

# Billings Public Schools Student/Parent Handbook



## **Policy 3120 Attendance Policy**

Pursuant to state law, the Board authorizes the Superintendent to adopt procedures implementing compulsory attendance regulations throughout the District. These procedures shall be published in student handbooks annually.

### **Removal of Student During School Day**

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

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## **Procedure 3120-P1 Attendance Policy and Removal of Student During School Day**

### **Compulsory Attendance**

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

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

Parents shall enroll the student unless the student is:

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

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## **Procedure 3120-P2 Attendance Policy and Removal of Student During School Day**

### **Student Attendance**

#### **Introduction**

Regular attendance is basic to meeting the educational needs of students. Maximum classroom instructional benefits can happen only when the student is in attendance. Regular and punctual attendance being essential to educational welfare, it follows that student, parents, and educators need clear understanding as to rights and responsibilities relating to attendance.

#### **Rights**

Students have the right to an appropriate education and are legally required to attend until they are 16 years old and have completed the 8th grade. Parents have the right to expect competent instructors and a school climate conducive to learning. Educators have the right to expect reasonable cooperation from students and parents.

#### **Responsibilities**

Students have the responsibility to participate in the educational opportunities given them. Parents are responsible for supporting the policies and programs of the School District, including seeing that students attend regularly and are to class(es) on time. The school has the responsibility to provide a significant curriculum, competent teachers, and adequate facilities and programs. The school also has the responsibility to maintain accurate records and practice diligence in reporting of attendance records.

#### **Attendance Policy - K-8**

It is the responsibility of the parent or guardian to assure their student is in school regularly. When a student must be absent for illness or other unforeseeable emergencies, parents must inform the school of the student's absence. In cases where doubt occurs concerning the validity of an excuse, the administration may request verification. If a student is not present and the parent has not notified the school of the absence, the school will attempt to call the parent.

## **Attendance Policy - Grades 9-12**

The intent of the attendance policy is to provide a structure within which 9-12 grade students can gain maximum benefit from the instructional program. The regular contact of the pupils with one another in the classroom and their participation in well planned instructional activities under the tutelage of a competent teacher are vital to this purpose.

### **Excused Absences**

Excused absences are categorized as follows:

- illness
- medical appointments which cannot be scheduled outside the school day
- participation in school activities
- bereavement
- verifiable family emergencies
- necessary absences approved by the parent

### **Unexcused Absences/Truancies**

In the event the principal determines an absence unnecessary, the absence will be considered as unexcused, such as:

- leaving the building without checking out
- excuses such as oversleeping, car trouble, missing the bus, and being late from lunch
- disciplinary suspensions
- incarcerations

Truancy, defined as an absence from school not verified as valid by the parent &/or building administrator. Absences that are unexcused or not cleared within 48 hours are also considered truancies. Chronic truants will be reported to legal authorities as prescribed by law.

### **Parent (or Guardian) Responsibilities**

When a student must be absent from class for illness, or other unforeseeable emergencies, parents must inform the school office of the absence. If the school is not notified within 48 hours of the last absent day, the excuse will not be accepted and the absence will be considered truancy. The principal may make exceptions to this general policy and excuse the absence, after consultation with the teacher(s) who are involved, and after giving consideration to the circumstances related to the failure to notify and to the frequency of the student's absence. In cases where the validity of an excuse is in question, the administration may require verification from other sources.

### **Checking Out of School**

When a student finds it necessary to leave after the start of the school day, the student shall follow the office procedures for checking out of school. Failure to follow this procedure may be considered truancy and appropriate action as defined in this policy will be taken.

### **Suspensions**

Suspended students may not participate in extracurricular activities while on suspension. One day suspension usually will cover a 24-hour period. Suspensions are counted as days absent from school.

Parents will be notified of all suspensions. Students who are absent as a result of a suspension are responsible for the work missed.

### **Limit on Total Absences**

If the total number of absences from any high school class exceeds 10 per semester, the student may be dropped from the class for the rest of the semester and assigned to a study hall. Absences from classes due to school-sponsored activities are not counted in the ten (10).

Students may appeal the 10 absences per semester limit. A student who anticipates that an extended absence will exceed the 10 day limit may appeal in advance. Consequences for students identified as disabled will be determined by appropriate planning meetings.

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## **Policy 3200 Student Rights and Responsibilities**

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

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### **Procedure 3200-P1 Student Rights and Responsibilities**

#### **Student Due Process Rights and Responsibilities**

The mission of the District is to assure learning experiences to help all students develop skills, competencies and attitudes fundamental to achieving individual satisfaction as responsible, contributing citizens. As a result of the process of education, each student should clarify his/her basic values and develop a commitment to act upon these values within the framework of his/her rights and responsibilities as a participant in the democratic process.

The District will maintain a system of legally sound procedures with regard to the administration of student discipline so that due process of law is provided. All students who attend the District's schools shall comply with the written policies, rules and regulations of the schools, shall pursue the required course of studies, and shall submit to the authority of teachers, principals, Superintendent of Schools, and other administrators or designees of the District.

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### **Procedure 3200-P2 Student Rights and Responsibilities**

#### **Freedom of Expression**

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

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

A. Students are protected by the guarantees of the First Amendment of the U.S. Constitution and are entitled to express their views while on school grounds. This does not mean, however, that the School District is without control over the time, place, manner and, to a limited extent, the content of that expression.

B. Students generally have the right to distribute and possess literature, including, but not limited to newspapers, magazines, leaflets, and pamphlets. Students also have the right to speak their views. Students do not have the right to possess or distribute literature or to communicate orally if such distribution or communication is libelous, obscene, or will cause a material interference with or substantial disruption of educational activities.

C. The time, place and manner of student distribution of literature may be regulated by the principal provided such regulations are reasonable and do not act to prohibit or unduly delay distribution or inhibit any person's right to accept or reject the literature sought to be distributed.

D. The principal may require materials sought to be distributed on school premises or to school-sponsored groups to be submitted for review. Materials are deemed approved if the principal does not indicate disapproval within two (2) pupil instruction days of submittal. A student may appeal a principal's decision to refuse dissemination directly to the Superintendent. The Superintendent will review the materials, listen to the student's explanation and discussion, if any, and decide whether distribution is permitted by these rules. The Superintendent's decision shall be communicated to the interested students.

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### **Procedure 3200-P3 Student Rights and Responsibilities**

#### **Student Publications**

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

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

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

A. Given cause, the building principal will have the right to review student publication materials at any time to see if they comply with School District Policy 3200.

B. Materials appearing in student publications must be reviewed by the sponsor of the publication to see if the materials comply with Billings Public Schools Policy 3200. If the sponsor finds the material to be in violation of said policy, the materials must be reviewed by the building principal.

C. Materials are deemed approved if the principal does not indicate disapproval within two student instruction days of submittal.

D. The principal's decision to refuse the materials may be appealed directly to the Superintendent. The Superintendent will review the materials and listen to the student's explanations and discussion. The Superintendent's decision will be communicated to the interested students.

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## **Policy 3205 District-Provided Access to Electronic Information, Services, and Networks**

### **General**

The District makes Internet access and interconnected computer systems available to District students and faculty. The District provides electronic equipment and networks, including access to the Internet, as part its instructional program and to promote educational excellence by facilitating resource sharing, innovation, and communication. The District will provide training conducive to maximizing effective and appropriate use of these resources.

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

### **Curriculum**

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

### **Acceptable Uses**

- Educational Purposes Only. All use of the District's electronic network must be: (1) in support of education and/or research, and in furtherance of the District's stated educational goals; or (2) for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any materials that are stored, transmitted, or received via the District's electronic network or District computers. The District reserves the right to monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of computers, systems, networks and Internet access and any and all information transmitted or received in connection with such usage.
- Unacceptable Uses of Network.

- A. Uses that violate the law or encourage others to violate the law
- B. Uses that cause harm to others or damage to their property
- C. Uses that jeopardize the security of computers, systems, or networks of the District or others
- D. Exposing self or others to the potential of personal harm
- E. Uses that are commercial transactions.

#### 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.

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### **Procedure 3205-P1 District-Provided Access to Electronic Information, Services and Networks Procedure**

Technology is provided for BPS staff and students to conduct research and to learn and communicate with others. Communications over the network and files stored on district equipment should not be considered private. The communications and files may be treated like school lockers – administrators and faculty may review files and messages to maintain system integrity and insure users are acting responsibly. Additionally, the technology department may disable, uninstall or block traffic at any time with no prior notice to maintain system integrity.

Violations of the Acceptable Use Policy include, but are not limited to, the following activities:

- Engaging in illegal activities
- Sending or displaying pornography, offensive messages, offensive language or other offensive media
- Use of racist, harassing, insulting or threatening communications
- Using district resources for campaigning or promotion of candidates or ballot issues
- Wasting technological resources for non-educational purposes
  - i.e. - interactive games, p2p file sharing, downloading games, shareware or freeware, streaming audio & video, excessive printing
- Disclosing personal information outside the network
- Posting of images or personal information
- Accessing and/or changing files, systems or folders without authorization
- Trespassing in and/or changing other users files, folders or documents w/o their permission

- Using the network for buying, selling, personal profit or gain
- Sharing passwords or logging on as another user without their permission
- Transmitting viruses, Trojan horses, worms or other destructive files
- Posting to bulletin boards, web logs (blogs), chats or instant messaging (IM), unless specified under curriculum or as approved by the supervising teacher or administrator
- Engaging in gambling or betting
- Plagiarizing and violating copyright laws
- Using personal electronic devices unless approved by a teacher or administrator for educational purposes (i.e. – cell phones, MP3 players, PDAs, cameras)
- Attaching devices to the network without prior approval from the supervising teacher or administrator
- Attaching personal equipment, such as laptops, to the district network, installing district software on it or having district personnel maintain it without permission from the Director of Technology
- Transmitting anonymous communications

Violation of the regulations is unethical and may constitute a criminal offense. Should a student commit any violation of the regulations, computer privileges may be limited or revoked, school disciplinary action may be taken and/or appropriate legal action may be pursued.

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## **Form 3210-F1 Equal Educational Opportunity**

The District recognizes and celebrates Montana’s Constitutional guarantee of equal educational opportunity to each person in this state. To that end, the District will make equal educational opportunities available for all students of the District without regard to race, color, national origin, ancestry, sex, ethnicity, language barrier, religious belief, physical or mental handicap or disability, economic or social condition, or actual or potential marital or parental status. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.

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

Any student, parent or guardian with questions about this policy is encouraged to address the question first to the student’s building administrator. The student, parent, or guardian may also address questions concerning this policy to the Superintendent or to the District’s nondiscrimination coordinator. The District’s nondiscrimination coordinator is Dan Martin, Executive Director of Human Resources; he may be reached at 406-247-3740 or [martindr@billings.k12.mt.us](mailto:martindr@billings.k12.mt.us). Any individual may file a complaint alleging violation of this policy by following the Uniform Complaint Procedure (Policy 1700).

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## **Procedure 3224-P1 Student Dress**

### **Student Dress – Gang Activity or Association**

The Billings Public School System recognizes that a student's choice of dress and grooming habits demonstrates personal style and preference. The District has the responsibility to insure proper and appropriate conditions for learning along with protecting the health and safety of its student body. Even though the schools will allow a wide variety of clothing styles, dress and grooming must not materially or substantially disrupt the educational process of the school or create a health or safety hazard for students, staff, employees or others.

Elementary, middle, and high schools will establish written dress codes that will be distributed and/or explained to students at the beginning of each school year. Additional dress codes may be established by classroom teachers with approval from the building administrator.

In order to maintain a positive and safe learning environment, students are prohibited from the following while on school grounds or while attending school activities:

1. Wearing or possessing clothing, jewelry, accessories and other personal materials, electronic equipment such as pagers, cell or camera phones, or other communication devices, or grooming in a manner which by its nature denotes membership in a group or gang advocating threats, violence, intimidation, drugs, illegal activities, or any other disruptive behavior.
2. Implying gang membership or affiliation by written communication, marks, drawing, paint, design or emblem upon any school property, personal property, or on one's person.
3. Wearing clothing that carries derogatory, obscene or sexually suggestive statements, connotations, or graphics; advertises alcohol, tobacco or drugs; or endorses or promotes any illegal activity.
4. Wearing clothing or accessories that is distracting to the learning process, unsafe, unhealthy or disruptive.

It is the responsibility of building administration, operating under administrative guidelines, to determine the appropriateness of student clothing and accessories, especially as clothing, apparel, accessories and particularly group or gang related ones may vary and change from year to year.

#### Gang Activity or Association

For the purpose of this procedure, a gang is an unauthorized group of three or more people who demonstrate a majority of the following traits:

- exhibit antisocial behavior often associated with crime or a threat to the community;
- interact together to the exclusion of others;
- claim a territory or area;
- have a name;
- have rivals/enemies; and/or
- create an atmosphere in which the well-being of students, staff, or any other person is adversely affected by undue pressure, behavior, intimidation, overt gestures or threat of violence.

#### Extracurricular Activities

Students involved in extracurricular activities will adhere to the coaches' or sponsors' dress codes, as long as the codes are deemed reasonable by school administrator(s). Coaches or sponsors must establish written dress codes and distribute them to each participant prior to the start of the activity.

#### Discipline

Students whose dress does not conform to Billings Public Schools Policy #3224 will be referred to a building administrator for appropriate disciplinary action.

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## **Policy 3225 Sexual Harassment/ Intimidation of Students**

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

1. denies or limits the provision of educational aid, benefits, services, opportunities, or treatment, or that makes such conduct a condition of a student's academic status; or
2. has the purpose or effect of:
  - a. substantially interfering with a student's educational environment;



- b. creating an intimidating, hostile, or offensive educational environment;
- c. depriving a student of educational aid, benefits, services, opportunities, or treatment; or
- d. making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

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

Students who believe that they may have been sexually harassed or intimidated should consult a counselor, teacher, Title IX coordinator, or administrator, who will assist them in a complaint process. Any student of the District who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with the District’s discipline policy. Any person who knowingly makes a false accusation regarding sexual harassment likewise will be subject to disciplinary action.

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

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

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

An individual with a complaint alleging a violation of this policy should follow the Uniform Complaint Procedure. However, the Uniform Complaint Procedure is not the exclusive means to complain about sexual harassment.

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## **Policy 3231 Searches and Seizure**

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

### **School Property and Equipment and Personal Effects of Students**

School authorities may inspect and search school property and equipment owned or controlled by the District (such as lockers, desks, and parking lots), as well as personal effects left there by students, without notice or consent of a student. This applies to vehicles parked on school property.

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

### **Students**

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

### **Seizure of Property**

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

### Law Enforcement Agencies

The District will cooperate with known or identified legal representatives of the Billings Police Department, Sheriff's Office or Probation Office. When a law enforcement officer comes to a school and properly identifies himself and his purpose, the administration will cooperate with him by promptly making available those students requested for interview at school, or upon the production of an arrest warrant to be taken into custody by the law enforcement officer. It shall be the responsibility of the law enforcement officer to notify the parents or guardian of the students interviewed and/or taken into custody. In addition, a good faith attempt shall be made by school personnel to notify the parents or guardian.

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## **Procedure 3231-P1 Searches and Seizures**

### Searches of Students and Their Property

Searches may be carried out to recover stolen property, to detect illegal or prohibited substances, items, or weapons; or to uncover any matter reasonably believed to be a threat to the health, safety, or maintenance of an orderly educational environment.

#### SEARCHES UPON INDIVIDUALIZED SUSPICION

- A. Searches of a student and/or the student's personal effects in the student's possession must be based on reasonable suspicion that the student(s) has violated school rules or the law.
- B. School officials responsible for conducting the search must be able to clearly articulate which school rule or law has allegedly been violated and establish that the search is reasonable in its inception.
- C. The information which forms the basis of the search and connects the student to the violation must be both recent and credible.
- D. Searches of a student and/or the student's personal effects in the student's possession must be conducted in a manner which is reasonably related to its objectives and reasonable in scope in light of the age and sex of the student along with the nature of the infraction. Highly intrusive searches require a high degree of individualized suspicion based upon specific and reliable evidence and should never be taken unless serious infractions, such as possession of drugs or weapons, are suspected. If a highly intrusive search is necessary, an attempt will be made to contact the parent or legal guardian prior to the search. An intrusive search shall to be conducted in consultation with/by law enforcement and/or an Executive Director or the Superintendent.

#### SEARCHES OF SCHOOL PROPERTY

- A. School officials may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by the student(s), without notice or consent of the student(s).
- B. The principal may request the assistance of law enforcement officials in a search of school property or may conduct such searches through the use of specially trained dogs in accordance with procedures set forth below.

#### ADMINISTRATIVE SEARCHES

School officials may undertake a search of a number of students and their possessions without an individualized suspicion of wrongdoing by a particular student provided the following conditions have been met:

1. There is a recognized problem, such as drug use or possession of weapons in the school, and other methods of addressing the problem have not been effective.

2. The problem has been acknowledged and recognized by the building principal and the parents of students attending there. The principal or other administrator may involve parents using whatever means of communication is customary in that school.
3. Parents and students have been given written notice that administrative searches will take place, the reason for the searches, and the procedure to be followed.

Administrative searches may take place even if these conditions have not been met if school officials have knowledge of a specific act or violation (such as a theft or the existence of weapons in the school which pose an immediate risk to student safety and school discipline), but do not know which particular student is involved.

In either situation, an administrative search must be minimally intrusive and minimally disruptive. No student should be singled out when there is no evidence to support an individualized suspicion to search.

## ADMINISTRATIVE SEARCH PROCEDURES

### A. Clothing and Personal

School officials shall request the student to remove all items from pockets or other personal effects. Backpacks, purses and the like shall be opened for the school official to search. If confiscated for inappropriate use or for violation of school rules, cell phones, and other electronic devices may be searched for messages, graphics, photos, and other electronically-stored data.

### B. Automobiles

A vehicle parked on school property may be searched in the same manner as school property (i.e., lockers). School officials shall request the student to open the vehicle for a search. If the student does not cooperate, law enforcement will be notified to assist. The vehicle may be impounded pending the completion of the search. Any expenses incurred during this process will be at the owner's expense.

### C. Dog Searches

1. The high school/middle school principal shall notify the Executive Director of Secondary Education, and the elementary principal shall notify the Executive Director of Elementary Education of the time frame in which a dog search will be conducted.
2. The principal shall determine the time and date of the search and coordinate with the School Resource Officer, local law enforcement, or a private security firm. Scheduling arrangements shall be kept confidential, and dog searches will be unannounced.
3. If a particular locker is identified by the dog, the locker will be searched by the building administrator. If contraband is found, it will be turned over to law enforcement.
4. If a particular vehicle is identified by the dog during a parking lot search, the driver or owner of the car will be located and asked to open the car so it can be searched. If the student does not consent, law enforcement will be notified to assist.
5. The building principal will notify the respective Executive Director of the search results.

### D. Alcohol Consumption Sensor

1. Procedure for Administering an Alcohol Consumption Test:
  - a. A student who is believed to be under the influence of alcohol while attending school or attending a school-sponsored event should be escorted by the appropriate school official to a secure location in the building.
  - b. The appropriate school official should confront the student about the suspected consumption and notify the student that the alcohol detection test will be administered.
  - c. The alcohol detection test should then be administered.
  - d. If the presence of alcohol is detected, the student's parent or guardian should be notified to transport the student home.
  - e. Disciplinary action should be taken in accordance with School District policy. Law enforcement may be notified.

- f. Refusal by the student to comply with the above procedures will be treated as defiance. The consequences for the defiance will be the same as being under the influence of alcohol. If the parent/guardian disputes the results, they can have a test done at their own expense by an outside agency within four hours, at an agreed upon site.
- g. The student will not be allowed to return to school until the test results are provided to the school.

#### SEIZURE OF PROPERTY/PARENTAL NOTIFICATION

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

The student(s) will be taken to a designated area, and the parent(s) of the student(s) will be contacted.

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### **Policy 3235 Video Surveillance**

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

The Superintendent will notify staff and students through staff and student handbooks or by other means that video surveillance may occur on District property.

The District may choose to make video recordings a part of a student's discipline record. The District will comply with all applicable state and federal laws related to record maintenance and retention.

Video recordings will be totally without sound.

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### **Procedure 3235-P1 Video Surveillance**

#### **School Buses/Vehicles**

Security cameras on a school bus not only provide a safeguard against illegal entry, vandalism and as a means to monitor behavior but also protect students and school bus drivers from being wrongly accused of participation in illegal or unacceptable behavior

#### **PROCEDURE FOR USE OF SECURITY CAMERA RECORDING IN BUSES/VEHICLE**

- A. A request for a camera to be placed on a bus may be made by:
  - 1. An administrator from School District #2;
  - 2. A supervisor/manager of First Student Transportation.Note: There are four to five cameras available and 15 to 20 buses with camera boxes.
- B. The camera is active:
  - 1. During the requested runs which may include the a.m., p.m., midday, field trips, and shuttles;
  - 2. Often times a combination of runs will be recorded even though only a specific run is being monitored.
- C. The following will have access to the recording:
  - 1. An administrator of School District #2 or other appropriate School District #2 employee(s);
  - 2. A supervisor or manager of First Student Transportation and the appropriate school bus driver(s);
  - 3. Parent(s)/guardian(s) under the supervision of an authorized adult may view the recorded activity of his or her own student(s). The viewed segment may be as short as one second in length.
  - 4. Student(s) under the supervision of an authorized adult, as part of a specific investigation or disciplinary action;
  - 5. Investigative agencies when evidence of criminal activity exists;
  - 6. Other person(s) as designated by First Student Transportation or School District #2 to assist in an investigation or identification of a student(s).
- D. A recording may be kept:
  - 1. Until the disciplinary action or investigation has been resolved satisfactorily;

2. Permanently if requested or deemed necessary by an administrator of School District #2 or the Manager of First Student Transportation.

### **School Buildings and Grounds**

Security cameras in a school building and on school grounds provide not only a safeguard against illegal entry and vandalism, but also protect students and staff from being wrongly accused of participation in illegal or unacceptable behavior. School administration recognizes the importance of protecting the identity of those filmed. Consequently, although the system is active and recording 24 hours a day, seven days a week, the system is not humanly monitored 24 hours a day, seven days a week.

Students and parents will be notified in the student handbook of the system's existence, purpose, and the procedures for use.

### **PROCEDURE FOR USE OF SECURITY CAMERA RECORDING IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS**

- A. The real time image and/or the recording may be viewed:
    1. During an orientation activity that may involve parents, staff or students;
    2. During the course of an investigation or as part of the process for identifying a student or other district employees.
  - B. The following will have access to the recording:
    1. The school administrators and site School Resource Officer (SRO);
    2. Investigative agencies (e.g. the Fire Department) when evidence of criminal activity exists;
    3. Parents, under the supervision of an authorized adult, may view the recorded activity of their own student(s). The viewed segment may be as short as one second in length.
    4. Students, under the supervision of an authorized adult, as part of the orientation to the system or as part of a specific investigation.
  - C. A recording may be kept permanently:
    1. If an investigative agency wants the record for later court procedures;
    2. If there is an internally anticipated future need such as when there are chronic issues (e.g. harassment, vandalism).
  - D. A recording may be kept:
    1. Digitally on the hard drive where it remains until recorded over (a maximum of 18 days);
    2. On a CD which will be kept in the school vault.
  - E. A recording may be kept:
    1. Either until the involved student(s) graduates or until the criminal investigation is completed, whichever is later.
- 

### **Policy 3250 Student Discipline**

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

Out-of-school conduct which is recognized to be within the jurisdiction of the school includes acts which:

- 1) tend to demoralize other students in the school,
- 2) are detrimental to the overall good order and best interests of the school
- 3) produce an immediate effect on the discipline, function or general welfare of the school, or
- 4) impact the physical or emotional safety and/or the care for and well being of the school's students, staff or property

This District may assign consequences to any student guilty of gross disobedience or misconduct, including, but not limited to instances set forth below.

- A. Using, possessing, distributing, purchasing, or selling tobacco products.
- B. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession.

- C. Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs, and drug paraphernalia. Students who are under the influence of such substances will not be permitted to attend school functions and will be treated as though they had drugs in their possession.
- D. Using, possessing, controlling, or transferring a weapon in violation of the "Possession of a Weapon in a School Building" section of this policy.
- E. Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon.
- F. Disobeying directives from staff members or school officials or disobeying rules and regulations governing student conduct.
- G. Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct.
- H. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property.
- I. Engaging in any activity that constitutes an interference with school purposes or an educational function or any other disruptive activity.
- J. Unexcused absenteeism, truancy statutes and Board policy will be utilized for chronic and habitual truants.
- K. Hazing or bullying.
- L. Forging any signature or making any false entry or attempting to authorize any document used or intended to be used in connection with the operation of a school.
- M. Violation of the district's Acceptable Use Policy regarding electronic equipment.
- N. Transfer of bodily substances.
- O. Plagiarism or cheating.

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

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

### Disciplinary Measures

Disciplinary measures include, but are not limited to:

- expulsion
- suspension
- detention, including Saturdays
- school community service
- 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.

When a student violating this gun-free policy is identified as disabled, either under the IDEA or Section 504 of the Rehabilitation Act of 1973, a building administrator must determine whether a student's conduct is related to a disability. If a violation of policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

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

#### Possession of a Weapon on School Property

For the purposes of this section only, “school property” means all property owned or leased by a local school district that are used for instruction or for student activities; “weapon” means any object produced or used to threaten or cause bodily harm.

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

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry, or store a weapon in a school building must request permission of the Board at a regular meeting. The Board has sole discretion in deciding whether to allow a person to possess, carry, or store a weapon in a school building.

This policy does not apply to law enforcement personnel.

#### Delegation of Authority

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

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## **Form 3250-F1**

### **BILLINGS PUBLIC SCHOOLS STUDENT/PARENT /PRINCIPAL AGREEMENT FOR ELIMINATING GUNS AND OTHER WEAPONS FROM SCHOOLS**

While the elimination of guns and weapons from schools is the responsibility of all segments of the school and society, three individuals have especially crucial responsibility: the student, parent, and principal. This agreement draws attention to the specific responsibilities of those three individuals.

**BY ACKNOWLEDGING RECEIPT OF THIS DISTRICT HANDBOOK, WE AGREE TO THE FOLLOWING COMMITMENTS TO SAFETY IN OUR SCHOOLS:**

#### **STUDENT**

- I agree not to bring or have in my possession any weapon or gun on school property or at any school event.
- I will tell my peers to seek adult assistance when conflict situations begin to get out of control.
- I will not carry another person's gun or weapon while on school property.
- If I see a gun or other weapon on campus or at a school event, I will immediately alert an administrator, counselor, teacher or school resource officer about its existence. Every effort will be made to maintain confidentiality.
- I understand that violating school board guidelines and procedures will result in long-term suspension/expulsion proceedings.

#### **PARENT/GUARDIAN**

- I will teach my children, including by personal example, about the dangers and consequences of guns and weapons use, and I will keep any guns and all weapons I own safely away from my children.
- I will support the school's policies to eliminate guns and weapons on school property and work with the school in developing programs to prevent violence.
- I will carry out my responsibility to teach my children how to settle arguments without resorting to violence, to encourage him/her to use those ideas when necessary and to follow school guidelines for reporting guns and weapons they see to an appropriate adult.
- I understand that the violation of school board guidelines and procedures by my child, will result in long-term suspension/expulsion proceedings.

### **PRINCIPAL**

- I will support Community Crime Stoppers to ensure that students and parents have an anonymous way to report to an adult any guns or other weapons they see on campus.
- I will promote conflict resolution instruction for all students as part of the curriculum.
- I will communicate the school's policies on guns and weapons to all participants in the school community and focus upon the responsibilities we all have.
- I will use the school's student leadership groups and student meetings to obtain ideas to develop a safe school environment.
- I will report all guns and other weapons violations to law enforcement officials, according to established procedures.
- Following school board guidelines and procedures, I will initiate long-term suspension/expulsion proceedings against any student who violates this contract.

*Adapted from the National Association of Secondary School Principals*

*July 2003*

## **Procedure 3250-P1 Student Discipline**

### Hazing

Our schools are places of learning and development. District policy specifically prohibits using violence, force, noise, coercion, and threats, or urging other students to engage in such conduct.

Generally, hazing means committing an act against a student, or coercing a student into committing an act that creates a risk of harm to a person in order for the student to be initiated into or affiliated with a student activity, organization or club, or for any other purpose.

Hazing or bullying include, but is not limited to:

1. Any type of physical brutality
2. Any type of physical activity or other type of activity that subjects a student to an unreasonable risk of harm that adversely affects the mental or physical health or safety of the student
3. Any activity that discourages a student from being in school
4. Any activity that is in violation of the law or school rules
5. Knowingly aiding and abetting another person who is engaged in hazing

All students and staff of Billings Public Schools are required to report any alleged hazing or bullying violations to school administration.

Discipline for students involved in hazing may include one or more of the following: conference with warning notice, detention, suspension, expulsion from school, and it may also include suspension or expulsion from activities. Certain offenses may be referred for criminal charges.



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## **Procedure 3250-P2 Student Discipline**

### **Student Responsibilities**

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

1. Respect and work cooperatively with his/her fellow students and school staff.
2. Be punctual and regular in school attendance.
3. Respond positively and promptly to direction by faculty or staff members.
4. Refrain from fighting or other abusive behavior directed toward any student, faculty or staff member. Hazing or bullying of students or staff members is not allowed.
5. Refrain from the use of profanity or vulgarity.
6. Avoid encouraging or assisting another student to take action that would subject a student to suspension or expulsion.
7. Refrain from possession or use of explosives, dangerous chemicals, or weapons on school property or at a school function.
8. Refrain from damage to or theft of personal property.
9. Refrain from unauthorized entry into or misuse or damage of school property. Scooters, bicycles, roller-blades, and skateboards cannot be used or ridden on school property.
10. Be financially responsible, with his/her parent or guardian, for willful damage or destruction of school property.
11. Refrain from the use of tobacco on school premises and at school functions.
12. Possession, use, and/or distribution of illicit drugs and alcohol on school premises or as a part of any school sponsored activity are strictly prohibited.
13. Avoid disruption, on or off school property, of the educational process or other school functions.
14. Refrain from allowing bodily substance to make physical contact with another person. Bodily substance includes, but is not limited to, feces, sperm, urine, blood, and saliva.
15. Refrain from possession or use of a weapon, which is anything that is or can be used to threaten, harm, or intimidate another person, regardless of its primary function.

Compliance with these guidelines of conduct is mandatory. Failure of a student to comply with these regulations constitutes an infringement upon the rights of other students and shall be subject to disciplinary action.

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## **Procedure 3250-P5 Student Discipline**

### **Gun-Free Schools**

In accordance with the provisions of the Gun-Free Schools Act, 20 USC 3351, any student who brings a firearm onto school property, except as provided below, shall be suspended or expelled for a period of not less than one calendar year unless modified by the Superintendent on the basis of facts determined through the hearing process.

In accordance with the provisions of the Gun-Free School Zones Act, 18 USC 922(q), students and other authorized persons may bring unloaded firearms onto school property for use in instructional activities that have prior written permission of the District Superintendent. At the conclusion of the activity, the firearms must be immediately removed from school property.

No student shall possess any firearm, without authorization, on school property, on the way to and from school, or during intermission or recess. Violation of this provision shall result in discipline up to and including expulsion. All students charged with violation of this procedure shall have the right to a hearing.

The term "firearm" shall be defined as provided in 18 USC 921. This term shall include any weapon which is designed, or may be readily converted, to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

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

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

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

This procedure in no instance applies to law enforcement officers and other officials provided for in law.

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## **Procedure 3250-P6 Student Discipline**

### **Detention**

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students after school hours for not more than 60 minutes on one or more days. Students may be required to attend Saturday detention for up to four hours.

Preceding the assessment of such consequences, the staff member shall inform the student of the nature of the offense charged and/or the specific conduct which allegedly constitutes the violation. The student shall be afforded an

opportunity to explain or justify his/her actions to the staff members.

After school detention shall not begin until the parent has been notified (except in the case of the adult student) for the purpose of informing him/her to make arrangements for the necessary transportation of the student when he/she has been detained after school hours for corrective action or punishment.

Students detained for corrective action or punishment shall be under the direct supervision of the staff member or another member of the professional staff.

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## **Procedure 3340-P1 Chemical Use and Student Activities**

### **Chemical Use Procedure**

#### **Introduction**

Participation in school extra- and co-curricular activities is voluntary and is a privilege extended to the students who are willing to make the commitment to adhere to the rules that govern the program. The loss of human potential, associated health hazards and negative effects on school attendance and grades caused by the use of chemicals are of major concern. Participation in organized activities can contribute to the all-around development of young men and women and adherence to this procedure will serve the following purposes:

- To emphasize concern for the health and well-being of students while participating in activities,
- To provide a chemical-free environment that will encourage healthy development,
- To diminish chemical use by providing an education assistance program,
- To promote a sense of self-discipline among students,
- To confirm and support existing state laws which prohibit the use of mood-altering chemicals,
- To emphasize standards of conduct for those students who through their participation are leaders and role models for their peers and younger students,
- To assist students who desire to resist peer pressure, which often directs them toward the use of chemicals.

### **Coverage**

This procedure covers the use, possession, sale or distribution of alcohol, illegal drugs, tobacco, and the abuse of prescription or non-prescription drugs. The procedure is not intended to apply to the use of prescribed drugs, under a doctor's supervision, when those drugs are used in the prescribed manner. Possession is defined as having a prohibited substance in personal possession or knowingly being present at a function or gathering at which prohibited substances (except tobacco) are being used, family and civic/community functions excluded. This procedure applies to all Billings Public Schools middle and high school students who are involved in the co-curricular and extracurricular activities program. This procedure covers only those functions deemed by the principal to be totally extra-curricular for middle schools and high schools. The student should attend practice but not play in games during the suspension. High school intramurals are not considered a competitive activity and are not included by this policy.

### **Duration**

This procedure is in effect for all students each school year from the date of the first practice for fall activities (August) until the last scheduled day of school (June) or the last activity is completed (i.e. if activities are after last day of school). Students are subject to the policy full time. Violations are cumulative throughout the student's period of attendance in middle or high school. Violations do not carry over from middle to high school (example: first violation in 7<sup>th</sup> grade, second in eighth. Student enters high school. First violation in 9<sup>th</sup>, second in 11<sup>th</sup>, etc.)

### Referrals

- Self-Referral** Students are encouraged to turn themselves in to a school official when a violation occurs. Referral by the student's parent is also considered a self-referral. If a student has self-referred, the 2-week suspension required as part of a first violation is not imposed **EXCEPT** when the student has had an MIP or a DUI. Students who have an MIP or a DUI must serve consequences from the legal system, as well as suspension from activities.
- Other Referrals** A school staff member is made aware of use or abuse by a reliable source (i.e., police officer, immediate faculty or administration).
- Honesty Clause** If, when confronted by a school official, the student is honest, then the consequences shall be the minimum for that violation. If the student denies involvement and conclusive evidence is later established, the suspension for that violation shall be doubled.

### Consequences

1. Athletics, cheerleading, drill teams, competitive speech/debate (competitive teams and direct support groups with set competition seasons).

#### **FIRST VIOLATION**

- a. Notification of student's parent, coach/sponsor by school administrator. A meeting will be held with parents whenever possible.
- b. District approved drug awareness program must be completed during the first scheduled offering.
- c. Suspension from the current and/or next activity for two (2) competitive weeks, to begin with first scheduled competition week. Student must attend all practice sessions.

#### **SECOND VIOLATION**

- a. Meeting of student, coach/sponsor, school administrator and parent (whenever possible).
- b. Suspension from the current and/or next activity for four (4) competitive weeks, to begin with first scheduled competition week. May not resume competition until "c" (below) is completed. Student must attend all practice sessions.
- c. The student must obtain a professional evaluation for substance abuse before he/she is again allowed to participate.

### THIRD VIOLATION

- a. Meeting of student, coach/sponsor, school administrator and parent (whenever possible).
- b. Immediate suspension from the school activity(ies) for the remainder of the school year or for eight (8) competitive weeks, whichever is longer.
- c. Referral for professional help.

### FOURTH AND SUBSEQUENT VIOLATION

- a. Immediate suspension from school activities for one (1) calendar year.
- b. Referral for professional help.

2. Music, non-competitive drama, all elected school officers and representatives (non-competitive activities with variable event schedules).

### FIRST VIOLATION

- a. Meeting of student, coach/sponsor, school administrator and parent (whenever possible).
- b. District approved drug awareness program must be completed during the first scheduled offering.
- c. Suspension from the activity for the next two (2) scheduled events, only one of which may be the next scheduled academic concert (fall, holiday, winter, spring).  
In the case of non-competitive drama (school plays), the suspension will be for the next performance. Student must attend all practice sessions. Missed events that are graded activities (four concerts) must be allowed alternative assignments.

### SECOND VIOLATION

- a. Meeting of student, coach/advisor, school administrator and parent (whenever possible).
- b. Suspension from the activity for the next four (4) scheduled events, only two of which may be the next scheduled academic concerts (fall, holiday, winter, spring).  
In the case of school plays, the next two (2) performances. Student must attend all practice sessions. Missed events that are graded activities (four concerts) must be allowed alternative assignments.
- c. The student must obtain a professional evaluation for substance abuse before he/she is again allowed to participate.

### THIRD VIOLATION

- a. Meeting of student, coach/advisor, school administrator and parent (whenever possible).
- b. Immediate suspension from the school activity(ies) for eight (8) scheduled events.
- c. Referral for professional help.

### FOURTH AND SUBSEQUENT VIOLATION

- a. Immediate suspension from school activities for one (1) calendar year.
- b. Referral for professional help.

3. Student in multiple activities: students in multiple activities at the same time will suffer the outlined consequences in each activity (example: football/band student will be suspended for two competitive weeks in football and two events in band upon the first offense if the case is not a self referral).

- a. On a first violation a multiple activity student shall, as a consequence, not be suspended for more than four (4) events if in two (2) activities or six (6) events if in three (3) or more activities. If athletics is one of the activities, then the two competitive week suspension must be enforced. An attempt must be made to apply consequences to at least one event in each activity.
- b. If a one (1) sport athlete violates the procedure (first violation only) during the first sixty (60) days following the completion of their sport, so that the competitive week suspension will not be carried out until the athlete's competitive season the following school year, the administrator and athlete may agree to substitute twenty (20) hours of community and/or school service for the competitive week suspension. The administrator would determine what the service would be and would be responsible for supervising its completion.
- c. A second, third, or subsequent violation will result in a full application of the consequences for each activity as outlined in sections 1 and 2 above.

## Questions and Answers

- Question:** Does the definition of possession mean that students who knowingly attend keggers, house parties, etc., that involve prohibited chemicals are in violation even if they are not using?

**Answer:** Yes. According to the District's definition of possession, "knowingly being present at a function or gathering at which prohibited substances are being used" is a violation.
- Question:** : How does a student who has not been identified as an activity participant fit into the procedure?

**Answer:** He or she is not subject to the procedure until identified as a participant in activities. Identification may come through past participation, anticipated participation due to community activities, or by asking the student their future plans and stating that if they later become involved the procedure becomes operational.
- Question:** Can an "other" referral be changed to a self-referral simply to avoid a suspension?

**Answer:** No. A self-referral is possible only if the first time the administrator hears of the situation is from the violator him or herself.
- Question:** When should the honesty clause be used?

**Answer:** In any case where the initial report does not constitute conclusive evidence, the honesty clause should be used.
- Question:** Can coaches or sponsors administer the policy on their own?

**Answer:** No. A coach must immediately report any actual violations or rumored violations to the administrator in charge. That administrator is responsible for enforcing the procedure.
- Question:** Can coaches institute harsher consequences on members of their team?

**Answer:** No. This policy is to be enforced as fairly and consistently as possible for all students in the district.
- Question:** Must a parent meeting be held?

**Answer:** If at all possible, but in some cases a parent may be unable or may even refuse to attend. In those cases, a phone call may be the only possible contact.
- Question:** What happens if a student fails to attend the first scheduled chemical awareness class or misses a class session?

**Answer:** He/she immediately becomes ineligible for participation until the next class is successfully completed. This can be waived only in the case of extreme emergency as determined by the education program coordinators. If it is waived, the student must attend the next scheduled class. If a student does not take the first District Chemical Awareness Class, he/she will be required to pay for the second program (\$40).
- Question:** What happens if a student fails to attend practice?

**Answer:** Unless excused for illness or emergency, the student would not be fulfilling the requirements of the procedure and, therefore, would be ineligible until those requirements are met.
- Question:** Must a professional evaluation be completed in a second violation for tobacco use?

**Answer:** Not necessarily. There is not a formal assessment process for tobacco. The administrator in charge has the flexibility to assign alternatives such as doing research on the health hazards of tobacco or talking to a doctor who is involved in the campaign against tobacco use.
- Question:** In the case of a third violation, can professional help be required?

**Answer:** Parents may choose to not follow the recommendation. Failure to do so will result in suspension from activities for the remainder of the school year or 8 competitive weeks, whichever is longer. The evaluation is the sole responsibility of the parent.
- Question:** How are graded concerts, forensics events, etc., dealt with in the procedure?

**Answer:** There is a great deal of inconsistency in the performing activities (i.e. band, choir) in regards to how events are tied into grading. If the event is extra-curricular but also graded, then alternative assignments must be provided.
- Question:** What kinds of school or community service might be substituted for suspension?

**Answer:** Cleaning lockers or picking up litter are not the most desirable. Other options might be helping at activity events, speaking to elementary students about chemical use, etc.

14. **Question:** Can a student serve a suspension from an activity as a manager for a sport team?

**Answer:** Answer: No. A student may only use another competitive activity to satisfy the suspension.

#### Miscellaneous

1. **Question:** What happens if a student goes out for an activity not usually participated in only to serve the suspension, and then quits the activity immediately following the suspension?

**Answer:** The student has not acted in good faith and must satisfy the suspension during the next regular season.

2. **Question:** What happens if it is discovered that a student was not truthful in stating future plans (i.e., states football is his only sport, whereby #13 applies, then goes out for track)?

**Answer:** The student did not act in good faith. He/she is responsible for completing the suspension in the next possible season, so would be suspended from the first two competitive weeks of track.

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### **Policy 3416 Administering Medicines to Students**

It is most desirable for medication to be administered at home. However, when a student is required to take medication during the regular school day, the following applies:

1. The initial dose of medication must be administered at home in order to avoid adverse reactions from occurring at school.
2. School personnel reserve the right to review and deny all requests for medication being taken during school hours.
3. With written permission from parent or guardian, a student may self-administer medications in accordance with district procedure. Prescription drugs require current written instructions from a medical practitioner.
4. If a student is not able to self-administer medication, medication will be administered pursuant to the written authorization of a physician or dentist order as well as written permission from parent or guardian, in accordance with district procedure. A nurse will administer medication to those students.

#### Administration of Glucagon

If a parent requests and the Superintendent approves, a school employee may volunteer to administer glucagon pursuant to Section 20-5-412, MCA, and pursuant to procedures developed by the Superintendent.

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### **Procedure 3416- P1 Administering Medicines to Students**

#### Procedures for Self-Administration and Administration of Medications

1. For all students, the initial dose must be administered at home to avoid adverse reactions from occurring at school.
2. School personnel reserve the right to review and deny requests for medication being taken during school hours.
3. All medication (except those approved for keeping by students) must be stored in designated area that is to remain locked when not in use.

#### Self-Administered Medications: Elementary Students

1. School personnel may not accept or supervise the taking of medication unless it is accompanied by a "Consent for Student Self-Administration of Medication" form, signed by the parent/legal guardian.
2. Students taking medication (over the counter or prescribed by physician) must present the medication in its original container to the principal or designee.
3. The student will self-administer the medication with supervision. *Some assistance may be given to the student with verbal suggestions, prompting, reminding, gesturing, opening the lid, guiding the hand, removing the medication from the container, and holding fluids to assist in swallowing of oral medications.*
4. Students must take all medication in the presence of designated school personnel. (Exception: with consent form and original container, student may carry inhaler or epipen with them).
5. School staff is responsible for informing the nurse in writing of any parent requesting a child to take medication at school.

#### Self-Administered Medications: Middle School Students

1. Middle school students will follow elementary procedures when taking prescription medication.

2. Middle school students may keep in their possession a small quantity of nonprescription medication in original container and self-administer in accordance with parent instruction.

### Self-Administered Medications: High School Students

High school students are responsible for taking their own medication. High school students are allowed to carry only a small amount of necessary medication in properly labeled containers.

### Procedures for Students with Special Needs

Special considerations must be given to any student who is unable to take medication on their own.

Since each child's needs vary greatly, an appropriate procedure for the dispensing of medication at school will be developed.

The nurse will be responsible for administering medication or delegating the administration of medications.

Some special needs students may be able to assume responsibility for taking their own medications with supervision by following the procedures outlined in Self-Administration of Medication for Elementary Students.

Some special needs students may require the nurse to administer medications.

1. The school must be provided with signed written permission from the parent/guardian of the student requesting the nurse assist the student in taking the medication prescribed by the physician.
2. The medication must be in the original container, labeled accordingly (child's name, name of medication, dosage, route, time of day to be taken, duration of time to be taken, and physician name).
3. A signed physician order is required for all medication to be administered. This order must be current (renewed at the beginning of the school year and for any change in medication orders).
4. All medication must be stored in designated area that is to remain locked when not in use.
5. The nurse will complete the medication recording form to be retained as part of the health file.

The nurse will make certain of the child's identity before administering medication.

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## **Policy 3431 Emergency Treatment**

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

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

When a student is injured, staff will provide immediate care and attention until relieved by a superior, a nurse, or a doctor. The District will employ its normal procedures to address medical emergencies without regard to the existence of medical directives to health care professionals as such directives do not govern school-based personnel. A principal or designated staff member will call a parent or parental designee immediately so that the parent may arrange for care or treatment of an injured student.

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

- isolate the student immediately from other children to a room or area segregated for that purpose;
- inform a parent or guardian as soon as possible about the illness and request a parent or guardian to pick up the child, and
- report each case of suspected communicable disease the same day by telephone to a local health authority or as soon as possible thereafter if a health authority cannot be reached the same day.

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

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## **Policy 3600 Student Records**

The Board recognizes that school student records are confidential and that information from them will not be released other than as provided by law.

State and federal law extend to students and parents certain rights, including the right to inspect, to copy, and to challenge school records. The District will ensure that information in school student records is current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services will be

directly related to the provision of services to that child. The District may release directory information as permitted by law, but parents will have the right to object to release of information regarding their child.

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

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## **Form 3600-F1 FERPA (Family Educational Rights and Privacy Act) Annual Notification**

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

The District will maintain two (2) sets of school records for each student: a permanent record and a cumulative record. The permanent record shall include: the name and address of the student; the name and address of the student's parent or guardian; the student's birth date; the student's academic work completed; the student's level of achievement (grades, standardized achievement tests); the student's immunization records as per 20-5-506, MCA; the student's attendance data; and a record of any long Term suspension or expulsion. The cumulative record may include: intelligence and aptitude scores; psychological reports; achievement test results; participation in extracurricular activities; honors and awards; teacher anecdotal records; verified reports or information from non-educational persons; verified information of clear relevance to the student's education; information pertaining to release of this record; and disciplinary information.

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

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

Parents or guardians of students less than eighteen (18) years of age and students older than eighteen (18) years of age have the right to inspect and copy the student's permanent record. Parents, guardians or students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent(s)/guardian(s) or eligible student of the time and place where the records may be inspected.

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

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

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

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



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

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

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

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

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

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

**4. The right to a copy of any school student record proposed to be destroyed or deleted.**

**5. The right to prohibit the release of directory information concerning the parent's/guardian's child.**

Throughout the school year, the District may release directory information regarding students, limited to: name; address; telephone number; photograph, image or likeness (individually or in a group) in pictures, videotape, film, or other medium; gender; grade level; birth date and place; names and addresses of parents or guardians; academic and other school-related awards, degrees, and honors; information related to school-sponsored activities, organizations, and athletics, including weight and height; major field of study; and dates of attendance in school.

Any parent(s) or guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the building principal on or before the student's first day of school.

**Military Recruiter Access to Information:** The United States Congress recently passed legislation that requires high schools to provide to military recruiters, upon request, access to secondary school students and directory information on those students. Both the No Child Left Behind Act of 2001 and the National Defense Authorization Act for Fiscal Year 2002 reflect these requirements. However, a secondary school student or the parent of the student may request that the student's name, address, and telephone listing not be released without prior written parental consent.

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

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

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

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## **Procedure 3600-P1 Student Records**

### Maintenance of School Student Records

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

The permanent record includes:

- the name and address of the student;
- the name and address of the student's parent or guardian;
- the student's birth date; the student's academic work completed;
- the student's level of achievement (grades, standardized achievement tests);
- the student's immunization records as per 20-5-506, MCA;
- the student's attendance data; and
- a record of any disciplinary action taken against the student that is educationally related.

For the purposes of this procedure, a disciplinary action that is educationally related is an action that results in the expulsion or long term suspension of the student.

The cumulative record may include:

- intelligence and aptitude scores;
- psychological reports;
- achievement test results;
- participation in extracurricular activities;
- honors and awards;
- teacher anecdotal records;
- verified reports or information from non-staff persons;
- verified information of clear relevance to a student's education;
- information pertaining to release of this record; and
- disciplinary information.

The District requires information in a permanent record to indicate authorship and date. The District will maintain in perpetuity a permanent record for every student who has been enrolled in the District. The District will maintain cumulative records for eight (8) years after a student graduates or leaves the District permanently. After five (5) years, the District may transfer cumulative records that may be of continued assistance to a student with disabilities who graduates or permanently withdraws from the District to parents or to a student if a student has succeeded to the rights of the parents.

A building principal is responsible for maintenance, retention, or destruction of a student's permanent or cumulative records, in accordance with District procedure established by the Superintendent.

### Access to Student Records

The District will grant access to student records as set forth below.

1. Neither the District nor any District employee will release, disclose, or grant access to information found in any student record, unless the conditions set forth in this policy are met.
2. Parents of a student under eighteen (18) years of age are entitled to inspect and to copy information in their child's school records. A parental request to view or to copy records must be made in writing and must be directed to the Superintendent. The District will grant access to records within fifteen (15) days of receipt of such a request.

When parents are divorced or separated, the District will permit both parents to inspect and to copy a student's school records unless a court order indicates otherwise. The District will send copies of the following to both parents at the request of either parent, unless a court order indicates otherwise:

- academic progress reports or records

- health reports
- notices of parent-teacher conferences
- school calendars distributed to parents/guardians
- notices about open houses and other major school events, including pupil-parent interaction

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

When a student has waived his or her right of access, after being advised of the right to obtain names of all persons making such confidential letters or statements, the District will not grant access to a parent or a student to confidential letters and recommendations concerning admission to a postsecondary educational institution, application for employment, or receipt of an honor or award.

3. When a current, demonstrable educational or administrative need is shown, the District, without parental consent or notification, may grant access to or may release information from student records to District employees or officials, or to the Montana Board of Public Education, or to the Montana Office of Public Instruction.
4. The District may grant access to or release information from student records without parental consent or notification to any person, for purposes of research, statistical reporting, or planning provided that no student or parent can be identified from the information released and the person to whom information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.
5. The District will grant access to or release information from a student's records pursuant to a court order, provided that a parent is given prompt written notice, on receipt of such order, of its terms, the nature and substance of information proposed to be released and is given opportunity to inspect and copy such records and to challenge their contents.
6. The District will grant access to or release information from any student record, as specifically required by federal or state statute.
7. The District will grant access to or release information from student records to any person possessing a written, dated consent, signed by a parent or eligible student with particularity as to whom records may be released, information or record to be released, and reasons for a release. The District will keep one (1) copy of a consent form in a student's records, and the Superintendent will mail one (1) copy to a parent or eligible student. Whenever the District requests a consent to release certain records, the Superintendent will inform a parent or an eligible student of the right to limit such consent to specific portions of information in the records.
8. The District may release student records to a superintendent or an official with similar responsibilities in a school in which a student has enrolled or intends to enroll, on written request from such official.
9. Before release of any records or information under items 5, 6, 7, and 8 above, the District will provide prompt written notice to parents or an eligible student of the intended action. This notification will include a statement concerning the nature and substance of records to be released and the right to inspect, copy, and challenge the contents.
10. The District may release student records or information in connection with an emergency, without parental consent, if knowledge of such information is necessary to protect the health or safety of a student or other persons. The Superintendent will make this decision, taking into consideration the nature of an emergency, the seriousness of a threat to the health and safety of a student or other persons, the need for such records to address an emergency, and whether a person to whom such records are to be released is in a position to deal with an emergency. The District will notify parents or an eligible student, as soon as possible, of the information released, date of release, the person, agency, or organization to whom a release was made, and the purpose of a release.
11. The District may disclose, without parental consent, student records or information to the youth court and to law enforcement authorities pertaining to violations of the Montana Youth Court Act or criminal laws by a student.
12. The District may charge a nominal fee for copying information in a student's records; however, no parent or student will be precluded from copying information because of financial hardship.
13. The District will assure that a record of all releases of information from student records (including all instances of access granted, whether or not records were copied) is kept and is maintained as part of such records. The District will maintain this record for the life of a student record and will assure it to be accessible only to a parent or an eligible student, the

Superintendent, or other designated person. The record of release will include:

- information released or made accessible
- name and signature of the Superintendent
- name and position of the person obtaining the release or access
- date of release or grant of access
- copy of any consent to such release

### Directory Information

The District may release certain directory information regarding students, unless parents prohibit such a release. Directory information will be limited to the student's:

- name;
- address;
- telephone number;
- photograph, image or likeness (individually or in a group) in pictures, videotape, film, or other medium;
- gender;
- grade level;
- birth date and place;
- names and addresses of parents or guardians;
- academic and other school-related awards, degrees, and honors;
- information related to school-sponsored activities, organizations, and athletics, including weight and height;
- major field of study; and
- dates of attendance in school.

The Superintendent will notify parents and students of their right to object to release of directory information.

### Student Record Challenges

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

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

Parents may insert a written statement of reasonable length describing their position on disputed information; the Superintendent will include that statement in any release of information in dispute.

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## **Procedure 3600-P3 Student Records**

### Withholding Records for Unmet Financial Obligations

In the event that a student with a financial obligation to a school transfers to another school in the State of Montana, the building principal will:

- Notify the pupil's parents in writing that the school district to where the student has transferred has been requested to withhold the pupil's grades, diploma, or transcripts until the obligation has been satisfied. Included in this notification, inform the pupil's parents of their right to appeal that decision to the Superintendent;
- Forward appropriate grades or transcripts to the school to which the pupil has transferred, and notify that district of the

student's financial obligation and formally request that the pupil's grades, diploma, and transcripts be withheld as indicated under the School Laws of Montana 20-5-201 until formal notice that the obligation has been met;

- Inform the transfer school district when the pupil or pupil's parents have satisfied the obligation.
  - Upon receiving notice from a school district requesting the withholding of the grades, diploma, or transcripts of a pupil, this district shall withhold the grades, diploma, or transcripts of the pupil until it receives notice, from the requesting district, that the decision has been rescinded.
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## **Policy 2050 Entrance, Placement, and Transfer**

### Entrance, Date, and Age

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

### School Entrance

1. The District requires that a student's parents, legal guardian, or legal custodian be present at the time of enrollment and show proof of identity of the child (birth certification or certified transcript) to the school within forty (40) days of enrollment, as well as proof of residence in the District. Students who are not residents of the District may apply for admission pursuant to Policy 3141. Homeless students shall be admitted pursuant to state and federal law, and Policy 3125.
2. To be admitted to District schools, in accordance with the Montana Immunization Law, a child must present proof of immunization against diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles (except that pertussis vaccination is not required for children seven (7) years or older). Immunizations may not be required if a child qualifies for conditional attendance or an exemption is filed as provided by Montana law.

### Placement

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

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

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

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

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

