

CHARLO SCHOOL DISTRICT

R = required

3000 SERIES STUDENTS

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4
5 Entrance, Placement, and Transfer

6
7 Entrance, Date, and Age

8
9 The District will enroll a child in kindergarten or in first grade whose fifth (5th) or sixth (6th)
10 birthday occurs on or before the tenth (10th) day of September of the school year in which a child
11 registers to enter school. Parents may request a waiver of the age requirement. All waivers are
12 granted in the sole discretion of the District. A child who meets the requirement of being six (6)
13 years old, but who has not completed a kindergarten program, will be tested and placed at the
14 discretion of the administration. The District requires proof of identity and an immunization
15 record for every child to be admitted to District schools. The District usually will not assign or
16 admit any person who has reached age nineteen (19) on or before September 10 of the year to be
17 enrolled; however, a waiver to this usual practice may be granted.

18
19 School Entrance

- 20
21 1. The District requires that a student's parents, legal guardian, or legal custodian present
22 proof of identity of the child (birth certification or certified transcript) to the school
23 within forty (40) days of enrollment, as well as proof of residence in the District.
24 Students who are not residents of the District may apply for admission pursuant to Policy
25 3141. Homeless students shall be admitted pursuant to state and federal law, and Policy
26 3125.
27
28 2. To be admitted to District schools, in accordance with the Montana Immunization Law, a
29 child must have been immunized against diphtheria, pertussis, tetanus, poliomyelitis,
30 rubella, mumps, and measles (except that pertussis vaccination is not required for
31 children seven (7) years or older). Immunizations may not be required if a child qualifies
32 for conditional attendance or an exemption is filed as provided by Montana law.
33
34 3. A student who enrolls after the first day of school will be allowed to attend the day
35 following official enrollment.
36

37 Placement

38
39 The District goal is to place students at levels and in settings that will increase the probability of
40 student success. Developmental testing, together with other relevant criteria including, but not
41 limited to, health, maturity, emotional stability, and developmental disabilities, may be
42 considered in the placement of all students. Final disposition of all placement decisions rests
43 with the principal, subject to review by the Superintendent or the Board.
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4 Transfer
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6 District policies regulating the enrollment of students from other accredited elementary and
7 secondary schools are designed to protect the educational welfare of children.
8

9 Elementary Grades (K-8): A student transferring into the District will be admitted and placed
10 subject to observation by appropriate teachers and a building principal during a probation period
11 of two (2) weeks. Thereafter, should doubt arise as to initial grade and level placement of a
12 student, school personnel will conduct an educational assessment to determine appropriate grade
13 and level placement.
14

15 Secondary Grades (9-12) Credit Transfer: A transfer of credits from any secondary school is
16 subject to a satisfactory examination of the following:
17

- 18 1. Appropriate certificates of school accreditation;
- 19 2. Length of course, school day, and school year;
- 20 3. Content of applicable courses;
- 21 4. School building as it relates to credit earned (i.e., lab areas for appropriate science or
22 vocational instruction);
- 23 5. Appropriate evaluation of student performance leading toward credit issuance.
24

25 The District will follow Montana Accreditation Rules and Standard, along with local alternate
26 procedures for earning credit, in reviewing requests for transfer of credits. High school
27 principals have authority for approving credit transfers, subject to review by the Superintendent
28 or the Board.
29
30

31

32 Legal Reference:	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-403, MCA	Immunization required – release and 34 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	

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40

41 Policy History:

42 Adopted on:
43 Revised on:

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3 **STUDENTS**

4
5 Compulsory Attendance

6
7 To reach the goal of maximum educational benefits for every child requires a regular continuity
8 of instruction, classroom participation, learning experiences, and study. Regular interaction of
9 students with one another in classrooms 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. A student’s regular attendance also reflects dependability and is a
13 significant component of a student’s permanent record.

14
15 Parents or legal guardians or legal custodians are responsible for seeing that their children who
16 are age seven (7) or older before the first day of school attend school until the later of the
17 following dates:

- 18
19 1. Child’s sixteenth (16th) birthday; or
20
21 2. Completion date of the work of eighth (8th) grade.
22

23 Compulsory attendance stated above will not apply when children:

- 24
25 1. Are provided with supervised correspondence or home study; or
26
27 2. Are excused because of a determination by a district judge that attendance is not in the
28 best interests of the child; or
29
30 3. Are enrolled in a non-public or home school; or
31
32 4. Are enrolled in a school in another district or state; or
33
34 5. Are excused by the Board on a determination that attendance after age of sixteen (16) is
35 not in the best interests of a child and a school.
36

37	Legal Reference:	§ 20-1-308, MCA	Religious instruction
38		§ 20-5-101, MCA	Admittance of child to school
39		§ 20-5-103, MCA	Compulsory attendance and excuses
40		§ 20-5-104, MCA	Attendance officer
41		§ 20-5-106, MCA	Truancy
42		§ 20-5-107, MCA	Incapacitated and indigent child attendance
43		§ 20-5-108, MCA	Tribal agreement with district for Indian child compulsory attendance and other agreements

44
45
46 Policy History:

47 Adopted on:

48 Revised on:

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4

5 Enrollment and Attendance Records

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

10

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13 Policy History:

14 Adopted on:

15 Revised on:

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4
5 Enrollment and Attendance Records

6
7 Average Number Belonging

8
9 Average Number Belonging (ANB) is the enrollment measure used for the State Foundation
10 Program calculations as defined in § 20-9-311, MCA. The ANB of one year is based on the
11 attendance records of the preceding year. Funding for districts is based on ANB and must be
12 accurate.

13
14 For a child to be counted for ANB purposes:

- 15
16 a) The child must meet the definition of pupil as found in § 20-1-101(10), MCA;
17
18 2) Kindergarten: Students enrolled in a program that provides one hundred eighty (180)
19 hours or more of pupil instruction are counted for ANB purposes;
20
21 3) Grades 1-12:
22 4) Students enrolled less than one (1) hour per day are not counted for purposes of
23 ANB;
24
25 5) Students enrolled between one (1) and two (2) hours per day are counted as part-
26 time enrolled (one-half (½) ANB);
27
28 6) Students enrolled for two (2) hours or more per day are counted as full-time
29 enrolled (full ANB);
30
31 4) The student must not be counted as enrolled, if the student has been absent for eleven
32 (11) consecutive school days immediately prior to and including the official count date.
33

34 Homebound Students

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

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

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4 If a homebound student does not meet the criteria set forth above, the District may request a
5 variance through the Office of Public Instruction, for consideration of the student in the
6 enrollment count for ANB purposes beyond the tenth (10th) day of absence.
7

8 Attendance Accounting:
9

10 Days present and absent for every student are to be recorded in each building, for the purpose of
11 informing parents of a student's attendance record.
12

13 On the first (1st) Monday in October and on February 1st (or the next school day if those dates do
14 not fall on a school day), the number of all enrolled students (whether present or absent) by grade
15 level and class will be recorded on the forms provided by the District. Special education children
16 who are enrolled in special programs sixteen (16) hours or more a week will be listed separately.
17 The Director of Special Education should be contacted to verify this count. Monthly student
18 counts of enrolled children by grade and classroom will be provided by the office.
19
20
21

22 Legal Reference: 10.20.102, ARM Calculation of Average Number Belonging (ANB)
23

24 Procedure History:

25 Promulgated on:

26 Revised on:

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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 of
8 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

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22 Policy History:

23 Adopted on:

24 Revised on:

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4
5 Attendance Policy

6
7 In order to graduate from Charlo High School, a student must complete twenty-three (23) credits.
8 Completion of a course at Charlo High School will be defined as a passing grade of the material
9 and attendance to include not more than five (5) absences per class, per quarter. This attendance
10 criteria is based on the theory that prompt and regular attendance in school is the beginning of
11 dependability in adult business, personal, and social life. Furthermore, regular attendance is
12 important, because valuable skills and information gained in the classroom may or may not show
13 up on tests or be reflected in an academic grade. The general welfare of all students is best
14 served by regular attendance.

- 15
16 A. A student will be allowed five (5) absences per class, per quarter. When students miss
17 more than five (5) periods in a class during a quarter, they will be penalized two (2)
18 percentage points on their quarter grade for each absence beyond the fifth (5th)
19 occurrence, unless the additional absences qualify as absence exemptions. (see below)
20 Any decision to withhold credit can be appealed through the chain of command from the
21 Principal to the Superintendent.
22 B. To prevent any misunderstandings, students and parents are advised that there are three
23 categories of absences:

24
25
26
27
28
29 **Exempt absences:**

30 These absences will not be counted in the five allowed per quarter.

- 31 1. Illness verified by a Medical Doctor or documentation of another medical related appointment
32 such as a dentist or optometrist appointment.
33 2. Prearranged absences under special circumstances. Parents must request a prearranged
34 absence of this nature from the HS office via phone or written note. A prearranged form should
35 be picked up at the high school office preferably 24 hours prior to the absence. Failure to return
36 the prearranged form and fill it out correctly may result in the absence counting as unexcused.
37 3. School related absences such as field trips, athletics, student council, band, etc.
38 4. Death in the family.
39 5. Extenuating circumstances as determined by the principal.

40
41 **Discretionary absences:** Absences with the knowledge of parents for reasons other than those
42 listed above. Discretionary absences will include such areas as: illness not verified by a doctor,
43 family trips, work days, vacations, visiting friends or relatives, hair or photography appointments,
44 skiing, hunting, court appearances, attending concerts, shopping, or any others not mentioned
45 which are deemed as questionable reasons to miss school by the administration.

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4 Whether discretionary or exempt, it is the duty of the parent/guardian to notify appropriate school
5 personnel of the absent student's location. . Absences are unexcused until a note or call from a
6 parent/guardian is received by the office. If the note/call is not received within two (2) school
7 days, the absences will be recorded as unexcused. The principal will make the final decision.
8

9 **Unexcused Absences:**

10 Absence without the knowledge of parents is called truancy. Section 41-5-103 #21 of Montana
11 law defines "Habitual Truancy" as recorded absences of 10 days or more of unexcused absences
12 in a semester or absences without prior written approval of a parent or guardian. It is the
13 principal's duty, as truancy officer, to report habitual truants to the Lake County Youth Court.
14

15 Consequences for unexcused absences:

- 16 1. 1st unexcused absence-1 day in-school suspension and parent notification.
- 17 2. 2nd unexcused absence-3 days in-school suspension and parent notification.
- 18 3. 3rd unexcused absence- 1 day OSS (Out of School Suspension), parents notification, and
19 a conference may be scheduled with the administration.
- 20 4. Further unexcused absences will follow the step discipline plan as outlined in the
21 handbook.
22
23
24
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28

29 **Procedure History:**

30 Promulgated on:

31 Revised on:

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3 **STUDENTS**

4
5 Education of Homeless Children

6
7 Every child of a homeless individual and every homeless child are entitled to equal access to the
8 same free, appropriate public education as provided to other students. The District must assign
9 and admit a child who is homeless to a District school regardless of residence and irrespective of
10 whether the homeless child is able to produce records normally required for enrollment. The
11 District may not require an out-of-District attendance agreement and tuition for a homeless child.

12
13 The Superintendent will review and revise as necessary rules or procedures that may be barriers
14 to enrollment of homeless children and youths. In reviewing and revising such procedures, the
15 Superintendent will consider issues of transportation, immunization, residence, birth certificates,
16 school records, and other documentation.

17
18 Homeless students will have access to services comparable those offered to other students,
19 including but not limited to:

- 20
21 1. Transportation services;
22 2. Educational services for which a student meets eligibility criteria (e.g., Title I);
23 3. Educational programs for children with disabilities and limited English proficiency;
24 4. Programs in vocational and technical education;
25 5. Programs for gifted and talented students; and
26 6. School nutrition program.

27
28 The Superintendent will give special attention to ensuring the enrollment and attendance of
29 homeless children and youths not currently attending school. The Superintendent will appoint a
30 liaison for homeless children.

31
32 A “homeless individual” is defined as provided in the McKinney Homeless Assistance Act.

33
34 Anyone having a concern or complaint regarding placement or education of a homeless child will
35 first present it orally and informally to the District homeless liaison. Thereafter, a written
36 complaint must be filed in accordance with the District Uniform Complaint Procedure.

37
38 Cross Reference: 1700 Uniform Complaint Procedure

39
40 Legal Reference: 42 U.S.C. § 11431, et seq. McKinney Homeless Assistance Act
41 § 20-5-101, MCA Admittance of child to school

42
43 Policy History:

44 Adopted on:

45 Revised on:

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4
5 Students of Legal Age

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

11
12 Admission to School

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

16
17 Field Trips/Athletic Programs

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

22
23 Absence/Lateness/Truancy

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

28
29 Suspension/Expulsion

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

34
35 Withdrawal from School

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

40
41 Permission to Inspect Student Records

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

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Report Cards

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

Excuses from School

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

Financial Responsibility

Students of legal age can be held financially responsible for damage to school property.

Policy History:

Adopted on:

Revised on:

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4
5 Discretionary Nonresident Student Attendance Policy

6
7 Except as otherwise provided by law, admission to the District as a nonresident student is a
8 privilege. The Board, recognizing that an educational requirement of its resident students
9 includes the need for an orderly educational process and environment, free from disruption,
10 overcrowding, and any kind of violence or disruptive influences, hereby establishes criteria for
11 the discretionary admission of nonresident students.

- 12
13 1. Except as provided by law, admission to the District as a nonresident student is a
14 privilege, unless required by § 20-5-321, MCA. As such, the District will screen all
15 discretionary nonresident students and consider only those who meet the criteria set forth
16 in this policy.
17
18 2. The Superintendent is hereby given the authority to recommend to the Board any
19 student's admission in accordance with this policy. The Board will make the final
20 decision on admission.
21
22 3. All students whose legal residence is outside the District and who do not qualify for
23 mandatory attendance will be denied enrollment, with the following exceptions:
24
25 a. Foreign exchange students, per existing District policy;
26
27 b. Children in the immediate family of nonresident District employees;
28
29 c. Students residing outside the District, provided they:
30
31 • Are in good standing with the most-recently attended school, in terms of
32 academics, conduct, and attendance;
33 • Are able to demonstrate a record free of truancy;
34 • Are able to demonstrate a clean behavior record in the school last attended
35 for a period of at least one (1) year;
36 • Have passing grades in the school previously attended;
37 • Have correctly completed the nonresident student application process; and
38 • Present no other educationally related detriment to students of the District.
39
40 4. The Board will not admit any student prior to viewing that student's records from the
41 student's previous school districts.
42
43 5. The District has the option of accepting a nonresident student who does not meet the
44 criteria set forth herein, if the student agrees to special conditions of admission as set
45 forth by the District.
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4 6. Every student who attends the District as a nonresident student must reapply for
5 admission by June 15. Admission in one school year does not imply or guarantee
6 admission in subsequent years.
7
- 8 7. The District will not admit nonresident students when to do so would require hiring
9 additional staff or providing educational services not currently provided in the school or
10 would create crowding of existing classes.
11
- 12 8. All resident students who become nonresidents due to a move from the District by their
13 parents/guardians may continue attendance for the semester, barring registration in
14 another District. At the completion of the semester, a student must apply as a nonresident
15 student.
16
- 17 9. The Board reserves the right to charge tuition for nonresident students. The Board may,
18 at its discretion, charge or waive tuition for all students whose tuition is required to be
19 paid by one type of entity. An “entity” is defined as either: (1) the parent/guardian; or
20 (2) a school district. Any waiver of tuition must be applied equally to all students whose
21 tuition is paid by the same type of entity (i.e., if the District charges students tuition in
22 those circumstances where the resident district pays but waives tuition in those
23 circumstances where the parent/guardian is responsible for tuition, the tuition waiver will
24 be applicable to all students whose parents/guardians bear the responsibility for
25 payment).
26
- 27 10. All nonresident students will be considered ineligible transportees for school
28 transportation services (§ 20-10-101, MCA).
29
- 30 11. The Board may declare an emergency which, in its opinion, necessitates the removal of
31 all nonresident students from the schools.
32
- 33 12. Students who have been expelled from another school district or who have committed
34 acts while enrolled in another school district which would have resulted in expulsion if
35 committed while enrolled in this district, may be denied admission to the Charlo Schools
36 at the discretion of the trustees for a time period consistent with the term of any expulsion
37 permitted by board policy.
38
- 39 13. When a parent or guardian of a child wishes to have his or her child attend Charlo Public
40 Schools as an out-of-district student, he or she will apply to the District before July 1 of
41 the school fiscal year in which he or she seeks approval, unless the student can establish
42 compelling reasons for the mid-year admission in the best interests of the student and
43 District.
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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

Policy History:

Adopted on:

Revised on:

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4
5 Foreign Exchange Students

6
7 It is the policy of the Board to recognize the benefits from foreign exchange students in the
8 District. The Board does not, however, sponsor student foreign exchange programs. The Board
9 or its designee may approve tuition-free classroom experiences for foreign exchange students. It
10 is understood that approval only signifies the District's willingness to allow students to attend
11 without tuition. The District does not provide any other financial contribution to the student.
12 The student is responsible for all other fees. The Board assumes no responsibility or control over
13 aspects such as travel, living accommodations, funding, insurance, etc., which remain the
14 responsibility of the sponsor and/or the student.

15
16 The District's goal is that a mutual, beneficial exchange exist between the foreign exchange
17 student and the District. The foreign exchange student is expected to make a contribution to the
18 community and school by sharing his/her culture. The District encourages students to speak
19 about their country to classes at any grade level and encourages District students to explore
20 opportunities to travel and study abroad. The foreign exchange students will be subject to the
21 same policies and attendance requirements as regular students unless otherwise noted.

22
23 Foreign exchange students must meet the following criteria:

- 24
- 25 1. Be able to demonstrate a conversational proficiency with the English language to enable
26 accurate and precise cross-communication with students and teaching staff.
27
 - 28 2. Be in good standing with the most recently attended school, in terms of academics,
29 conduct, and attendance. Before admission the Superintendent will evaluate the student's
30 transcript.
31
 - 32 3. Placed by an accredited foreign exchange program.
33
 - 34 4. Be able to demonstrate a record free of truancy.
35
 - 36 5. Be able to demonstrate a clean behavior record in the school last attended for a period of
37 at least one (1) year.
38
 - 39 6. Have no criminal record.
40
 - 41 7. Have passing grades in the school previously attended.
42
 - 43 8. Have correctly completed the application process.
44
 - 45 9. The foreign exchange student is not eligible, if they are nineteen (19) years of age before

1
2
3
4 midnight, August 31, of a given year.
5

6 10. The District will not admit foreign exchange students, when to do so would require hiring
7 additional staff, provision of educational services not currently provided in the school, or
8 overcrowding of existing classes.
9

10 11. Present no other educationally related detriment to students in the District.
11

12 When a parent or guardian of a child wishes to sponsor a foreign exchange student, he or she will
13 apply to the District before July 1 of the school fiscal year for which he or she seeks approval,
14 unless the student can establish compelling reasons for the mid-year admission, in the best
15 interests of the student and the District.
16

17
18
19 Legal Reference: 20 U.S.C. 221, et seq.
20

21 Policy History:

22 Adopted on:

23 Revised on:

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4

5 Part-Time Attendance

6

7 The District will not accept students eligible to enroll in grades K-8 on a part-time basis unless
8 they are disabled. The District will review requests for part-time enrollment of grades 9-12
9 students on a case-by-case basis, with a building principal making a final decision. The District
10 will consider only those students who are not enrolled in any other school, including a home
11 school.

12

13 Criteria for accepting students grades 9-12 for part-time enrollment are the following:

14

- 15 1. Accepting a student will not create excess student enrollment in a requested class;
- 16 2. Accepting a student will not create need for an additional staff member;
- 17 3. Accepting a student will not cause a new section of a course to be created.

18

19 The District will accept on a first-come, first-serve basis students wishing to enroll in the same
20 course. Whenever the enrollment position of a part-time student is needed for a regular, full-time
21 student during the year, a full-time student has priority for the position beginning with the next
22 semester.

23

24

25

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

27

28 Policy History:

29 Adopted on:

30 Revised on:

1 **Charlo School District**

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

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 B definition of
19 corporal punishment

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:

25 Revised on:

2
3 **STUDENTS**

4
5 Equal Education, Nondiscrimination and Sex Equity

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

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

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

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

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

28
29
30
31 Legal Reference: Art. X, Sec. 7, Montana Constitution- Nondiscrimination in education
32 § 49-2-307, MCA Discrimination in education
33 24.9.1001, et seq., ARM Sex discrimination in education
34

35 Policy History:

36 Adopted on:

37 Revised on:

1 **Charlo School District**

2

3 **STUDENTS**

3221

4

5 Student Publications

6

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

10

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

17

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

21

22

23

24 Policy History:

25 Adopted on:

26 Revised on:

1 **Charlo School District**

2

3 **STUDENTS**

3222

4

5 Distribution and Posting of Materials

6

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

10

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

13

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

17

18

19

20 Policy History:

21 Adopted on:

22 Revised on:

1 **Charlo School District**

2

3 **STUDENTS**

3224

4

5 Student Dress

6

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

13

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

17

18

19

20 Policy History:

21 Adopted on:

22 Revised on:

2
3 **STUDENTS**

4
5 Sexual Harassment/Intimidation of Students

6
7 Sexual harassment is a form of sex discrimination and is prohibited. An employee, District agent,
8 or student engages in sexual harassment whenever that individual makes unwelcome advances,
9 requests sexual favors, or engages in other verbal, nonverbal, or physical conduct of a sexual or
10 sex-based nature, imposed on the basis of sex, that:

- 11
- 12 1. Denies or limits the provision of educational aid, benefits, services, opportunities, or
- 13 treatment, or that makes such conduct a condition of a student’s academic status; or
- 14
- 15 2. Has the purpose or effect of:
 - 16
 - 17 a. Substantially interfering with a student’s educational environment;
 - 18 b. Creating an intimidating, hostile, or offensive educational environment;
 - 19 c. Depriving a student of educational aid, benefits, services, opportunities, or
 - 20 treatment; or
 - 21 d. Making submission to or rejection of such unwelcome conduct the basis for
 - 22 academic decisions affecting a student.
 - 23

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

30
31 Students who believe that they may have been sexually harassed or intimidated should consult a
32 counselor, teacher, Title IX coordinator, or administrator, who will assist them in a complaint
33 process. Supervisors or teachers who knowingly condone or fail to report or assist a student to
34 take action to remediate such behavior of sexual harassment or intimidation may themselves be
35 subject to discipline.

36
37 Any District employee who is determined, after an investigation, to have engaged in sexual
38 harassment will be subject to disciplinary action up to and including discharge. Any student of
39 the District who is determined, after an investigation, to have engaged in sexual harassment will
40 be subject to disciplinary action, including, but not limited to, suspension and expulsion
41 consistent with the District’s discipline policy. Any person who knowingly makes a false
42 accusation regarding sexual harassment likewise will be subject to disciplinary action up to and
43 including discharge with regard to employees or suspension and expulsion with regard to
44 students.

1
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3
4 The District will make every effort to ensure that employees or students accused of sexual
5 harassment or intimidation are given an appropriate opportunity to defend themselves against
6 such accusations.
7

8 To the greatest extent possible, the District will treat complaints in a confidential manner. The
9 District realizes that limited disclosure may be necessary in order to complete a thorough
10 investigation. Retaliation against persons who file a complaint is a violation of law prohibiting
11 discrimination and will lead to disciplinary action against an offender.
12

13 Any individual seeking further information should consult the Superintendent for the name of the
14 current Title IX Coordinator for the District. The Superintendent will ensure that student and
15 employee handbooks include the name, address, and telephone number of an individual
16 responsible for coordinating District compliance efforts.
17

18 An individual with a complaint alleging a violation of this policy should follow the Uniform
19 Complaint Procedure.
20

21
22
23 Cross Reference: 1700 Uniform Complaint Procedure
24

25 Legal References: Art. X, Sec. 1, Montana Constitution
26 §§ 49-3-101, et seq., MCA Montana Human Rights Act
27 Title IX of the Educational Amendments, 20 U.S.C. § 1681, et seq.
28 34 CFR Part 106
29

30 Policy History:

31 Adopted on:

32 Revised on:

2
3 **Harassment Reporting Form for Students**

4
5 School _____ Date _____

6
7 Student's name _____

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

11
12 ➤ Who was responsible for the harassment or incident(s)? _____

13
14
15 ➤ Describe the incident(s). _____

16
17
18
19 ➤ Date(s), time(s), and place(s) the incident(s) occurred. _____

20
21
22
23 ➤ Were other individuals involved in the incident(s)? yes no
24 If so, name the individual(s) and explain their roles. _____

25
26
27
28
29 ➤ Did anyone witness the incident(s)? yes no
30 If so, name the witnesses. _____

31
32
33
34
35 ➤ Did you take any action in response to the incident? yes no
36 If yes, what action did you take? _____

37
38
39
40
41 ➤ Were there any prior incidents? yes no
42 If so, describe any prior incidents. _____

43
44
45
46 Signature of complainant _____

47
48 Signatures of parents/legal guardians _____

4
5 Hazing/Harassment/Intimidation/Bullying/Menacing

6
7 The Board will strive to provide a positive and productive learning and working environment.
8 Hazing, harassment, intimidation, menacing, or bullying by students, staff, or third parties is
9 strictly prohibited and shall not be tolerated.

10
11 Definitions

- 12
13 1. “Third parties” include but are not limited to coaches, school volunteers, parents, school
14 visitors, service contractors or others engaged in District business, such as employees of
15 businesses or organizations participating in cooperative work programs with the District
16 and others not directly subject to District control at inter-District and intra-District
17 athletic competitions or other school events.
18
- 19 2. “District” includes District facilities, District premises, and non-District property if the
20 student or employee is at any District-sponsored, District-approved, or District-related
21 activity or function, such as field trips or athletic events, where students are under the
22 control of the District or where the employee is engaged in District business.
23
- 24 3. “Hazing” includes but is not limited to any act that recklessly or intentionally endangers
25 the mental or physical health or safety of a student for the purpose of initiation or as a
26 condition or precondition of attaining membership in or affiliation with any District-
27 sponsored activity or grade-level attainment, including but not limited to forced
28 consumption of any drink, alcoholic beverage, drug, or controlled substance, forced
29 exposure to the elements, forced prolonged exclusion from social contact, sleep
30 deprivation, or any other forced activity that could adversely affect the mental or physical
31 health or safety of a student; requires, encourages, authorizes, or permits another to be
32 subject to wearing or carrying any obscene or physically burdensome article, assignment
33 of pranks to be performed, or other such activities intended to degrade or humiliate.
34
- 35 4. “Harassment” includes but is not limited to any act which subjects an individual or group
36 to unwanted, abusive behavior of a nonverbal, verbal, written, or physical nature, on the
37 basis of age, race, religion, color, creed, national origin, sex, ancestry, disability, or
38 marital status.
39
- 40 5. “Harassment, intimidation, or bullying” means any act that substantially interferes with a
41 student’s educational benefits, opportunities, or performance, that takes place on or
42 immediately adjacent to school grounds, at any school-sponsored activity, on school-
43 provided transportation, or at any official school bus stop, and that has the effect of:
44
- 45 a. Physically harming a student or damaging a student’s property;

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2
3
4 b. Knowingly placing a student in reasonable fear of physical harm to the student or
5 damage to the student's property;

6 c. Creating a hostile educational environment.
7

8 6. "Intimidation" includes but is not limited to any threat or act intended to tamper with,
9 substantially damage, or interfere with another's property, cause substantial
10 inconvenience, subject another to offensive physical contact, or inflict serious physical
11 injury, on the basis of age, race, religion, color, creed, national origin, sex, ancestry,
12 disability, or marital status.

13
14 7. "Menacing" includes but is not limited to any act intended to place a school employee,
15 student, or third party in fear of imminent serious physical injury.
16

17 All complaints about behavior that may violate this policy shall be promptly investigated. Any
18 student, employee, or third party who has knowledge of conduct in violation of this policy or
19 feels he/she has been a victim of hazing, harassment, intimidation, bullying, or menacing in
20 violation of this policy is encouraged to immediately report his/her concerns to the building
21 principal or the Superintendent, who have overall responsibility for such investigations. This
22 report may be made anonymously. A student may also report concerns to a teacher or counselor,
23 who will be responsible for notifying the appropriate District official. Complaints against the
24 building principal shall be filed with the Superintendent. Complaints against the Superintendent
25 shall be filed with the Board.
26

27 The complainant shall be notified of the findings of the investigation and, as appropriate, that
28 remedial action has been taken.
29

30 Students whose behavior is found to be in violation of this policy will be subject to discipline up
31 to and including expulsion. Staff whose behavior is found to be in violation of this policy will be
32 subject to discipline up to and including dismissal. Third parties whose behavior is found to be
33 in violation of this policy shall be subject to appropriate sanctions as determined and imposed by
34 the Superintendent or the Board. Individuals may also be referred to law enforcement officials.
35

36 Retaliation is prohibited against any person who reports or is thought to have reported a
37 violation, files a complaint, or otherwise participates in an investigation or inquiry. Such
38 retaliation shall be considered a serious violation of Board policy, whether or not a complaint is
39 substantiated. False charges shall also be regarded as a serious offense and will result in
40 disciplinary action or other appropriate sanctions.
41

42 The Superintendent shall be responsible for ensuring notice of this policy is provided to students,
43 staff, and third parties and for the development of administrative regulations, including reporting
44 and investigative procedures, as needed.
45

46 Policy History:

47 Adopted on:

48 Revised on:

1 **Charlo School District**

2
3 **STUDENTS**

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page 1 of 2

4
5 Searches and Seizure

6
7 The goal of search and seizure with respect to students is meeting the educational needs of
8 children and ensuring their security. The objective of any search and/or seizure is not the
9 eradication of crime in the community. Searches may be carried out to recover stolen property,
10 to detect illegal substances or weapons or to uncover any matter reasonably believed to be a
11 threat to the maintenance of an orderly educational environment. The Board authorizes school
12 authorities to conduct reasonable searches of school property and equipment, as well as of
13 students and their personal effects, to maintain order and security in the schools
14

15 The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified
16 at its inception, and (2) reasonably related in scope to the circumstances which justified the
17 interference in the first place.
18

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

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

27 School Property and Equipment and Personal Effects of Students

28
29 School authorities may inspect and search school property and equipment owned or controlled
30 by the District (such as lockers, desks, and parking lots).
31

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

37 Students

38
39 School authorities may search a student or a student’s personal effects, when reasonable grounds
40 suggest a search will produce evidence that the particular student has violated or is violating a
41 law or District student conduct rules. The search must be conducted in a manner that is
42 reasonably related to its objectives and not excessively intrusive in light of age and sex of a
43 student and the nature of the suspected infraction.
44

45 Students may not use, transport, carry, or possess illegal drugs or any weapons in their vehicles
46 on school property. While on school property, vehicles may be inspected at any time by staff, or

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3
4 by contractors employed by the District utilizing trained dogs, for the presence of illegal drugs,
5 drug paraphernalia, or weapons. In the event the school has reason to believe that drugs, drug
6 paraphernalia, or weapons are present, including by alert-trained dogs, the student's vehicle will
7 be searched, and the student expressly consents to such a search.
8

9 Also, by parking in the school parking lots, the student consents to having his/her vehicle
10 searched if the school authorities have any other reasonable suspicion to believe that a violation
11 of school rules or policy has occurred.
12

13 Seizure of Property

14
15 When a search produces evidence that a student has violated or is violating either a law or
16 District policies or rules, such evidence may be seized and impounded by school authorities and
17 disciplinary action may be taken. As appropriate, such evidence may be transferred to law
18 enforcement authorities.
19
20

21 Legal Reference: Redding v. Safford Unified School District,
22 ---F.3d---, 2007 WL 2743594(C.A. 9 (Ariz.))
23 Terry v. Ohio, 392 U.S. 1, 20 (1968)
24

25 Policy History:

26 Adopted on:

27 Revised on: 11/20/2007, 1/15/2008

1 **Charlo School District**

2
3 **STUDENTS**

3231P

4
5 Searches and Seizure

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

- 9
10 1. The Superintendent, principal, and the authorized assistants of either shall be authorized
11 to conduct any searches or to seize property on or near school premises, as further
12 provided in this procedure.
13
14 2. If the authorized administrator has reasonable suspicion to believe that any locker, car, or
15 other container of any kind on school premises contains any item or substance which
16 constitutes an imminent danger to the health and safety of any person or to the property of
17 any person or the District, the administrator is authorized to conduct a search of any car
18 or container and to seize any such item or substance.

19
20 The authorized administrator may perform random searches of any locker, car, or
21 container of any kind on school premises without notice or consent.

- 22
23 3. If the authorized administrator has any reasonable suspicion to believe that any student
24 has any item or substance in his/her possession, which constitutes an imminent danger to
25 the property of any person or the District, the administrator is authorized to conduct a
26 search of any car or container and to seize any such item or substance.
27
28 4. No student shall hinder, obstruct, or prevent any search authorized by this procedure.
29
30 5. Whenever circumstances allow, any search or seizure authorized in this procedure shall
31 be conducted in the presence of at least one (1) adult witness, and a written record of the
32 time, date, and results shall be made by the administrator. A copy shall be forwarded to
33 the Superintendent as soon as possible.
34
35 6. In any instance where an item or substance is found which would appear to be in violation
36 of the law, the circumstance shall be reported promptly to the appropriate law
37 enforcement agency.
38
39 7. In any situation where the administrator is in doubt as to the propriety of proceeding with
40 any search or seizure, the administrator is authorized to report to and comply with the
41 directions of any public law enforcement agency.

42
43 Procedure History:

44 Promulgated on:

45 Revised on:

2
3 **STUDENTS**

4
5 Suspension and Expulsion

6
7 The District recognizes and honors students’ constitutional right to education opportunity.
8 However, as provide under Montana law, the District will exercise its right to suspend or expel a
9 student when necessary. The District expects all students to know and follow District policies
10 and rules. The District considers a student’s failure or refusal to comply with District policies
11 and rules cause for discipline, including short-term suspension, long-term suspension, or
12 expulsion.

13
14 The following definitions apply for purposes of this policy:

- 15
- 16 • “Short-term suspension” means exclusion from school or from individual classes for a
17 specific period of time, not to exceed ten (10) consecutive days per incident, after which a
18 student has the right to return to school and classes. An administrator may order short-term
19 suspension of a student.
- 20
- 21 • “Long-term suspension” means exclusion from school for a specific period of time longer
22 than ten (10) consecutive days per incident, after which a student has the right to return to
23 school. The Superintendent may order long-term suspension of a student, with due process,
24 including, without limitation, Board action.
- 25
- 26 • “Expulsion” means permanent exclusion from school. Expulsion is a disciplinary action
27 available only to the Board.
- 28

29 Students with disabilities will be suspended or expelled pursuant to provisions of the Individuals
30 with Disabilities Education Act (IDEA) and corresponding Montana law.

31
32 The Board authorizes a building administrator to order an emergency long-term suspension
33 pending due process, if a student’s presence in school poses a danger to the student, other
34 persons, or property or poses disruption of education. The District must afford the student
35 appropriate due process as soon as possible following suspension of the student.

36
37 The Superintendent will develop procedures to implement this policy and submit the procedures
38 to the Board for its advice and consent.

39	40	41
42 Legal Reference:	20 U.S.C. 1400, et seq.	Individuals with Disabilities Education Act
43	34 CFR 300.519-521	Procedural Safeguards
44	§ 20-4-302, MCA	Discipline and punishment of pupils-defini-
45		tion of corporal punishment-penalty-defense

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3
4 § 20-4-402, MCA
5
6 § 20-5-105, MCA
7 § 20-5-106, MCA
8 § 20-5-201, MCA
9 § 20-5-202, MCA
10 ARM 10.16.3346

Duties of district superintendent or county
high school principal
Attendance officer - powers and duties
Truancy
Duties and sanctions
Suspension and expulsion
Aversive Treatment Procedures

11
12 Policy History:
13 Adoption on:
14 Revised on:

2
3 **STUDENTS**

4
5 Corrective Actions and Punishment

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

8
9 Suspension

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

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

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

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

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

33
34 Students who are suspended from any class or from school entirely do not have the right to make
35 up any work missed.

36
37
38 Expulsion

39
40 The Board and only the Board may expel a student from school and may do so only after
41 following due process procedures set forth below.

42
43 The Board will provide written notice to a student and parent or legal guardian of a hearing to
44 consider a recommendation for expulsion, which will be sent by registered or certified mail at
45 least five (5) school days before the date of the scheduled hearing. A notice will include time

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4 and place of a hearing, information describing the process to be used to conduct a hearing and
5 notice that the Board intends to conduct a hearing in closed session unless a parent or legal
6 guardian waives a student's right to privacy.

7
8 Within the limitation that a hearing must be conducted during a period of student suspension, a
9 hearing to consider expulsion may be rescheduled when a parent or legal guardian submits a
10 request showing good cause to the Superintendent at least two (2) school days before a hearing
11 date as originally scheduled. The Superintendent will determine if a request shows good cause to
12 reschedule a hearing.

13
14 At hearing the student may be represented by counsel, present witnesses and other evidence, and
15 cross-examine witnesses. The Board is not bound by formal rules of evidence in conducting the
16 hearing.

17
18 Procedures for Suspension and Expulsion of Students with Disabilities

19
20 The District will comply with provisions of the Individuals with Disabilities Education Act
21 (IDEA) when disciplining students. The Board will not expel any special education student
22 when a student's particular act of gross disobedience or misconduct is a manifestation of a
23 student's disability. The Board may expel pursuant to its expulsion procedures any special
24 education student whose gross disobedience or misconduct is not a manifestation of a student's
25 disability. A disabled student will continue to receive education services as provided in the
26 IDEA during a period of expulsion.

27
28 A building administrator may suspend a child with a disability from the child's current placement
29 for not more than ten (10) consecutive school days for any violation of school rules, and
30 additional removals of not more than ten (10) consecutive schools days in that same school year
31 for separate incidents of misconduct, as long as those removals do not constitute a change of
32 placement under 34 CFR 300.519(b), whether or not a student's gross disobedience or
33 misconduct is a manifestation of a student's disabling condition. Any special education student
34 who has exceeded or who will exceed ten (10) days of suspension may temporarily be excluded
35 from school by court order or by order of a hearing officer, if the District demonstrates that
36 maintaining a student in a student's current placement is substantially likely to result in injury to
37 a student or to others. After a child with a disability has been removed from his or her placement
38
39 for more than ten (10) school days in the same school year, during any subsequent days of
40 removal the public agency must provide services to the extent required under 34 CFR
41 300.121(d).

42
43 An administrator may remove from current placement any special education student who has
44 carried a weapon to school or to a school function or who knowingly possesses or uses illegal
45 drugs or sells or solicits the sale of a controlled substance while at school or a school function.

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The District will place such student in an appropriate interim alternative educational setting for no more than forty-five (45) school days in accordance with the IDEA.

Procedure History:

Promulgated on:

Revised on: 9/18/07

2
3 **STUDENTS**

4
5 Student Discipline

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

9
10 Disciplinary action may be taken against any student guilty of gross disobedience or misconduct,
11 including, but not limited to instances set forth below:

- 12 • Using, possessing, distributing, purchasing, or selling tobacco products.
- 13 • Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who
14 may be under the influence of alcohol will not be permitted to attend school functions
15 and will be treated as though they had alcohol in their possession.
- 16 • Using, possessing, distributing, purchasing, or selling illegal drugs or controlled
17 substances, look-alike drugs, and drug paraphernalia. Students who may be under the
18 influence of such substances will not be permitted to attend school functions and will be
19 treated as though they had drugs in their possession.
- 20 • Using, possessing, controlling, or transferring a weapon in violation of the “Possession of
21 a Weapon in a School Building” section of this policy.
- 22 • Using, possessing, controlling, or transferring any object that reasonably could be
23 considered or used as a weapon.
- 24 • Disobeying directives from staff members or school officials or disobeying rules and
25 regulations governing student conduct.
- 26 • Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable
27 conduct toward anyone or urging other students to engage in such conduct.
- 28 • Causing or attempting to cause damage to, or stealing or attempting to steal, school
29 property or another person’s property.
- 30 • Engaging in any activity that constitutes an interference with school purposes or an
31 educational function or any other disruptive activity.
- 32 • Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic
33 and habitual truants.
- 34 • Hazing or bullying.
- 35 • Forging any signature or making any false entry or attempting to authorize any document
36 used or intended to be used in connection with the operation of a school.

37
38 These grounds stated above for disciplinary action apply whenever a student’s conduct is
39 reasonably related to school or school activities, including, but not limited to the circumstances
40 set forth below:

- 41
42 • On, or within sight of, school grounds before, during, or after school hours or at any other
43 time when school is being used by a school group.
44 Off school grounds at a school-sponsored activity or event or any activity or event that
45 bears a reasonable relationship to school.
- 46 • 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
- Clean-up duty
- Loss of student privileges
- Loss of bus privileges
- Notification to juvenile authorities and/or police
- Restitution for damages to school property

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

Gun-Free Schools

The Board will expel any student who uses, possesses, controls, or transfers a firearm or any object that can reasonably be considered or looks like a firearm, for a definite period of time of at least one (1) calendar year. The Board may modify an expulsion period 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.

For purposes of this section a “firearm” means any device as defined in 18 U.S.C. § 921. “Firearm” also includes any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including but not limited to air guns; pellet guns; BB guns; fake (facsimile) weapons; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace or other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon. “Firearm” also includes any object, device or instrument having the appearance of a weapon, including such objects, devices or instruments which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.

No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

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4 When a student violating this gun-free policy is identified as disabled, either under the IDEA or
5 Section 504 of the Rehabilitation Act of 1973, a building administrator must determination
6 whether a student’s conduct is related to disability. If a violation of policy is owing to a
7 disability recognized by the IDEA or Section 504, lawful procedures for changes in placement
8 must be followed.
9

10 The Board will grant a hearing for any student subject to an expulsion in accordance with § 20-5-
11 202, MCA, and Policy 3300.

12
13 Possession of a Weapon in a School Building
14

15 The District will refer to law enforcement for immediate prosecution any person who possesses,
16 carries, or stores a weapon in a school building, except as provided below, and the District may
17 take disciplinary action as well in the case of a student. In addition, the District will refer for
18 possible prosecution a parent or guardian of any minor violating this policy on grounds of
19 allowing a minor to possess, carry, or store a weapon in a school building.
20

21 For the purposes of this section only, “school building” means all buildings owned or leased by a
22 local school district that are used for instruction or for student activities; “weapon” means any
23 type of firearm, a knife with a blade four (4) or more inches in length, a sword, a straight razor, a
24 throwing star, nun-chucks, firecrackers, or brass or other metal knuckles.
25

26 The administration, comprised of the Superintendent and/or building principal, may grant
27 persons and entities advance permission to possess, carry, or store a weapon in a school building.
28 All persons who wish to possess, carry, or store a weapon in a school building must request
29 permission of the administration. The administration has sole discretion in deciding whether to
30 allow a person to possess, carry, or store a weapon in a school building.
31

32 This policy does not apply to law enforcement personnel.
33

34 Delegation of Authority
35

36 The Board grants authority to any teacher and to any other school personnel to impose on
37 students under their charge any disciplinary measure, other than suspension or expulsion,
38 corporal punishment or in-school suspension, that is appropriate and in accordance with policies
39 and rules on student discipline. The Board authorizes teachers to remove students from
40 classrooms for disruptive behavior.
41
42
43

44 Cross Reference: 3300 Corrective Actions and Punishment
45
46

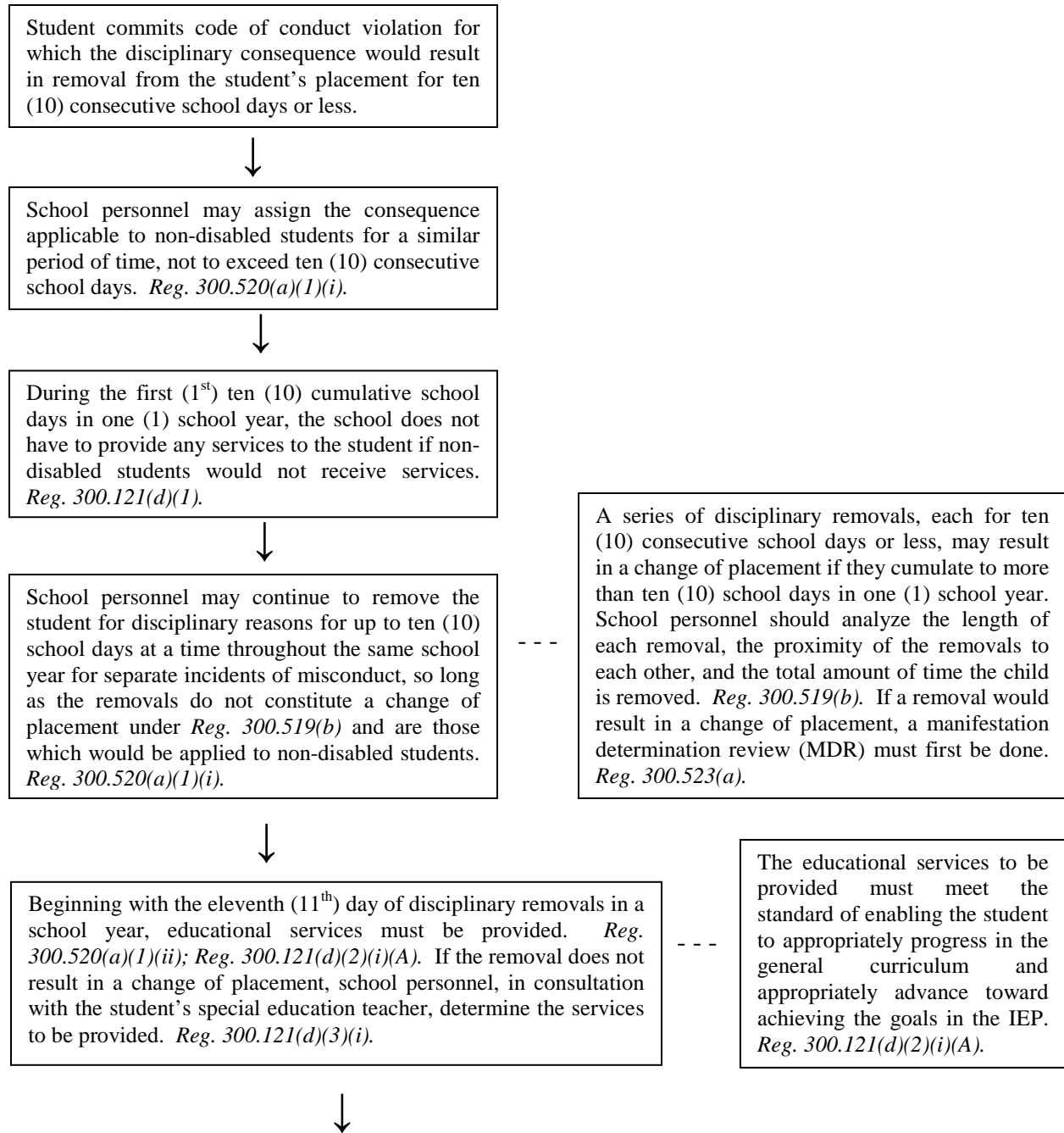
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Legal Reference:	§ 20-4-302, MCA	Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
	§ 20-5-202, MCA	Suspension and expulsion
	§ 45-8-361, MCA	Possession or allowing possession of weapon in school building – exceptions – penalties – seizure and forfeiture or return authorized – definitions
	20 U.S.C. § 8921, et seq.	Gun Free Schools Act of 1994
	29 U.S.C. § 701	Rehabilitation Act of 1973

Policy History:
Adopted on:
Revised on:

Discipline of Students With Disabilities

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



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



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

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



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



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

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

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



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



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



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



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



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

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

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



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



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

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

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

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

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

Drug and Weapon Offenses by Students With Disabilities

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



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

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

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

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



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



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



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

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

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

- - -

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

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

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



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

- or -

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

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

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

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

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

Students Dangerous to Self or Others

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

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



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



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

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

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

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

- - -



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



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

Procedure History:

Promulgated on:

Revised on:

1 **Charlo School District**

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3 **STUDENTS**

3312

4

5 Detention

6

7 For minor infractions of school rules or regulations, or for minor misconduct, staff may detain
8 students.

9

10 Preceding the assessment of such punishment, the staff member shall inform the student of the
11 nature of the offense charged and/or the specific conduct which allegedly constitutes the
12 violation. The student shall be afforded an opportunity to explain or justify his/her actions to the
13 staff member. Parents must be notified prior to a student serving an after-school detention.

14

15 Students detained for corrective action or punishment shall be under the supervision of the staff
16 member or designee according to the student handbook.

17

18

19

20 Policy History:

21 Adopted on:

22 Revised on:

1 **Charlo School District**

2
3 **STUDENTS**

3340

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

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

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

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

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

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

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

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

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

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

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

35
36 Policy History:

37 Adopted on:

38 Revised on:

1 **Charlo School District**

2
3 **STUDENTS**

3410

4
5 Student Health/Physical Screenings/Examinations

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

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

20
21 Parents/guardians will receive written notice of any screening result which indicates a condition
22 that might interfere or tend to interfere with a student's progress.

23
24 Students who wish to participate in certain extracurricular activities may be required to submit to
25 a physical examination to verify their ability to participate in the activity.

26
27 Students participating in activities governed by the Montana High School Association will be
28 required to follow the rules of that organization, as well as other applicable District policies,
29 rules, and regulations.

30
31 All parents will be notified of requirements of the District's policy on physical examinations and
32 screening of students, at least annually at the beginning of the school year and within a
33 reasonable period of time after any substantive change in the policy.

34
35
36
37 Legal Reference: § 20-3-324(20), MCA Powers and duties
38 General Education Provisions Act, 20 U.S.C. 1232h(b)

39
40 Policy History:

41 Adopted on:

42 Revised on:

1 **Charlo School District**

2
3 **STUDENTS**

3413

4
5 Student Immunization

6
7 The Board requires all students to present evidence of their having been immunized against the
8 following diseases: diphtheria, pertussis (whooping cough), poliomyelitis, measles (rubeola),
9 mumps, rubella, and tetanus. Pertussis immunization is not required for students who are seven
10 (7) years or older. Haemophilus influenza type "b" immunization is required for students under
11 age five (5).

12
13 Upon initial enrollment, an immunization status form shall be completed by the student's parent
14 or guardian. The certificate shall be made a part of the student's permanent record.

15
16 A pupil who transfers into the District may photocopy immunization records in the possession of
17 the school of origin. The District will accept the photocopy as evidence of immunization.
18 Within thirty (30) days after a transferring pupil ceases attendance at the school of origin, the
19 District must receive the original immunization records for the pupil who transfers into the
20 District.

21
22 Exemptions from one or more vaccines shall be granted for medical reasons upon certification by
23 a physician indicating the specific nature and probable duration of the medical condition for not
24 administering the vaccine(s). Exemptions for religious reasons must be filed annually. The
25 statement for an exemption shall be maintained as part of the student's immunization record.
26 The permanent file of students with exemptions shall be marked for easy identification should
27 the Department of Public Health and Human Services order that exempted students be excluded
28 from school temporarily when the risk of contracting or transmitting a disease exists. Exclusion
29 shall not exceed thirty (30) calendar days.

30
31 The Superintendent may allow the commencement of attendance in school by a student who has
32 not been immunized against each disease listed in § 20-5-403, MCA, if that student has received
33 one or more doses of polio, measles (rubeola), mumps, rubella, diphtheria, pertussis,
34 Haemophilus influenza type "b", and tetanus vaccine.

35
36 The District shall exclude a student for noncompliance with the immunization laws and properly
37 notify the parent or guardian. The local health department may seek an injunction requiring the
38 parent to submit an immunization status form, take action to fully immunize the student, or file
39 an exemption for personal or medical reasons.

40
41 Legal Reference: § 20-3-324(20), MCA Powers and duties
42 § 20-5-402 - 410, MCA Health

43
44 Policy History:

45 Adopted on:

46 Revised on:

1 **Charlo School District**

2
3 **STUDENTS**

3416
page 1 of 4

4
5 Administering Medicines to Students

6
7 A building principal or other administrator may authorize, in writing, any school employee:

8
9 To assist in self-administration of any drug that may lawfully be sold over the counter
10 without a prescription to a student in compliance with the written instructions and with
11 the written consent of a student's parent or guardian, and

12
13 To assist in self-administration of a prescription drug to a student in compliance with
14 written instructions of a medical practitioner and with the written consent of a student's
15 parent or guardian.

16
17 Except in an emergency situation, only a qualified health care professional may administer a drug
18 or prescription drug to a student under this policy. Diagnosis and treatment of illness and the
19 prescribing of drugs are never the responsibility of a school employee and should not be
20 practiced by any school personnel.

21
22 Administering Medication

23
24 The Board will permit administration of medication to students in schools in its jurisdiction. A
25 school nurse (who has successfully completed specific training in administration of medication),
26 pursuant to written authorization of a physician or dentist and that of a parent, an individual who
27 has executed a caretaker relative educational authorization affidavit, or guardian, may administer
28 medication to any student in the school or may delegate this task pursuant to Montana law.

29
30 Emergency Administration of Medication

31
32 In case of an anaphylactic reaction or risk of such reaction, a school nurse or delegate may
33 administer emergency oral or injectable medication to any student in need thereof on school
34 grounds, in a school building, or at a school function, according to a standing order of a chief
35 medical advisor or a student's private physician.

36
37 In the absence of a school nurse, an administrator or designated staff member exempt from the
38 nurse license requirement under § 37-8-103(1)(c), MCA, who has completed training in
39 administration of medication, may give emergency medication to students orally or by injection.
40 The Board requires that there must be on record a medically diagnosed allergic condition that
41 would require prompt treatment to protect a student from serious harm or death.

42
43 A building administrator or school nurse will enter any medication to be administered in an
44 emergency on an individual student medication record and will file it in a student's cumulative
45 health folder.

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4 Self-Administration of Medication
5

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

9 A physician or dentist provides a written order for self-administration of said medication;

10
11 Written authorization for self-administration of medication from a student's parent, an
12 individual who has executed a caretaker relative educational authorization affidavit, or
13 guardian is on file; and
14

15 A principal and appropriate teachers are informed that a student is self-administering
16 prescribed medication.
17

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

21 Making oral suggestions, prompting, reminding, gesturing, or providing a written guide
22 for self-administering medications;
23

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

27 Opening the lid of a container for a student;
28

29 Guiding the hand of a student to self-administer a medication;
30

31 Holding and assisting a student in drinking fluid to assist in the swallowing of oral
32 medications; and
33

34 Assisting with removal of a medication from a container for a student with a physical
35 disability that prevents independence in the act.
36

37 Self-Administration or Possession of Asthma, Severe Allergy, or Anaphylaxis Medication
38

39 Students with allergies or asthma may be authorized by the building principal or Superintendent,
40 in consultation with medical personnel, to possess and self-administer emergency medication
41 during the school day, during field trips, school-sponsored events, or while on a school bus. The
42 student shall be authorized to possess and self-administer medication if the following conditions
43 have been met:
44
45

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- 4 • A written and signed authorization from the parents, an individual who has executed a
- 5 caretaker relative educational authorization affidavit, or guardians for self-administration
- 6 of medication, acknowledging that the District or its employees are not liable for injury
- 7 that results from the student self-administering the medication.
- 8 • The student must have the prior written approval of his/her primary healthcare provider.
- 9 The written notice from the student's primary care provider must specify the name and
- 10 purpose of the medication, the prescribed dosage, frequency with which it may be
- 11 administered, and the circumstances that may warrant its use.
- 12 • Documentation that the student has demonstrated to the healthcare practitioner and the
- 13 school nurse, if available, the skill level necessary to use and administer the medication.
- 14 • Documentation of a doctor-formulated written treatment plan for managing asthma,
- 15 severe allergies, or anaphylaxis episodes of the student and for medication use by the
- 16 student during school hours.
- 17

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

20
21 A student's authorization to possess and self-administer medication may be limited or revoked by
22 the building principal or other administrative personnel.

23
24 If provided by the parent, an individual who has executed a caretaker relative educational
25 authorization affidavit, or guardian, and in accordance with documentation provided by the
26 student's doctor, backup medication must be kept at a student's school in a predetermined
27 location or locations to which the student has access in the event of an asthma, severe allergy, or
28 anaphylaxis emergency.

29
30 Immediately after using epinephrine during school hours, a student shall report to the school
31 nurse or other adult at the school who shall provide follow up care, including making a 9-1-1
32 emergency call.

33 Administration of Glucagon

34
35
36 School employees may not agree to administer glucagon pursuant to § 20-5-412, MCA.

37 Handling and Storage of Medications

38
39
40 The Board requires that all medications, including those approved for keeping by students for
41 self-medication, be first delivered by a parent, an individual who has executed a caretaker
42 relative educational authorization affidavit, or other responsible adult to a nurse or employee
43 assisting with self-administration of medication. A nurse or assistant:

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4 Must examine any new medication to ensure it is properly labeled with dates, name of
5 student, medication name, dosage, and physician's name;
6

7 Must develop a medication administration plan, if administration is necessary for a
8 student before any medication is given by school personnel;
9

10 Must record on student's individual medication record the date a medication is delivered
11 and the amount of medication received;
12

13 Must store medication requiring refrigeration at 36° to 46° F;
14

15 Must store prescribed medicinal preparations in a securely locked storage compartment;
16 and
17

18 Must store controlled substances in a separate compartment, secured and locked at all
19 times.
20

21 The District will permit only a forty-five-(45)-school-day supply of a medication for a student to
22 be stored at a school; and all medications, prescription and nonprescription, will be stored in their
23 original containers.
24

25 The District will limit access to all stored medication to those persons authorized to administer
26 medications or to assist in the self-administration of medications. The District requires every
27 school to maintain a current list of those persons authorized by delegation from a licensed nurse
28 to administer medications.
29

30 Disposal of Medication 31

32 The District requires school personnel either to return to a parent, an individual who has executed
33 a caretaker relative educational authorization affidavit, or guardian or, with permission of the
34 parent, an individual who has executed a caretaker relative educational authorization affidavit, or
35 guardian, to destroy any unused, discontinued, or obsolete medication. A school nurse, in the
36 presence of a witness, will destroy any medicine not repossessed by a parent or guardian within a
37 seven-(7)-day period of notification by school authorities.
38

39 Legal Reference: § 20-5-412, MCA Definition – parent-designated adult
40 administration of glucagon – training.
41 8.32.1701 - 1712, ARM Delegation and assignment
42

43 Policy History:

44 Adopted on:

45 Revised on: 11/20/07

Montana Authorization to Carry and Self-Administer Medication

For this student to carry and self-administer medication on school grounds or for school sponsored activities, this form must be fully completed by the prescribing physician/provider and an authorizing parent, an individual who has executed a caretaker relative educational authorization affidavit, or legal guardian.

Student's Name: _____
 Sex: (Please circle) Female/Male
 Birth Date: ____/____/____

School: _____
 City/Town: _____
 School Year: _____(Renew each year)

Physician's Authorization:

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

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

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

I confirm that this student has been instructed in the proper use of this medication and is able to self-administer this medication on his own without school personnel supervision. I have provided a written treatment plan for managing asthma, severe allergies, or anaphylaxis episodes and for medication use by this student during school hours and school activities.

 Signature of Physician

 Physician's Phone Number

 Date

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

The following backup medication has been provided for this student: _____

For Completion by Parent, an individual who has executed a caretaker relative educational authorization affidavit, or Guardian

As the parent, individual who has executed a caretaker relative educational authorization affidavit, or guardian of the above named student, I confirm that this student has been instructed by his/her health care provider on the proper use of this/these medication(s). He/she has demonstrated to me that he/she understands the proper use of this medication. He/she is physically, mentally, and behaviorally capable to assume this responsibility. He/she has my permission to self-medicate as listed above, if needed. If he/she has used an auto-injectable epinephrine, he/she understands the need to alert an adult that emergency medical personnel need to be called. If he/she has used his/her asthma inhaler as prescribed and does not have relief from an asthma attack, he/she is to alert an adult.

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

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

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

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

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

Parent/Guardian, Caretaker Relative Signature: _____ Date: _____

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

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4
5 Communicable Diseases

6
7 *Note: For purposes of this policy, the term “communicable disease” refers to the diseases*
8 *identified in 16.28.202, ARM, Reportable Diseases, with the exception of common colds and flu.*
9

10 In all proceedings related to this policy, the District will respect a student’s right to privacy.
11 Although the District is required to provide educational services to all school-age children who
12 reside within its boundaries, it may deny attendance at school to any child diagnosed as having a
13 communicable disease that could make a child’s attendance harmful to the welfare of other
14 students. The District also may deny attendance to a child with suppressed immunity in order to
15 protect the welfare of that child when others in a school have an infectious disease, which,
16 although not normally life threatening, could be life threatening to a child with suppressed
17 immunity.
18

19 The Board recognizes that communicable diseases that may afflict students range from common
20 childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as
21 human immunodeficiency virus (HIV) infection. The District will rely on advice of the public
22 health and medical communities in assessing the risk of transmission of various communicable
23 diseases to determine how best to protect the health of both students and staff.
24

25 The District will manage common communicable diseases in accordance with Montana
26 Department of Health guidelines and communicable diseases control rules. The District may
27 temporarily exclude from school attendance a student who exhibits symptoms of a
28 communicable disease that is readily transmitted in a school setting.
29

30 Students who complain of illness at school may be referred to a school nurse or other responsible
31 person designated by the Board and may be sent home as soon as a parent or person designated
32 on a student’s emergency medical authorization form has been notified. The District reserves the
33 right to require a statement from a student’s primary care provider authorizing a student’s return
34 to school.
35

36 When information is received by a staff member or a volunteer that a student is afflicted with a
37 serious communicable disease, a staff member or volunteer will promptly notify a school nurse
38 or other responsible person designated by the Board to determine appropriate measures to be
39 taken to protect student and staff health and safety. A school nurse or other responsible person
40 designated by the Board, after consultation with and on advice of public health officials, will
41 determine which additional staff members, if any, have need to know of the affected student’s
42 condition.
43

44 Only those persons with direct responsibility for the care of a student or for determining
45 appropriate educational accommodation will be informed of the specific nature of a condition, if

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it is determined that such individuals need to know this information.

The District may notify parents of other children attending a school that their children have been exposed to a communicable disease without identifying the particular student who has the disease.

Legal Reference: 37.114.101, et seq., ARM Communicable Disease Control

Policy History:

Adopted on:

Revised on:

1 **Charlo School District**

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4
5 Emergency Treatment

6
7 The Board recognizes that schools are responsible for providing first aid or emergency treatment
8 to a student in case of sudden illness or injury; however, further medical attention is the
9 responsibility of a parent or guardian.

10
11 The District requires that every parent or guardian provide a telephone number where a parent or
12 designee of a parent may be reached in case of an emergency.

13
14 When a student is injured, staff will provide immediate care and attention until relieved by a
15 superior, a nurse, or a doctor. The District will employ its normal procedures to address medical
16 emergencies without regard to the existence of a do not resuscitate (DNR) request, as such DNR
17 requests do not apply to school-based programming or eventualities attendant thereto. A
18 principal or designated staff member will immediately call a parent or parental designee so that
19 the parent may arrange for care or treatment of an injured student.

20
21 When a student develops symptoms of illness while at school, a responsible school official will
22 do the following:

23
24 Immediately isolate the student from other children to a room or area segregated for that
25 purpose;

26
27 Inform a parent or guardian as soon as possible about the illness and request a parent or
28 guardian to pick up the child; and

29
30 Report each case of suspected communicable disease the same day by telephone to a local
31 health authority or as soon as possible thereafter if a health authority cannot be reached
32 the same day.

33
34 When a parent or guardian cannot be reached, and it is the judgment of a principal or other
35 person in charge that immediate medical attention is required, an injured student may be taken
36 directly to a hospital and treated by a physician on call. Once located, a parent or a guardian is
37 responsible for continuing treatment or for making other arrangements.

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41 Legal Reference: ARM 37.111.825 Health Supervision and Maintenance

42
43 Policy History:

44 Adopted on:

45 Revised on:

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5 Removal of Student During School Day

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7 The Board recognizes its responsibility for the proper care of students during a school day. In
8 accordance with District procedures, only a duly authorized person may remove a student from
9 school grounds, any school building, or school function during a school day. A person seeking to
10 remove a student from school must present evidence satisfactory to a principal of having proper
11 authority to remove a student. A teacher should not excuse a student from class to confer with
12 anyone unless a request is approved by a principal. The Superintendent will establish procedures
13 for removal of a student during a school day.

14

15

16

17 Policy History:

18 Adopted on:

19 Revised on:

1 **Charlo School District**

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3 **STUDENTS**

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4
5 Removal of Student During School Day

6
7 Schools must exercise a high order of responsibility for the care of students while in school. The
8 removal of a student during the school day may be authorized in accordance with the following
9 procedures:

- 10
11 1. Law enforcement officers, upon proper identification, may remove a student from school
12 as provided in Policies 4410 and 4411.
13
14 2. Any other agencies must have a written administrative or court order directing the District
15 to give custody to them. However, employees of the Department of Public Health and
16 Human Services may take custody of a student under provisions of § 41-3-301, MCA,
17 without a court order. Proper identification is required before the student shall be
18 released.
19
20 3. A student shall be released to the custodial parent. When in doubt as to custodial rights,
21 school enrollment records must be relied upon, as the parents (or guardians) have the
22 burden of furnishing schools with accurate, up-to-date information.
23
24 4. The school should always check with the custodial parent before releasing the student to a
25 non-custodial parent.
26
27 5. Prior written authorization from the custodial parent or guardian is required before
28 releasing a student into someone else's custody, unless an emergency situation justifies a
29 waiver.
30
31 6. Police should be called if a visitor becomes disruptive or abusive.
32
33
34

35 Cross Reference: 4410 Relations with the Law Enforcement and Child Protective
36 Agencies
37 4411 Investigations and Arrests by Police
38

39 Procedure History:

40 Promulgated on:

41 Revised on:

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5 Release of Student During School Day

6

7 Prior to sending a student home for illness, discipline, or a corrective action, the principal will
8 attempt to reach the student's parent to inform the parent of the school's action and to request
9 that the parent come to the school for the child. If the principal cannot reach the parent, the
10 student will remain at school until the close of the school day. A student may be released to a
11 law enforcement officer.

12

13 Sending students on errands during school hours should be done only on necessary school
14 business and with express permission of the principal.

15

16

17

18 Cross Reference: 4410 Relations with Law Enforcement and Child Protective Agencies

19

20 Policy History:

21 Adopted on:

22 Revised on:

2

3 **STUDENTS**

4

5 Student Fees, Fines, and Charges

6

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

9

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

13

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

19

20 The District holds a student responsible for the cost of replacing materials or property that are
21 lost or damaged because of negligence. A building administrator will notify a student and parent
22 regarding the nature of violation or damage, how restitution may be made, and how an appeal
23 may be instituted. The District may withhold a student's grades or diploma until restitution is
24 made. A student or parent may appeal the imposition of a charge for damages to the
25 Superintendent and to the Board.

26

27

28

29	Legal reference:	§ 20-5-201, MCA	Duties and sanctions
30		§ 20-7-601, MCA	Free textbook provisions
31		§ 20-9-214, MCA	Fees

32

33 Policy History:

34 Adopted on:

35 Revised on:

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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

24

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

30

31 Policy History:

32 Adopted on:

33 Revised on:

1 **Charlo School District**

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3 **STUDENTS**

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4
5 Student Records

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

8
9 *This notification may be distributed by any means likely to reach the parent(s)/guardian(s).*

10
11 The District will maintain two (2) sets of school records for each student: a permanent record
12 and a cumulative record. The permanent record will include:

- 13
14 Basic identifying information
15 Academic work completed (transcripts)
16 Level of achievement (grades, standardized achievement tests)
17 Immunization records (per § 20-5-506, MCA)
18 Attendance record
19 Record of any disciplinary action taken against the student, which is educationally related
20

21 The cumulative record may include:

- 22
23 Intelligence and aptitude scores
24 Psychological reports
25 Participation in extracurricular activities
26 Honors and awards
27 Teacher anecdotal records
28 Verified reports or information from non-educational persons
29 Verified information of clear relevance to the student's education
30 Information pertaining to release of this record
31 Disciplinary information
32

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

- 36
37 1. **The right to inspect and copy the student's education records, within a reasonable**
38 **time from the day the District receives a request for access.**

39
40 Students less than eighteen (18) years of age have the right to inspect and copy their
41 permanent record. Parents/guardians or students should submit to the school principal (or
42 appropriate school official) a written request identifying the record(s) they wish to
43 inspect. The principal will make arrangements for access and notify the parent(s)/
44 guardian(s) or eligible student of the time and place the records may be inspected.
45

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4 The District charges a nominal fee for copying, but no one will be denied their right to
5 copies of their records for inability to pay this cost.
6

7 The rights contained in this section are denied to any person against whom an order of
8 protection has been entered concerning a student.
9

10 2. **The right to request amendment of the student's education records which the**
11 **parent(s)/guardian(s) or eligible student believes are inaccurate, misleading,**
12 **irrelevant, or improper.**
13

14 Parents/guardians or eligible students may ask the District to amend a record they believe
15 is inaccurate, misleading, irrelevant, or improper. They should write the school principal
16 or records custodian, clearly identifying the part of the record they want changed, and
17 specify the reason.
18

19 If the District decides not to amend the record as requested by the parent(s)/guardian(s) or
20 eligible student, the District will notify the parent(s)/guardian(s) or eligible student of the
21 decision and advise him or her of their right to a hearing regarding the request for
22 amendment. Additional information regarding the hearing procedures will be provided to
23 the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.
24

25 3. **The right to permit disclosure of personally identifiable information contained in**
26 **the student's education records, except to the extent that FERPA or state law**
27 **authorizes disclosure without consent.**
28

29 Disclosure is permitted without consent to school officials with legitimate educational or
30 administrative interests. A school official is a person employed by the District as an
31 administrator, supervisor, instructor, or support staff member (including health or medical
32 staff and law enforcement unit personnel); a person serving on the Board; a person or
33 company with whom the District has contracted to perform a special task (such as an
34 attorney, auditor, medical consultant, or therapist); or a parent(s)/guardian(s) or student
35 serving on an official committee, such as a disciplinary or grievance committee, or
36 assisting another school official in performing his or her tasks.
37

38 A school official has a legitimate educational interest, if the official needs to review an
39 education record in order to fulfill his or her professional responsibility.
40

41 Upon request, the District discloses education records, without consent, to officials of
42 another school district in which a student has enrolled or intends to enroll, as well as to
43 any person as specifically required by state or federal law. Before information is
44 released to individuals described in this paragraph, the parent(s)/guardian(s) will receive
45 written notice of the nature and substance of the information and an opportunity to

inspect, copy, and challenge such records. The right to challenge school student records does not apply to: (1) academic grades of their child, and (2) references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring.

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

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

Throughout the school year, the District may release directory information regarding students, limited to:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Enrollment status (e.g., undergraduate or graduate; full-time or part-time)
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees
- Honors and awards received
- Most recent educational agency or institution attended

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

6. **The right to request that that information not be released to military recruiters and/or institutions of higher education.**

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4 Pursuant to federal law, the District is required to release the names, addresses, and
5 telephone numbers of all high school students to military recruiters and institutions of
6 higher education upon request.

7
8 Parent(s)/guardian(s) or eligible students may request that the District not release this
9 information, and the District will comply with the request.

10
11 7. **The right to file a complaint with the U.S. Department of Education, concerning**
12 **alleged failures by the District to comply with the requirements of FERPA.**

13
14 The name and address of the office that administers FERPA is:

15
16 Family Policy Compliance Office
17 U.S. Department of Education
18 400 Maryland Avenue, SW
19 Washington, DC 20202-4605

Student Directory Information Notification

Please sign and return this form to the school within thirty (30) days of the date of this letter. If we receive no response by that date, we will withhold all student directory information. However, we are required by law to release certain directory information to Armed Forces recruiters upon their request. You may direct us not to release such information by timely completing and returning this form.

_____ *Date*

Dear Parent/Eligible Student:

This letter informs you of your right to direct the District to withhold release of student directory information for _____.

Student's Name

Following is a list of items this District considers student directory information. Please choose one (1) of the three (3) options below; that is, choose Option 1, if the District may not release any item of directory information; Option 2, if the District may release all items of information; or Option 3, if the District may release only selected items of information (then check those items which may be released).

Student Directory Information Notification

Release to: **Institutions of Higher Education** **Potential Employers** **Armed Forces Recruiters, etc.**

Option 1 **Option 1** **Option 1**

Option 2 **Option 2** **Option 2**

Option 3 **Option 3** **Option 3**

Choose one of the Options below:

Option 1: The District **MAY NOT RELEASE ANY** information listed below.

Option 2: The District **MAY RELEASE ALL** information listed below.

Option 3: The District **MAY RELEASE ONLY** the information checked below.

If you chose Option 3 above, indicate by checking which items of information the District may release.

<input type="checkbox"/> Student's name <input type="checkbox"/> Address <input type="checkbox"/> Telephone listing <input type="checkbox"/> Electronic mail address <input type="checkbox"/> Photograph <input type="checkbox"/> Date and place of birth <input type="checkbox"/> Major field of study <input type="checkbox"/> Dates of attendance <input type="checkbox"/> Grade level	<input type="checkbox"/> Enrollment status (e.g., undergraduate or graduate; full-time or part-time) <input type="checkbox"/> Participation in officially recognized activities and sports <input type="checkbox"/> Weight and height of members of athletic teams <input type="checkbox"/> Degrees <input type="checkbox"/> Honors and awards received <input type="checkbox"/> Most recent educational agency or institution attended
---	--

NOTE: If a student's name, grade level, or photograph are to be withheld, the student will not be included in the school's yearbook, program events, or other such publications.

_____ *Parent/Eligible Student's Signature*

_____ *Date*

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5 Student Records

6
7 Maintenance of School Student Records

8
9 The District maintains two (2) sets of school records for each student – a permanent record and a
10 cumulative record.

11
12 The permanent record will include:

- 13
- 14 Basic identifying information
- 15 Academic work completed (transcripts)
- 16 Level of achievement (grades, standardized achievement tests)
- 17 Immunization records (per § 20-5-506, MCA)
- 18 Attendance record
- 19 Record of any disciplinary action taken against the student, which is educationally related
- 20

21 The cumulative record may include:

- 22
- 23 Intelligence and aptitude scores
- 24 Psychological reports
- 25 Participation in extracurricular activities
- 26 Honors and awards
- 27 Teacher anecdotal records
- 28 Verified reports or information from non-educational persons
- 29 Verified information of clear relevance to the student's education
- 30 Information pertaining to release of this record
- 31 Disciplinary information
- 32

33 Information in the permanent record will indicate authorship and date and will be maintained in
34 perpetuity for every student who has been enrolled in the District. Cumulative records will be
35 maintained for eight (8) years after the student graduates or permanently leaves the District.
36 Cumulative records which may be of continued assistance to a student with disabilities, who
37 graduates or permanently withdraws from the District, may, after five (5) years, be transferred to
38 the parents or to the student if the student has succeeded to the rights of the parents.

39
40 The building principal will be responsible for maintenance, retention, or destruction of a
41 student's permanent or cumulative records, in accordance with District procedure established by
42 the Superintendent.

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4 Access to Student Records
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6 The District will grant access to student records as follows:
7

- 8 1. The District or any District employee will not release, disclose, or grant access to
9 information found in any student record except under the conditions set forth in this
10 document.
11
- 12 2. The parents of a student under eighteen (18) years of age will be entitled to inspect and
13 copy information in the child's school records. Such requests will be made in writing and
14 directed to the records custodian. Access to the records will be granted within fifteen
15 (15) days of the District's receipt of such request.
16

17 Where the parents are divorced or separated, both will be permitted to inspect and copy
18 the student's school records, unless a court order indicates otherwise. The District will
19 send copies of the following to both parents at either one's request, unless a court order
20 indicates otherwise:
21

- 22 a. Academic progress reports or records;
23 b. Health reports;
24 c. Notices of parent-teacher conferences;
25 d. School calendars distributed to parents/guardians; and
26 e. Notices about open houses and other major school events, including pupil-parent
27 interaction.
28

29 When the student reaches eighteen (18) years of age, graduates from high school, marries,
30 or enters military service, all rights and privileges accorded to the parent become
31 exclusively those of the student.
32

33 Access will not be granted to the parent or the student to confidential letters and
34 recommendations concerning admission to a post-secondary educational institution,
35 applications for employment, or receipt of an honor or award, if the student has waived
36 his or her right of access after being advised of his or her right to obtain the names of all
37 persons making such confidential letters or statements.
38

- 39 3. The District may grant access to or release information from student records to employees
40 or officials of the District or the Montana State Board of Education, provided a current,
41 demonstrable educational or administrative need is shown, without parental consent or
42 notification. Access in such cases will be limited to the satisfaction of that need.
43
- 44 4. The District may grant access to or release information from student records without
45 parental consent or notification to any person, for the purpose of research, statistical

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4 reporting, or planning, provided that no student or parent can be identified from the
5 information released, and the person to whom the information is released signs an
6 affidavit agreeing to comply with all applicable statutes and rules pertaining to school
7 student records.
8

- 9 5. The District will grant access to or release information from a student's records pursuant
10 to a court order, provided that the parent will be given prompt written notice, upon receipt
11 of such order, of its terms, the nature and substance of the information proposed to be
12 released, and an opportunity to inspect and copy such records and to challenge their
13 contents.
14
- 15 6. The District will grant access to or release information from any student record, as
16 specifically required by federal or state statute.
17
- 18 7. The District will grant access to or release information from student records to any person
19 possessing a written, dated consent, signed by the parent or eligible student, with
20 particularity as to whom the records may be released, the information or record to be
21 released, and reason for the release. One (1) copy of the consent form will be kept in the
22 records, and one (1) copy will be mailed to the parent or eligible student by the
23 Superintendent. Whenever the District requests consent to release certain records, the
24 records custodian will inform the parent or eligible student of the right to limit such
25 consent to specific portions of information in the records.
26
- 27 8. The District may release student records to the superintendent or an official with similar
28 responsibilities in a school in which the student has enrolled or intends to enroll, upon
29 written request from such official.
30
- 31 9. Prior to release of any records or information under items 5, 6, 7, and 8, above, the
32 District will provide prompt written notice to the parents or eligible student of this
33 intended action. This notification will include a statement concerning the nature and
34 substance of the records to be released and the right to inspect, copy, and challenge the
35 contents.
36
- 37 10. The District may release student records or information in connection with an emergency,
38 without parental consent, if the knowledge of such information is necessary to protect the
39 health or safety of the student or other persons. The records custodian will make this
40 decision, taking into consideration the nature of the emergency, the seriousness of the
41 threat to the health and safety of the student or other persons, the need for such records to
42 meet the emergency, and whether the persons to whom such records are released are in a
43 position to deal with the emergency. The District will notify the parents or eligible
44 student, as soon as possible, of the information released, date of the release, the person,
45 agency, or organization to whom the release was made, and the purpose of the release.

11. The District may disclose, without parental consent, student records or information to the youth court and law enforcement authorities, pertaining to violations of the Montana Youth Court Act or criminal laws by the student.
12. The District will comply with an *ex parte* order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or consent of the student's parent(s)/guardian(s).
13. The District charges a nominal fee for copying information in the student's records. No parent or student will be precluded from copying information because of financial hardship.
14. A record of all releases of information from student records (including all instances of access granted, whether or not records were copied) will be kept and maintained as part of such records. This record will be maintained for the life of the student record and will be accessible only to the parent or eligible student, records custodian, or other person. The record of release will include:
 - a. Information released or made accessible.
 - b. Name and signature of the records custodian.
 - c. Name and position of the person obtaining the release or access.
 - d. Date of release or grant of access.
 - e. Copy of any consent to such release.

Directory Information

The District may release certain directory information regarding students, except that parents may prohibit such a release. Directory information will be limited to:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Enrollment status (e.g., undergraduate or graduate; full-time or part-time)
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees

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3
4 Honors and awards received
5 Most recent educational agency or institution attended
6

7 The notification to parents and students concerning school records will inform them of their right
8 to object to the release of directory information.
9

10 Military Recruiters/Institutions of Higher Education
11

12 Pursuant to federal law, the District is required to release the names, addresses, and telephone
13 numbers of all high school students to military recruiters and institutions of higher education
14 upon request. The notification to parents and students concerning school records will inform
15 them of their right to object to the release of this information.
16

17 Student Record Challenges
18

19 The parents may challenge the accuracy, relevancy, or propriety of the records, except (1) grades,
20 and (2) references to expulsions or out-of-school suspensions, if the challenge is made when the
21 student's school records are being forwarded to another school. They have the right to request a
22 hearing at which each party has:
23

- 24 • The right to present evidence and to call witnesses;
25 • The right to cross-examine witnesses;
26 • The right to counsel;
27 • The right to a written statement of any decision and the reasons therefor;
28 • The right to appeal an adverse decision to an administrative tribunal or official, to be
29 established or designated by the State Board.
30

31 The parents may insert a written statement of reasonable length describing their position on
32 disputed information. The school will include the statement in any release of the information in
33 dispute.
34
35

36 Legal Reference: Family Education Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. 99
37 § 20-5-201, MCA Duties and sanctions
38 § 40-4-225, MCA Access to records by parent
39 § 41-5-215, MCA Youth court and department records – notification
40 of school
41 10.55.909, ARM Student Records
42

43 Procedure History:

44 Promulgated on:

45 Revised on:

1 **Charlo School District**

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3 **STUDENTS**

3606

4
5 Transfer of Student Records

6
7 The District will forward by mail or by electronic means a certified copy of a permanent or
8 cumulative file of any student and a file of special education records of any student to a local
9 educational agency or accredited school in which a student seeks to or intends to enroll within
10 five (5) working days after receipt of a written or electronic request. The files to be forwarded
11 must include education records in a permanent file – that is, name and address of a student, name
12 of parent or legal guardian, date of birth, academic work completed, level of achievement
13 (grades, standardized tests), immunization records, special education records, and any
14 disciplinary actions taken against a student that are educationally related.

15
16 When the District cannot transfer records within five (5) days, will notify a requestor, in writing
17 or electronically, and will provide reasons why the District is unable to comply with a
18 five-(5)-day time period. The District also will include in that notice the date by which requested
19 records will be transferred. The District will not refuse to transfer records because a student
20 owes fines or fees.

21
22
23
24 Cross Reference: 3413 Student Immunization
25 3600 - 3600P Student Records
26 3606F Records Certification

27
28 Legal Reference: § 20-1-213, MCA Transfer of school records

29
30 Policy History:

31 Adopted on:

32 Revised on:

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3 **RECORDS CERTIFICATION**
4

5
6 As the duly appointed custodian of records for Charlo School District No. 7J, Lake
7 County, State of Montana, pursuant to § 20-1-213, MCA, do hereby certify that the attached is a
8 true and correct copy of the student records of (name of student), maintained in my possession
9 and under my control.

10
11 DATED this _____ day of _____, 20__.

12
13
14
15 _____
16 Custodian of Records
17 Charlo School District No. 7J
18

19
20
21 (S E A L)

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3 **STUDENTS**

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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 • Superintendent
- 17 • Principal
- 18 • Counselor
- 19 • Special Education Teacher

20

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

23

24

25

26 Cross Reference: 3600 - 3600P Student Records

27

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

29

30 Policy History:

31 Adopted on:

32 Revised on:

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3 **STUDENTS**

4
5 District-Provided Access to Electronic Information, Services, and Networks

6
7 General

8
9 The District makes Internet access and interconnected computer systems available to District
10 students and faculty. The District provides electronic networks, including access to the Internet,
11 as part its instructional program and to promote educational excellence by facilitating resource
12 sharing, innovation, and communication.

13
14 The District expects all students to take responsibility for appropriate and lawful use of this
15 access, including good behavior on-line. The District may withdraw student access to its
16 network and to the Internet when any misuse occurs. District teachers and other staff will make
17 reasonable efforts to supervise use of network and Internet access; however, student cooperation
18 is vital in exercising and promoting responsible use of this access.

19
20 Curriculum

21
22 Use of District electronic networks will be consistent with the curriculum adopted by the
23 District, as well as with varied instructional needs, learning styles, abilities, and developmental
24 levels of students and will comply with selection criteria for instructional materials and library
25 materials. Staff members may use the Internet throughout the curriculum consistent with the
26 District’s educational goals.

27
28 Acceptable Uses

- 29
30 1. Educational Purposes Only. All use of the District’s electronic network must be: (1) in
31 support of education and/or research, and in furtherance of the District’s stated
32 educational goals; or (2) for a legitimate school business purpose. Use is a privilege, not
33 a right. Students and staff members have no expectation of privacy in any materials that
34 are stored, transmitted, or received via the District’s electronic network or District
35 computers. The District reserves the right to monitor, inspect, copy, review, and store, at
36 any time and without prior notice, any and all usage of the computer network and Internet
37 access and any and all information transmitted or received in connection with such usage.
38 2. Unacceptable Uses of Network. The following are considered unacceptable uses and
39 constitute a violation of this policy:
40
41 a. Uses that violate the law or encourage others to violate the law, including, but not
42 limited to, transmitting offensive or harassing messages; offering for sale or use
43 any substance the possession or use of which is prohibited by the District’s
44 student discipline policy; viewing, transmitting, or downloading pornographic
45 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 user violates this policy, the District will deny a student's access or will withdraw access and may subject a 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:

Revised on:

2
3 **STUDENTS**

4
5 Acceptable Use of Electronic Networks

6
7 All use of electronic networks shall be consistent with the District’s goal of promoting
8 educational excellence by facilitating resource sharing, innovation, and communication. These
9 procedures do not attempt to state all required or proscribed behaviors by users. However, some
10 specific examples are provided. The failure of any user to follow these procedures will result in
11 the loss of privileges, disciplinary action, and/or appropriate legal action.

12
13 Terms and Conditions

- 14
- 15 1. Acceptable Use – Access to the District’s electronic networks must be: (a) for the purpose
16 of education or research and consistent with the educational objectives of the District; or
17 (b) for legitimate business use.
18
 - 19 2. Privileges – The use of the District’s electronic networks is a privilege, not a right, and
20 inappropriate use will result in a cancellation of those privileges. The system
21 administrator (and/or building principal) will make all decisions regarding whether or not
22 a user has violated these procedures and may deny, revoke, or suspend access at any time.
23 His or her decision is final.
24
 - 25 3. Unacceptable Use – The user is responsible for his or her actions and activities involving
26 the network. Some examples of unacceptable uses are:
27
 - 28 a. Using the network for any illegal activity, including violation of copyright or other
29 contracts, or transmitting any material in violation of any federal or state law;
30
 - 31 b. Unauthorized downloading of software, regardless of whether it is copyrighted or
32 devirused;
33
 - 34 c. Downloading copyrighted material for other than personal use;
35
 - 36 d. Using the network for private financial or commercial gain;
37
 - 38 e. Wastefully using resources, such as file space;
39
 - 40 f. Hacking or gaining unauthorized access to files, resources, or entities;
41
 - 42 g. Invading the privacy of individuals, which includes the unauthorized disclosure,
43 dissemination, and use of information of a personal nature about anyone;
44
 - 45 h. Using another user’s account or password;

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- 4 i. Posting material authored or created by another, without his/her consent;
- 5
- 6 j. Posting anonymous messages;
- 7
- 8 k. Using the network for commercial or private advertising;
- 9
- 10 l. Accessing, submitting, posting, publishing, or displaying any defamatory,
- 11 inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially
- 12 offensive, harassing, or illegal material; and
- 13
- 14 m. Using the network while access privileges are suspended or revoked.
- 15
- 16 4. Network Etiquette – The user is expected to abide by the generally accepted rules of
- 17 network etiquette. These include, but are not limited to, the following:
- 18
- 19 a. Be polite. Do not become abusive in messages to others.
- 20
- 21 b. Use appropriate language. Do not swear or use vulgarities or any other
- 22 inappropriate language.
- 23
- 24 c. Do not reveal personal information, including the addresses or telephone numbers,
- 25 of students or colleagues.
- 26
- 27 d. Recognize that electronic mail (e-mail) is not private. People who operate the
- 28 system have access to all mail. Messages relating to or in support of illegal
- 29 activities may be reported to the authorities.
- 30
- 31 e. Do not use the network in any way that would disrupt its use by other users.
- 32
- 33 f. Consider all communications and information accessible via the network to be
- 34 private property.
- 35
- 36 5. No Warranties – The District makes no warranties of any kind, whether expressed or
- 37 implied, for the service it is providing. The District will not be responsible for any
- 38 damages the user suffers. This includes loss of data resulting from delays, non-deliveries,
- 39 missed deliveries, or service interruptions caused by its negligence or the user’s errors or
- 40 omissions. Use of any information obtained via the Internet is at the user’s own risk. The
- 41 District specifically denies any responsibility for the accuracy or quality of information
- 42 obtained through its services.
- 43
- 44 6. Indemnification – The user agrees to indemnify the District for any losses, costs, or
- 45 damages, including reasonable attorney fees, incurred by the District, relating to or arising

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4 out of any violation of these procedures.
5

- 6 7. Security – Network security is a high priority. If the user can identify a security problem
7 on the Internet, the user must notify the system administrator or building principal. Do
8 not demonstrate the problem to other users. Keep your account and password
9 confidential. Do not use another individual’s account without written permission from
10 that individual. Attempts to log on to the Internet as a system administrator will result in
11 cancellation of user privileges. Any user identified as a security risk may be denied
12 access to the network.
13
- 14 8. Vandalism – Vandalism will result in cancellation of privileges, and other disciplinary
15 action. Vandalism is defined as any malicious attempt to harm or destroy data of another
16 user, the Internet, or any other network. This includes, but is not limited to, the uploading
17 or creation of computer viruses.
18
- 19 9. Telephone Charges – The District assumes no responsibility for any unauthorized charges
20 or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or
21 equipment or line costs.
22
- 23 10. Copyright Web Publishing Rules – Copyright law and District policy prohibit the
24 republishing of text or graphics found on the Web or on District Websites or file servers,
25 without explicit written permission.
26
- 27 a. For each republication (on a Website or file server) of a graphic or text file that
28 was produced externally, there must be a notice at the bottom of the page crediting
29 the original producer and noting how and when permission was granted. If
30 possible, the notice should also include the Web address of the original source.
31
- 32 b. Students and staff engaged in producing Web pages must provide library media
33 specialists with e-mail or hard copy permissions before the Web pages are
34 published. Printed evidence of the status of “public domain” documents must be
35 provided.
36
- 37 c. The absence of a copyright notice may not be interpreted as permission to copy
38 the materials. Only the copyright owner may provide the permission. The
39 manager of the Website displaying the material may not be considered a source of
40 permission.
41
- 42 d. The “fair use” rules governing student reports in classrooms are less stringent and
43 permit limited use of graphics and text.
44
- 45 e. Student work may only be published if there is written permission from both the

parent/guardian and the student.

11. Use of Electronic Mail.

- a. The District's electronic mail system, and its constituent software, hardware, and data files, are owned and controlled by the District. The District provides e-mail to aid students and staff members in fulfilling their duties and responsibilities and as an education tool.
- b. The District reserves the right to access and disclose the contents of any account on its system without prior notice or permission from the account's user. Unauthorized access by any student or staff member to an electronic mail account is strictly prohibited.
- c. Each person should use the same degree of care in drafting an electronic mail message as would be put into a written memorandum or document. Nothing should be transmitted in an e-mail message that would be inappropriate in a letter or memorandum.
- d. Electronic messages transmitted via the District's Internet gateway carry with them an identification of the user's Internet "domain." This domain name is a registered domain name and identifies the author as being with the District. Great care should be taken, therefore, in the composition of such messages and how such messages might reflect on the name and reputation of this District. Users will be held personally responsible for the content of any and all electronic mail messages transmitted to external recipients.
- e. Any message received from an unknown sender via the Internet should either be immediately deleted or forwarded to the system administrator. Downloading any file attached to any Internet-based message is prohibited, unless the user is certain of that message's authenticity and the nature of the file so transmitted.
- f. Use of the District's electronic mail system constitutes consent to these regulations.

Internet Safety

1. Internet access is limited to only those "acceptable uses," as detailed in these procedures. Internet safety is almost assured if users will not engage in "unacceptable uses," as detailed in these procedures, and will otherwise follow these procedures.

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2. Staff members shall supervise students while students are using District Internet access, to ensure that the students abide by the Terms and Conditions for Internet access, as contained in these procedures.
3. Each District computer with Internet access has a filtering device that blocks entry to visual depictions that are: (1) obscene; (2) pornographic; or (3) harmful or inappropriate for students, as defined by the Children’s Internet Protection Act and as determined by the Superintendent or designee.
4. The system administrator and building principals shall monitor student Internet access.

Legal Reference: Children’s Internet Protection Act, P.L. 106-554
20 U.S.C. § 6801, et seq.
47 U.S.C. § 254(h) and (l)

Procedure History:
Promulgated on:
Revised:

5 Cell Phones and Other Electronic Equipment

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

14 Students may use cellular phones, pagers, and other electronic signaling devices on campus
15 during lunch, before school begins and after school ends. These devices must be kept out of
16 sight and turned off during the instructional day. Unauthorized use of such devices disrupts the
17 instructional program and distracts from the learning environment. Therefore, referrals will be
18 made to the administration for problems that arise due to cell phone or pager use. Disciplinary
19 action will follow the step discipline plan.

23 Policy History:

24 Adopted on:

25 Revised on: