible bidder, except that the trustees may reject any or all bids. The Board, in making a determination as to which vendor is the lowest responsible bidder, will take into consideration not only the amount of each bid, but will also consider the skill, ability, and integrity of a vendor to do faithful, conscientious work and to promptly fulfill the contract according to its letter and spirit.

The District may enter into cooperative purchasing contracts with one or more districts for procurement of food supplies or services. Such services and supplies may be purchased without complying with the above stated bidding requirements if the cooperative purchasing group has a publicly available master list of items available with pricing included and provides and opportunity at least twice yearly for any vendor to compete, based on lowest responsible bidder standard, for inclusion of the vendor's supplies and services on the cooperative purchasing group's master list.

##### *Purchases Less than \$80,000 but Greater than \$3,500*

Purchases of food service supplies, products, or equipment between \$3,500 and \$80,000 shall be considered "Small Purchases." The District is not required to use a formal bidding process for Small Purchases, but it shall use a competitive process to ensure fairness. For any Small Purchase, the District shall obtain at least two or more price quotes. The District shall maintain all procurement documentation to ensure the cost is less than \$80,000 but more than \$3,500 for a Small Purchase.

##### *Purchases Less than \$3,500*

Purchases of food service supplies, products, or equipment less than \$3,500 shall be "Micro-Purchases." The District is not required to use a formal bidding process for Micro-Purchases, but it shall ensure that purchases are reasonable and equitably distributed among all qualified sources. The District shall maintain all procurement documentation to ensure the cost is less than \$3,500 for a Micro-Purchase.

**Bid Specifications**

The District will not award a contract to a potential vendor who has written any of the bid specifications, the solicitation documents, or any of the contract language.

Identical bid specifications and/or request for proposals will be provided to all potential vendors.

**Geographic Preference**

As part of a Farm to School program, the District has the discretion to apply a geographic preference for procurement of unprocessed locally grown or locally raised domestic products only.

**Buy American**

The District shall procure domestic commodities and products ("Buy American") for the use of its Child Nutrition Program to the maximum extent practicable. The District is permitted to buy foreign goods only when:

- Food preferences can only be met with foreign goods;
- A sufficient quantity and/or quality is not available through domestic commodities or products; or
- The cost of domestic commodities and products is significantly higher.

**Debarment and Suspension**

For any food service purchase in excess of \$25,000, the District shall obtain verification or certification from a vendor that neither it nor any of its principals (e.g., key employees) have been proposed for debarment, debarred, or suspended by a federal agency.

**Standard of Conduct**

District employees engaged in the award and/or administration of food service contracts supported by federal funds are subject to the following code of conduct:

- No employee may participate in the selection, award, or administration of a food service contract supported by federal funds if he or she has a conflict of interest or can reasonably be perceived as having a conflict of interest.
- No employee may solicit any gratuities, favors, or anything else of monetary value from a potential vendor.
- No employee may participate in the selection, award, or administration of a food service contract supported by federal funds when the employee or member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of these individuals has a financial interest in a vendor.
- Employees are expected to demonstrate integrity and honesty.

Employees who fail to abide by this policy will be subject to disciplinary action up to and including discharge.

### **Bid Protest Procedures**

Any vendor who desires to protest the award of a bid pursuant to this policy shall, within fifteen (15) days after award of the bid, give notice of their protest. The notice shall state in detail the basis of the claimant's bid protest and the resolution requested. The bid protest shall be provided to the [Business Manager/Food Service Director] or designee. The [Business Manager/Food Service Director] or designee shall investigate the claim and issue a written decision within fifteen (15) days after receipt. If the claimant is not satisfied with the decision of the [Business Manager/Food Service Director] or designee, the claimant may appeal the decision to the District's Board of Trustees. The notice of appeal shall be filed with the Board of Trustees within fifteen (15) days after issuance of the decision from which the appeal is taken. The appeal shall state the basis of the appeal and provide to the Board the original bid protest, together with a copy of the decision being appealed from. The specific grounds for the appeal shall be stated in the appeal and shall not include additional claims or information not provided with the original bid protest.

The Board of Trustees at the next regular board meeting following the receipt of the appeal shall either hear the appeal or set a time to consider the appeal. The Board may in its discretion render a decision based upon the information and records before the Board of Trustees or, in the Board's discretion, may request the claimant and a representative of the District to each present information pertaining to the bid protest.

The Board shall issue a written decision within thirty (30) days of the meeting in which it considered the appeal.

Legal References:	2 C.F.R. § 200.318	General Procurement Standards
	7 C.F.R. § 210.21	Procurement
	7 C.F.R. § 220.16	Procurement Standards
	7 C.F.R. § 225.17	Procurement Standards
	MCA § 20-9-204	Conflicts of interest, letting contracts, and calling for bids

Cross References:	Board Policy 5223
	Board Policy 5255
	Board Policy 5700
	Board Policy 7320
	Board Policy 7322
	Board Policy 7530

### Policy History:

Adopted on: 12-9-19

Revised on:



## **Columbia Falls School District**

### **NON-INSTRUCTIONAL OPERATIONS**

**8301**

#### District Safety

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

The building principal will develop a plan that identifies the risks posed by potential local hazards with the boundaries of the District. This plan and procedures will be discussed and distributed to each teacher at the beginning of each school year. There will be at least eight (8) disaster drills a year. All teachers will discuss disaster drill procedures with their class at the beginning of each year and will have them posted in a conspicuous place next to the exit door. A record will be kept of all fire drills. The drills will be held at different hours of the day or evening to avoid distinction between drills and actual disasters. The Superintendent will develop safety and health standards that comply with the Montana Safety Culture Act.

#### Safety or Emergency Plans

The Board shall review the school safety or emergency operations plan periodically and update the plan as determined necessary by the trustees based on changing circumstances pertaining to school safety. Once the Board has made the certification to OPI, it may transfer funds pursuant to Section 20-1-401, MCA to make improvements to school safety and security.

#### School Closure

The Superintendent is authorized to close the schools in the event of hazardous weather or other emergencies that threaten the safety of students, staff members or school property. Specific procedures for school closures may be found in the District's Emergency Operations Plan. The Board shall periodically review the District's Safety Plan or Emergency Operations Plan and shall update the plan as necessary based upon changing circumstances regarding school safety.

#### Hazardous and Infectious Materials

The Superintendent shall take all reasonable measures to protect the safety of District personnel, students, and visitors on District premises from risks associated with hazardous materials, including pesticide and infectious materials. Specific procedures for handling hazardous or infectious materials may be found in the District's Emergency Operations Plan.

#### Safety Measures

The Superintendent is authorized to adopt reasonable safety measures to protect the safety of District personnel, students, and visitors on District premises and during school-related activities. Reasonable safety measures include adoption of cleaning/sanitization plans, use of physical safeguards/barriers, and required use of personal protective equipment (e.g, face masks). Exceptions to any requirements adopted by the Superintendent may be granted as required by law and on a case-by-case basis.

Cross Reference:           Administrative Procedures  
                                     Emergency Operations Procedures

Legal References:	§ 20-1-401, MCA	Disaster drills
	§ 20-1-402, MCA	Number of disaster drills required – time of drills to vary
	§ 20-1-801, et al., MCA	Emergency School Closure
	§§ 39-71-1501, MCA	Montana Safety Culture Act
	§ 50-71-111, et. seq., MCA	Montana Occupational Health and Safety Act

Policy History:

Adopted on: 7-24-17

Revised on: 8-10-20

## **Columbia Falls School District**

### **NON-INSTRUCTIONAL OPERATIONS**

**8310**

#### Memorials

The School Board recognizes that the death of a student, member of the staff or community members is deeply felt by the school community. As places designed primarily to support learning, school sites should not serve as the main venue for permanent memorials for students, staff or community members.

Permanent memorials for deceased students, staff or community members shall be limited in form to perpetual awards or scholarships. Contributions may be made to a general scholarship fund established by the district memorializing a student, staff member, or member of the school community. Memorial scholarships may be accepted and awarded under criteria approved by the administration in honor of persons who have special significance to the students, district and community. All such offers will be submitted to the Superintendent with pertinent information concerning the purpose of the memorial scholarship. Funds will be administered by the District. Items may be accepted by the district in memory of an individual or event with Superintendent approval. The Superintendent will consider any maintenance costs to the district of such gifts. Items received become the property of the district and will be used for the purpose for which they were donated.

Any permanent memorials in existence before this policy was adopted can only be removed by a vote of the Board of Trustees.

The Board recognizes the use of district property for memorial services is generally inappropriate. Any such request will be considered in accordance with Board Policy 4330.

Cross Reference:

4330

Use of School Facilities  
Administrative Procedures

#### Policy History:

Adopted on: 7-24-17

Revised on:

**Columbia Falls School District**

**NON-INSTRUCTIONAL OPERATIONS**

**8320**

Property Damage

The District shall maintain a comprehensive insurance program that shall provide adequate coverage, as determined by the Board, in the event of loss or damage to school buildings and/or equipment, including motor vehicles.

The comprehensive insurance program shall maximize the District's protection and coverage while minimizing the costs for insurance. This program may include alternatives for sharing the risk between the District and the insurance carrier, and through self-insurance plans.

Legal Reference:

§ 20-6-608, MCA

Authority and duty of trustees to insure district property

Policy History:

Adopted on: 7-24-17

Revised on:

**Columbia Falls School District**

**NON-INSTRUCTIONAL OPERATIONS**

**8340**

Privately Owned Property

The District shall not assume responsibility for the maintenance, repair or replacement of any privately owned property brought to a school or District function unless the use or presence of such property has been specifically requested in writing by the administration.

Policy History:

Adopted on: 7-24-17

Revised on:

## Columbia Falls School District

### NON-INSTRUCTIONAL OPERATIONS

8410

#### Records Management

The District will retain, in a manner consistent with applicable law and the state's *Rules for Disposition of Local Government Records*, such records as are required by law or regulations to be created and/or maintained, and such other records as are related to students, school personnel and the operations of the schools.

The Superintendent/designee will be responsible for developing and implementing a records management program for the cataloging, maintenance, storage, retrieval and disposition of school records. The Superintendent/designee will also be responsible for developing guidelines to assist school employees in understanding the kinds of information that must be saved and those which can be disposed of or deleted. At the beginning of each fiscal year, an application for destruction of records, per state statute, may be completed and forwarded to the local government records subcommittee for approval. Upon approval from the local government department, a list of all records having met retention requirements will be presented to the Board for consideration to be destroyed.

All records related to the hiring process shall be retained for at least two (2) years. Student records must be permanently kept, and employment records must be kept for ten (10) years after termination.

#### ***Litigation Holds for Electronic Stored Information (ESI)***

The District will have an ESI Team. The ESI Team is a designated group of individuals who implement and monitor litigation holds, a directive not to destroy ESI that might be relevant to a pending or imminent legal proceeding. The ESI Team will include a designated school administrator, an attorney and a member from the Technology Department. In the case of a litigation hold, the ESI Team shall direct employees and the Technology Department, as necessary, to suspend the normal retention procedure for all related records.

Cross Reference:	1402	School Board Use of Electronic Mail
	3600	Student Records
	5231	Personnel Records
	5450	Employee Electronic Mail
		Administrative Procedures
Legal Reference:	§ 2-6-403, MCA	Duties and responsibilities
	§ 20-1-212, MCA	Destruction of records by school officer
	§ 20-7-101(2), MCA	Standards of accreditation
	§ 20-9-215, MCA	Destruction of certain financial records
	24.9.805 (4), ARM	Employment Records

#### Policy History:

Adopted on: 7-24-17

Revised on:

Water Supply and Wastewater

In order to ensure an adequate and potable supply of water for school buildings and properties the District will either:

- a) Connect to a compliant water supply system; or
- b) Use a non-public system whose construction meets the standards published by DPHHS. This would be in the case where the school is not used by more than 25 people daily at least 60 days out of the calendar year and where a public water supply system is not accessible.
  - When using a non-public system, the District will submit a water sample at least quarterly to a DPHHS licensed laboratory to perform microbiological analysis of the water supplied in order to determine that the water does not exceed the maximum microbiological contaminant levels acceptable to DPHHS.

A water supply system of a type other than described in subsections (a) or (b) may be utilized only if it is designed by a professional engineer and offers equivalent sanitary protection as determined by DPHHS or local health authority. When using a system outlined in this paragraph, the District shall submit a water sample at least quarterly to a laboratory licensed by DPHHS to perform microbiological analysis of the water supplied in order to determine that the water does not exceed the maximum microbiological contaminant levels acceptable to DPPHS, DEQ, or local health authority.

The District will replace or repair the water supply system serving it whenever the water supply:

- a) contains microbiological contaminants in excess of the maximum levels acceptable to DPPHS, DEQ, or local health authority.
- b) does not have the capacity to provide adequate water for drinking, cooking, personal hygiene, laundry, and water-carried waste disposal.

If the District cannot make water under pressure available, the drinking water from an approved source shall be stored in a clean and sanitized container having a tight-fitting lid and a suitable faucet apparatus for filling individual cups. In this situation, single service drinking cups shall be provided.

*Flushing and Testing*

The District shall review water systems and features including but not limited to sink faucets, drinking fountains, decorative fountains to ensure they are safe to use after a prolonged facility shutdown. Drinking fountains shall be regularly cleaned and sanitized. The District shall create and implement a flushing program unless it meets the established waiver requirements established by DEQ. Flushing shall be required following any period of time during which the school is inactive.

## Columbia Falls School District

### NON-INSTRUCTIONAL OPERATIONS

8411

Page 2 of 2

The District shall maintain a schematic and inventory of fixtures in accordance with DEQ protocols as part of the District's water testing program. The District shall sample all water fountains and sinks used for food preparation. All other potential human consumption fixtures shall be sampled, unless the District receives approval for a testing plan from DEQ to test a representative sample of potential fixtures in the school in accordance with DEQ protocols. All samples shall be analyzed by a Montana certified lab using EPA-approved standard drinking water methods for the detection and quantification of lead. All test results will be considered public records.

#### *Wastewater*

The District shall ensure wastewater is completely and safely disposed of by:

- a) connecting to a compliant public wastewater system; or
- b) if the school is not utilized by more than 25 persons daily at least 60 days out of the calendar year, including staff and students, and a compliant public wastewater system is not available, utilizing a non-public system whose construction and use meet DEQ construction and operation standards.

If the District uses pit privies, the privies shall be operated and maintained in compliance with the standards specified in DEQ Circular-4. If the District uses a wastewater system design of a type other than described in this policy, it shall be designed by a professional engineer and offers equivalent sanitary protection as determined by the DPPHS, DEQ, or local health authority.

Legal References:	37.111.832, ARM	Water Supply System
	ARM Title 17, chapter 38, subchapter 1	
	17.38.207, ARM	Maximum Microbiological Containment Levels
	DEQ Circular FCS 1-2016	
	DEQ Circular 4	
	10.55.701(s), ARM	Board of Trustees
	10.55.701(1), ARM	Board of Trustees
	10.55.701(q), ARM	Board of Trustees

#### Policy History:

Adopted on: 8-16-21

Revised on:



## Columbia Falls School District

### NON-INSTRUCTIONAL OPERATIONS

8425

#### Service Animals

The 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, wellbeing, 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: Administrative Procedures

Legal Reference:	28 CFR 35.136	Service Animals
	28 CFR 35.104	Definitions
	§ 49-4-203(2), MCA	Definitions

#### Policy History:

Adopted on: 7-24-17

Revised on:

Automated External Defibrillators (AED)

The District recognizes that from time to time emergencies may arise that justify the use of an Automated External Defibrillator (AED). The Board has purchased one or more of these units for use by qualified personnel. The Board approves the use of AED units under the following conditions:

- Establishing a program for the use of an AED that includes a written plan that must specify:
  - Where the AED will be placed;
  - The individuals who are authorized to operate the AED;
  - How AED use will be coordinated with an emergency medical service providing services in the area where the AED is located;
  - The medical supervision that will be provided;
  - The maintenance that will be performed on the AED;
  - Records that will be kept by the program;
  - Reports that will be made of AED use;
  - The name, location, and telephone number of a physician, or other individual designated by the physician, designated to provide medical supervision of the AED program; and
  - Other matters as specified by the Department of Public Health and Human Services;
- Adhering to the written plan required by subsection (1);
- Ensuring that before using the AED, an individual authorized to operate the AED receives appropriate training approved by the DPHHS in cardiopulmonary resuscitation and the proper use of an AED;
- Maintaining, testing, and operating the AED according to the manufacturer's guidelines and maintaining written records of all maintenance and testing performed on the AED;
- Ensuring that the physician or other individual designated by the physician to supervise the AED program supervises the AED program to ensure compliance with the written plan, this part, and rules adopted by the District and reviews each case in which the AED is used;
- Each time an AED is used for an individual in cardiac arrest, requiring that an emergency medical service is summoned to provide assistance as soon as possible and that the AED use is reported to the supervising physician or the person designated by the physician and to the District as required by the written plan;
- Before allowing any use of an AED, providing the following to all licensed emergency services and any public safety answering point or emergency dispatch center providing services to the area where the AED is located:
  - A copy of the plan prepared pursuant to this section; and
  - Written notice, in a format prescribed by the DPHHS rules, stating:
    - That an AED program has been established by the District;
    - Where the AED is located; and
    - How the use of the AED is to be coordinated with the local emergency medical service system.

*Liability Limitations*

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability for a personal injury that results from that care or treatment.

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may

be used are immune from civil liability as a result of any act or failure to act in providing or arranging further medical treatment for the individual upon whom the AED was used, unless the individual using the AED or the person providing CPR, as applicable, acts with gross negligence or with willful or wanton disregard for the care of the person upon whom the AED is or may be used.

The following individuals or entities are immune from civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence, if applicable provisions of this part have been met by the individual or entity:

- A person providing medical oversight of the AED program, as designated in the plan;
- The entity responsible for the AED program, as designated in the plan; or
- An individual providing training to others on the use of an AED.

Cross Reference: Administrative Procedures

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: 7-24-17

Revised on:

## Columbia Falls School District

### NON-INSTRUCTIONAL OPERATIONS

8460

#### Naming School District Facilities

Recognizing that the name for a school building, facility, or ground or field reflects on its public image, the Board's primary consideration will be to select a name that enhances the credibility and stature of the school or facility. In selecting a name, the Board will give higher preference to names that have a special significance to the area or to the people who have made a significant contribution to education or to the school or the school system.

The naming of a school or facility shall take place in the following manner:

- A. The Superintendent shall select a committee of, whose purpose it shall be to submit to the Board a list of not less than three, nor more than five, names for the new school or facility. The list shall briefly state, along with each name, why the committee nominated each name. The committee may solicit nominations from students and the community.
- B. The committee shall, whenever possible, follow these guidelines:
  - a. Each name shall be known to, and significant to, the people of the district.
  - b. The names submitted shall not conflict with the names of other schools or facilities in the district or surrounding districts.
  - c. The use of names of living persons shall be avoided unless the circumstances warrant an exception.
- C. Major facilities (non-buildings), such as athletic complexes, are eligible to be named according to the following guidelines:
  - a. The name should be easily identifiable with the facility;
  - b. The name should not conflict with similar names of other facilities within the district or surrounding school districts; and
  - c. In selecting a name of a person, the Board will give higher preference to persons who have made a significant contribution to education within the district.
- D. The Board shall make the final selection of the new school or facility from the list. All names submitted may be rejected, if, in the opinion of the Board, the use of the name would not reflect the ideals and philosophy of the school district.
- E. In recognition of the efforts of those involved in the project, a plaque containing the following information shall be attached to a new building or facility:
  - a. School or facility name;
  - b. Board-approved construction date;
  - c. Completion or dedication date;
  - d. Name of Board members as of the board-approved construction date in the following order:
    - i. Chairman
    - ii. Vice-Chairman
    - iii. Members (alphabetically)
  - e. Superintendent as of board-approved construction date; and
  - f. Architect and contractor names.
- F. Once a building or facility has been named, that name will remain with the building or facility unless changed by the Board.

#### Policy History

Adopted on: 7-24-17

Revised on: 4-12-21

## **Columbia Falls School District**

### **NON-INSTRUCTIONAL OPERATIONS**

**8470**

#### Operation and Maintenance of District Facilities

The District seeks to maintain and operate facilities in a safe and healthful condition. The Supervisor of Maintenance and Operations, in cooperation with the Superintendent and Board, shall periodically inspect plant and facilities. The Supervisor of Maintenance and Operations shall provide for a program to maintain the District physical plant by way of a continuous program of repair, maintenance and reconditioning. Budget recommendations shall be made each year to meet these needs and any such needs arising from an emergency.

The Supervisor of Maintenance and Operations shall formulate and implement energy conservation measures. Principals and staff are encouraged to exercise other cost-saving procedures in order to conserve the resources of the District in their buildings.

Legal Reference: 10.55.2001, ARM School facilities

Policy History:  
Adopted on: 7-24-17  
Revised on:

## NON-INSTRUCTIONAL OPERATIONS

### Contracts with Third Parties Affecting Student Records

The Board recognizes the value of digital educational software and services with respect to management of student records as well as providing educational resources. The District also recognizes the necessity of ensuring that student information is protected and not used for commercial marketing purposes.

The Board may enter into a contract with a third party provider of digital educational software or services:

- For the digital storage, management, and retrieval of student records (including through cloud-based services); or
- Authorizes a third-party digital software provider to access, store, and use student records in accordance with the provisions any such resulting contract.

“Student records” include the student record maintained by the District in accordance with the Family Educational Rights and Privacy Act (“FERPA”) and board policy and any information acquired directly from the student through the use of instructional software or applications assigned to the student by a teacher or other District employee.

District personnel may utilize digital educational software or services in accordance with this policy. Personnel are not authorized to use third party digital educational software or services for which the District has not entered into a contract pursuant to this policy.

All contracts entered into by the Board under this policy shall provide for the following at a minimum:

1. All student records are and continue to be the property and under the control of the District;
2. A description of the means by which students may retain possession and control of their own student-generated content if applicable, including the options through which a student may transfer his or her own generated content to a personal account;
3. The third party is prohibited from using any information from a student record for any purpose other than what is specifically authorized by the contract;
4. A description of the procedures through which a parent/guardian or adult student may review personally identifiable information in the student’s record and correct erroneous information;
5. A description of the actions the third party shall take to ensure the security and confidentiality of student records, including the designation and training of responsible individuals;
6. A description of the procedures for notifying the parent/guardian or adult student in the event of an unauthorized disclosure of the student’s records;

7. Certification and a description of how certification will be verified that the third party shall not retain or access the student records upon completion of the terms of the contract;
8. A description of how the District and third party will jointly ensure compliance with FERPA; and
9. The third party is prohibited against using personally identifiable information in student records to engage in targeted advertising.

The District may impose other restrictions, conditions or provisions in any contract subject to this policy. Nothing herein shall, by itself, absolve a third party of liability in the event of an unauthorized disclosure of student records.

Any contract failing to comply with these requirements and remains noncompliant after notice and an opportunity to cure defects shall be void.

Legal References:	20 U.S.C. § 1232g	Family Educational Rights and Privacy Act
	House Bill 745	Montana Pupil Online Personal Information Protection Act

Cross References:	Board Policy 3600
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Policy History:

Adopted on: 12-9-19

Revised on: