

ARLEE PUBLIC SCHOOLS

3000 SERIES STUDENTS

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4
5 Entrance, Placement and Transfer

6
7 ***Age***

8 No pupil may be enrolled in the kindergarten or first grade whose 5th birthday does not occur on
9 or before September 10 of the school year in which the child registers to enter school. No pupil
10 may be enrolled in the District if that pupil has reached his or her 19th birthday on or before
11 September 10 of the school year in which the child registers to enter school. A student may
12 request a waiver of the age limitation where there are exceptional circumstances, which must be
13 approved by the Board. The trustees may also admit an individual who has graduated from high
14 school but is not yet 19 years of age even though no special circumstances exist for waiver of the
15 age provision or a student who is not yet 19 years of age and experienced educational disruption
16 and was awarded a diploma as a result and seeks access to reasonable curriculum designed to
17 advance postsecondary success.

18 Except when enrollment is otherwise required by law, the Board of Trustees has the discretion to
19 give special permission to enroll a student who has not reached the age of five (5) or has reached
20 the age of nineteen (19) on or before September 10 of the school year where there are
21 exceptional circumstances.

22
23 Exceptional circumstances means:

- 24
25
 - The student is being admitted into a preschool program established by trustees pursuant
26 to Montana law.
 - The student is determined by the trustees to be ready for kindergarten and the child's
27 parents have requested early entry into the District's 1-year kindergarten program;
 - The student is 19 years of age or older and in the trustee's determination would benefit
28 from educational programs offered by a school of the District.

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31

32 The trustees shall assign and admit a student who is enrolled in a nonpublic or home school and
33 who meets the age and residency requirements on a part-time basis at the request of the student's
34 parents or guardian.

35
36 ***Entrance – Identity and Immunization***

37 Students enrolling in the District for the first time must present a birth certificate or other reliable
38 proof of identity and age within 40 days, as well as proof of residence, and immunization from
39 disease as required by Montana. Students who are homeless, in foster care, or are the child of a
40 military family are entitled to immediate enrollment regardless of presentation of the required
41 documentation. If the parent of the student does not provide proof of identification within 40
42 days, the District shall notify the missing children information program and a local law
43 enforcement authority of the fact that no proof of identity has been presented for the child.
44 Nonresident students shall be admitted when required by law or as permitted by District policy.
45 A student who transfers from one school district to another may photocopy immunization
46 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.

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	Uniform Grievance Protocol
	2413	Credit Transfer/Assessment for Placement
	3125	Education of Homeless Children
	3130	Education of Children in Foster Care
	3150	Part-Time Attendance

1 Legal References: § 1-1-215, MCA Residence -- rules for determining
2 § 20-5-101, MCA Admittance of child to school (*revised by House*
3 *Bill 946*)
4 § 20-5-403, MCA Immunization requirements
5 § 20-5-404, MCA Conditional attendance
6 § 20-5-405, MCA Medical or religious exemption
7 § 20-5-406, MCA Immunization record
8 § 20-5-502, MCA Enrollment by caretaker relative -- residency --
9 affidavit
10 § 20-7-117, MCA Kindergarten and preschool programs
11 § 44-2-511, MCA School enrollment procedures for missing children
12 10.55.701, ARM Board of Trustees
13 10.55.906, ARM High School Credit
14 House Bill 352 Targeted Interventions to Support 3rd Grade
15 Reading Proficiency
16
17

18 Policy History:

19 Adopted on: 4/8/86

20 Reviewed on:

21 Revised on: 5/13/86, 3/10/08, 3/10/09, 07/14/15, 7/29/2019, 8/17/2021, 7/18/2023

STUDENTS

3120

Compulsory Attendance

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

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

1. Child's sixteenth (16th) birthday; or
2. Date the child completes the eighth (8th) grade.

The provisions above do not apply in the following cases:

- (a) The child has been excused under one of the conditions specified in 20-5-102.
- (b) The child is absent because of illness, bereavement, or other reason prescribed by the policies of the trustees.
- (c) The child has been suspended or expelled under the provisions of 20-5-202.
- (d) The child is excused pursuant to 20-7-120.
- (e) The child is excused pursuant to 40-6-701(1) or Policy 2158.

Compulsory attendance stated above will not apply when children:

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

Legal Reference:	§ 20-1-308, MCA	Religious instruction released time program
	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-102, MCA	Compulsory enrollment and excuses
	§ 20-5-103, MCA	Compulsory attendance and excuses (<i>revised by Senate Bill 518</i>)
	§ 20-5-104, MCA	Attendance officer
	§ 20-5-106, MCA	Truancy
	§ 20-5-107, MCA	Incapacitated and indigent child attendance
	§ 20-5-108, MCA	Tribal agreement with district for Indian child compulsory attendance and other agreements
	§ 20-5-202, MCA	Suspension and Expulsion

§ 40-6-701, MCA	Interference with fundamental parental rights restricted
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Policy History:

Adopted on: 10/8/96

Reviewed on: 7/29/2019

Revised on: 3/10/09, 01/10/2012, 7/18/2023

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4
5 Attendance Policy

6
7 To reach the goal of maximum educational benefits for each child requires a regular continuity
8 of instruction, classroom participation, learning experiences, and study. Regular interaction of
9 students with one another in the classroom and their participation in instructional activities under
10 the tutelage of competent teachers are vital to the entire process of education. This established
11 principle of education underlies and gives purpose to the requirement of compulsory schooling in
12 every state in the nation. The good things schools have to offer can only be presented to students
13 in attendance.
14

15 A student's regular school attendance also reflects dependability and is a significant component
16 on a student's permanent record. Future employers are as much concerned about punctuality and
17 dependability as they are about academic record. School success, scholarship, and job
18 opportunity are greatly affected by a good attendance record.
19

20 Attendance procedures for elementary, junior high, and high school students can be found in the
21 respective current handbooks.
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25 Policy History:

26 Adopted on: 3/10/09

27 Reviewed on: 7/29/19

28 Revised on:

STUDENTS

3125

Education of Homeless Children

Every child of a homeless individual and every homeless child are entitled to equal access to the same free, appropriate public education as provided to 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 Protocol.

Cross Reference: 1700 Uniform Complaint Procedure

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

Policy History:

Adopted on:

Reviewed on: 3/10/09 7/29/19

Revised on:

STUDENTS

3127

Education of Children in Foster Care

Children in foster care are entitled to educational stability and the opportunity to achieve at the same high levels as their peers. “Foster care” means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

The District agrees to cooperate with child protective agencies to ensure that children in foster care remain in their school of origin unless it is not in their best interests. If it is determined to be in the child’s best interest to not remain in his or her school of origin, the District shall enroll a child in foster care in a school determined to be in the child’s best interest without delay regardless of whether that student can produce records normally required for enrollment. The new school in which a child in foster care is enroll shall immediately contact the school of origin to obtain the child’s records.

The Superintendent or designee shall identify a Point of Contact (POC) to coordinate the District’s provision of services to children in foster care.

Legal References: 20 U.S.C. 6311 Title I (as amended by Every Student Succeeds Act)

Cross References:

Policy History:

Adopted on: 7/29/19

Revised on:

1 **Arlee Public Schools**

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4
5 Children of Military Families

6
7 It is the intention of the District to remove barriers to educational success imposed on children of
8 military families transitioning to and from school because of frequent moves and/ deployment of
9 a parent on active duty in the regular Armed Forces, National Guard, or Reserves.

10
11 ***Educational Records and Enrollment***

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

20
21 In the event that a child of a military family seeks to enroll in the District, the District shall enroll
22 and appropriately place the student as quickly as possible based upon information in the
23 unofficial educational records pending receipt of the official records. The Trustees shall assign
24 and admit a child whose parent or guardian is being relocated to Montana under military orders
25 to a school in the district and allow the child to preliminarily enroll in classes and apply for
26 programs offered by the district prior to arrival and establishing residency.

27
28 ***Tuition***

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

32
33 ***Placement***

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

42
43 The Superintendent may waive course or program prerequisites or other preconditions for a child
44 of a military family's placement in any courses or programs.
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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.

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: 7/29/19

Revised on: 8/17/2021

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3141

4
5 Discretionary Nonresident Student Attendance Policy

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

15
16 The District will consider the following criteria for discretionary admission of nonresident
17 students: academic record, disciplinary record, and the current student level in the class in which
18 the student would be admitted. The Superintendent will evaluate the student based on the above
19 listed criteria and determine whether or not to recommend continued enrollment of the student.

20
21 Admission in one school year does not imply or guarantee admission in subsequent years. All
22 resident students who become nonresident students due to a move by the students' parents from
23 the District may continue attendance for the remainder of the school year, barring registration in
24 another school district. At the completion of the current school year, the student must apply for
25 admission as a nonresident student if the student wishes to remain in the District.

26
27 The Board reserves the right to charge tuition for nonresident students. The Board may, in its
28 discretion, charge or waive tuition for all students whose tuition is required to be paid by one
29 type of entity. Unless otherwise provided by law, nonresident students are not eligible
30 transportees for school transportation services.

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

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43 Policy History:

44 Adopted on:

45 Reviewed on: 7/29/19, 7/18/2023

46 Revised on: 3/10/09

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4
5 Foreign Exchange Students

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

12
13 J-1 visa holders (students sponsored by an approved foreign exchange organization) are eligible
14 to attend secondary school. Any sponsoring organization must have a local representative, be a
15 nonprofit organization, and be approved by the Council on Standards for International Education
16 Travel. F-1 visa holders (individual foreign students sponsored by relatives or friends) may not
17 attend Arlee Public Schools.

18
19 Foreign exchange students and foreign exchange programs must adhere to the following criteria:

- 20
21 • Students must be between the ages of 14 and 18 years. Their 14th birthday must fall prior
22 to September 10th on the year in which they are to attend APS;
23 • Students will only be accepted from approved programs;
24 • Approved programs must have a local representative who resides within the District and
25 does not receive compensation for student placement. Approved programs must be
26 approved by the Council on Standards for International Education Travel;
27 • The local representative for the approved programs must contact the high school
28 Principal by May 1st with the number of students he/she will be sponsoring. The names
29 of the students, students' dates of birth and the names of the host families must also be
30 provided by Aug 1st;
31 • The exchange students will be evaluated by the teachers on the regular grading schedule,
32 unless the teacher opts to initiate a pass/fail system;
33 • The exchange students who have less than senior status will receive a certificate of
34 attendance at the awards assembly in May; and
35 • The exchange students who have senior status may take part in all senior activities,
36 including the graduation ceremony, where they will receive a certificate of attendance.

37
38 Legal Reference: 20 USC 221, et seq. Foreign and Exchange Students

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40 Policy History:

41 Adopted on: 7/29/19

42 Revised on:

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Revised on: 7/12/2011, 7/18/2023

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3200

4
5 Student Rights and Responsibilities

6
7 The District recognizes fully that all students are entitled to enjoy the rights protected under
8 federal and state constitutions and law for persons of their age and maturity in a school setting.
9 The District expects students to exercise these rights reasonably and to avoid violating the rights
10 of others. The District may impose disciplinary measures whenever students violate the rights of
11 others or violate District policies or rules.
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15 Cross Reference: 3231 Searches and Seizure
16 3310 Student Discipline
17

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

23 Policy History:

24 Adopted on: 3/10/09

25 Reviewed on: 7/29/19

26 Revised on:

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3210

4
5 Equal Educational Opportunity

6
7 Equal educational and extracurricular opportunities shall be available for all students without
8 regard to race, color, national origin, sex, religious beliefs, physical and mental handicap or
9 disability, or actual or potential marital or parental status. The District will not knowingly enter
10 into agreements with any entity or any individual that discriminates against students on the basis
11 of sex or any other protected status. Any student may file a complaint by using the Section 504
12 [and ADA] Grievance Procedures for claims relating disability discrimination, the Title IX
13 Sexual Harassment Grievance Procedures for claims of sexual harassment, or the Uniform
14 Grievance Procedure for all other claims.

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

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

26 Cross References: Board Policy 3225 Bullying, Harassment, Intimidation and
27 Hazing

28
29 Legal References: § 49-2-307, MCA Discrimination in education
30 § 49-3-201, MCA et seq Governmental Code of Fair Practices
31 20 USC 1681 et seq Title IX
32 42 USC § 12111 et seq. Americans with Disabilities Act
33 29 USC § 791 et seq. Rehabilitation Act of 1973
34 28 CFR 35.107 Nondiscrimination on the Basis of Disability
35 in State and Local Government Services
36 34 CFR 104.7 Nondiscrimination on the Basis of Handicap
37 in Programs or Activities Receiving Federal
38 Financial Assistance
39 34 CFR Part 106 Nondiscrimination on the Basis of Sex in
40 Education
41 10.55.701, ARM Board of Trustees
42 § 20-5-112, MCA Participation in extracurricular activities
43 § 20-5-109, MCA Nonpublic school requirements for
44 compulsory enrollment exemption (*Revised*
45 *by House Bill 702*)

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Discrimination based on vaccination status or possession of immunity passport prohibited

Revised on: 11/11/2014, 9/8/2020, 7/18/2023

Revised on: 11/11/2014, 9/8/2020, 7/18/2023

4
5 Publications and Distribution or Posting of Materials

6
7 ***School Sponsored Publications***

8 School-sponsored publications and productions are part of the curriculum and are not a public
9 forum for general student use. School authorities may edit or delete material that is inconsistent
10 with the District's educational mission. All student media shall comply with the ethics and rules
11 of responsible journalism. Text that is libelous, obscene, invades the privacy of others, conflicts
12 with the basic educational mission of the school, is socially inappropriate or inappropriate due to
13 the maturity level of the students, or is materially disruptive to the educational process will not
14 be tolerated. The author's name will accompany personal opinions published/produced and will
15 be provided within the same media.
16

17 ***Non-School Sponsored Publications***

18 Distribution in school of written material that is obscene, libelous, invades the privacy of others,
19 will cause substantial disruption of the proper and orderly operation and discipline of the school
20 or school activities, or advocates conduct otherwise inconsistent with shared values of a civilized
21 social order is prohibited. Distribution in school includes distribution on school property or at
22 school-related activities. Students who distribute such material or who write or publish such
23 material for distribution engage in gross disobedience and misconduct and will be disciplined in
24 accordance with Board policy.
25

26 ***Distribution and Posting of Materials***

27 Except as provided above, the District allows distribution of materials of parent and student
28 organizations sponsored by the District or other governmental agencies. The District also may
29 allow distribution of materials that provide information that supplements or supports the
30 District's curriculum or educational objectives. The Superintendent/designee must approve all
31 materials before they may be distributed by any organization or person. To facilitate the
32 distribution of materials with information about student activities, each building may maintain a
33 centrally located bulletin board for the posting of materials, and/or maintain a table available to
34 students for placing approved materials.
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38 Cross Reference: 3310 Student Discipline

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40 Legal Reference: § 20-5-201, MCA Duties and Sanctions
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44 Policy History:

45 Adopted on: 3/10/09

46 Reviewed on: 7/29/19

47 Revised on:

STUDENTS

3225

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:

- (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;

1 (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and
2 objectively offensive that it effectively denies a person equal access to the District's education
3 program or activity; or

4 (3) "Sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined
5 in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or
6 "stalking" as defined in 34 U.S.C. § 12291(a)(30).

7 8 ***Reporting***

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

19
20 Any adult school employee, adult volunteer, district contractor or agent who witnesses,
21 overhears or receives a report, formal or informal, written or oral, of bullying, harassment, or
22 intimidation shall report it in accordance with procedures developed under this policy. Any adult
23 school employee who has notice of sexual harassment or allegations of sexual harassment shall
24 make a report to the District's Title IX Coordinator.

25
26 Formal complaints alleging sexual harassment shall be addressed through the District's Title IX
27 Grievance Procedures. Complaints alleging disability discrimination or harassment shall be
28 addressed through the District's Section 504 [and ADA if applicable] Grievance Procedures. All
29 other complaints alleging bullying, discrimination, or harassment shall be addressed through the
30 District's Uniform Grievance Procedure.

31
32 The Title IX Coordinator, Section 504 [and ADA if applicable], and/or administrator are
33 responsible for taking the following actions in conformance with the applicable grievance
34 procedure:

- 35
- 36 1. Taking prompt action to investigate/report complaints of harassment, intimidation and
37 bullying.
 - 38 2. Promptly notifying the complainants and respondents and their parents/guardians
39 regarding the outcome;
 - 40 3. Taking supportive or remedial measures to ensure continued access to the District's
41 programs or activities while the grievance process is pending; and
 - 42 4. Taking disciplinary action as appropriate and any other actions appropriate to address the
43 harassment, intimidation, and bullying.
- 44

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

10 11 *Consequences*

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

21
22 Retaliation and reprisal against any person who reports an act of harassment, intimidation or
23 bullying or participates in an investigation under this policy is prohibited. The consequence and
24 appropriate remedial action for a person who engages in reprisal or retaliation shall be
25 determined by the administrator after consideration of the nature and circumstances of the act, in
26 accordance with district policy.

27		
28		
29	Cross References:	1700
30		Uniform Grievance Protocol
31		Title IX Grievance Procedure
32		Section 504 Grievance Procedure
33	Legal References:	§ 20-5-207, MCA
34		Bully-Free Montana Act (<i>revised by</i>
35		<i>House Bill 450</i>)
36		§ 49-2-307, MCA
37		Discrimination in education (<i>revised</i>
38		<i>by House Bill 361</i>)
39		§ 49-3-201, MCA et seq
40		Governmental Code of Fair Practices
41		20 U.S.C § 1681 et seq
42		Title IX
43		34 C.F.R. Part 106
44		Nondiscrimination on the Basis of
45		Sex in Education
46		Board of Trustees
		Student Protection Procedures
		School Climate
		Certain District Policies Prohibited

1

2 Policy History:

3 Adopted on: 11/9/93

4 Reviewed on: 7/29/19

5 Revised on: 12/9/93, 3/10/09, 9/8/2020, 7/18/2023

4
5 Searches and Seizure

6
7 The District has a responsibility for the health and safety of its students during the school day, at
8 all extra-curricular activities and events, and all activities conducted on school premises. Use of
9 and / or possession of drugs, alcohol, tobacco and tobacco innovations, controlled substances,
10 medications (including over-the-counter medications without permission), and any other illegal
11 drug, and/or drug paraphernalia on school property or at a school sponsored event pose a serious
12 risk to health and safety to students, employees and visitors. Possession and use of weapons on
13 school grounds poses an additional risk to the health and safety of students, employees and
14 visitors.
15

16 To protect students, employees, and visitors from these risks, it is necessary to conduct searches
17 of persons and property under certain, limited circumstances. Such searches are necessary to:
18 deter the presence and possession of prohibited substances and items; deter drug and alcohol
19 abuse among the student population; to educate students as to the serious physical, mental and
20 emotional harm caused by drug and alcohol abuse; to prevent injury, illness and harm as result of
21 drug, alcohol abuse and/or weapons; to help identify student drug use and assist parents in
22 pursuing evaluation and appropriate counseling; and to maintain a safe environment free of
23 weapons, alcohol and drug use.
24

25 Searches may be carried out to recover stolen property, to detect illegal substances or weapons,
26 or to mitigate or eliminate risks to and disruption of a safe and healthy educational environment.
27 In keeping with these goals, the Board authorizes school authorities to conduct reasonable
28 searches of school property and equipment, as well as of students and their personal effects, to
29 maintain health, safety, and security in the schools.
30

31 The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified
32 at its inception, and (2) reasonably related in scope to the circumstances which justified the
33 interference in the first place.
34

35 School authorities are authorized to utilize any reasonable means of conducting searches,
36 including but not limited to the following:
37

- 38 1. A “pat down” of the exterior of the student’s clothing;
- 39 2. A search of the student’s clothing, including pockets;
- 40 3. A search of any container or object used by, belonging to, or otherwise in the
41 possession or control of a student; and/or
- 42 4. Devices or tools such as breath-test instruments, saliva test strips, etc.
43

44 The “pat down” or “search” of a student, if conducted, will be conducted by a school official or
45 employee of the same gender as the student being searched.
46

1 The types of property that may be searched by school officials include but are not limited to
2 lockers, desks, purses, backpacks, vehicles parked on school property, cellular phones or other
3 electronic communication devices.
4

5 ***Students and Their Personal Effects***

6 School authorities may search a student, the student's property, or District property under the
7 student's control, when there is reasonable suspicion that the search will produce evidence the
8 student has violated or is violating either the law, Board policy, administrative regulation or the
9 District's student conduct rules. Reasonable suspicion shall be based on the specific and
10 objective facts that the search will produce evidence related to the alleged violation.
11

12 Immediately following a search, a written report shall be made by the school authority who
13 conducted the search. The report shall be submitted to the Principal and forwarded to the
14 Superintendent. The parent of the student shall be notified of the search as soon as possible.
15

16 ***Vehicles Parked on School Property***

17 Parking on District property is a privilege for all students. Students may not use, transport, carry,
18 or possess alcohol, illegal drugs or any weapons in their vehicles on school property. While on
19 school property, vehicles may be inspected at any time when staff has reasonable suspicion to
20 believe the vehicle contains, illegal drugs, drug paraphernalia, or weapons. District staff may
21 inspect vehicles parked on school property at any time by staff for the presence of alcohol, illegal
22 drugs, drug paraphernalia, or weapons. District staff may search a vehicle parked on school
23 property only with the consent of the student or parent when the staff member has reasonable
24 suspicion to believe the vehicle contains alcohol, illegal drugs, drug paraphernalia, or weapons.
25 If the student or parent refuses consent to the search, the student will lose the privilege of parking
26 on school property.
27

28 In any case of reasonable suspicion or where the student or parent will not consent to a search of
29 the vehicle parked on school property, the District is authorized to contact law enforcement to
30 conduct a search of the interior of the student's vehicle. Notice provisions for students will be
31 contained in the student handbook annually and students shall annually consent to these
32 procedures.
33

34 In addition, by exercising the privilege of parking in the school parking lots, the student
35 acknowledges that the student does not have any expectation of privacy in the odors emanating
36 from the student's vehicle which may alert a human or a canine to the presence of alcohol, illegal
37 drugs, drug paraphernalia or weapons.
38

39 ***School Property***

40 School property, including, but not limited to, desks and lockers, is owned and controlled by the
41 District and may be searched by school authorities at any time. School authorities are authorized
42 to conduct area-wide, general administrative inspections of school property without notice to or
43 consent of the student and without reasonable suspicion. Contractors using trained dogs may be
44 employed by the district to assist in this process.
45
46
47

1 ***Seizure of Property***

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

6
7 Cross References: 3310 Student Discipline

8
9 Legal Reference: Redding v. Safford Unified School District, 504 F.3d 828 (9th Cir.
10 2007)
11 Terry v. Ohio, 392 U.S. 1, 20 (1968)
12 B.C. v. Plumas, 192 F.3d 1260 (9th Cir. 1999)

13
14
15 Policy History:

16 Adopted on:

17 Reviewed on:

18 Revised on: 11/11/2014, 7/29/19

1 **Arlee Public Schools**

3 **STUDENTS**

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5 Student Use of Buildings: Equal Access

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

10 The following criteria must be met:

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

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

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

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

39 Policy History:

40 Adopted on: 3/10/09

41 Reviewed on: 7/29/19

42 Revised on:

1 **Arlee Public Schools**

2
3 **STUDENTS**

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4
5 Video Surveillance

6
7 The Board recognizes the need to provide a safe learning environment for students and staff and
8 to protect District property and equipment. Therefore, video surveillance cameras may be used as
9 a security measure on any Arlee Public Schools property.

10
11 Video cameras will also be used to ensure that students' behavior on school property is
12 consistent with the established safety and conduct rules. If unacceptable behavior is recorded,
13 timely and appropriate corrective action will occur. The Superintendent is responsible for the
14 implementation of safety and security measures at each building and the proper use of video
15 surveillance monitoring systems. No staff member may use video surveillance in a classroom
16 without permission of the parent.

17
18 Signs shall be posted at various locations to inform students, staff and the public that video
19 surveillance cameras are in use. The video surveillance will not include audio recordings unless
20 specific notice is given as required by law.

21
22 Cross Reference: 3600 Student Records

23
24 Legal Reference 40-6-701 MCA Interference with fundamental rights of parents
25 restricted (*Revised by House Bill 676*)

26
27 Policy History:

28 Adopted on: 2/14/02

29 Reviewed on: 7/29/19

30 Revised on: 3/10/09, 7/18/2023

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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 (ten) 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.

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;
- 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 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: 6/15/92

Reviewed on: 11/8/94, 7/29/19

Revised on: 12/9/93, 12/8/04, 3/10/09, 06/11/13, 3/17/2014, 8/17/2021

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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, alternative nicotine products, or marijuana products (tobacco includes but is not limited to cigarettes, e-cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco or any other tobacco or nicotine innovation) (marijuana products include but are not limited to edible products, ointments, tinctures, marijuana derivatives, marijuana concentrates, and marijuana intended for use by smoking or vaping);
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages, including powdered alcohol. Students who may be under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing or selling illegal drugs or controlled substances (includes medical marijuana), 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, except when physical force is determined to be reasonable and necessary and used as self-defense or the defense of another person after an investigation into such conduct.
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.
12. Forging any signature or making any false entry or attempting to authorize any document

1 used or intended to be used in connection with the operation of a school.
2 13. Gambling for money.

3
4 These grounds stated above for disciplinary action apply whenever a student's conduct is
5 reasonably related to school or school activities, including but not limited to the circumstances
6 set forth below:

- 7
8 • On, or within sight of, school grounds before, during, or after school hours or at
9 any other time when school is being used by a school group.
10 • Off school grounds at a school-sponsored activity or event or any activity or event
11 that bears a reasonable relationship to school.
12 • Travel to and from school or a school activity, function, or event.
13 • Anywhere conduct may reasonably be considered to be a threat or an attempted
14 intimidation of a staff member or an interference with school purposes or an
15 educational function.

16
17 ***Disciplinary Measures***

18 Disciplinary measures include but are not limited to:

- 19 • Expulsion
20 • Suspension
21 • Detention, including Saturday school
22 • Loss of student privileges
23 • Loss of bus privileges
24 • Notification to juvenile authorities and/or police
25 • Restitution for damages to school property

26
27 No District employee or person engaged by the District may inflict or cause to be inflicted
28 corporal punishment on a student. Corporal punishment does not include reasonable force
29 District personnel are permitted to use as needed to maintain safety for other students, school
30 personnel, or other persons or for the purpose of self-defense.

31
32 ***Gun-Free Schools***

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

42
43 ***Possession of a Weapon in a School Building***

44 The District will refer to law enforcement for immediate prosecution any person who possesses,
45 carries or stores a weapon in a school building, except as provided below, and the District may
46 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 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 (<i>revised by House Bill 128</i>)
§ 20-4-302, MCA	Discipline and punishment of pupils
§ 20-5-201, MCA	Duties and sanctions (<i>revised by House Bill 450</i>)
§ 20-5-202, MCA	Suspension and Expulsion
§ 20-5-209, MCA	Bullying of student prohibited-self defense authorized (<i>revised by House Bill 450</i>)
§ 45-8-361, MCA	Possession of a weapon in school building
§ 45-8-317, MCA	Exceptions
§§ 50-46-301 <i>et seq.</i> , MCA	Montana Marijuana Act
20 USC §§ 7101 <i>et seq.</i>	Safe and Drug-Free Schools & Communities Act
20 USC § 7961	Gun-Free requirements
§ 1-1-204, MCA	Terms denoting state of mind
House Bill 361	Certain District Policies Prohibited

Policy History:

Adopted on: 1/12/05

Reviewed on:

Revised on: 1/9/07, 3/10/09, 1/11/11, 3/17/2014, 07/14/15, 7/29/19, 8/17/2021, 7/18/2023

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4
5 Student Health/Physical Screenings/Examinations

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

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

17 Parents will receive written notice of any screening result which indicates a condition that might
18 interfere or tend to interfere with a student's progress.
19

20 The District will not conduct physical examinations of a student without parental consent to do
21 so or by court order, unless the health or safety of the student or others is in question. Further,
22 parents will be notified of the specific or approximate dates during the school year when
23 screening administered by the District is conducted which is not necessary to protect the
24 immediate health and safety of the student or other students.
25

26 Parents or eligible students will be given the opportunity to opt out of the above-described
27 screening.
28

29 Students who wish to participate in certain extracurricular activities may be required to submit to
30 a physical examination to verify their ability to participate in the activity. Students participating
31 in activities governed by the Montana High School Association will be required to follow the
32 rules of that organization, as well as other applicable District policies, rules, and regulations.
33

34 All parents will be notified of requirements of the District's policy on physical examinations and
35 screening of students, at least annually at the beginning of the school year and within a
36 reasonable period of time after any substantive change in the policy.
37

38 Legal Reference: § 20-3-324(20), MCA Powers and duties
39 20 U.S.C. 1232h(b) General Provisions Concerning Education
40

41 Cross Reference: MHSA Handbook
42

43 Policy History:

44 Adopted on: 2/14/02

45 Reviewed on: 7/29/19

46 Revised on: 11/13/02, 3/10/09

1 **Arlee Public Schools**

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4
5 Management of Sports Related Concussions

6
7 The District recognizes that concussions and head injuries are commonly reported injuries in
8 children and adolescents who participate in sports and other recreational activities. The Board
9 acknowledges the risk of catastrophic injuries or death is significant when a concussion or head
10 injury is not properly evaluated and managed. Therefore, all K-12 competitive youth athletic
11 activities in the District will be identified by the administration.

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

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

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

29
30 Reference: Montana High School Association, Rules and Regulations
31 Section 4, Return to Play

32
33 Legal Reference: Dylan Steigers Youth Athlete Protection Act

34
35 Cross Reference: 3415F Student-Athlete & Parent/Legal Custodian Concussion Statement

36
37
38 Policy History:

39 Adopted on: 2/8/11

40 Reviewed on: 7/29/19

41 Revised on: 07/22/13

1 **Arlee Public Schools**

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4
5 Administration of Medication

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

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

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

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

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

26
27 Administering Medication

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

34
35 Emergency Administration of Medication

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

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

45
46 The Board requires that there must be on record a medically diagnosed allergic condition that

1 would require prompt treatment to protect a student from serious harm or death.

2
3 A building administrator or school nurse will enter any medication to be administered in an
4 emergency on an individual student medication record and will file it in a student's cumulative
5 health folder.

6 7 Self-Administration of Medication

8
9 The District will permit students who are able to self-administer specific medication to do so
10 provided that:

- 11
- 12 • A physician or dentist provides a written order for self-administration of said medication;
 - 13 • Written authorization for self-administration of medication from a student's parent, an
14 individual who has executed a caretaker relative educational authorization affidavit, or
15 guardian is on file; and
 - 16 • A principal and appropriate teachers are informed that a student is self-administering
17 prescribed medication.

18
19 A building principal or school administrator may authorize, in writing, any employee to assist
20 with self-administration of medications, provided that only the following may be employed:

- 21
- 22 • Making oral suggestions, prompting, reminding, gesturing, or providing a written guide
23 for self-administering medications;
 - 24 • Handing to a student a prefilled, labeled medication holder or a labeled unit dose
25 container, syringe, or original marked and labeled container from a pharmacy;
 - 26 • Opening the lid of a container for a student;
 - 27 • Guiding the hand of a student to self-administer a medication;
 - 28 • Holding and assisting a student in drinking fluid to assist in the swallowing of oral
29 medications; and
 - 30 • Assisting with removal of a medication from a container for a student with a physical
31 disability that prevents independence in the act.

32 33 Self-Administration or Possession of Asthma, Severe Allergy, or Anaphylaxis Medication

34
35 Students with allergies or asthma may be authorized by the building principal or Superintendent,
36 in consultation with medical personnel, to possess and self-administer emergency medication
37 during the school day, during field trips, school-sponsored events, or while on a school bus. The
38 student shall be authorized to possess and self-administer medication if the following conditions
39 have been met:

- 40
- 41 • A written and signed authorization from the parents, an individual who has executed a
42 caretaker relative educational authorization affidavit, or guardians for self-administration
43 of medication, acknowledging that the District or its employees are not liable for injury
44 that results from the student self-administering the medication.
 - 45 • The student must have the prior written approval of his/her primary healthcare provider.
46 The written notice from the student's primary care provider must specify the name and

1 purpose of the medication, the prescribed dosage, frequency with which it may be
2 administered, and the circumstances that may warrant its use.

- 3 • Documentation that the student has demonstrated to the healthcare practitioner and the
4 school nurse, if available, the skill level necessary to use and administer the medication.
- 5 • Documentation of a doctor-formulated written treatment plan for managing asthma,
6 severe allergies, or anaphylaxis episodes of the student and for medication use by the
7 student during school hours.

8
9 Authorization granted to a student to possess and self-administer medication shall be valid for
10 the current school year only and must be renewed annually.

11
12 A student's authorization to possess and self-administer medication may be limited or revoked
13 by the building principal or other administrative personnel.

14
15 If provided by the parent, an individual who has executed a caretaker relative educational
16 authorization affidavit, or guardian, and in accordance with documentation provided by the
17 student's doctor, backup medication must be kept at a student's school in a predetermined
18 location or locations to which the student has access in the event of an asthma, severe allergy, or
19 anaphylaxis emergency.

20
21 Immediately after using epinephrine during school hours, a student shall report to the school
22 nurse or other adult at the school who shall provide follow up care, including making a 9-1-1
23 emergency call.

24 25 Administration of Glucagons

26 School employees may voluntarily agree to administer glucagons to a student pursuant to § 20-5-
27 412, MCA, only under the following conditions: (1) the employee has filed the necessary
28 designation and acceptance documentation with the District, as required by § 20-5-412(2), MCA,
29 and (2) the employee has filed the necessary written documentation of training with the District, as
30 required by § 20-5-412(4), MCA. All documentation shall be kept on file.

31 32 Handling and Storage of Medications

33
34 The Board requires that all medications, including those approved for keeping by students for
35 self-medication, be first delivered by a parent, an individual who has executed a caretaker
36 relative educational authorization affidavit, or other responsible adult to a nurse or employee
37 assisting with self-administration of medication. A nurse or assistant:

- 38
39 • Must examine any new medication to ensure it is properly labeled with dates, name of
40 student, medication name, dosage, and physician's name;
- 41 • Must develop a medication administration plan, if administration is necessary for a
42 student, before any medication is given by school personnel;
- 43 • Must record on the student's individual medication record the date a medication is
44 delivered and the amount of medication received;
- 45 • Must store medication requiring refrigeration at 36° to 46° F;

- 1 • Must store prescribed medicinal preparations in a securely locked storage compartment;
2 and
- 3 • Must store controlled substances in a separate compartment, secured and locked at all
4 times.
- 5 • All non-emergency medication shall be kept in a locked, nonportable container, stored in
6 its original container with the original prescription label. Epinephrine, naloxone, and
7 student emergency medication may be kept in portable containers and transported by the
8 school nurse or other authorized school personnel.
- 9 • Food is not allowed to be stored in refrigeration unit with medications.
- 10 • Shall notify the building administrator, school district nurse, and parent or guardian of
11 any medication error and document it on the medication administration record.

12
13 The District will permit only a forty-five-(45)-school-day supply of a medication for a student to
14 be stored at a school; and all medications, prescription and nonprescription, will be stored in
15 their original containers.

16
17 The District will limit access to all stored medication to those persons authorized to administer
18 medications or to assist in the self-administration of medications. The District requires every
19 school to maintain a current list of those persons authorized by delegation from a licensed nurse
20 to administer medications.

21
22 The District may maintain a stock supply of auto-injectable epinephrine to be administered by a
23 school nurse or other authorized personnel to any student or nonstudent as needed for actual or
24 perceived anaphylaxis. If the district intends to obtain an order for emergency use of epinephrine
25 in a school setting or at related activities, the district shall adhere to the requirements stated in
26 20-5-420, Section 2, MCA.

27
28 The District may maintain a stock supply of an opioid antagonist to be administered by a school
29 nurse or other authorized personnel to any student or nonstudent as needed for an actual or
30 perceived opioid overdose. A school that intends to obtain an order for emergency use of an
31 opioid antagonist in a school setting or at related activities shall adhere to the requirements in
32 law.

33
34 (a) A school that stocks an opioid antagonist shall develop a protocol related to the training of
35 school employees, the maintenance and location of the opioid antagonist, and immediate and
36 long-term follow up to the administration of the medication, including making a 9-1-1
37 emergency call.

38
39 (b) The opioid antagonist must be prescribed by a physician, advanced practice registered
40 nurse, or physician assistant. The school must be designated as the patient, and each prescription
41 for an opioid antagonist must be filled by a licensed pharmacy.

42
43 (c) The school shall provide training to authorized personnel. The training must include causes
44 of opioid overdose, recognition of signs and symptoms of opioid overdose, indications for the
45 administration of an opioid antagonist, administration technique, and the need for immediate
46 access to a certified emergency responder. Training must be provided by a school nurse, certified

emergency responder, or other health care professional.

(d) The opioid antagonist must be kept in a secure and easily accessible location.

(e) A school nurse or other authorized personnel may, in good faith, administer the opioid antagonist to any student or nonstudent who is experiencing a potential life-threatening opioid overdose based on the protocol developed by the school.

(f) If a school stocks an opioid antagonist that has been prescribed to the school, that school shall inform parents or guardians about the potential use of the opioid antagonist in an opioid overdose emergency. The school shall make the protocol available upon request.

(g) A school district or nonpublic school and its employees and agents are not liable as a result of any injury arising from the administration of an opioid antagonist to a student or nonstudent unless an act or omission is the result of gross negligence, willful or wanton misconduct, or an intentional tort.

Disposal of Medication

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

1

2 Policy History:

3 Adopted on:

4 Reviewed on: 7/29/19

5 Revised on: 9/14/05, 9/11/07, 3/10/09, 06/11/13, 8/17/21, 2/9/2022

STUDENTS

3520

Student Fees, Fines, and Charges

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

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

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

The District holds a student responsible for the cost of replacing materials or property that are lost or damaged because of negligence. A building administrator will notify a student and parent regarding the nature of violation or damage, how restitution may be made, and how an appeal may be instituted. The District may withhold a student's grades or diploma until restitution is made. The District may not refuse to transfer files because a student owes fines or fees. A school district may withhold the grades, diploma, or transcripts of a pupil who is responsible for the cost of school materials or the loss or damage of school property until the pupil or the pupil's parent or guardian satisfies the obligation.

A school district that decides to withhold a pupil's grades, diploma, or transcripts from the pupil and the pupil's parent or guardian shall:

- (i) upon receiving notice that the pupil has transferred to another school district in the state, notify the pupil's parent or guardian in writing that the school district to which the pupil has transferred will be requested to withhold the pupil's grades, diploma, or transcripts until any obligation has been satisfied;
- (ii) forward appropriate grades or transcripts to the school to which the pupil has transferred;
- (iii) at the same time, notify the school district of any financial obligation of the pupil and request the withholding of the pupil's grades, diploma, or transcripts until any obligations are met;
- (iv) when the pupil or the pupil's parent or guardian satisfies the obligation, inform the school district to which the pupil has transferred;

A student or parent may appeal the imposition of a charge for damages to the Superintendent and to the Board.

Legal reference: § 20-1-213 (3), MCA Transfer of school records
 § 20-5-201(4), MCA Duties and sanctions
 § 20-7-601, MCA Free textbook provisions
 § 20-9-214, MCA Fees

Policy History:

Adopted on: 12/10/96

Reviewed on: 7/29/19

Revised on: 3/10/09, 3/17/2014

1 **Arlee Public Schools**

2
3 **STUDENTS**

3600

4
5 Student Records

6
7 School student records are confidential, and information from them will not be released other
8 than as provided by law. State and federal laws grant students and parents certain rights,
9 including the right to inspect, copy, and challenge school records.

10
11 The District will ensure information contained in student records is current, accurate, clear, and
12 relevant. All information maintained concerning a student receiving special education services
13 will be directly related to the provision of services to that child. The District may release
14 directory information as permitted by law, but parents will have the right to object to release of
15 information regarding their child.

16
17 The Superintendent will implement this policy and state and federal law with administrative
18 procedures. The Superintendent or designee will inform staff members of this policy and inform
19 students and their parents of it, as well as of their rights regarding student school records.

20
21 Each student's permanent file, as defined by the board of public education, must be permanently
22 kept in a secure location. Other student records must be maintained and destroyed as provided in
23 20-1-212, MCA.

24
25 Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R.
26 99
27 § 20-1-212, MCA Destruction of records by school officer.
28 § 20-5-201, MCA Duties and sanctions
29 § 40-4-225, MCA Access to records by parent
30 § 40-6-701, MCA Interference with fundamental parental rights
31 restricted (*revised by House Bill 676*)
32 § 52-2-211, MCA County or regional interdisciplinary child
33 information and school safety team (*revised by*
34 *Senate Bill 213*)
35 10.55.909, ARM Student Records

36
37
38 Policy History:

39 Adopted on:

40 Reviewed on: 3/10/09, 7/29/19

41 Revised on: 07/11/13, 7/18/2023

DATED this _day of _____, 20 .

(S E A L)

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 with a five-(5)-day time period. The District also will include in that notice the date by which requested records will be transferred. The District will not refuse to transfer records because a student owes fines or fees.

Cross Reference:	3413	Student Immunization
	3600 - 3600P	Student Records
	3606F	Records Certification

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

Adopted on: 3/10/09

Reviewed on: 7/29/19

Revised on:

Arlee Public Schools

R

STUDENTS

3608

Receipt of Confidential Records

Pursuant to Montana law, the District may receive case records of the Department of Public Health and Human Services and its local affiliate, the county welfare department, the county attorney, and the court concerning actions taken and all records concerning reports of child abuse and neglect. The District will keep these records confidential as required by law and will not include them in a student's permanent file.

The Board authorizes the individuals listed below to receive information with respect to a District student who is a client of the Department of Public Health and Human Services:

- Counselor
- Nurse
- Special Education Teacher
- School Psychologist
- Administration

When the District receives information pursuant to law, the Superintendent will prevent unauthorized dissemination of that information.

Cross Reference: 3600 - 3600P Student Records

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

Policy History:

Adopted on:

Reviewed on: 7/29/19

Revised on: 3/10/09

STUDENTS

3612

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

The District makes Internet access and interconnected computer systems available to District students and faculty. The District provides electronic networks, including access to the Internet, as part its instructional program and to promote educational excellence by facilitating resource sharing, innovation, and communication.

The District expects all students to take responsibility for appropriate and lawful use of this access, including good behavior on-line. The District may withdraw student access to its network and to the Internet when any misuse occurs. District teachers and other staff will make reasonable efforts to supervise use of network and Internet access; however, student cooperation is vital in exercising and promoting responsible use of this access.

Curriculum

Use of District electronic networks will be consistent with the curriculum adopted by the District, as well as with varied instructional needs, learning styles, abilities, and developmental levels of students, and will comply with selection criteria for instructional materials and library materials. Staff members may use the Internet throughout the curriculum, consistent with the District's educational goals.

Acceptable Uses

1. Educational Purposes Only. All use of the District's electronic network must be: (1) in support of education and/or research, and in furtherance of the District's stated educational goals; or (2) for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any materials that are stored, transmitted, or received via the District's electronic network or District computers. The District reserves the right to monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage.
2. Unacceptable Uses of Network. The following are considered unacceptable uses and constitute a violation of this policy:
 - A. Uses that violate the law or encourage others to violate the law, including but not limited to transmitting offensive or harassing messages; offering for sale or use any substance the possession or use of which is prohibited by the District's student discipline policy; viewing, transmitting, or downloading pornographic materials or materials that encourage others to violate the law; intruding into

the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.

- B. Uses that cause harm to others or damage to their property, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating, or otherwise using his/her access to the network or the Internet; uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information.
- C. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.
- D. Uses that are commercial transactions. Students and other users may not sell or buy anything over the Internet. Students and others should not give information to others, including credit card numbers and social security numbers.

Warranties/Indemnification

The District makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this policy. The District is not responsible for any information that may be lost, damaged, or unavailable when using the network or for any information that is retrieved or transmitted via the Internet. The District will not be responsible for any unauthorized charges or fees resulting from access to the Internet. Any user is fully responsible to the District and will indemnify and hold the District, its trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchase of goods or services by a user. The District expects a user or, if a user is a minor, a user's parents or legal guardian to cooperate with the District in the event of its initiating an investigation of a user's use of access to its computer network and the Internet.

Violations

If a student violates this policy, the District will deny the student access or will withdraw access and may subject the student to additional disciplinary action. An administrator or building principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with that decision being final.

Policy History:

Adopted on: 3/10/09

Reviewed on: 7/29/2019

Revised on:

1 **Arlee Public Schools**

2
3 **STUDENTS**

3630

4
5 Cell Phones and Other Electronic Equipment

6
7 ***Elementary***

8 Cell phones are not to be used on the school grounds when school is in session. Students who
9 disregard these guidelines will be required to turn the cell phone into the office or their teacher
10 until the end of the day. The student may pick the cell phone up as he/she leaves the school.
11

12 ***Junior High and High School***

13 Student possession and use of cellular phones, pagers, and other electronic signaling devices on
14 school grounds, at school-sponsored activities and while under the supervision and control of
15 School District employees is a privilege. School authorities reserve the right to restrict the use of
16 such devices during the school day.
17

18 Students may use cellular phones, pagers or other electronic signaling devices on campus only
19 before school, during lunch and after the school day ends. These devices must be kept out of
20 sight and turned off during the instructional day (including time out of classroom on a hall pass).
21 School officials, including classroom teachers, may confiscate such devices when used
22 inappropriately. Confiscated devices will only be returned to the parent. Repeat unauthorized use
23 of such devices will result in progressive disciplinary action.
24

25 At no time will any student operate a cell phone or other electronic device with video/camera
26 capability in locker room, bathroom or other location where such operation may violate the
27 privacy right of another student.
28

29 Policy History:

30 Adopted on: 3/10/09

31 Reviewed on: 7/29/19

32 Revised on:

ARLEE PUBLIC SCHOOLS

3000 SERIES STUDENTS

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1 **Arlee Public Schools**

2
3 **STUDENTS**

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4
5 Entrance, Placement, and Transfer

6
7 Entrance, Date, and Age

8
9 The trustees will enroll a child in kindergarten or in first grade whose fifth (5th) birthday occurs
10 on or before the tenth (10th) day of September of the school year in which the child is to enroll
11 but is not yet 19 years of age. Parents may request a waiver of the age requirement. All waivers
12 are granted in the sole discretion of the District. The District requires proof of identity and an
13 immunization record for every child to be admitted to District schools. The trustees may at their
14 discretion assign and admit a child to a school in the district who is under 5 years of age or an
15 adult who is 19 years of age or older if there are exceptional circumstances that merit waiving
16 the age provision.

17
18 School Entrance

- 19
20 1. The District requires that a student's parents, legal guardian, or legal custodian present
21 proof of identity of the child¹ to the school within forty (40) days of enrollment, as well
22 as proof of residence in the District. Students who are not residents of the District may
23 apply for admission pursuant to Policy 3141. Homeless students, students in foster care,
24 and students of military families shall be admitted pursuant to state and federal law, and
25 Board Policy.
- 26
27 2. To be admitted to District schools, in accordance with the Montana Immunization Law, a
28 child must have been immunized against varicella, diphtheria, pertussis, tetanus,
29 poliomyelitis, rubella, mumps, and measles in the manner and with immunizing agents
30 approved by the department. Immunizations may not be required if a child qualifies for
31 conditional attendance or an exemption is filed as provided by Montana law.

32
33 Placement

34
35 The District goal is to place students at levels and in settings that will increase the probability of
36 student success. Developmental testing, together with other relevant criteria, including but not
37 limited to health, maturity, emotional stability, and developmental disabilities, may be
38 considered in the placement of all students. Final disposition of all placement decisions rests
39 with the principal, subject to review by the Superintendent or the Board.

40
41 Transfer

42
43 District policies regulating the enrollment of students from other accredited elementary and
44 secondary schools are designed to protect the educational welfare of children.

45
46
1 For the purposes of this section "proof of identity" means a certified copy of a birth certificate, a certified transcript or similar student records from the previous school, or any documentary evidence that a school district considers to be satisfactory proof of identity. 44-2-511(6)(a), MCA

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

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

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

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

Cross Reference: Board Policy 3125
 Board Policy 3127
 Board Policy 3130

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

Policy History:

Adopted on: 4/8/86

Reviewed on:

Revised on: 5/13/86, 3/10/08, 3/10/09, 07/14/15, 7/29/2019

STUDENTS

3120

Compulsory Attendance

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

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

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

The provisions above do not apply in the following cases:

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

Compulsory attendance stated above will not apply when children:

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

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

Policy History:

Adopted on: 10/8/96
Reviewed on: 7/29/2019
Revised on: 3/10/09, 01/10/2012

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4
5 Attendance Policy

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

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

19
20 Attendance procedures for elementary, junior high, and high school students can be found in the
21 respective current handbooks.

22
23
24
25 Policy History:

26 Adopted on: 3/10/09

27 Reviewed on: 7/29/19

28 Revised on:

STUDENTS

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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 Protocol.

Cross Reference: 1700 Uniform Complaint Procedure

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

Policy History:

Adopted on:

Reviewed on: 3/10/09 7/29/19

Revised on:

STUDENTS

3127

Education of Children in Foster Care

Children in foster care are entitled to educational stability and the opportunity to achieve at the same high levels as their peers. “Foster care” means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

The District agrees to cooperate with child protective agencies to ensure that children in foster care remain in their school of origin unless it is not in their best interests. If it is determined to be in the child’s best interest to not remain in his or her school of origin, the District shall enroll a child in foster care in a school determined to be in the child’s best interest without delay regardless of whether that student can produce records normally required for enrollment. The new school in which a child in foster care is enroll shall immediately contact the school of origin to obtain the child’s records.

The Superintendent or designee shall identify a Point of Contact (POC) to coordinate the District’s provision of services to children in foster care.

Legal References: 20 U.S.C. 6311 Title I (as amended by Every Student Succeeds Act)

Cross References:

Policy History:

Adopted on: 7/29/19

Revised on:

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4
5 Children of Military Families

6
7 It is the intention of the District to remove barriers to educational success imposed on children of
8 military families transitioning to and from school because of frequent moves and/ deployment of
9 a parent on active duty in the regular Armed Forces, National Guard, or Reserves.

10
11 ***Educational Records and Enrollment***

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

20
21 In the event that a child of a military family seeks to enroll in the District, the District shall enroll
22 and appropriately place the student as quickly as possible based upon information in the
23 unofficial educational records pending receipt of the official records.

24
25 ***Tuition***

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

29
30 ***Placement***

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

39
40 The Superintendent may waive course or program prerequisites or other preconditions for a child
41 of a military family's placement in any courses or programs.

42
43 ***Extracurricular Activities***

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

1 **Graduation**

2 The District may waive specific courses required for graduation of a child of a military family
3 who has transferred into the District if similar coursework has been satisfactorily completed at
4 the child’s previous schools. If the District refuses a request for a waiver from a child of a
5 military family who has transferred into the District regarding courses required for graduation, it
6 shall provide a reasonable justification for the denial and shall provide an alternative means of
7 acquiring the required coursework so that the child may graduate on time.
8

9 In the event a child of military family who transfers at the beginning of or during the child’s
10 senior year and is ineligible to graduate from a school within the District despite alternative
11 means being offered, the District shall coordinate with the school from which the child
12 transferred for the child receive a diploma from that school.
13

14 ***Children of Military Families with Disabilities***

15 The District shall initially provide comparable services to a child of a military family transferring
16 into the District who is receiving special education and related services pursuant to an individual
17 education program under Individuals with Disabilities Education Act. The District shall make
18 appropriate accommodations and modifications to address the educational needs of children of
19 military families transferring into the District who qualify for services under Section 504 of the
20 Rehabilitation Act, subject to any existing Section 504 plan. If appropriate, the District may
21 perform subsequent evaluations to ensure the child continues to be appropriately placed.
22

23 Legal References:	§ 20-1-230, MCA	Interstate Compact on Educational
24		Opportunity for Military Children
25		
26 Cross Reference:	2161	Special Education and Accommodations
27	2162	Section 504 Procedural Safeguards
28	2410	High School Graduation
29	2413	Credit Transfer/Assessment for Placement
30	3130	Entrance, Placement and Transfer
31	3123	Attendance
32	3141	Discretionary Nonresident Student
33		Attendance
34	3606	Transfer of Student Records
35		
36		

37 Policy History:
38 Adopted on: 7/29/19
39 Revised on:
40

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4
5 Discretionary Nonresident Student Attendance Policy

6
7 Recognizing that its resident students need an orderly educational process and environment free from
8 disruption and overcrowding, the Board has determined that the District will permit discretionary
9 nonresident students to attend school in the District, subject to annual approval. The District will screen
10 all nonresident students and consider only those who meet the criteria set forth in this policy. The
11 Superintendent will recommend to the Board any nonresident student admission in accordance with this
12 policy, with the Board making the final decision on admission. Foreign exchange students shall be
13 admitted pursuant to the terms of this policy and according to current federal law regulating foreign
14 exchange programs.

15
16 The District will consider the following criteria for discretionary admission of nonresident
17 students: academic record, disciplinary record, and the current student level in the class in which
18 the student would be admitted. The Superintendent will evaluate the student based on the above
19 listed criteria and determine whether or not to recommend continued enrollment of the student.

20
21 Admission in one school year does not imply or guarantee admission in subsequent years. All
22 resident students who become nonresident students due to a move by the students' parents from
23 the District may continue attendance for the remainder of school year, barring registration in
24 another school district. At the completion of the current school year, the student must apply for
25 admission as a nonresident student if the student wishes to remain in the District.

26
27 The Board reserves the right to charge tuition for nonresident students. The Board may, in its
28 discretion, charge or waive tuition for all students whose tuition is required to be paid by one
29 type of entity. Unless otherwise provided by law, nonresident students are not eligible
30 transportees for school transportation services.

31
32

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

42

43 Policy History:

44 Adopted on:

45 Reviewed on: 7/29/19

46 Revised on: 3/10/09

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3 **STUDENTS**

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4
5 Foreign Exchange Students

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

12
13 J-1 visa holders (students sponsored by an approved foreign exchange organization) are eligible
14 to attend secondary school. Any sponsoring organization must have a local representative, be a
15 nonprofit organization, and be approved by the Council on Standards for International Education
16 Travel. F-1 visa holders (individual foreign students sponsored by relatives or friends) may not
17 attend Arlee Public Schools.

18
19 Foreign exchange students and foreign exchange programs must adhere to the following criteria:

- 20
21 • Students must be between the ages of 14 and 18 years. Their 14th birthday must fall prior
22 to September 10th on the year in which they are to attend APS;
23 • Students will only be accepted from approved programs;
24 • Approved programs must have a local representative who resides within the District and
25 does not receive compensation for student placement. Approved programs must be
26 approved by the Council on Standards for International Education Travel;
27 • The local representative for the approved programs must contact the high school
28 Principal by May 1st with the number of students he/she will be sponsoring. The names
29 of the students, students' dates of birth and the names of the host families must also be
30 provided by Aug 1st;
31 • The exchange students will be evaluated by the teachers on the regular grading schedule,
32 unless the teacher opts to initiate a pass/fail system;
33 • The exchange students who have less than senior status will receive a certificate of
34 attendance at the awards assembly in May; and
35 • The exchange students who have senior status may take part in all senior activities,
36 including the graduation ceremony, where they will receive a certificate of attendance.

37
38 Legal Reference: 20 USC 221, et seq. Foreign and Exchange Students

39
40 Policy History:

41 Adopted on: 7/29/19

42 Revised on:

1 **Arlee Public Schools**

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3 **STUDENTS**

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4
5 Part-Time Attendance

6
7 The District will not accept students eligible to enroll in grades K-12 on a part-time basis unless
8 they are disabled.

9
10 Students eligible to enroll in grade 12, and are not disabled, are required to meet the following
11 criteria:

- 12
13 1. Be in attendance six (6) out of seven (7) consecutive class periods per quarter;
14 2. Must attend a minimum of five (5) core classes per quarter; and
15 3. May be a teacher's assistant for one (1) class period per quarter.

16
17 Students enrolled in grades 9-11, and are not disabled, must attend seven (7) consecutive classes
18 per quarter and are **not** allowed to be a teacher's assistant.

19
20 Students with disabilities residing in the District who are attending private or home schools will
21 be accepted in accordance with state and federal statute and regulations.

22
23 Legal Reference: § 20-9-311(a), MCA Calculation of average number belonging (ANB) –
24 3-year averaging

25
26 Policy History:

27 Adopted on: 12/2000

28 Reviewed on: 5/12/2011, 7/29/19

29 Revised on: 7/12/2011

1 **Arlee Public Schools**

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3 **STUDENTS**

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4
5 Student Rights and Responsibilities

6
7 The District recognizes fully that all students are entitled to enjoy the rights protected under
8 federal and state constitutions and law for persons of their age and maturity in a school setting.
9 The District expects students to exercise these rights reasonably and to avoid violating the rights
10 of others. The District may impose disciplinary measures whenever students violate the rights of
11 others or violate District policies or rules.
12
13
14

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

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

23 Policy History:

24 Adopted on: 3/10/09

25 Reviewed on: 7/29/19

26 Revised on:

1 **Arlee Public Schools**

2
3 **STUDENTS**

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4
5 Equal Educational Opportunity

6
7 Equal educational and extracurricular opportunities shall be available for all students without
8 regard to race, color, national origin, sex, religious beliefs, physical and mental handicap or
9 disability, or actual or potential marital or parental status. The District will not knowingly enter
10 into agreements with any entity or any individual that discriminates against students on the basis
11 of sex or any other protected status. Any student may file a complaint by using the Section 504
12 Grievance Procedures for claims relating disability discrimination, the Title IX Sexual
13 Harassment Grievance Procedures for claims of sexual harassment, or the Uniform Grievance
14 Procedure for all other claims.

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

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

26		
27	Legal References:	§ 49-2-307, MCA
28		§ 49-3-201, MCA et seq
29		20 USC 1681 et seq
30		42 USC § 12111 et seq.
31		29 USC § 791 et seq.
32		28 CFR 35.107
33		34 CFR 104.7
34		34 CFR Part 106
35		10.55.701, ARM
36		
37		
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41		
42		

1 Policy History:
2 Adopted on:
3 Reviewed on: 3/10/09, 7/29/19
4 Revised on: 11/11/2014, 9/8/2020
5

4
5 Publications and Distribution or Posting of Materials

6
7 ***School Sponsored Publications***

8 School-sponsored publications and productions are part of the curriculum and are not a public
9 forum for general student use. School authorities may edit or delete material that is inconsistent
10 with the District's educational mission. All student media shall comply with the ethics and rules
11 of responsible journalism. Text that is libelous, obscene, invades the privacy of others, conflicts
12 with the basic educational mission of the school, is socially inappropriate or inappropriate due to
13 the maturity level of the students, or is materially disruptive to the educational process will not
14 be tolerated. The author's name will accompany personal opinions published/produced and will
15 be provided within the same media.
16

17 ***Non-School Sponsored Publications***

18 Distribution in school of written material that is obscene, libelous, invades the privacy of others,
19 will cause substantial disruption of the proper and orderly operation and discipline of the school
20 or school activities, or advocates conduct otherwise inconsistent with shared values of a civilized
21 social order is prohibited. Distribution in school includes distribution on school property or at
22 school-related activities. Students who distribute such material or who write or publish such
23 material for distribution engage in gross disobedience and misconduct and will be disciplined in
24 accordance with Board policy.
25

26 ***Distribution and Posting of Materials***

27 Except as provided above, the District allows distribution of materials of parent and student
28 organizations sponsored by the District or other governmental agencies. The District also may
29 allow distribution of materials that provide information that supplements or supports the
30 District's curriculum or educational objectives. The Superintendent/designee must approve all
31 materials before they may be distributed by any organization or person. To facilitate the
32 distribution of materials with information about student activities, each building may maintain a
33 centrally located bulletin board for the posting of materials, and/or maintain a table available to
34 students for placing approved materials.
35
36
37

38 Cross Reference: 3310 Student Discipline

39
40 Legal Reference: § 20-5-201, MCA Duties and Sanctions
41
42
43

44 Policy History:

45 Adopted on: 3/10/09

46 Reviewed on: 7/29/19

47 Revised on:

STUDENTS

3225

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:

- (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).

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.

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

10 11 *Consequences*

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

21
22 Retaliation and reprisal against any person who reports an act of harassment, intimidation or
23 bullying or participates in an investigation under this policy is prohibited. The consequence and
24 appropriate remedial action for a person who engages in reprisal or retaliation shall be
25 determined by the administrator after consideration of the nature and circumstances of the act, in
26 accordance with district policy.

27		
28		
29	Cross References:	1700
30		Uniform Grievance Protocol
31		Title IX Grievance Procedure
32		Section 504 Grievance Procedure
33	Legal References:	§ 20-5-207, MCA
34		§ 49-2-307, MCA
35		§ 49-3-201, MCA et seq
36		20 U.S.C § 1681 et seq
37		34 C.F.R. Part 106
38		10.55.701, ARM
39		10.55.719, ARM
40		10.55.801, ARM
41		
42		

43 Policy History:

44 Adopted on: 11/9/93

45 Reviewed on: 7/29/19

46 Revised on: 12/9/93, 3/10/09, 9/8/2020

4
5 Searches and Seizure

6
7 The District has a responsibility for the health and safety of its students during the school day, at
8 all extra-curricular activities and events, and all activities conducted on school premises. Use of
9 and / or possession of drugs, alcohol, tobacco and tobacco innovations, controlled substances,
10 medications (including over-the-counter medications without permission), and any other illegal
11 drug, and/or drug paraphernalia on school property or at a school sponsored event pose a serious
12 risk to health and safety to students, employees and visitors. Possession and use of weapons on
13 school grounds poses an additional risk to the health and safety of students, employees and
14 visitors.
15

16 To protect students, employees, and visitors from these risks, it is necessary to conduct searches
17 of persons and property under certain, limited circumstances. Such searches are necessary to:
18 deter the presence and possession of prohibited substances and items; deter drug and alcohol
19 abuse among the student population; to educate students as to the serious physical, mental and
20 emotional harm caused by drug and alcohol abuse; to prevent injury, illness and harm as result of
21 drug, alcohol abuse and/or weapons; to help identify student drug use and assist parents in
22 pursuing evaluation and appropriate counseling; and to maintain a safe environment free of
23 weapons, alcohol and drug use.
24

25 Searches may be carried out to recover stolen property, to detect illegal substances or weapons,
26 or to mitigate or eliminate risks to and disruption of a safe and healthy educational environment.
27 In keeping with these goals, the Board authorizes school authorities to conduct reasonable
28 searches of school property and equipment, as well as of students and their personal effects, to
29 maintain health, safety, and security in the schools.
30

31 The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified
32 at its inception, and (2) reasonably related in scope to the circumstances which justified the
33 interference in the first place.
34

35 School authorities are authorized to utilize any reasonable means of conducting searches,
36 including but not limited to the following:
37

- 38 1. A “pat down” of the exterior of the student’s clothing;
- 39 2. A search of the student’s clothing, including pockets;
- 40 3. A search of any container or object used by, belonging to, or otherwise in the
41 possession or control of a student; and/or
- 42 4. Devices or tools such as breath-test instruments, saliva test strips, etc.
43

44 The “pat down” or “search” of a student, if conducted, will be conducted by a school official or
45 employee of the same gender as the student being searched.
46

1 The types of property that may be searched by school officials include but are not limited to
2 lockers, desks, purses, backpacks, vehicles parked on school property, cellular phones or other
3 electronic communication devices.
4

5 ***Students and Their Personal Effects***

6 School authorities may search a student, the student's property, or District property under the
7 student's control, when there is reasonable suspicion that the search will produce evidence the
8 student has violated or is violating either the law, Board policy, administrative regulation or the
9 District's student conduct rules. Reasonable suspicion shall be based on the specific and
10 objective facts that the search will produce evidence related to the alleged violation.
11

12 Immediately following a search, a written report shall be made by the school authority who
13 conducted the search. The report shall be submitted to the Principal and forwarded to the
14 Superintendent. The parent of the student shall be notified of the search as soon as possible.
15

16 ***Vehicles Parked on School Property***

17 Parking on District property is a privilege for all students. Students may not use, transport, carry,
18 or possess alcohol, illegal drugs or any weapons in their vehicles on school property. While on
19 school property, vehicles may be inspected at any time when staff has reasonable suspicion to
20 believe the vehicle contains, illegal drugs, drug paraphernalia, or weapons. District staff may
21 inspect vehicles parked on school property at any time by staff for the presence of alcohol, illegal
22 drugs, drug paraphernalia, or weapons. District staff may search a vehicle parked on school
23 property only with the consent of the student or parent when the staff member has reasonable
24 suspicion to believe the vehicle contains alcohol, illegal drugs, drug paraphernalia, or weapons.
25 If the student or parent refuses consent to the search, the student will lose the privilege of parking
26 on school property.
27

28 In any case of reasonable suspicion or where the student or parent will not consent to a search of
29 the vehicle parked on school property, the District is authorized to contact law enforcement to
30 conduct a search of the interior of the student's vehicle. Notice provisions for students will be
31 contained in the student handbook annually and students shall annually consent to these
32 procedures.
33

34 In addition, by exercising the privilege of parking in the school parking lots, the student
35 acknowledges that the student does not have any expectation of privacy in the odors emanating
36 from the student's vehicle which may alert a human or a canine to the presence of alcohol, illegal
37 drugs, drug paraphernalia or weapons.
38

39 ***School Property***

40 School property, including, but not limited to, desks and lockers, is owned and controlled by the
41 District and may be searched by school authorities at any time. School authorities are authorized
42 to conduct area-wide, general administrative inspections of school property without notice to or
43 consent of the student and without reasonable suspicion. Contractors using trained dogs may be
44 employed by the district to assist in this process.
45
46
47

1 ***Seizure of Property***

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

6
7 Cross References: 3310 Student Discipline

8
9 Legal Reference: Redding v. Safford Unified School District, 504 F.3d 828 (9th Cir.
10 2007)
11 Terry v. Ohio, 392 U.S. 1, 20 (1968)
12 B.C. v. Plumas, 192 F.3d 1260 (9th Cir. 1999)

13
14
15 Policy History:

16 Adopted on:

17 Reviewed on:

18 Revised on: 11/11/2014, 7/29/19

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5 Student Use of Buildings: Equal Access

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

10 The following criteria must be met:

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

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

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

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

39 Policy History:

40 Adopted on: 3/10/09

41 Reviewed on: 7/29/19

42 Revised on:

1 **Arlee Public Schools**

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5 Video Surveillance

7 The Board recognizes the need to provide a safe learning environment for students and staff and
8 to protect District property and equipment. Therefore, video surveillance cameras may be used as
9 a security measure on any Arlee Public Schools property.

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

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

22 Cross Reference: 3600 Student Records

24 Policy History:

25 Adopted on: 2/14/02

26 Reviewed on: 7/29/19

27 Revised on: 3/10/09

STUDENTS

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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 (ten) 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;
- 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 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.

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
	20 U.S.C. § 1415(k)	IDEA
	10.55.701, ARM	Board of Trustees

Policy History:

Adopted on: 6/15/92

Reviewed on: 11/8/94, 7/29/19

Revised on: 12/9/93, 12/8/04, 3/10/09, 06/11/13, 3/17/2014

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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:

- Using, possessing, distributing, purchasing or selling tobacco products, vapor products, or alternative nicotine products (tobacco includes but is not limited to cigarettes, e-cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco or any other tobacco or nicotine innovation);
- Using, possessing, distributing, purchasing, or selling alcoholic beverages, including powdered alcohol. Students who may be under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession.
- Using, possessing, distributing, purchasing or selling illegal drugs or controlled substances (includes medical marijuana), 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;
- Using, possessing, controlling, or transferring a weapon in violation of the “Possession of a Weapon in a School Building” section of this policy.
- Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon.
- Disobeying directives from staff members or school officials or disobeying rules and regulations governing student conduct.
- Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct, including gang or gang activity.
- Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person’s property.
- Engaging in any activity that constitutes an interference with school purposes or an educational function or any other disruptive activity.
- Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic and habitual truants.
- Hazing or bullying.
- 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.
- 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 conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member or an interference with school purposes or an educational function.

Disciplinary Measures

Disciplinary measures include but are not limited to:

- Expulsion
- Suspension
- Detention, including Saturday school
- 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. 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 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.

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

Legal Reference:	§ 16-11-302(1)(7), MCA	Definitions
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1	§ 20-4-302, MCA	Discipline and punishment of pupils – definition
2		of corporal punishment – penalty – defense
3	§ 20-5-202, MCA	Suspension and expulsion
4	§ 45-8-361, MCA	Possession or allowing possession of weapon in
5		school building – exceptions – penalties –
6		seizure and forfeiture or return authorized –
7		definitions
8	§ 45-5-637, MCA	Possession or consumption of tobacco products,
9		alternative nicotine products, or vapor products
10		by persons under 18 years of age is prohibited –
11		unlawful attempt to purchase - penalties
12	20 U.S.C. § 7961, et seq.	Gun Free Schools Act of 1994
13	29 U.S.C. § 701	Rehabilitation Act of 1973
14		
15	<u>Policy History:</u>	
16	Adopted on:	1/12/05
17	Reviewed on:	
18	Revised on:	1/9/07, 3/10/09, 1/11/11, 3/17/2014, 07/14/15, 7/29/19

1 **Arlee Public Schools**

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4
5 Student Health/Physical Screenings/Examinations

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

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

17 Parents will receive written notice of any screening result which indicates a condition that might
18 interfere or tend to interfere with a student's progress.
19

20 The District will not conduct physical examinations of a student without parental consent to do
21 so or by court order, unless the health or safety of the student or others is in question. Further,
22 parents will be notified of the specific or approximate dates during the school year when
23 screening administered by the District is conducted which is not necessary to protect the
24 immediate health and safety of the student or other students.
25

26 Parents or eligible students will be given the opportunity to opt out of the above-described
27 screening.
28

29 Students who wish to participate in certain extracurricular activities may be required to submit to
30 a physical examination to verify their ability to participate in the activity. Students participating
31 in activities governed by the Montana High School Association will be required to follow the
32 rules of that organization, as well as other applicable District policies, rules, and regulations.
33

34 All parents will be notified of requirements of the District's policy on physical examinations and
35 screening of students, at least annually at the beginning of the school year and within a
36 reasonable period of time after any substantive change in the policy.
37

38 Legal Reference: § 20-3-324(20), MCA Powers and duties
39 20 U.S.C. 1232h(b) General Provisions Concerning Education
40

41 Cross Reference: MHSA Handbook
42

43 Policy History:

44 Adopted on: 2/14/02

45 Reviewed on: 7/29/19

46 Revised on: 11/13/02, 3/10/09

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4
5 Management of Sports Related Concussions

6
7 The District recognizes that concussions and head injuries are commonly reported injuries in
8 children and adolescents who participate in sports and other recreational activities. The Board
9 acknowledges the risk of catastrophic injuries or death is significant when a concussion or head
10 injury is not properly evaluated and managed. Therefore, all K-12 competitive youth athletic
11 activities in the District will be identified by the administration.

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

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

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

29
30 Reference: Montana High School Association, Rules and Regulations
31 Section 4, Return to Play

32
33 Legal Reference: Dylan Steigers Youth Athlete Protection Act

34
35 Cross Reference: 3415F Student-Athlete & Parent/Legal Custodian Concussion Statement

36
37
38 Policy History:

39 Adopted on: 2/8/11

40 Reviewed on: 7/29/19

41 Revised on: 07/22/13

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4
5 Administering Medicines to Students

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

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

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

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

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

26
27 Administering Medication

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

34
35 Emergency Administration of Medication

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

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

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

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

Self-Administration of Medication

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

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

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

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

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

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

- A written and signed authorization from the parents, an individual who has executed a caretaker relative educational authorization affidavit, or guardians for self-administration of medication, acknowledging that the District or its employees are not liable for injury that results from the student self-administering the medication.
- The student must have the prior written approval of his/her primary healthcare provider. The written notice from the student's primary care provider must specify the name and purpose of the medication, the prescribed dosage, frequency with which it may be administered, and the circumstances that may warrant its use.

- Documentation that the student has demonstrated to the healthcare practitioner and the school nurse, if available, the skill level necessary to use and administer the medication.
- Documentation of a doctor-formulated written treatment plan for managing asthma, severe allergies, or anaphylaxis episodes of the student and for medication use by the student during school hours.

Authorization granted to a student to possess and self-administer medication shall be valid for the current school year only and must be renewed annually.

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

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

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

Administration of Glucagons

School employees may voluntarily agree to administer glucagons to a student pursuant to § 20-5-412, MCA, only under the following conditions: (1) the employee 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.

Handling and Storage of Medications

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

- Must examine any new medication to ensure it is properly labeled with dates, name of student, medication name, dosage, and physician's name;
- Must develop a medication administration plan, if administration is necessary for a student, before any medication is given by school personnel;
- Must record on the student's individual medication record the date a medication is delivered and the amount of medication received;
- Must store medication requiring refrigeration at 36° to 46° F;
- Must store prescribed medicinal preparations in a securely locked storage compartment; and
- Must store controlled substances in a separate compartment, secured and locked at all times.

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

The District will limit access to all stored medication to those persons authorized to administer medications or to assist in the self-administration of medications. The District requires every school to maintain a current list of those persons authorized by delegation from a licensed nurse to administer medications.

The District may maintain a stock supply of auto-injectable epinephrine to be administered by a school nurse or other authorized personnel to any student or nonstudent as needed for actual or perceived anaphylaxis. If the district intends to obtain an order for emergency use of epinephrine in a school setting or at related activities, the district shall adhere to the requirements stated in 20-5-420, Section 2, MCA.

Disposal of Medication

The District requires school personnel either to return to a parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian or, with permission of the parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian, to destroy any unused, discontinued, or obsolete medication. A school nurse, in the presence of a witness, will destroy any medicine not repossessed by a parent or guardian within a seven-(7)-day period of notification by school authorities.

Legal Reference:	§ 20-5-412, MCA	Definition – parent-designated adult administration of glucagons – training
	§ 20-5-420, MCA	Self-administration or possession of asthma, severe allergy, or anaphylaxis medication
	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

Policy History:

Adopted on:

Reviewed on: 7/29/19

Revised on: 9/14/05, 9/11/07, 3/10/09, 06/11/13

STUDENTS

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Student Fees, Fines, and Charges

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

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

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

The District holds a student responsible for the cost of replacing materials or property that are lost or damaged because of negligence. A building administrator will notify a student and parent regarding the nature of violation or damage, how restitution may be made, and how an appeal may be instituted. The District may withhold a student's grades or diploma until restitution is made. The District may not refuse to transfer files because a student owes fines or fees. A school district may withhold the grades, diploma, or transcripts of a pupil who is responsible for the cost of school materials or the loss or damage of school property until the pupil or the pupil's parent or guardian satisfies the obligation.

A school district that decides to withhold a pupil's grades, diploma, or transcripts from the pupil and the pupil's parent or guardian shall:

- (i) upon receiving notice that the pupil has transferred to another school district in the state, notify the pupil's parent or guardian in writing that the school district to which the pupil has transferred will be requested to withhold the pupil's grades, diploma, or transcripts until any obligation has been satisfied;
- (ii) forward appropriate grades or transcripts to the school to which the pupil has transferred;
- (iii) at the same time, notify the school district of any financial obligation of the pupil and request the withholding of the pupil's grades, diploma, or transcripts until any obligations are met;
- (iv) when the pupil or the pupil's parent or guardian satisfies the obligation, inform the school district to which the pupil has transferred;

A student or parent may appeal the imposition of a charge for damages to the Superintendent and to the Board.

Legal reference: § 20-1-213 (3), MCA Transfer of school records
 § 20-5-201(4), MCA Duties and sanctions
 § 20-7-601, MCA Free textbook provisions
 § 20-9-214, MCA Fees

Policy History:

Adopted on: 12/10/96

Reviewed on: 7/29/19

Revised on: 3/10/09, 3/17/2014

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3 **STUDENTS**

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4
5 Student Records

6
7 School student records are confidential, and information from them will not be released other
8 than as provided by law. State and federal laws grant students and parents certain rights,
9 including the right to inspect, copy, and challenge school records.

10
11 The District will ensure information contained in student records is current, accurate, clear, and
12 relevant. All information maintained concerning a student receiving special education services
13 will be directly related to the provision of services to that child. The District may release
14 directory information as permitted by law, but parents will have the right to object to release of
15 information regarding their child. Military recruiters and institutions of higher education may
16 request and receive the names, addresses, and telephone numbers of all high school students,
17 unless the parent(s) notifies the school not to release this information.

18
19 The Superintendent will implement this policy and state and federal law with administrative
20 procedures. The Superintendent or designee will inform staff members of this policy and inform
21 students and their parents of it, as well as of their rights regarding student school records.

22
23 Each student's permanent file, as defined by the board of public education, must be permanently
24 kept in a secure location. Other student records must be maintained and destroyed as provided in
25 20-1-212, MCA.

26
27 Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R.
28 99
29 § 20-1-212, MCA Destruction of records by school officer.
30 § 20-5-201, MCA Duties and sanctions
31 § 40-4-225, MCA Access to records by parent
32 10.55.909, ARM Student Records
33 No Child Left Behind Act of 2001, P.L. 107-334
34

35 Policy History:

36 Adopted on:

37 Reviewed on: 3/10/09, 7/29/19

38 Revised on: 07/11/13

DATED this _day of_____, 20 .

(S E A L)

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 with a five-(5)-day time period. The District also will include in that notice the date by which requested records will be transferred. The District will not refuse to transfer records because a student owes fines or fees.

Cross Reference: 3413 Student Immunization
 3600 - 3600P Student Records
 3606F Records Certification

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

Policy History:

Adopted on: 3/10/09

Reviewed on: 7/29/19

Revised on:

2
3 **STUDENTS**

3608

4
5 Receipt of Confidential Records

6
7 Pursuant to Montana law, the District may receive case records of the Department of Public
8 Health and Human Services and its local affiliate, the county welfare department, the county
9 attorney, and the court concerning actions taken and all records concerning reports of child abuse
10 and neglect. The District will keep these records confidential as required by law and will not
11 include them in a student's permanent file.

12
13 The Board authorizes the individuals listed below to receive information with respect to a
14 District student who is a client of the Department of Public Health and Human Services:

- 15
16 • Counselor
17 • Nurse
18 • Special Education Teacher
19 • School Psychologist
20 • Administration

21
22 When the District receives information pursuant to law, the Superintendent will prevent
23 unauthorized dissemination of that information.

24
25
26
27 Cross Reference: 3600 - 3600P Student Records

28
29 Legal Reference: § 41-3-205, MCA Confidentiality – disclosure exceptions

30
31 Policy History:

32 Adopted on:

33 Reviewed on: 7/29/19

34 Revised on: 3/10/09

STUDENTS

3612

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

The District makes Internet access and interconnected computer systems available to District students and faculty. The District provides electronic networks, including access to the Internet, as part its instructional program and to promote educational excellence by facilitating resource sharing, innovation, and communication.

The District expects all students to take responsibility for appropriate and lawful use of this access, including good behavior on-line. The District may withdraw student access to its network and to the Internet when any misuse occurs. District teachers and other staff will make reasonable efforts to supervise use of network and Internet access; however, student cooperation is vital in exercising and promoting responsible use of this access.

Curriculum

Use of District electronic networks will be consistent with the curriculum adopted by the District, as well as with varied instructional needs, learning styles, abilities, and developmental levels of students, and will comply with selection criteria for instructional materials and library materials. Staff members may use the Internet throughout the curriculum, consistent with the District's educational goals.

Acceptable Uses

1. Educational Purposes Only. All use of the District's electronic network must be: (1) in support of education and/or research, and in furtherance of the District's stated educational goals; or (2) for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any materials that are stored, transmitted, or received via the District's electronic network or District computers. The District reserves the right to monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage.
2. Unacceptable Uses of Network. The following are considered unacceptable uses and constitute a violation of this policy:
 - A. Uses that violate the law or encourage others to violate the law, including but not limited to transmitting offensive or harassing messages; offering for sale or use any substance the possession or use of which is prohibited by the District's student discipline policy; viewing, transmitting, or downloading pornographic materials or materials that encourage others to violate the law; intruding into

the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.

- B. Uses that cause harm to others or damage to their property, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating, or otherwise using his/her access to the network or the Internet; uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information.
- C. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.
- D. Uses that are commercial transactions. Students and other users may not sell or buy anything over the Internet. Students and others should not give information to others, including credit card numbers and social security numbers.

Warranties/Indemnification

The District makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this policy. The District is not responsible for any information that may be lost, damaged, or unavailable when using the network or for any information that is retrieved or transmitted via the Internet. The District will not be responsible for any unauthorized charges or fees resulting from access to the Internet. Any user is fully responsible to the District and will indemnify and hold the District, its trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchase of goods or services by a user. The District expects a user or, if a user is a minor, a user's parents or legal guardian to cooperate with the District in the event of its initiating an investigation of a user's use of access to its computer network and the Internet.

Violations

If a student violates this policy, the District will deny the student access or will withdraw access and may subject the student to additional disciplinary action. An administrator or building principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with that decision being final.

Policy History:

Adopted on: 3/10/09

Reviewed on: 7/29/2019

Revised on:

1 **Arlee Public Schools**

2
3 **STUDENTS**

3630

4
5 Cell Phones and Other Electronic Equipment

6
7 ***Elementary***

8 Cell phones are not to be used on the school grounds when school is in session. Students who
9 disregard these guidelines will be required to turn the cell phone into the office or their teacher
10 until the end of the day. The student may pick the cell phone up as he/she leaves the school.
11

12 ***Junior High and High School***

13 Student possession and use of cellular phones, pagers, and other electronic signaling devices on
14 school grounds, at school-sponsored activities and while under the supervision and control of
15 School District employees is a privilege. School authorities reserve the right to restrict the use of
16 such devices during the school day.
17

18 Students may use cellular phones, pagers or other electronic signaling devices on campus only
19 before school, during lunch and after the school day ends. These devices must be kept out of
20 sight and turned off during the instructional day (including time out of classroom on a hall pass).
21 School officials, including classroom teachers, may confiscate such devices when used
22 inappropriately. Confiscated devices will only be returned to the parent. Repeat unauthorized use
23 of such devices will result in progressive disciplinary action.
24

25 At no time will any student operate a cell phone or other electronic device with video/camera
26 capability in locker room, bathroom or other location where such operation may violate the
27 privacy right of another student.
28

29 Policy History:

30 Adopted on: 3/10/09

31 Reviewed on: 7/29/19

32 Revised on:

1 **Arlee Public Schools**

2
3 **STUDENTS**

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4
5 Entrance, Placement, and Transfer

6
7 *Age*

8 No pupil may be enrolled in the kindergarten or first grade whose 5th birthday does not occur on or before
9 September 10 of the school year in which child registers to enter school. A parent may request a waiver
10 of the age requirement. All waivers are in the discretion of and subject to the approval of the
11 Superintendent. No pupil may be enrolled in the District if that pupil has reached his or her 19th birthday
12 on or before September 10 of the school year in which the child registers to enter school. A student may
13 request a waiver of the age limitation, which must be approved by the Board. The trustees may also admit
14 an individual who has graduated from high school but is not yet 19 years of age even though no special
15 circumstances exist for waiver of the age provision or a student who is not yet 19 years of age and
16 experienced educational disruption and was awarded a diploma as a result and seeks access to reasonable
17 curriculum designed to advance postsecondary success.

18
19 Except when enrollment is otherwise required by law, the Board of Trustees has the discretion to
20 give special permission to enroll a student who has not reached the age of five (5) on or before
21 September 10 of the school year where there are exceptional circumstances. The Board of
22 Trustees declares the following to be qualifying “exceptional circumstances” within the meaning
23 of the term as used in 20-5-101(3) MCA and “special permission” within the meaning of that
24 term as used in 20-7-117 MCA, that merit waiving the age provisions of 20-7-117 MCA for
25 qualifying children under 5 years of age:

26
27 **Exceptional circumstances and special permission will be granted for students under
28 age 5 on a case by case basis.
29

30
31 *Entrance – Identity and Immunization*

32 Students enrolling in the District for the first time must present a birth certificate or other reliable proof of
33 identity and age within 40 days, as well as proof of residence, and immunization from disease as required
34 by Montana. Students who are homeless, in foster care, or are the child of a military family are entitled to
35 immediate enrollment regardless of presentation of the required documentation. If the parent of the
36 student does not provide proof of identification within 40 days, the District shall notify the missing
37 children information program and a local law enforcement authority of the fact that no proof of identity
38 has been presented for the child. Nonresident students shall be admitted when required by law or as
39 permitted by District policy. A student who transfers from one school district to another may photocopy
40 immunization records in the possession of the school of origin. The District shall accept the photocopy as
41 evidence of immunization. Within 30 days after a transferring pupil ceases attendance at the school of
42 origin, the District should have the original immunization records.
43

44 When a parent/guardian signs and files with the District, prior to the commencement of attendance each
45 school year, a notarized affidavit on a form prescribed by the State of Montana stating that immunization
46 is contrary to the religious tenets and practices of the parent, immunization of the student seeking to
47 attend in the District will not be required prior to attendance. The statement must be maintained as part of
48 the student's immunization records. The District will also accept medical exemptions as required by law.
49

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

1 ***Placement***

2 The goal of the District shall be to place students at levels and in settings that will enhance the probability
3 of student success. Developmental testing, together with other relevant criteria, including but not limited
4 to, health, maturity, emotional stability, and developmental disabilities, may be considered in the
5 placement of all students. Final disposition of all placement decisions rests with the Principal, subject to
6 review by the Superintendent.
7

8 ***Children of Relocated Military Families***

9 The Board shall assign and admit a child whose parent or guardian is being relocated to Montana under
10 military orders to a school in the district and allow the child to preliminarily enroll in classes and apply
11 for programs offered by the District prior to arrival and establishing residency. The student may attend
12 classes during preliminary enrollment and may receive offsite instruction if not present in the District.
13

14 ***Transfer Students***

15 Resident students seeking to transfer to a District school will be admitted and placed pursuant to the terms
16 of this policy. The District will request the student's records from the prior school district prior to making
17 any final decision on placement.
18

19 Elementary students shall be placed at their current grade level on a probationary basis for a period of two
20 weeks. Should any doubt exist with the teacher and/or Principal as to grade and level placement of the
21 student, the student shall be subject to an educational assessment to determine appropriate grade and level
22 placement.
23

24 High school students shall be placed according to the number of credits earned in their previous
25 accredited school districts, subject to Montana Accreditation Rules and Standards and local alternate
26 procedures for earning credit.
27

28
29
30
31 Cross References: 1700 Uniform Grievance Protocol
32 2413 Credit Transfer/Assessment for Placement
33 3125 Education of Homeless Children
34 3130 Education of Children in Foster Care
35

36
37 Legal References: § 1-1-215, MCA Residence -- rules for determining
38 § 20-5-101, MCA Admittance of child to school
39 § 20-5-403, MCA Immunization requirements
40 § 20-5-404, MCA Conditional attendance
41 § 20-5-405, MCA Medical or religious exemption
42 § 20-5-406, MCA Immunization record
43 § 20-5-502, MCA Enrollment by caretaker relative -- residency -- affidavit
44 § 20-7-117, MCA Kindergarten and preschool programs
45 § 44-2-511, MCA School enrollment procedures for missing children
46 10.55.701, ARM Board of Trustees
47 10.55.906, ARM High School Credit
48 House Bill 246 Omnibus K-12 Education Legislation
49
50

1

2 Policy History:

3 Adopted on: 4/8/86

4 Reviewed on:

5 Revised on: 5/13/86, 3/10/08, 3/10/09, 07/14/15, 7/29/2019, 8/17/2021

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

STUDENTS

3120

Compulsory Attendance

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

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

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

The provisions above do not apply in the following cases:

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

Compulsory attendance stated above will not apply when children:

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

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

Policy History:

Adopted on: 10/8/96
Reviewed on: 7/29/2019
Revised on: 3/10/09, 01/10/2012

1 **Arlee Public Schools**

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3 **STUDENTS**

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4
5 Attendance Policy

6
7 To reach the goal of maximum educational benefits for each child requires a regular continuity
8 of instruction, classroom participation, learning experiences, and study. Regular interaction of
9 students with one another in the classroom and their participation in instructional activities under
10 the tutelage of competent teachers are vital to the entire process of education. This established
11 principle of education underlies and gives purpose to the requirement of compulsory schooling in
12 every state in the nation. The good things schools have to offer can only be presented to students
13 in attendance.
14

15 A student's regular school attendance also reflects dependability and is a significant component
16 on a student's permanent record. Future employers are as much concerned about punctuality and
17 dependability as they are about academic record. School success, scholarship, and job
18 opportunity are greatly affected by a good attendance record.
19

20 Attendance procedures for elementary, junior high, and high school students can be found in the
21 respective current handbooks.
22
23
24

25 Policy History:

26 Adopted on: 3/10/09

27 Reviewed on: 7/29/19

28 Revised on:

STUDENTS

3125

Education of Homeless Children

Every child of a homeless individual and every homeless child are entitled to equal access to the same free, appropriate public education as provided to 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 Protocol.

Cross Reference: 1700 Uniform Complaint Procedure

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

Policy History:

Adopted on:

Reviewed on: 3/10/09 7/29/19

Revised on:

STUDENTS

3127

Education of Children in Foster Care

Children in foster care are entitled to educational stability and the opportunity to achieve at the same high levels as their peers. “Foster care” means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

The District agrees to cooperate with child protective agencies to ensure that children in foster care remain in their school of origin unless it is not in their best interests. If it is determined to be in the child’s best interest to not remain in his or her school of origin, the District shall enroll a child in foster care in a school determined to be in the child’s best interest without delay regardless of whether that student can produce records normally required for enrollment. The new school in which a child in foster care is enroll shall immediately contact the school of origin to obtain the child’s records.

The Superintendent or designee shall identify a Point of Contact (POC) to coordinate the District’s provision of services to children in foster care.

Legal References: 20 U.S.C. 6311 Title I (as amended by Every Student Succeeds Act)

Cross References:

Policy History:

Adopted on: 7/29/19

Revised on:

1 **Arlee Public Schools**

2
3 **STUDENTS**

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4
5 Children of Military Families

6
7 It is the intention of the District to remove barriers to educational success imposed on children of
8 military families transitioning to and from school because of frequent moves and/ deployment of
9 a parent on active duty in the regular Armed Forces, National Guard, or Reserves.

10
11 ***Educational Records and Enrollment***

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

20
21 In the event that a child of a military family seeks to enroll in the District, the District shall enroll
22 and appropriately place the student as quickly as possible based upon information in the
23 unofficial educational records pending receipt of the official records. The Trustees shall assign
24 and admit a child whose parent or guardian is being relocated to Montana under military orders
25 to a school in the district and allow the child to preliminarily enroll in classes and apply for
26 programs offered by the district prior to arrival and establishing residency.

27
28 ***Tuition***

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

32
33 ***Placement***

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

42
43 The Superintendent may waive course or program prerequisites or other preconditions for a child
44 of a military family's placement in any courses or programs.

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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.

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: 7/29/19

Revised on: 8/17/2021

1 **Arlee Public Schools**

2
3 **STUDENTS**

3141

4
5 Discretionary Nonresident Student Attendance Policy

6
7 Recognizing that its resident students need an orderly educational process and environment free from
8 disruption and overcrowding, the Board has determined that the District will permit discretionary
9 nonresident students to attend school in the District, subject to annual approval. The District will screen
10 all nonresident students and consider only those who meet the criteria set forth in this policy. The
11 Superintendent will recommend to the Board any nonresident student admission in accordance with this
12 policy, with the Board making the final decision on admission. Foreign exchange students shall be
13 admitted pursuant to the terms of this policy and according to current federal law regulating foreign
14 exchange programs.

15
16 The District will consider the following criteria for discretionary admission of nonresident
17 students: academic record, disciplinary record, and the current student level in the class in which
18 the student would be admitted. The Superintendent will evaluate the student based on the above
19 listed criteria and determine whether or not to recommend continued enrollment of the student.

20
21 Admission in one school year does not imply or guarantee admission in subsequent years. All
22 resident students who become nonresident students due to a move by the students' parents from
23 the District may continue attendance for the remainder of school year, barring registration in
24 another school district. At the completion of the current school year, the student must apply for
25 admission as a nonresident student if the student wishes to remain in the District.

26
27 The Board reserves the right to charge tuition for nonresident students. The Board may, in its
28 discretion, charge or waive tuition for all students whose tuition is required to be paid by one
29 type of entity. Unless otherwise provided by law, nonresident students are not eligible
30 transportees for school transportation services.

31
32

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

42

43 Policy History:

44 Adopted on:

45 Reviewed on: 7/29/19

46 Revised on: 3/10/09

1 **Arlee Public Schools**

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3 **STUDENTS**

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4
5 Foreign Exchange Students

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

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

19 Foreign exchange students and foreign exchange programs must adhere to the following criteria:
20

- 21 • Students must be between the ages of 14 and 18 years. Their 14th birthday must fall prior
22 to September 10th on the year in which they are to attend APS;
- 23 • Students will only be accepted from approved programs;
- 24 • Approved programs must have a local representative who resides within the District and
25 does not receive compensation for student placement. Approved programs must be
26 approved by the Council on Standards for International Education Travel;
- 27 • The local representative for the approved programs must contact the high school
28 Principal by May 1st with the number of students he/she will be sponsoring. The names
29 of the students, students' dates of birth and the names of the host families must also be
30 provided by Aug 1st;
- 31 • The exchange students will be evaluated by the teachers on the regular grading schedule,
32 unless the teacher opts to initiate a pass/fail system;
- 33 • The exchange students who have less than senior status will receive a certificate of
34 attendance at the awards assembly in May; and
- 35 • The exchange students who have senior status may take part in all senior activities,
36 including the graduation ceremony, where they will receive a certificate of attendance.
37

38 Legal Reference: 20 USC 221, et seq. Foreign and Exchange Students
39

40 Policy History:

41 Adopted on: 7/29/19

42 Revised on:

1 **Arlee Public Schools**

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3 **STUDENTS**

3150

4
5 Part-Time Attendance

6
7 The District will not accept students eligible to enroll in grades K-12 on a part-time basis unless
8 they are disabled.

9
10 Students eligible to enroll in grade 12, and are not disabled, are required to meet the following
11 criteria:

- 12
13 1. Be in attendance six (6) out of seven (7) consecutive class periods per quarter;
14 2. Must attend a minimum of five (5) core classes per quarter; and
15 3. May be a teacher's assistant for one (1) class period per quarter.

16
17 Students enrolled in grades 9-11, and are not disabled, must attend seven (7) consecutive classes
18 per quarter and are **not** allowed to be a teacher's assistant.

19
20 Students with disabilities residing in the District who are attending private or home schools will
21 be accepted in accordance with state and federal statute and regulations.

22
23 Legal Reference: § 20-9-311(a), MCA Calculation of average number belonging (ANB) –
24 3-year averaging

25
26 Policy History:

27 Adopted on: 12/2000

28 Reviewed on: 5/12/2011, 7/29/19

29 Revised on: 7/12/2011

1 **Arlee Public Schools**

2
3 **STUDENTS**

3200

4
5 Student Rights and Responsibilities

6
7 The District recognizes fully that all students are entitled to enjoy the rights protected under
8 federal and state constitutions and law for persons of their age and maturity in a school setting.
9 The District expects students to exercise these rights reasonably and to avoid violating the rights
10 of others. The District may impose disciplinary measures whenever students violate the rights of
11 others or violate District policies or rules.
12
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14

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

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

23 Policy History:

24 Adopted on: 3/10/09

25 Reviewed on: 7/29/19

26 Revised on:

1 **Arlee Public Schools**

2
3 **STUDENTS**

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4
5 Equal Educational Opportunity

6
7 Equal educational and extracurricular opportunities shall be available for all students without
8 regard to race, color, national origin, sex, religious beliefs, physical and mental handicap or
9 disability, or actual or potential marital or parental status. The District will not knowingly enter
10 into agreements with any entity or any individual that discriminates against students on the basis
11 of sex or any other protected status. Any student may file a complaint by using the Section 504
12 and ADA Grievance Procedures for claims relating disability discrimination, the Title IX Sexual
13 Harassment Grievance Procedures for claims of sexual harassment, or the Uniform Grievance
14 Procedure for all other claims.

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

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

26		
27	Legal References:	§ 49-2-307, MCA
28		§ 49-3-201, MCA et seq
29		20 USC 1681 et seq
30		42 USC § 12111 et seq.
31		29 USC § 791 et seq.
32		28 CFR 35.107
33		34 CFR 104.7
34		34 CFR Part 106
35		10.55.701, ARM
36		Senate Bill 157
37		§ 20-5-109, MCA
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Discrimination in education
Governmental Code of Fair Practices
Title IX
Americans with Disabilities Act
Rehabilitation Act of 1973
Nondiscrimination on the Basis of Disability in State and Local Government Services
Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance
Nondiscrimination on the Basis of Sex in Education
Board of Trustees
<u>Allow nonpublic students to participate in public school extracurriculars</u>
<u>Nonpublic school requirements for</u>

1 compulsory enrollment exemption (*Revised*
2 *by House Bill 702*)

3 House Bill 702 Prohibits Discrimination Based on Vaccine
4 Status

5
6
7 Policy History:

8 Adopted on:

9 Reviewed on: 3/10/09, 7/29/19

10 Revised on: 11/11/2014, 9/8/2020

11

4
5 Publications and Distribution or Posting of Materials

6
7 ***School Sponsored Publications***

8 School-sponsored publications and productions are part of the curriculum and are not a public
9 forum for general student use. School authorities may edit or delete material that is inconsistent
10 with the District's educational mission. All student media shall comply with the ethics and rules
11 of responsible journalism. Text that is libelous, obscene, invades the privacy of others, conflicts
12 with the basic educational mission of the school, is socially inappropriate or inappropriate due to
13 the maturity level of the students, or is materially disruptive to the educational process will not
14 be tolerated. The author's name will accompany personal opinions published/produced and will
15 be provided within the same media.
16

17 ***Non-School Sponsored Publications***

18 Distribution in school of written material that is obscene, libelous, invades the privacy of others,
19 will cause substantial disruption of the proper and orderly operation and discipline of the school
20 or school activities, or advocates conduct otherwise inconsistent with shared values of a civilized
21 social order is prohibited. Distribution in school includes distribution on school property or at
22 school-related activities. Students who distribute such material or who write or publish such
23 material for distribution engage in gross disobedience and misconduct and will be disciplined in
24 accordance with Board policy.
25

26 ***Distribution and Posting of Materials***

27 Except as provided above, the District allows distribution of materials of parent and student
28 organizations sponsored by the District or other governmental agencies. The District also may
29 allow distribution of materials that provide information that supplements or supports the
30 District's curriculum or educational objectives. The Superintendent/designee must approve all
31 materials before they may be distributed by any organization or person. To facilitate the
32 distribution of materials with information about student activities, each building may maintain a
33 centrally located bulletin board for the posting of materials, and/or maintain a table available to
34 students for placing approved materials.
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37

38 Cross Reference: 3310 Student Discipline

39
40 Legal Reference: § 20-5-201, MCA Duties and Sanctions
41
42
43

44 Policy History:

45 Adopted on: 3/10/09

46 Reviewed on: 7/29/19

47 Revised on:

STUDENTS

3225

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:

- (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).

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.

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

10 11 ***Consequences***

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

21
22 Retaliation and reprisal against any person who reports an act of harassment, intimidation or
23 bullying or participates in an investigation under this policy is prohibited. The consequence and
24 appropriate remedial action for a person who engages in reprisal or retaliation shall be
25 determined by the administrator after consideration of the nature and circumstances of the act, in
26 accordance with district policy.

27		
28		
29	Cross References:	1700
30		Uniform Grievance Protocol
31		Title IX Grievance Procedure
32		Section 504 Grievance Procedure
33	Legal References:	§ 20-5-207, MCA
34		§ 49-2-307, MCA
35		§ 49-3-201, MCA et seq
36		20 U.S.C § 1681 et seq
37		34 C.F.R. Part 106
38		10.55.701, ARM
39		10.55.719, ARM
40		10.55.801, ARM
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42		

43 **Policy History:**

44 Adopted on: 11/9/93

45 Reviewed on: 7/29/19

46 Revised on: 12/9/93, 3/10/09, 9/8/2020

4
5 Searches and Seizure

6
7 The District has a responsibility for the health and safety of its students during the school day, at
8 all extra-curricular activities and events, and all activities conducted on school premises. Use of
9 and / or possession of drugs, alcohol, tobacco and tobacco innovations, controlled substances,
10 medications (including over-the-counter medications without permission), and any other illegal
11 drug, and/or drug paraphernalia on school property or at a school sponsored event pose a serious
12 risk to health and safety to students, employees and visitors. Possession and use of weapons on
13 school grounds poses an additional risk to the health and safety of students, employees and
14 visitors.
15

16 To protect students, employees, and visitors from these risks, it is necessary to conduct searches
17 of persons and property under certain, limited circumstances. Such searches are necessary to:
18 deter the presence and possession of prohibited substances and items; deter drug and alcohol
19 abuse among the student population; to educate students as to the serious physical, mental and
20 emotional harm caused by drug and alcohol abuse; to prevent injury, illness and harm as result of
21 drug, alcohol abuse and/or weapons; to help identify student drug use and assist parents in
22 pursuing evaluation and appropriate counseling; and to maintain a safe environment free of
23 weapons, alcohol and drug use.
24

25 Searches may be carried out to recover stolen property, to detect illegal substances or weapons,
26 or to mitigate or eliminate risks to and disruption of a safe and healthy educational environment.
27 In keeping with these goals, the Board authorizes school authorities to conduct reasonable
28 searches of school property and equipment, as well as of students and their personal effects, to
29 maintain health, safety, and security in the schools.
30

31 The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified
32 at its inception, and (2) reasonably related in scope to the circumstances which justified the
33 interference in the first place.
34

35 School authorities are authorized to utilize any reasonable means of conducting searches,
36 including but not limited to the following:
37

- 38 1. A “pat down” of the exterior of the student’s clothing;
- 39 2. A search of the student’s clothing, including pockets;
- 40 3. A search of any container or object used by, belonging to, or otherwise in the
41 possession or control of a student; and/or
- 42 4. Devices or tools such as breath-test instruments, saliva test strips, etc.
43

44 The “pat down” or “search” of a student, if conducted, will be conducted by a school official or
45 employee of the same gender as the student being searched.
46

1 The types of property that may be searched by school officials include but are not limited to
2 lockers, desks, purses, backpacks, vehicles parked on school property, cellular phones or other
3 electronic communication devices.
4

5 ***Students and Their Personal Effects***

6 School authorities may search a student, the student's property, or District property under the
7 student's control, when there is reasonable suspicion that the search will produce evidence the
8 student has violated or is violating either the law, Board policy, administrative regulation or the
9 District's student conduct rules. Reasonable suspicion shall be based on the specific and
10 objective facts that the search will produce evidence related to the alleged violation.
11

12 Immediately following a search, a written report shall be made by the school authority who
13 conducted the search. The report shall be submitted to the Principal and forwarded to the
14 Superintendent. The parent of the student shall be notified of the search as soon as possible.
15

16 ***Vehicles Parked on School Property***

17 Parking on District property is a privilege for all students. Students may not use, transport, carry,
18 or possess alcohol, illegal drugs or any weapons in their vehicles on school property. While on
19 school property, vehicles may be inspected at any time when staff has reasonable suspicion to
20 believe the vehicle contains, illegal drugs, drug paraphernalia, or weapons. District staff may
21 inspect vehicles parked on school property at any time by staff for the presence of alcohol, illegal
22 drugs, drug paraphernalia, or weapons. District staff may search a vehicle parked on school
23 property only with the consent of the student or parent when the staff member has reasonable
24 suspicion to believe the vehicle contains alcohol, illegal drugs, drug paraphernalia, or weapons.
25 If the student or parent refuses consent to the search, the student will lose the privilege of parking
26 on school property.
27

28 In any case of reasonable suspicion or where the student or parent will not consent to a search of
29 the vehicle parked on school property, the District is authorized to contact law enforcement to
30 conduct a search of the interior of the student's vehicle. Notice provisions for students will be
31 contained in the student handbook annually and students shall annually consent to these
32 procedures.
33

34 In addition, by exercising the privilege of parking in the school parking lots, the student
35 acknowledges that the student does not have any expectation of privacy in the odors emanating
36 from the student's vehicle which may alert a human or a canine to the presence of alcohol, illegal
37 drugs, drug paraphernalia or weapons.
38

39 ***School Property***

40 School property, including, but not limited to, desks and lockers, is owned and controlled by the
41 District and may be searched by school authorities at any time. School authorities are authorized
42 to conduct area-wide, general administrative inspections of school property without notice to or
43 consent of the student and without reasonable suspicion. Contractors using trained dogs may be
44 employed by the district to assist in this process.
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Cross References: 3310 Student Discipline

Legal Reference: Redding v. Safford Unified School District, 504 F.3d 828 (9th Cir. 2007)
Terry v. Ohio, 392 U.S. 1, 20 (1968)
B.C. v. Plumas, 192 F.3d 1260 (9th Cir. 1999)

Policy History:
Adopted on:
Reviewed on:
Revised on: 11/11/2014, 7/29/19

Adopted on:
Reviewed on:
Revised on: 11/11/2014, 7/29/19

1 **Arlee Public Schools**

3 **STUDENTS**

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5 Student Use of Buildings: Equal Access

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

10 The following criteria must be met:

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

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

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

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

39 Policy History:

40 Adopted on: 3/10/09

41 Reviewed on: 7/29/19

42 Revised on:

1 **Arlee Public Schools**

3 **STUDENTS**

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5 Video Surveillance

7 The Board recognizes the need to provide a safe learning environment for students and staff and
8 to protect District property and equipment. Therefore, video surveillance cameras may be used as
9 a security measure on any Arlee Public Schools property.

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

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

22 Cross Reference: 3600 Student Records

24 Policy History:

25 Adopted on: 2/14/02

26 Reviewed on: 7/29/19

27 Revised on: 3/10/09

STUDENTS

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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 (ten) 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.

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;
- 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 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: 6/15/92

Reviewed on: 11/8/94, 7/29/19

Revised on: 12/9/93, 12/8/04, 3/10/09, 06/11/13, 3/17/2014, 8/17/2021

STUDENTS

3310

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 includes 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, including powdered alcohol. Students who may be under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing or selling illegal drugs or controlled substances (includes medical marijuana), 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.
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

1 reasonably related to school or school activities, including but not limited to the circumstances
2 set forth below:

- 3
- 4 • On, or within sight of, school grounds before, during, or after school hours or at
5 any other time when school is being used by a school group.
- 6 • Off school grounds at a school-sponsored activity or event or any activity or event
7 that bears a reasonable relationship to school.
- 8 • Travel to and from school or a school activity, function, or event.
- 9 • Anywhere conduct may reasonably be considered to be a threat or an attempted
10 intimidation of a staff member or an interference with school purposes or an
11 educational function.
- 12

13 ***Disciplinary Measures***

14 Disciplinary measures include but are not limited to:

- 15 • Expulsion
- 16 • Suspension
- 17 • Detention, including Saturday school
- 18 • Loss of student privileges
- 19 • Loss of bus privileges
- 20 • Notification to juvenile authorities and/or police
- 21 • Restitution for damages to school property
- 22

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

27 ***Gun-Free Schools***

28
29 The Board will expel any student who uses, possesses, controls or transfers a firearm for a
30 definite period of time of at least one (1) calendar year. The Board authorizes the Superintendent,
31 upon written notification to the Board Chair, to modify the discipline on a case-by-case basis,
32 including eliminating the requirement for expulsion. The administrator may immediately
33 suspend a student if, prior to a hearing, there is cause to believe the student brought a firearm to
34 school or possessed a firearm at school. The student may not be expelled unless the trustees find
35 that the student knowingly brought a firearm to school or possessed a firearm at school. A
36 building administrator will notify the criminal justice or juvenile delinquency system of any
37 student who brings a firearm to school.

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

39
40 The District will refer to law enforcement for immediate prosecution any person who possesses,
41 carries or stores a weapon in a school building, except as provided below, and the District may
42 take disciplinary action as well in the case of a student. In addition, the District will refer for
43 possible prosecution a parent or guardian of any minor violating this policy on grounds of
44 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 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: 1/12/05

Reviewed on:

Revised on: 1/9/07, 3/10/09, 1/11/11, 3/17/2014, 07/14/15, 7/29/19, 8/17/2021

1 **Arlee Public Schools**

2
3 **STUDENTS**

3410

page 1 of 2

4
5 Student Health/Physical Screenings/Examinations

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

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

16
17 Parents will receive written notice of any screening result which indicates a condition that might
18 interfere or tend to interfere with a student's progress.

19
20 The District will not conduct physical examinations of a student without parental consent to do
21 so or by court order, unless the health or safety of the student or others is in question. Further,
22 parents will be notified of the specific or approximate dates during the school year when
23 screening administered by the District is conducted which is not necessary to protect the
24 immediate health and safety of the student or other students.

25
26 Parents or eligible students will be given the opportunity to opt out of the above-described
27 screening.

28
29 Students who wish to participate in certain extracurricular activities may be required to submit to
30 a physical examination to verify their ability to participate in the activity. Students participating
31 in activities governed by the Montana High School Association will be required to follow the
32 rules of that organization, as well as other applicable District policies, rules, and regulations.

33
34 All parents will be notified of requirements of the District's policy on physical examinations and
35 screening of students, at least annually at the beginning of the school year and within a
36 reasonable period of time after any substantive change in the policy.

37
38 Legal Reference: § 20-3-324(20), MCA Powers and duties
39 20 U.S.C. 1232h(b) General Provisions Concerning Education

40
41 Cross Reference: MHSA Handbook

42
43 Policy History:

44 Adopted on: 2/14/02

45 Reviewed on: 7/29/19

46 Revised on: 11/13/02, 3/10/09

1 **Arlee Public Schools**

2
3 **STUDENTS**

3415

4
5 Management of Sports Related Concussions

6
7 The District recognizes that concussions and head injuries are commonly reported injuries in
8 children and adolescents who participate in sports and other recreational activities. The Board
9 acknowledges the risk of catastrophic injuries or death is significant when a concussion or head
10 injury is not properly evaluated and managed. Therefore, all K-12 competitive youth athletic
11 activities in the District will be identified by the administration.

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

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

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

29
30 Reference: Montana High School Association, Rules and Regulations
31 Section 4, Return to Play

32
33 Legal Reference: Dylan Steigers Youth Athlete Protection Act

34
35 Cross Reference: 3415F Student-Athlete & Parent/Legal Custodian Concussion Statement

36
37
38 Policy History:

39 Adopted on: 2/8/11

40 Reviewed on: 7/29/19

41 Revised on: 07/22/13

1 **Arlee Public Schools**

2
3 **STUDENTS**

3416

4
5 Administration of Medication

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

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

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

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

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

26
27 Administering Medication

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

34
35 Emergency Administration of Medication

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

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

45
46 The Board requires that there must be on record a medically diagnosed allergic condition that

1 would require prompt treatment to protect a student from serious harm or death.

2
3 A building administrator or school nurse will enter any medication to be administered in an
4 emergency on an individual student medication record and will file it in a student's cumulative
5 health folder.

6 7 Self-Administration of Medication

8
9 The District will permit students who are able to self-administer specific medication to do so
10 provided that:

- 11
- 12 • A physician or dentist provides a written order for self-administration of said medication;
 - 13 • Written authorization for self-administration of medication from a student's parent, an
14 individual who has executed a caretaker relative educational authorization affidavit, or
15 guardian is on file; and
 - 16 • A principal and appropriate teachers are informed that a student is self-administering
17 prescribed medication.

18
19 A building principal or school administrator may authorize, in writing, any employee to assist
20 with self-administration of medications, provided that only the following may be employed:

- 21
- 22 • Making oral suggestions, prompting, reminding, gesturing, or providing a written guide
23 for self-administering medications;
 - 24 • Handing to a student a prefilled, labeled medication holder or a labeled unit dose
25 container, syringe, or original marked and labeled container from a pharmacy;
 - 26 • Opening the lid of a container for a student;
 - 27 • Guiding the hand of a student to self-administer a medication;
 - 28 • Holding and assisting a student in drinking fluid to assist in the swallowing of oral
29 medications; and
 - 30 • Assisting with removal of a medication from a container for a student with a physical
31 disability that prevents independence in the act.

32 33 Self-Administration or Possession of Asthma, Severe Allergy, or Anaphylaxis Medication

34
35 Students with allergies or asthma may be authorized by the building principal or Superintendent,
36 in consultation with medical personnel, to possess and self-administer emergency medication
37 during the school day, during field trips, school-sponsored events, or while on a school bus. The
38 student shall be authorized to possess and self-administer medication if the following conditions
39 have been met:

- 40
- 41 • A written and signed authorization from the parents, an individual who has executed a
42 caretaker relative educational authorization affidavit, or guardians for self-administration
43 of medication, acknowledging that the District or its employees are not liable for injury
44 that results from the student self-administering the medication.
 - 45 • The student must have the prior written approval of his/her primary healthcare provider.
46 The written notice from the student's primary care provider must specify the name and

1 purpose of the medication, the prescribed dosage, frequency with which it may be
2 administered, and the circumstances that may warrant its use.

- 3 • Documentation that the student has demonstrated to the healthcare practitioner and the
4 school nurse, if available, the skill level necessary to use and administer the medication.
- 5 • Documentation of a doctor-formulated written treatment plan for managing asthma,
6 severe allergies, or anaphylaxis episodes of the student and for medication use by the
7 student during school hours.

8
9 Authorization granted to a student to possess and self-administer medication shall be valid for
10 the current school year only and must be renewed annually.

11
12 A student's authorization to possess and self-administer medication may be limited or revoked
13 by the building principal or other administrative personnel.

14
15 If provided by the parent, an individual who has executed a caretaker relative educational
16 authorization affidavit, or guardian, and in accordance with documentation provided by the
17 student's doctor, backup medication must be kept at a student's school in a predetermined
18 location or locations to which the student has access in the event of an asthma, severe allergy, or
19 anaphylaxis emergency.

20
21 Immediately after using epinephrine during school hours, a student shall report to the school
22 nurse or other adult at the school who shall provide follow up care, including making a 9-1-1
23 emergency call.

24 25 Administration of Glucagons

26 School employees may voluntarily agree to administer glucagons to a student pursuant to § 20-5-
27 412, MCA, only under the following conditions: (1) the employee has filed the necessary
28 designation and acceptance documentation with the District, as required by § 20-5-412(2), MCA,
29 and (2) the employee has filed the necessary written documentation of training with the District, as
30 required by § 20-5-412(4), MCA. All documentation shall be kept on file.

31 32 Handling and Storage of Medications

33
34 The Board requires that all medications, including those approved for keeping by students for
35 self-medication, be first delivered by a parent, an individual who has executed a caretaker
36 relative educational authorization affidavit, or other responsible adult to a nurse or employee
37 assisting with self-administration of medication. A nurse or assistant:

- 38
39 • Must examine any new medication to ensure it is properly labeled with dates, name of
40 student, medication name, dosage, and physician's name;
- 41 • Must develop a medication administration plan, if administration is necessary for a
42 student, before any medication is given by school personnel;
- 43 • Must record on the student's individual medication record the date a medication is
44 delivered and the amount of medication received;
- 45 • Must store medication requiring refrigeration at 36° to 46° F;

- 1 • Must store prescribed medicinal preparations in a securely locked storage compartment;
2 and
- 3 • Must store controlled substances in a separate compartment, secured and locked at all
4 times.
- 5 • All non-emergency medication shall be kept in a locked, nonportable container, stored in
6 its original container with the original prescription label. Epinephrine, naloxone, and
7 student emergency medication may be kept in portable containers and transported by the
8 school nurse or other authorized school personnel.
- 9 • Food is not allowed to be stored in refrigeration unit with medications.
- 10 • Shall notify the building administrator, school district nurse, and parent or guardian of
11 any medication error and document it on the medication administration record.

12
13 The District will permit only a forty-five-(45)-school-day supply of a medication for a student to
14 be stored at a school; and all medications, prescription and nonprescription, will be stored in
15 their original containers.

16
17 The District will limit access to all stored medication to those persons authorized to administer
18 medications or to assist in the self-administration of medications. The District requires every
19 school to maintain a current list of those persons authorized by delegation from a licensed nurse
20 to administer medications.

21
22 The District may maintain a stock supply of auto-injectable epinephrine to be administered by a
23 school nurse or other authorized personnel to any student or nonstudent as needed for actual or
24 perceived anaphylaxis. If the district intends to obtain an order for emergency use of epinephrine
25 in a school setting or at related activities, the district shall adhere to the requirements stated in
26 20-5-420, Section 2, MCA.

27 28 Disposal of Medication

29
30 The District requires school personnel either to return to a parent, an individual who has
31 executed a caretaker relative educational authorization affidavit, or guardian or, with permission
32 of the parent, an individual who has executed a caretaker relative educational authorization
33 affidavit, or guardian, to destroy any unused, discontinued, or obsolete medication. A school
34 nurse, in the presence of a witness, will destroy any medicine not repossessed by a parent or
35 guardian within a seven-(7)-day period of notification by school authorities.

36
37 Medical sharps shall be disposed of in an approved sharps container. Building administrators should
38 contact the school nurse or designated employee when such a container is needed. Sharps containers
39 are to be kept in a secure location in the school building. Disposal of sharps container, medical
40 equipment, and personal protective equipment is the responsibility of the school nurse or designated
41 employee in accordance with the Montana Infectious Waste Management Act and the manufacture
42 guidelines specific to the container or equipment.

43
44
45
46 Legal Reference: § 20-5-412, MCA Definition – parent-designated adult administration

1 of glucagons – training
2 § 20-5-420, MCA Self-administration or possession of asthma, severe
3 allergy, or anaphylaxis medication
4 ARM 24.159.1604 Tasks Which May Be Routinely Assigned to an
5 Unlicensed Person in Any Setting When a Nurse-
6 Patient Relationship Exists
7 § 37-8-103(1)(c), MCA Exemptions – limitations on authority conferred
8 § 75-10-1001, et seq Infectious Waste Management Act
9 37.111.812, ARM Safety Requirements

10
11
12
13 Policy History:

14 Adopted on:

15 Reviewed on: 7/29/19

16 Revised on: 9/14/05, 9/11/07, 3/10/09, 06/11/13, 8/17/21

STUDENTS

3520

Student Fees, Fines, and Charges

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

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

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

The District holds a student responsible for the cost of replacing materials or property that are lost or damaged because of negligence. A building administrator will notify a student and parent regarding the nature of violation or damage, how restitution may be made, and how an appeal may be instituted. The District may withhold a student's grades or diploma until restitution is made. The District may not refuse to transfer files because a student owes fines or fees. A school district may withhold the grades, diploma, or transcripts of a pupil who is responsible for the cost of school materials or the loss or damage of school property until the pupil or the pupil's parent or guardian satisfies the obligation.

A school district that decides to withhold a pupil's grades, diploma, or transcripts from the pupil and the pupil's parent or guardian shall:

- (i) upon receiving notice that the pupil has transferred to another school district in the state, notify the pupil's parent or guardian in writing that the school district to which the pupil has transferred will be requested to withhold the pupil's grades, diploma, or transcripts until any obligation has been satisfied;
- (ii) forward appropriate grades or transcripts to the school to which the pupil has transferred;
- (iii) at the same time, notify the school district of any financial obligation of the pupil and request the withholding of the pupil's grades, diploma, or transcripts until any obligations are met;
- (iv) when the pupil or the pupil's parent or guardian satisfies the obligation, inform the school district to which the pupil has transferred;

A student or parent may appeal the imposition of a charge for damages to the Superintendent and to the Board.

Legal reference: § 20-1-213 (3), MCA Transfer of school records
 § 20-5-201(4), MCA Duties and sanctions
 § 20-7-601, MCA Free textbook provisions
 § 20-9-214, MCA Fees

Policy History:

Adopted on: 12/10/96

Reviewed on: 7/29/19

Revised on: 3/10/09, 3/17/2014

1 **Arlee Public Schools**

2
3 **STUDENTS**

3600

4
5 Student Records

6
7 School student records are confidential, and information from them will not be released other
8 than as provided by law. State and federal laws grant students and parents certain rights,
9 including the right to inspect, copy, and challenge school records.

10
11 The District will ensure information contained in student records is current, accurate, clear, and
12 relevant. All information maintained concerning a student receiving special education services
13 will be directly related to the provision of services to that child. The District may release
14 directory information as permitted by law, but parents will have the right to object to release of
15 information regarding their child. Military recruiters and institutions of higher education may
16 request and receive the names, addresses, and telephone numbers of all high school students,
17 unless the parent(s) notifies the school not to release this information.

18
19 The Superintendent will implement this policy and state and federal law with administrative
20 procedures. The Superintendent or designee will inform staff members of this policy and inform
21 students and their parents of it, as well as of their rights regarding student school records.

22
23 Each student's permanent file, as defined by the board of public education, must be permanently
24 kept in a secure location. Other student records must be maintained and destroyed as provided in
25 20-1-212, MCA.

26
27 Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R.
28 99
29 § 20-1-212, MCA Destruction of records by school officer.
30 § 20-5-201, MCA Duties and sanctions
31 § 40-4-225, MCA Access to records by parent
32 10.55.909, ARM Student Records
33 No Child Left Behind Act of 2001, P.L. 107-334
34

35 Policy History:

36 Adopted on:

37 Reviewed on: 3/10/09, 7/29/19

38 Revised on: 07/11/13

3606F

I, (name of custodian of records), the duly appointed custodian of records for the Arlee Public Schools, District No. JT&8, Lake County, State of Montana, pursuant to § 20-1-213, MCA, do hereby certify that the attached is a true and correct copy of the student records of (name of student), maintained in my possession and under my control.

Custodian of Records
Arlee Public Schools, District No. JT&8

(S E A L)

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 with a five-(5)-day time period. The District also will include in that notice the date by which requested records will be transferred. The District will not refuse to transfer records because a student owes fines or fees.

Cross Reference:	3413	Student Immunization
	3600 - 3600P	Student Records
	3606F	Records Certification

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

Adopted on: 3/10/09

Reviewed on: 7/29/19

Revised on:

Arlee Public Schools

R

STUDENTS

3608

Receipt of Confidential Records

Pursuant to Montana law, the District may receive case records of the Department of Public Health and Human Services and its local affiliate, the county welfare department, the county attorney, and the court concerning actions taken and all records concerning reports of child abuse and neglect. The District will keep these records confidential as required by law and will not include them in a student's permanent file.

The Board authorizes the individuals listed below to receive information with respect to a District student who is a client of the Department of Public Health and Human Services:

- Counselor
- Nurse
- Special Education Teacher
- School Psychologist
- Administration

When the District receives information pursuant to law, the Superintendent will prevent unauthorized dissemination of that information.

Cross Reference: 3600 - 3600P Student Records

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

Policy History:

Adopted on:

Reviewed on: 7/29/19

Revised on: 3/10/09

STUDENTS

3612

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

The District makes Internet access and interconnected computer systems available to District students and faculty. The District provides electronic networks, including access to the Internet, as part its instructional program and to promote educational excellence by facilitating resource sharing, innovation, and communication.

The District expects all students to take responsibility for appropriate and lawful use of this access, including good behavior on-line. The District may withdraw student access to its network and to the Internet when any misuse occurs. District teachers and other staff will make reasonable efforts to supervise use of network and Internet access; however, student cooperation is vital in exercising and promoting responsible use of this access.

Curriculum

Use of District electronic networks will be consistent with the curriculum adopted by the District, as well as with varied instructional needs, learning styles, abilities, and developmental levels of students, and will comply with selection criteria for instructional materials and library materials. Staff members may use the Internet throughout the curriculum, consistent with the District's educational goals.

Acceptable Uses

1. Educational Purposes Only. All use of the District's electronic network must be: (1) in support of education and/or research, and in furtherance of the District's stated educational goals; or (2) for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any materials that are stored, transmitted, or received via the District's electronic network or District computers. The District reserves the right to monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage.
2. Unacceptable Uses of Network. The following are considered unacceptable uses and constitute a violation of this policy:
 - A. Uses that violate the law or encourage others to violate the law, including but not limited to transmitting offensive or harassing messages; offering for sale or use any substance the possession or use of which is prohibited by the District's student discipline policy; viewing, transmitting, or downloading pornographic materials or materials that encourage others to violate the law; intruding into

the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.

- B. Uses that cause harm to others or damage to their property, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating, or otherwise using his/her access to the network or the Internet; uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information.
- C. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.
- D. Uses that are commercial transactions. Students and other users may not sell or buy anything over the Internet. Students and others should not give information to others, including credit card numbers and social security numbers.

Warranties/Indemnification

The District makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this policy. The District is not responsible for any information that may be lost, damaged, or unavailable when using the network or for any information that is retrieved or transmitted via the Internet. The District will not be responsible for any unauthorized charges or fees resulting from access to the Internet. Any user is fully responsible to the District and will indemnify and hold the District, its trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchase of goods or services by a user. The District expects a user or, if a user is a minor, a user's parents or legal guardian to cooperate with the District in the event of its initiating an investigation of a user's use of access to its computer network and the Internet.

Violations

If a student violates this policy, the District will deny the student access or will withdraw access and may subject the student to additional disciplinary action. An administrator or building principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with that decision being final.

Policy History:

Adopted on: 3/10/09

Reviewed on: 7/29/2019

Revised on:

1 **Arlee Public Schools**

2
3 **STUDENTS**

3630

4
5 Cell Phones and Other Electronic Equipment

6
7 ***Elementary***

8 Cell phones are not to be used on the school grounds when school is in session. Students who
9 disregard these guidelines will be required to turn the cell phone into the office or their teacher
10 until the end of the day. The student may pick the cell phone up as he/she leaves the school.
11

12 ***Junior High and High School***

13 Student possession and use of cellular phones, pagers, and other electronic signaling devices on
14 school grounds, at school-sponsored activities and while under the supervision and control of
15 School District employees is a privilege. School authorities reserve the right to restrict the use of
16 such devices during the school day.
17

18 Students may use cellular phones, pagers or other electronic signaling devices on campus only
19 before school, during lunch and after the school day ends. These devices must be kept out of
20 sight and turned off during the instructional day (including time out of classroom on a hall pass).
21 School officials, including classroom teachers, may confiscate such devices when used
22 inappropriately. Confiscated devices will only be returned to the parent. Repeat unauthorized use
23 of such devices will result in progressive disciplinary action.
24

25 At no time will any student operate a cell phone or other electronic device with video/camera
26 capability in locker room, bathroom or other location where such operation may violate the
27 privacy right of another student.
28

29 Policy History:

30 Adopted on: 3/10/09

31 Reviewed on: 7/29/19

32 Revised on: