THOMPSON FALLS SCHOOL DISTRICT

1000 SERIES
THE BOARD OF TRUSTEES

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Thompson Falls School District

THE BOARD OF TRUSTEES 1000

Legal Status and Organization

The Board of Trustees of Thompson Falls School District No. 2, Sanders County, is the governmental entity established by the State of Montana to plan and direct all aspects of the District's operations.

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

Membership

The District is governed by a Board of Trustees consisting of five (5) members. The District is classified as a Class 2 district and is operated according to the laws and regulations pertaining to Class 2 districts.

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

Legal Reference:	§ 20-3-323, MCA	District policy and record of acts
	§ 20-3-324, MCA	Powers and duties
	§ 20-3-341, MCA	Number of trustee positions in elementary school districts
	§ 20-3-351, MCA	Number of trustee positions in high school district

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES 1110

Taking Office

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

Except as otherwise provided by law, trustees shall hold office for terms of three (3) years, or until successors are elected and qualified. Terms of trustees are staggered as provided by law.

The District Clerk shall collaborate with the Office of Public Instruction to provide a link to the District website and contact information for trustees and the District Clerk within fourteen (14) days of trustee qualification and oathtaking.

Cross Reference:	Policy 1113	Vacancies
Legal References:	§ 1-6-101, MCA	Officers who may administer oaths
	§ 2-16-116, MCA	Power to administer oaths
	§ 20-1-202, MCA	Oath of office
	§ 20-3-301, MCA	Election and term of office
	§ 20-3-307, MCA	Qualification and oath
	House Bill 811	Online Repository for Trustee Information

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Thompson Falls School District

SCHOOL DISTRICT ORGANIZATION 1111

School Board Elections

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

Board elections shall take place on the first (1st) Tuesday after the first (1st) Monday in May of each year. Any person who is a qualified voter of the District is legally qualified to become a Trustee. A declaration of intent to be a candidate must be submitted to the District Clerk no sooner than 145 days and no later than 85 days before the regular school election day. If different terms are to be filled, the term for the position for which each candidate is filing also shall be indicated. Any person seeking to become a write-in candidate for a trustee position shall file a declaration of intent no later than 5:00 p.m. on the 65th day before the election. If the number of candidates filing for vacant positions or filing a declaration of intent to be a write-in candidate is equal to or less than the number of positions to be elected, the Trustees may cancel the election and shall give notice no later than thirty (30) days before the election that a Trustee election will not take place. If a Trustee election is not held, the Trustees shall declare the candidates elected by acclamation and shall issue a "certificate of election" to each candidate.

A candidate intending to withdraw from the election shall send a statement of withdrawal to the Clerk of the District containing all information necessary to identify the candidate and the office for which the candidate filed. The statement of withdrawal must be acknowledged by the Clerk of the District. A candidate may not withdraw after 5:00 p.m. on the 85th day before the election.

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

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

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

Legal Reference:	§ 13-1-101	Definitions
	§ 13-10-211, MCA	Declaration of intent for write-in candidates
	§ 15-10-425, MCA	Mill levy election
	§ 20-3-304, MCA	Annual election

§ 20-3-305, MCA	Candidate qualification, nomination and withdrawal
§ 20-3-313, MCA	Election by acclamation – notice
§ 20-3-322, MCA	Meetings and quorum
§ 20-3-324(4), MCA	Powers and duties
§ 20-3-344, MCA	Nomination of candidates by petition in first-class elementary district
§ 20-9-353, MCA	Additional financing for general fund election for authorization to impose
§ 20-9-426, MCA	Preparation and form of ballots for bond election
§ 20-20-105, MCA	Regular school election day and special school elections – limitation – exception
§ 20-20-204, MCA	Election Notice
§ 20-20-301, MCA	Qualifications of elector
Senate Bill 15	Revises election laws related to accessibility for disabled electors

Cross References:

Policy History:
Adopted on: 2-1-2021
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Revised on: 8-11-2025

Thompson Falls School District

THE BOARD OF TRUSTEES 1112

Resignations and Other Vacancies

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

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

A Trustee position also shall be vacant when an elected candidate fails to qualify. A resignation of a trustee, for whatever reason, must be submitted in writing to the Clerk of the District and shall specify an effective date.

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

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

Policy History:
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Thompson Falls School District

THE BOARD OF TRUSTEES 1130

Committees

Board Member Committees

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

Citizen Committees

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

Administrative Committees

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

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

Crofts v. Associated Press, 2004 MT 120

Policy History:
Adopted on: 2-1-2021
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Thompson Falls School District

THE BOARD OF TRUSTEES 1210

Qualifications, Terms, and Duties of Board Officers

The Board officers are the Chair and Vice Chair. These officers are elected at the annual organizational meeting for a one (1) year term.

Chair

The Chair may be any trustee of the Board. The duties of the Chair include the following:

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

The Chair is permitted to participate in all Board meetings in a manner equal to all other Board members, including the right to participate in debate and to vote.

Vice Chair

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

Cross Reference:	Policy 1400	Board Meetings
Legal References:	§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
	§ 20-3-321(2), MCA	Organization and officers
	§20-3-352, MCA	Request and determination of number of high school district additional trustee positions - nonvoting trustee

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES 1230

Clerk

The Clerk of the Board shall attend all meetings of the Board, unless excused by the Chair, and shall keep an accurate journal of its proceedings. The Clerk shall have custody of the records, books, and documents of the Board. In the absence or inability of the Clerk to attend a Board meeting, the trustees will have one (1) of their members or a District employee act as clerk for the meeting. The minutes from the meeting will be supplied to the Clerk.

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

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

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

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

Policy History:
Adopted on: 2-1-2021
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Thompson Falls School District

THE BOARD OF TRUSTEES 1240

Duties of Individual Trustees

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

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

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

Cross Reference: 1112 Resignations and Other Vacancies

Legal References:	§ 20-3-301, MCA	Election and term of office
	§ 20-3-308, MCA	Vacancy of trustee position
	§ 20-3-324(21), MCA	Powers and duties
	§ 20-3-332, MCA	Personal immunity and liability of trustees

Policy History:
Adopted on: 2-1-2021
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Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES 1310

District Policy and Procedures

Adoption and Amendment of Policies

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

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

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

Administrative Procedures

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

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Board Meetings

For all meetings of the Board and its committees, the Clerk or designee shall satisfy all notice and posting requirements contained herein, as well as the Open Meetings Act. This shall include providing meeting notification to news media that have officially requested it. The agenda for the meeting shall be posted through a link on the website of the newspaper of general circulation in the District, if offered free of charge, or through a link on the District's website or posted to the District's social media site(s). A copy of the agenda will also be posted at the entrance to the District Office.

Except for an unforeseen emergency or as described below, all meetings must be held in a District building or, by unanimous consent of the Board, in a publicly accessible building located within the District. The Trustees may meet outside the boundaries of the District for collaboration or cooperation on educational issues with other school boards, educational agencies, or cooperatives. Decision making must still occur only at properly noticed meetings held within the District's boundaries.

Regular Meetings

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

Special Meetings

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

Committee Meetings

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

Budget Meetings

On or before August 20 of each year, the Board shall meet to consider all budget information and any attachments required by law. The Board may continue the meeting from day to day but shall adopt the final budget for the District and determine the amounts to be raised by tax levies for the

District not later than August 25, and before the computation of the general fund net levy requirement by the county superintendent and the fixing of the tax levies for each district.

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

Organizational Meeting

After the issuance of the election certificates to the newly elected trustees in May, but not later than twenty-five (25) days after the election, the Board shall convene and elect from among its members a Chair and a Vice-Chair to serve one (1) year terms. The Chair shall serve until the next organization meeting and shall preside at all the meetings of the Board. In addition, the Board shall employ and appoint a competent person as the Clerk of the District at this meeting.

Emergency Meetings

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

Executive Session of Any Meeting

The Board or any committee may hold executive sessions to consider matters of individual privacy or to discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position of the District. Prior to closing the meeting to consider matters or individual privacy, the presiding officer must determine that the demands of individual privacy exceed the merits of public disclosure. The litigation strategy exception is not available if the litigation involves only public bodies or associations as parties.

Legal References:	§ 2-3-103, MCA	Public participation – governor to ensure guidelines adopted (*revised by House Bill 724)*
	§ 2-3-104, MCA	Requirements for compliance with notice provisions
	§ 2-3-105, MCA	Supplemental notice by radio or television
	§ 2-3-201, MCA	Legislative intent – liberal construction
	§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public– exceptions
	§ 20-3-321, MCA	Organization and officers
	§ 20-3-322, MCA	Meeting and quorum (*revised by House Bill 724)*

§ 20-9-115, MCA	Notice of final budget meeting
§ 20-9-131, MCA	Final budget meeting
10.55.701, ARM	Board of Trustees

Policy History
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Records Available to Public

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

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

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

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

The Superintendent shall designate essential records immediately necessary to:

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

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

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

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

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

Legal References:	§ 2-6-110, MCA	Electronic Information and non-print records
	§ 20-3-323, MCA	District policy and record of acts
	§ 20-9-213, MCA	Duties of trustees
	§ 30-14-1704, MCA	Computer Security Breach

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES **1420**

School Board Meeting Procedure

Agenda

The agenda for any Board meeting shall be prepared by the Superintendent in consultation with the Chair. Items submitted by Board members and citizens may be placed on the agenda in the discretion of the Chair and Superintendent. Individuals who wish to be placed on the Board agenda must also notify the Superintendent, in writing, of the request. The request must include the reason for the appearance. If the reason for the appearance is a complaint against any District employee, the individual filing the complaint must demonstrate the Uniform Complaint Procedure has been followed. Citizens wishing to make brief comments about school programs or procedures or items on the agenda need not request placement on the agenda, and they may ask for recognition by the Chair at the appropriate time.

The agenda also must include a "public comment" portion to allow members of the general public to comment on any public matter under the jurisdiction of the District which is not specifically listed on the agenda, except that no member of the public will be allowed to comment on contested cases or other adjudicative proceedings. The Board Chair may place reasonable time limits on any "public comment" period to maintain and ensure effective and efficient operations of the Board. The Board shall not take any action on any matter discussed in the public comment section at that time.

With consent of a majority of members present, the order of business at any meeting may be changed. Copies of the agenda for the current Board meeting, minutes of the previous Board meeting, and relevant supplementary information will be prepared and distributed to each trustee. As determined by the Superintendent and Chair, items may be added to the agenda at least forty-eight (48) hours in advance of a Board meeting. The agenda packet will be available to any interested citizen at the Superintendent's office forty-eight (48) hours before a Board meeting.

Recording of Meetings

The District shall record in an audio and video format all public meetings at which the Board is acting on a matter over which the Board has supervision, control, jurisdiction or advisory power. The audio and video recordings shall be made publicly available within five (5) business days of the meeting through a link to the recording on the District's website or social media page if no District website is maintained.

The audio and video recording shall not be the official record of the meeting except as otherwise designated by the Board of Trustees. Unless designated by the Board as the official record of the meeting, the audio and video recording may be destroyed after being retained online for one (1) year and is not subject to a public records request.

The Board is not required to disrupt or reschedule a meeting if there is a technological failure of the meeting recording. If the recording is not able to be made available online, the Board shall prominently post a notice in the same manner as it posts notices of its meetings and all locations where meeting recording links are available. Such notice shall explain the reason(s) the meeting was not recording and describe the steps taken to remedy the failure prior to the next meeting.

Minutes

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

The date, time and place of the meeting;

The name of the presiding officer;

A record of Board members present and absent;

Summary of discussion on all matters discussed, proposed, deliberated, or decided, and a record of any votes taken;

Detailed statement of all expenditures;

Purpose of recessing to closed session; and

Time of adjournment.

The Board shall keep minutes during all closed sessions. Minutes taken during closed sessions shall be sealed, and will not be released except by court order.

A file of permanent minutes of all meetings shall be maintained by the Clerk. A written copy of the minutes shall be made available to the public within five (5) days following approval by the Board. Sealed minutes taken during any closed session of the Board shall not be made available to the public without a court order.

The Board may direct that an audio recording of a meeting serve as the official record of the meeting. In that case, a written record of the meeting must also be made and must include the information specified above. In addition, a log or time stamp for each agenda item is required for the purpose of providing assistance to the public in accessing that portion of the meeting.

Quorum

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

Meeting Conduct and Order of Business

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

Cross Reference: 1441 Audience Participation and Public Comment

Legal References:	§ 2-3-103, MCA	Public participation - governor to ensure guidelines adopted
	§ 2-3-202, MCA	Meeting defined
	§ 2-3-212, MCA	Minutes of meetings – public inspection
	§ 2-3-214, MCA	Recording of meetings for certain boards
	§ 20-1-212, MCA	Destruction of records by school officer
	§ 20-3-322, MCA	Meetings and quorum
	§ 20-3-323, MCA	District policy and record of acts

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 4-15-2024

Abstentions from Voting

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

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

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

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

Policy History:
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Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES 1441

Audience Participation and Public Comment

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

Board meetings are held in public but are not public meetings. Members of the public shall be recognized and allowed input during the meeting, at the discretion of the Chair. Following recognition by the Chair, individuals must identify themselves and then make comments as the subject permits. The Chair may interrupt or terminate an individual's statement when appropriate, including when statements are out of order, too lengthy, personally directed, abusive, obscene, or irrelevant. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings.

Cross Reference: 1420 School Board Meeting Procedure

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES 1511

Code of Ethics for School Board Members

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

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

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

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

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

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

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

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

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

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

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Conflict of Interest

A trustee may not:

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

Legal References:	§ 2-2-105, MCA	Ethical Requirements for Public Officers and Public Employees
	§ 2-2-121, MCA	Rules of Conduct for Public Officers and Public Employees
	§ 20-9-204, MCA	Conflict of interest
	§ 20-1-201, MCA	School officers not to act as agents
	§ 2-2-302, MCA	Appointment of relative to office of trust or emolument unlawful -- exceptions -- publication of notice.

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES 1513

Management Rights

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

1. Direct employees;

2. Employ, dismiss, promote, transfer, assign, and retain employees;

3. Relieve employees from duties because of lack of work or funds under conditions where continuation of such work would be inefficient and nonproductive;

4. Maintain the efficiency of District operations;

5. Determine the methods, means, job classifications, and personnel by which District operations are to be conducted;

6. Take whatever actions may be necessary to carry out the missions of the District in situations of emergency;

7. Establish the methods and processes by which work is performed.

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

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

Cross Reference: 6110 Superintendent

Legal Reference: § 20-3-324, MCA Powers and duties
§ 39-31-303, MCA Management rights of public employers

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES 1520

Board/Staff Communications

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

Staff Communications to the Board

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

Board Communications to Staff

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

Visits to Schools

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES 1531

Trustee Expenses

In-District

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

Out-of-District

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

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

Cross Reference: 7336 Travel Allowances and Expenses

Legal References:	§ 2-18-503, MCA	Mileage allowance
	§ 20-1-211, MCA	Expenses for officers attending conventions
	§ 20-3-311, MCA	Trustee travel reimbursement

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES 1532

Trustee Insurance

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

Legal References:	§ 20-3-331, MCA	Purchase of insurance – self-insurance plan
	§ 20-3-332, MCA	Personal immunity and liability of trustees

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

THE BOARD OF TRUSTEES 1650

Public Charter Schools

The Board of Trustees may submit an application to the Board of Public Education in response to a request for proposal to establish a public charter school in accordance with Montana law. An application for a public charter school must be consistent with the District's mission and vision specified in its strategic plan for continuous improvement adopted.

Requests for Creation of a School or Program

An individual or entity that is not affiliated with the District may request that the Board create a school or program within the District. Upon receipt of such request, the Board, or a designated committee of the Board, shall determine whether the requested school or program is currently addressed by District operations or meets the District's mission and vision specified in its strategic plan for continuous improvement.

The Board shall respond to a request by an individual or entity unaffiliated with the District to create a school or program by granting or denying such request. The Board may grant such a request and shall establish a timeline for implementing the school or program in a manner consistent with District operations. The Board may deny such request on the grounds that the requested school or program is currently offered by the District. In denying a request on this basis, the Board shall explain how the school or program operates and the process for students to access such school or program. The Board may deny a request on the grounds that the requested school or program is not consistent with the District's mission and vision specified in its strategic plan for continuous improvement and shall specify the inconsistencies in making the denial. The Board may reconsider a denial of a request to create a school or program at a future meeting.

Cross Reference:	Policy 1400	Board Meetings
Legal References:	*House Bill 549*	
	§ 20-6-510, MCA	Public Charter Schools Act

Policy History:
Adopted on: 8-14-23
Reviewed on:
Revised on:

Uniform Complaint Procedure

The Board establishes this Uniform Complaint Procedure as a means to address complaints arising within the District. This Uniform Complaint Procedure is intended to be used for all complaints except those involving challenges to educational material, those governed by a specified procedure in state or federal law that supersedes this grievance process, and those governed by a collective bargaining agreement.

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

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

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

Level 1: Informal

An individual with a complaint should discuss it with the appropriate teacher, counselor, or building administrator, with the objective of resolving the matter promptly and informally. In the event that resolution is not achieved, the individual may file a written complaint within thirty (30) days of completion of the informal resolution process. An exception is that a complaint of sexual harassment should be discussed directly with an administrator not involved in the alleged harassment.

Level 2: Building Administrator

When a complaint has not been or cannot be resolved at Level 1, an individual may file a formal signed and dated written complaint stating: (1) the nature of the complaint; (2) a description of the event or incident giving rise to the complaint, including any school personnel involved; and

(3) the remedy or resolution requested. This written complaint must be filed within thirty (30) calendar days of the event or incident or from the date an individual could reasonably become aware of such event or incident or completion of the informal resolution process.

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

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

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

Level 3: Superintendent

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

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

Level 4: The Board

Upon written appeal, the Board will consider the Superintendent's decision in Level 2 or 3. Upon receipt of written request for appeal, the Chair will place the appeal on the agenda of a regular or special Board meeting. The Board will report its decision on the appeal, in writing, to all parties, within thirty (30) calendar days of the Board meeting at which the Board considered the appeal. A decision of the Board is final, unless it is appealed pursuant to Montana law within the period provided by law.

Level 5: County Superintendent

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

An individual may obtain a written copy of this policy by requesting one through the Superintendent. This procedure is available on the District's website.

Cross References: Title IX Grievance Procedure
Section 504 Grievance Procedure
Board Policy 2158

Legal Reference: Title IX of the Education Amendments of 1972 (Civil Rights Act)
Title II of the Americans with Disabilities Act of 1990
§ 504 of the Rehabilitation Act of 1973
34 C.F.R. Part 106 Nondiscrimination on the Basis of Sex in Education
§ 20-3-323, MCA District policy and record of acts *(revised by House Bill 504)*

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

THOMPSON FALLS SCHOOL DISTRICT

2000 SERIES
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Thompson Falls School District

INSTRUCTION 2000

Goals

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

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

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

- A review and evaluation of the present curriculum;
- A projection of curriculum and resource needs;
- An evaluation of, and plan to eliminate, any sexual, cultural, ethnic, or religious bias that may be present in the curriculum or instructional materials and methods;
- A plan for new or revised instructional program implementations; and
- A review of present and future facility needs.

Legal Reference: 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2100

School Year Calendar and Day

School Calendar

Subject to Montana law, and any applicable collective bargaining agreement covering the employment of affected employees, the trustees shall set the number of hours in a school term, the length of the school day, and the number of school days in a school week. When proposing to adopt changes to a previously adopted school term, school week, or school day, the trustees shall: (a) negotiate the changes with the recognized collective bargaining unit representing the employees affected by the changes; (b) solicit input from the employees affected by the changes but not represented by a collective bargaining agreement; (c) and from the people who live within the boundaries of the school district.

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

Commemorative Holidays

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

School Holidays

The schools in the District shall be closed on the following holidays: New Year's Day; Good Friday; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Friday after Thanksgiving; Christmas Day; and State and national election days when the school building is used as a polling place and the conduct of school would interfere with the election process at the polling place. When these holidays fall on Saturday or Sunday, the preceding Friday or the succeeding Monday shall not be a school holiday. The Board may establish other holidays.

Legal References:	§ 20-1-301, MCA	School fiscal year
	§ 20-1-302, MCA	School day and week
	§ 20-1-303, MCA	Conduct of School on Saturday or Sunday prohibited – exceptions
	§ 20-1-306, MCA	Commemorative exercises on certain days
	ARM 10.55.701	Board of Trustees

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2105

Grade Organization

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

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

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

Kindergarten Program

The Board has designated the kindergarten program as a full-time program. Parents may enroll their children half time pursuant to Montana law.

Legal Reference:	§ 20-6-501, MCA	Definition of various schools
	§ 20-7-117, MCA	Kindergarten and Preschool Programs

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

STUDENT INSTRUCTION

Curriculum Development, Content, and Assessment

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

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

In all program areas and at all levels, the District shall assess student progress toward achieving content standards and content-specific grade-level learning progressions including:

- Content and data;
- Accomplishment of appropriate skills;
- Development of critical thinking and reasoning; and
- Attitude.

The District will use assessment results to improve the educational program and use effective and appropriate tools for assessing such progress. This may include, but is not limited to:

- Standardized tests;
- Criterion-referenced tests;
- Teacher-made tests;
- Ongoing classroom evaluation;
- Actual communication assessments such as writing, speaking and listening assessments;
- Samples of student work and/or narrative reports passed from grade to grade;
- Samples of students' creative and/or performance work; and
- Surveys of carry-over skills to other program areas and outside of school.

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

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

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

Legal References:	§ 20-1-101, MCA	Definitions (*revised by House Bill 214)*
	§ 20-3-324, MCA	Powers and duties
	§ 20-4-402, MCA	Duties of district superintendent or county high school principal
	§ 20-7-118, MCA	Remote Instruction (*revised by House Bill 214*)
	§ 20-7-602, MCA	Textbook selection and adoption
	10.55.603, ARM	Curriculum and Assessment
	§ 20-7-902, MCA	School district programs to identify and serve the gifted and talented child
Cross References:	2000	Goals

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Student and Family Privacy Rights

All fundamental parental rights are exclusively reserved to the parent of a child without obstruction or interference by a governmental entity in accordance with the common law, state and federal law, and Board policies.

Except for information necessary that is necessary and essential for establishing a student's education record or for a demographic survey to validate an achievement test used to gain admission to a postsecondary institution, a parent has the right to:

- Opt a child out of any personal analysis, evaluation, survey, or data collection by the District that does not require the student's personally identifiable information; or
- Opt a child into any personal analysis, evaluation, survey, or data collection by the District that requires the student's personally identifiable information.

Surveys - General

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

Surveys Created by a Third Party

Before the District administers or distributes a survey created by a third party to a student, the student's parents may inspect the survey upon request and within a reasonable time of their request. This section applies to every survey that is created by a person or entity other than a District official, staff member, or student, regardless of whether the student answering the questions can be identified, and regardless of the subject matter of the questions.

Surveys Requesting Personal Information

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

1. Political affiliations or beliefs of the student or the student's parent/guardian;
2. Mental or psychological problems of the student or the student's family;
3. Behavior or attitudes about sex;
4. Illegal, antisocial, self-incriminating, or demeaning behavior;

5. Critical appraisals of other individuals with whom students have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

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

Instructional Material

A student's parent may, within a reasonable time of the request, inspect any instructional material used as part of their child's educational curriculum. The term "instructional material," for purposes of this policy, means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Collection of Personal Information from Students for Marketing Prohibited

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

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

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

1. College or other post-secondary education recruitment or military recruitment;
2. Book clubs, magazines, and programs providing access to low-cost literary products;
3. Curriculum and instructional materials used by elementary schools and secondary schools;
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for

the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

5. The sale by students of products or services to raise funds for school-related or education-related activities;
6. Student recognition programs.

Notification of Rights and Procedures

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

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

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

Cross Reference:	2311	Instructional Materials
	3200	Student Rights and Responsibilities
	3410	Student Health

Legal Reference:	20 U.S.C. 1232h	Protection of Pupil Rights
	§ 40-6-701, MCA	Interference with Fundamental Parental Rights Restricted

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Thompson Falls School District

STUDENT INSTRUCTION **2135**

Human Sexuality Instruction and Identity Instruction

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

“Human sexuality instruction" means “instruction that has the goal or purpose of studying, exploring, or informing students about any of the following human sexuality topics: intimate relationships, sexual anatomy, sexual reproduction, sexually transmitted infections, sexual acts, abstinence, contraception, or reproductive rights and responsibilities.”

The District recognizes the right of a parent or guardian to consent in writing to a child participating in identity instruction at the beginning of each school year. A child is excused from participating in identity instruction unless the child fails to attend the identity instruction after the parent or guardian has consented to the child’s attendance in such instruction. A parent or guardian may withdraw permission for a child to participate in identity instruction at any time by providing written notice to the Superintendent.

“Identity instruction” means “instruction that has the goal or purpose of studying, exploring, or informing students about gender identity, gender expression, or sexual orientation.”

“Instruction” means the “conduct of organized learning activities, including the provision of materials, for students in a public school, whether conducted by a teacher or other school staff or guests invited at the request of the school or district and regardless of the duration, venue, or method of delivery.”

A teacher’s response to an unexpected student-initiated inquiry related to topics under this policy is not considered “human sexuality instruction” or “identity instruction” to the extent the response is necessary to resolve the inquiry or to maintain civility and decorum in the classroom.

Annual Notice and Availability of Materials

Using the contact information most recently provided by the parent or guardian, the District shall annually notify in advance the parent or guardian of each student scheduled to be enrolled in a course that includes units or lessons on human sexuality instruction or identity instruction regarding:

- the basic content of the human sexuality instruction or identity instruction intended to be taught and the option to review all curriculum materials related to human sexuality instruction or identity instruction in the course;

- the parent or guardian's right to withdraw the student from human sexuality instruction.; and

- the requirement for parental/guardian written permission to allow a child to attend identity instruction.

As part of the annual notice, the District will provide an electronic link to materials or summaries of materials, consistent with copyright laws, for:

- its health enhancement curriculum, including lesson plans or other materials used for human sexuality instruction or identity instruction; and
- a calendar of events or assemblies at which human sexuality instruction or identity instruction will be provided.

The District will make curriculum materials used in human sexuality instruction or identity instruction available for public inspection before use. This will occur on an annual basis. A summary of the District's health enhancement curriculum will be available for public review each year.

Notice Prior to Events, Assemblies, or Introduction of Materials

Parents and guardians will be notified at least 5 school days but not more than 14 school days prior to holding an event or assembly or first introducing material for instructional use. Additional notices are not required.

No Abortion Curriculum

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Guidance and Counseling

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

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

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

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

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

The District may utilize a career coach for educational and career counseling. A career coach may offer opportunities for internships or apprenticeships within the community and assist students with high school course offerings, career options, occupational training, and postsecondary opportunities associated with the student's field of interest.

Legal Reference	§ 49-3-203, MCA	Educational, counseling, and training programs
	10.55.710, ARM	Assignment of School Counseling Staff
	10.55.802, ARM	Opportunity and Educational Equity
	House Bill 458	Career Coaches

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Thompson Falls School District

INSTRUCTION **2150**

Suicide Awareness and Prevention

The Board is committed to protecting the health and well-being of all District students. The Board directs the Superintendent or designee to develop a program and associated procedures to prevent, assess the risk of, intervene in, and respond to suicide that:

promote collaboration with families and community providers in all aspects of suicide prevention and response;

include high quality intervention services for students;

promote interagency cooperation that enable school personnel to identify and access appropriate community resources for use in times of crisis;

address reintegration of youth into a school following a crisis, hospitalization, or treatment;

provide for leadership, planning, and support for students and school;

personnel to ensure appropriate responses for attempted or completed suicides; and

include regular review of the procedures.

The District's suicide prevention program shall be consistent with federal and state law and guidance provided by the Office of Public Instruction.

The District will provide a comprehensive suicide education program within the context of approved curriculum. The District will provide training to administrators, support staff, and other school staff in preventing, assessing the risk of, intervening in, and responding to students at risk of suicide. The training shall be made available annually, but employees working directly with students are required to participate in a minimum of one (1) hour of training every three (3) years. The training shall be provided at no cost to District personnel and shall be consistent with approved material provided by the Office of Public Instruction. Training may be delivered in-person or through videoconference, self-study of designated materials, or self-review of online modules approved by the District.

Legal References:	MCA § 20-7-1310	Youth suicide awareness and prevention training
	ARM 10.55.720	Suicide Prevention and Response

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Parent/Family Engagement Policy

The Board believes that engaging parents/families in the education process is essential to improved academic success for students. The Board recognizes that a student's education is a responsibility shared by the District, parents, families and other members of the community during the entire time a student attends school. The Board believes that the District must create an environment that is conducive to learning and that strong, comprehensive parent/family involvement is an important component. Parent/family involvement in education requires a cooperative effort with roles for the Office of Public Instruction (OPI), the District, parents/families and the community.

Parent/Family Involvement Goals and Plan

The Board recognizes the importance of eliminating barriers that impede parent/family involvement, thereby facilitating an environment that encourages collaboration with parents, families and other members of the community. Therefore, the District will develop and implement a plan to facilitate parent/family involvement that shall include the following six (6) goals:

1. Encourage families to actively participate in the life of the school and feel welcomed, valued, and connected to each other, to school staff, and to what students are learning and doing in class;
2. Encourage families and school staff to engage in regular, two-way meaningful communication about student learning;
3. Encourage families and school staff to continuously collaborate to support student learning and healthy development both at home and at school and have regular opportunities to strengthen their knowledge and skills to do so effectively;
4. Empower parents to be advocates for their own and other children, to ensure that students are treated equitably and have access to learning opportunities that will support their success;
5. Encourage families and school staff to be partners in decisions that affect children and families and together inform, influence, and create policies, practices, and programs;
6. Encourage families and school staff to collaborate with members of the community to connect students, families, and staff to expand learning opportunities, community services, and civic participation; and
7. Encourage families and school staff to collaborate with members of the community to connect students, families, and staff to post-secondary education opportunities, including workforce training, apprenticeship opportunities, career pathways, and degree programs, and encourage students to explore college and career planning tools (including Free Application for Federal Student Aid completion) and incentives provided by post-secondary institutions.

The Board of Trustees, in consultation with parents, teachers, administrators, and students has adopted this District plan for meeting these parent/family involvement goals is to:

1. Provide activities that will educate parents/families regarding the intellectual and developmental needs of their children at all age levels. This will include promoting cooperation between the District and other agencies or school/community groups (such as parent-teacher groups, Head Start, etc.) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development.
2. Implement strategies to involve parents/families in the educational process and laws regarding parent/family rights, including:

    - Keeping parents/families informed of opportunities for involvement and encouraging participation in various District programs.
    - Providing access to Board policies, handbooks, Board and committee agendas, District grievance procedure, and contact information for administrators and Trustees on the District website.
    - Providing access to educational resources and the course of study for parents/families to use together with their children.
    - Keeping parents/families informed of the objectives of District educational and activity programs, their child's participation and progress within these programs, and methods to opt out of educational and instruction programs consistent with parent/family rights.
    - Promoting parents/families and teacher cooperation in homework, attendance, and discipline.
    - Providing information about the nature and purpose of student clubs and groups meeting at the school and right of parents to consent to such participation or withdraw their child from a club or group.
    - Providing an explanation of rights regarding student name and pronoun use consistent with the Family Education Rights and Privacy Act.
3. Enable families to participate in the education of their children through a variety of roles. For example, parents/family members should be given opportunities to provide input into District policies and volunteer time within the classrooms and school programs.
4. Provide professional development opportunities for teachers and staff to enhance their understanding of effective parent/family involvement strategies.
5. Perform regular evaluations of parent/family involvement at each school and at the District level.
6. Provide access, upon request, to any instructional material used as part of the educational curriculum.
7. If practical, provide information in a language understandable to parents.
8. Provide annual notification of educational opportunities of the District.

Cross References:	Board Policy 1700	Uniform Complaint Procedure
	Board Policy 2120	Curriculum Development and Assessment
	Board Policy 2132	Student and Family Privacy Rights
	Board Policy 2140	Guidance and Counseling

	Board Policy 2161	Special Education
	Board Policy 2162	Section 504 of the Rehabilitation Act of 1973 ("Section 504")
	Board Policy 2168	Distance, Online, and Technology-Delivered Learning
	Board Policy 2170	Montana Digital Academy
	Board Policy 2422	Proficiency
	Board Policy 2423	Personalized Learning Opportunities
	Board Policy 3110	Entrance, Placement, and Transfer
	Board Policy 3120	Compulsory Attendance
	Board Policy 3141	Discretionary Nonresident Student Attendance Policy
	Board Policy 3150	Part-Time Attendance
	Board Policy 3600	Student Records
	Board Policy 4700	Family Engagement
Legal Reference:	20 U.S.C. § 1401 *et seq.*	Individuals with Disabilities Education Act
	29 U.S.C. § 794	Section 504 of the Rehabilitation Act
	§ 20-3-324, MCA	Powers and Duties
	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-112, MCA	Participation in extracurricular activities
	§ 20-7-117, MCA	Kindergarten and preschool programs
	§ 20-7-118, MCA	Offsite Provision Of Educational Services
	§ 20-7-411, MCA	Obligation to Establish Special Education Program
	§ 20-7-1601, MCA	Forms of personalized learning
	§ 20-7-1506, MCA	Incentives for creation of advanced opportunity programs
	§ 20-7-1510, MCA	Credit for participating in work-based learning partnerships
	§ 20-9-706, MCA	Running start program
	§ 20-7-1201, MCA *et seq.*	Montana Digital Academy
	§ 20-5-301, MCA *et. seq.*	Attendance Outside School District
	§ 20-7-301, MCA *et. seq.*	Vocational and Technical Education
	§ 20-3-301, MCA *et. seq.*	Board of Trustees
	§ 40-6-701, MCA	Fundamental Rights of Parents
	10.55.601, ARM *et seq.*	Accreditation
	House Bill 676	Increase parental involvement in education
	10.55.722, ARM	Family and Community Engagement

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Federal Funding and Title I

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

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

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

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

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

Parental and Family Engagement

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

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

School-Parent Compact

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

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

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

Interactions with Parents and Families

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

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

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

Accessibility

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

Review

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

Cross Reference:	Board Policy 4700 Administrative Procedures
Legal Reference:	Title I of the Elementary and Secondary Education Act, 20 U.S.C. § 6301-6514, as implemented by 34 C.F.R. part 200 of the No Child Left Behind Act of 2001 and as amended by the Every Student Succeeds Act, P.L. 114-95 *Agostini v. Felton,* 521 U.S.103 (1997)

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2161

Special Education

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

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

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2162

Section 504 of the Rehabilitation Act of 1973 ("Section 504")

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

Cross Reference: Administrative Procedures

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2163

Traffic Education

Thompson Falls School District will provide a drivers' training instruction program for students who (1) live within the geographic boundaries of the public school district, whether or not they are enrolled in the public school district or (2) are enrolled in the school district as an out of district student and provided that students enrolled in the course will have reached their fifteenth (15th) birthday within six (6) months of course completion and have not yet reached nineteen (19) years of age on or before September 10 of the school year in which the student participates in traffic education.

All eligible students will be treated fairly and without bias in the notification, enrollment, and class administration procedures associated with the traffic education program. Students are scheduled by age, with the oldest student having first priority.

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

Legal Reference:	§ 20-7-502, MCA	Duties of superintendent of public instruction
	§ 20-7-503, MCA	District establishment of traffic education program
	§ 20-7-507, MCA	District traffic education fund
	10.13.307, ARM	Program Requirements
	10.13.312, ARM	Student Enrollment

Policy History:
Adopted on: 3/1/2021
Reviewed on:
Revised on:

Early Targeted Intervention Programs

The Board seeks to collaborate with the Board of Public Education and the Office of Public Instruction to provide parents with voluntary early interventions for their children, increase the number of children who are reading and math proficient at the end of 3rd grade to help children develop their full educational potential pursuant to Article X, Section (1)(1) of the Montana Constitution, and foster a strong economic return for the state on early educational investment through enhancing Montana's skilled workforce and decreasing future reliance on social programs and the criminal justice systems.

A child is eligible for an Early Targeted Intervention Program if, based upon an evaluation administered at the request of and with the consent of the child's parent or guardian, the child is evaluated to be below trajectory for 3rd-grade reading or math proficiency for the child's age or grade level for the subsequent school year. The evaluation used shall be in accordance with the methodology approved by the Board of Public Education. The Board has determined it will offer the following Early Targeted Intervention Program(s) for an eligible child:

- Beginning in the 2026-27 school year a full-time classroom-based program for eligible children who are four (4) years of age or older on or before September 10 of the year in which the children are to participate in the program and are not entering and have not completed kindergarten. A parent/guardian may enroll an eligible child in full-time classroom-based program on a part-time basis. The classroom-based program must align with developmentally appropriate early education learning standards determined by the Board of Public Education.
- A home-based program selected by the Board of Public Education and supported by the Office of Public Instruction.
- A jumpstart program for eligible children who are five years of age or older on or before September 10 of the year in which the children are to participate in the program and who have not yet completed 3rd grade. The jumpstart program shall occur during the time between the end of one school calendar year and the start of the next school calendar year as determined by the Board preceding a child's entry into kindergarten, 1st grade, 2nd grade, or 3rd grade. The jumpstart program shall be at least 4 weeks in duration and provide at least 120 instructional hours and be aligned to the framework determined by the Board of Public Education. The jumpstart program shall be designed in a manner to increase the likelihood of a child being evaluated at the end of the ensuing school year to be at or above a trajectory leading to reading or math proficiency at the end of 3rd grade.

Cross Reference:	3110	Entrance, Transfer, and Placement
	3141	Discretionary Nonresident Student Attendance

Legal Reference:	§ 20-7-1801, *et seq,* MCA	Early Targeted Interventions
	Title 10, Chapter 63, ARM	Early Childhood Education Standard (Eff. July 1, 2025)

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Distance, Online, and Technology-Delivered Learning

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

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

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

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

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

1. Prior permission has been granted by the principal;
2. The program fits the education plan submitted by the regularly enrolled student; and
3. Credit is granted for schools and institutions approved by the District after evaluation for a particular course offering.

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

Legal Reference: ARM 10.55.602 Definitions

ARM 10.55.705	Administrative Personnel; Assignment of School Administrators/Principals
ARM 10.55.907	Distance, Online, and Technology Delivered Learning

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2170

Montana Digital Academy

The District recognizes that students enrolled on a full-time or part-time basis may require greater flexibility in their educational programs, including but not limited to lack of teacher or course availability, individual learning styles, accelerate learning, and earning college credit. The Montana Digital Academy offers instruction through remote instruction that may fulfill these needs. The Montana Digital Academy enhances Montana's system of education and supports the development of the full educational potential of each person consistent with the provisions of Article X, Section 1(1) of Montana's Constitution.

The Superintendent or designee shall determine eligibility for enrolling in courses offered by the Montana Digital Academy and may adopt procedures regarding participation in Montana Digital Academy courses. The District will pay any fees required by the Montana Digital Academy for students enrolling in courses required for graduation. The District may charge students a reasonable fee for enrolling in a Montana Digital Academy course not required for graduation. The Board of Trustees authorizes the Superintendent to waive such fees in the case of financial hardship.

Legal Reference: § 20-7-1201, MCA *et. seq.* Montana Digital Academy

Policy History:
Adopted on: 8-14-2023
Reviewed on:
Revised on:

Thompson Falls School District

INSTRUCTION 2171

Significant Writing Program

The Board of Trustees has determined that a significant writing program is critical for the education program of the students. The significant writing program has been developed by the administration and staff and approved by the Board. Due to financial constraints the District's writing program does not meet the maximum load requirements of a significant writing program as defined in the Administrative Rules of Montana.

Legal References:	10.55.701(2) (p) ARM	Board of Trustees
	10.55.713 (4) ARM	Teacher Load and Class Size

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2250

Community and Adult Education

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2309

Library Materials

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

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

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

Cross Reference:	1700	Uniform Complaint Procedure
	2314	Learning Materials Review
Legal Reference:	§ 20-4-402(5), MCA	Duties of district superintendent or county high school principal
	§ 20-7-203, MCA	Trustees' policies for school library
	§ 20-7-204, MCA	School library book selection

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2311

Instructional Materials

The Board is legally responsible to approve and to provide the necessary instructional materials used in the District. Instructional materials are any material used in classroom instruction, library or any materials to which a teacher might refer a student as part of the course of instruction. Textbooks and instructional materials should provide quality learning experiences for students and:

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

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

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

Cross Reference: 2314 Learning Materials Review

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2312

Copyright

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

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

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

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

Legal Reference: 17 USC 101 - 1010 Federal Copyright Law of 1976

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2314

Learning Materials Review

Citizens objecting to specific learning materials used in the District are encouraged to submit a complaint in writing and to discuss the complaint with the building principal prior to pursuing a formal complaint.

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

Cross Reference: 1700 Uniform Grievance Procedure

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2320

Field Trips, Excursions, and Outdoor Education

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

Field trips of a distance exceeding 600 miles (one way) must be approved by the Superintendent at least 60 days in advance. Students earning the right to travel for competitions with less than the otherwise required 60-days notice may receive approval at the discretion of the Superintendent. Travel outside of the State must be approved by the Superintendent and the Board of Trustees at least six months in advance. The Superintendent may approve all other field trips.

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

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

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

Legal Reference: ARM 37.111.825 Health Supervision and Maintenance

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2330

Controversial Issues and Academic Freedom

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

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

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

- Subjects of a controversial nature shall be defined as a political, religious and moral;
- Both the building principal and the teacher must agree to allow a speaker or material of a controversial nature in the classroom. If the teacher and building principal are unable to agree, then they shall include the Superintendent in the decision-making process; and
- If the material or speaker requests presentation at an assembly, the principal shall make the decision and inform the community.

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Religion and Religious Activities

In keeping with the United States and Montana Constitutions and judicial decisions, the District may not support any religion or endorse religious activity. At the same time, the District may not prohibit private religious expression by students.

Student Prayer and Discussion

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

Staff Members

Staff members may not encourage, discourage, persuade, dissuade, sponsor, participate in, or discriminate against a religious activity or an activity because of its religious content while in the course of performing official duties of that staff member's position(s) with the District.

Assemblies, Extracurricular and Athletic Events

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

Student Religious Expression and Assignments

Students may express their individual religious beliefs in reports, tests, homework, and projects. Staff members should judge their work by ordinary academic standards, including substance, relevance, appearance, composition, and grammar. Student religious expression should neither be favored nor penalized. A student may read the Bible or other religious material during free reading time or when self-selected and consistent with a classroom or course requirements.

Graduation Ceremonies

In order to assure the appropriateness and dignity of the occasion, the District sponsors and pays for graduation ceremonies and retains ultimate control over their structure and content.

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

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

Religion in the Curriculum

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

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

Student Religious Clubs

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

Distribution of Religious Literature

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

Religious Holidays

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

Legal Reference: *Kennedy v. Bremertson Sch. Dist.*, 142 S. Ct. 2407 (2022)
Art. II, Sec. 5, Montana Constitution - Freedom of religion
§ 20-7-112, MCA Sectarian publications prohibited, religious materials allowed, prayer permitted (*revised by House Bills 744, 745)*

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Graduation Ceremonies

Participation

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

Organization and Content of Graduation Ceremonies

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

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

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

> *Any presentation by participants of commencement exercises is the private expression of an individual participant and does not necessarily reflect any official position of the District, its Board, administration or employees, nor does it necessarily indicate the views of any other graduates.*
>
> *The Board recognizes that at graduation time and throughout the course of the educational process, there will be instances when religious values, religious practices and religious persons will have some interaction with the public schools and students. The Board, while not endorsing any religion, recognizes the rights of individuals to have the freedom to express their individual political, social or religious views in a fashion appropriate with school policies.*

Legal Reference:	Art. II, Sec. 5,	Montana Constitution - Freedom of religion
	Art. X, Sec. 7,	Montana Constitution – Nondiscrimination in education
	§ 20-5-201(3), MCA	Duties and sanctions

§ 20-1-308, MCA	Religious instruction released time program
§ 20-7-112, MCA	Sectarian publications prohibited and prayer permitted
Senate Bill 319	

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION **2334**

Release Time for Religious Instruction

The District shall provide religious instruction release time under which a student may be released for one (1) hour per week. This policy includes the following controls:

Parental request is required, in writing, for release time. This request will be renewed annually, or at quarter, semester, etc., as students change their school class schedule.

The release time is to be granted for formal instruction and not for church social activities such as ski trips, campouts, etc.

Cross Reference:	Policy 2410	High School Graduation
	Policy 2413	Credit Transfer and Assessment for Placement

Legal Reference:	Art. II, Sec. 5, Montana Constitution - Freedom of religion	
	Art. X, Sec. 7, Montana Constitution - Nondiscrimination in education	
	§ 20-1-308, MCA	Religious instruction released time program

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Thompson Falls School District

STUDENT INSTRUCTION **2410**

High School Graduation

The Board will award a regular high school diploma to every student enrolled in the District who meets graduation requirements established by the District. The official transcript will indicate the specific courses taken and level of achievement. The Board has established graduation requirements for Thompson Falls High School students. Generally, any change in graduation requirements will become effective for the next class to enter ninth (9th) grade. Exceptions to this rule may be made when it is determined by the Board that proposed changes in graduation requirements will not have a negative effect on students already enrolled in Thompson Falls High School.

To graduate from Thompson Falls High School, a student must have satisfactorily completed at least one (1) semester, and successfully complete requirements, prior to graduation as a Thompson Falls High School student. To be considered for valedictorian or salutatorian honors a student must attend Thompson Falls High School for their last three (3) complete semesters. Highly unusual exceptions may be considered, such as a student exchange program in a recognized school.

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

Credits

Students shall be expected to earn a total of 22 credits for a general diploma and 24 for a college prep diploma in order to complete graduation requirements. Specific credit requirements may be found in the student handbook.

Waiver of Requirement

Graduation requirements generally will not be waived under any circumstances. The Board may waive specific course requirements based on individual student needs and performance levels. Waiver requests shall also be considered with respect to age, maturity, interest, and aspirations of the students and shall be in consultation with the parents or guardians.

Alternative Programs

A student may be given credit for a course satisfactorily completed in a period of time shorter or longer than normally required and, provided that the course meets the district's curriculum and

assessment requirements, which are aligned with the content standards stated in the education program. Credit toward graduation requirements may be granted for planned learning experiences from accredited programs, such as summer school, university courses, correspondence courses, extension, and distance learning courses, adult education, work study, work-based learning partnerships, and other experiential learning opportunities, custom-designed courses, and challenges to current courses. The District shall accept units of credit taken with the approval of the District and which appear on the student's official school transcript. Credit for work experience may be offered when the work program is a part of and supervised by the school. All classes attempted at Thompson Falls High School High School and all acceptable transfer credits shall be recorded on the transcript. All grades earned, including failures and retakes, shall be recorded as such and utilized in the calculation of Grade Point Average and class rank. Credit shall be awarded only once regardless of repetition of the course.

Honor Roll

A student must have a minimum grade-point average of 3.00 to 3.49 to be placed on the "B" honor roll, and a minimum grade-point average of 3.5 to 4.0 to be placed on the "A" honor roll. Specific information regarding honors at graduation are included in the student handbook.

Class Rank (Grade Point Average)

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

Early Graduation

The Board hereby authorizes the Superintendent to recommend to the Board for early graduation students who have completed the minimum requirements for graduation in less than eight semesters.

Educational Disruption

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

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

Legal Reference:	§ 20-5-201, MCA	Duties and sanctions
	10.55.904, ARM	Basic Education Program Offerings: High School
	10.55.906, ARM	High School Credit

10.55.905, ARM	Graduation Requirements
§ 10-1-1402, MCA	Montana Youth Challenge
House Bill 246	Revise education laws to enhance local control and opportunities for pupils
§ 20-1-101, MCA	Definitions
§ 20-3-324, MCA	Powers and duties
§ 20-7-118, MCA	Offsite provision of educational services by school district
§ 20-4-101, MCA	System and definitions of teacher and specialist certification --student teacher exception
§ 20-7-1601, MCA	Forms of personalized learning --legislative intent

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Credit Transfer and Assessment for Placement

Grades 9-12

The District will not approve any requests for transfer of credit from a non-accredited, nonpublic school. Requests for grade placement from any non-accredited, nonpublic school will be subject to examination and approval before being accepted by the District. This will be done by the school counselor or principal

Grades K-8

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

1. A school principal;

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

3. One (1) counselor.

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

1. Documentation that the non-accredited, nonpublic school has provided a comparable number of hours as the child would have attended in a public or private school;

2. That the child followed a similar curriculum as would have been provided in an accredited public or private school;

3. That the result of the test administered indicates the child has mastered most prerequisite skills; and

3. The age appropriate placement for the child.

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

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

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2420

Grading and Progress Reports

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

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

INSTRUCTION 2421

Promotion and Retention

The District believes that parents/guardians and the school staff share the responsibility for helping every student to succeed in whatever grade or class he/she is assigned. However, it is also the belief that every child must have the necessary knowledge and skills before he or she is promoted to the next grade or class. Without this minimum level of performance, it is the responsibility of the parents and the school to work together to help the child and/or provide additional support until he/she has reached the minimum level. Administrative procedures have been developed for a child who demonstrates an inability to meet the expected minimum academic performance standards and can be found in the current student and staff handbooks.

Any student who fails to demonstrate proficiency as determined by the school team may be retained in the current grade level. The final decision will be made by the Superintendent.

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

INSTRUCTION

Proficiency

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

For purposes of this policy and the District's ability to seek additional funding under Montana law based upon student's demonstrating proficiency, "proficiency" is defined as mastering content through application in a performance assessment for a course that is equivalent to a "B" or greater than or equal to 80%. A student's time in a school classroom shall not be considered for determining proficiency. The determination of proficiency shall be made concurrent with the deadline for submission of grades for any course.

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

Legal Reference:	Article X, Section 1, Montana Constitution	
	§ 20-9-311, MCA	Calculation of average number belonging (ANB) – 3-year averaging
	§ 20-3-324, MCA	Powers and duties
	§ 20-7-1602, MCA	Incentives for creation of transformational learning programs
	§ 20-7-118, MCA	Remote Instruction (*revised by House Bill 214*)
	§ 20-7-1601, MCA	Transformational Learning –Legislative Intent (*revised by Senate Bill 8*)
Cross References:	Board Policy 2420	Grading and Progress Reports

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

INSTRUCTION

Personalized Learning Opportunities

The District seeks to create personalized learning opportunities permitted by Montana law, including but not limited to work-based learning, proficiency-based learning, offsite instruction, and transformational learning, to fulfill the people's goal of developing the full educational potential of each person.

Personalized learning opportunities are offered to:

- Develop individualized pathways for career and postsecondary educational opportunities that honor individual interests, passions, strengths, needs, and culture;
- Support the student through the development of relationships among teachers, family, peers, the business community, postsecondary education officials, and other community stakeholders;
- Embed community-based, experiential, online, and work-based learning opportunities;
- Foster a learning environment that incorporates both face-to-face and virtual connections; and
- Support transformational learning through the development of individual learning plans for participating students.

Legal Reference:	Article X, Section 1, Montana Constitution	
	§ 20-9-311	Calculation of average number belonging (ANB) – 3-year averaging
	§ 20-3-324, MCA	Powers and duties
	§ 20-7-118, MCA	Remote Instruction (*revised by House Bill 214*)
	§ 20-7-1601, MCA	Transformational Learning –Legislative Intent (*revised by Senate Bill 8*)
	§ 20-7-1602, MCA	Incentives for creation of transformation learning programs (*revised by Senate Bill 8*)
	10.55.602, ARM	Definitions
	10.55.701, ARM	Board of Trustees

Cross References:	Board Policy 2422	Proficiency

Policy History:
Adopted on: 8-14-2023
Reviewed on:
Revised on:

Thompson Falls School District

INSTRUCTION **2450**

Recognition of Native American Cultural Heritage

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

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

Working in consultation with Montana Tribes in close proximity to the District, when providing instruction, when implementing educational goals or adopting rules relating to education of students in the District;

Periodically reviewing its curriculum to ensure the inclusion of cultural heritage of Native Americans, which will include but not necessarily be limited to:

Considering methods by which to provide books and materials reflecting authentic historical and contemporary portrayals of Native Americans;

Taking into account individual and cultural diversity and differences among students;

Providing necessary training for school personnel, with the objective of gaining an understanding and awareness of Native American culture, which will assist the District's staff in its relations with Native American students and parents.

The Board requires certified staff to satisfy the requirements for instruction in American Indian studies when required by Montana law.

Legal Reference:	Art. X, Sec. 1(2), Montana Constitution	
	§§ 20-1-501, *et seq.,* MCA	Indian Education for All (*revised by Senate Bill 181*)
	10.55.603 ARM	Curriculum and Assessment
	10.55.803 ARM	Learner Access
	10.55.901 ARM	Basic Education Program: Elementary
	10.55.902 ARM	Basic Education Program: Junior High, 7th and 8th Grade Program, or Middle School
	10.55.904 ARM	Basic Education Program Offerings: High School

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Thompson Falls School District

INSTRUCTION **2500**

English Language Learner Program

In accordance with the Board's philosophy to provide a quality educational program to all students, the District shall provide an appropriate planned instructional program for identified students whose dominant language is not English. The purpose of the program is to increase the English proficiency of eligible students, so they can attain academic success. Students who are English Language Learners (ELL) will be identified, assessed, and provided appropriate services.

The Board shall adopt a program of educational services for each student whose dominant language is not English. The program shall include bilingual/bicultural or English as a second language instruction.

The Superintendent or his/her designee shall implement and supervise an (ELL) program which ensures appropriate (ELL) instruction and complies with applicable laws and regulations.

The Superintendent or his/her designee, in conjunction with appropriate stakeholders, shall develop and disseminate written procedures regarding the (ELL) program, including:

1. Program goals.

2. Student enrollment procedures.

3. Assessment procedures for program entrance, measurement of progress, and program exit.

4. Classroom accommodations.

5. Grading policies.

6. List of resources, including support agencies and interpreters.

The District shall establish procedures for identifying students whose language is not English. For students whose dominant language is not English, assessment of the student's English proficiency level must be completed to determine the need for English as a Second Language instruction.

Students whose dominant language is not English should be enrolled in the District, upon proof of residency and other legal requirements. Students shall have access to and be encouraged to participate in all academic and extracurricular activities of the District.

Students participating in (ELL) programs shall be required, with accommodations, to meet established academic standards and graduation requirements adopted by the Board.

The (ELL) program shall be designed to provide instruction which meets each student's individual needs based on the assessment of English proficiency in listening, speaking, reading, and writing. Adequate content-area support shall be provided while the student is learning English, to assure achievement of academic standards.

The (ELL) program shall be evaluated for effectiveness as required, based on the attainment of English proficiency, and shall be revised when necessary.

At the beginning of each school year, the District shall notify parents of students qualifying for (ELL) programs about the instructional program and parental options, as required by law. Parents will be regularly apprised of their student's progress. Whenever possible, communications with parents shall be in the language understood by the parents.

The District shall maintain an effective means of outreach to encourage parental involvement in the education of their children.

Legal Reference: Title VI, Civil Rights Act of 1964
Equal Education Opportunities Act as an amendment to the Education Amendments of 1974 Bilingual Education Act
20 U.S.C. §§ 7401, et seq., as amended by the English Language Acquisition, Language Enhancement, and Academic Achievement Act
Title III, §§ 3001-3304 of HRI, No Child Left Behind Act of 2001, P.L. 107-110
10.55.806 ARM English Learners

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 4-15-2024

Wellness

The District is committed to teaching, encouraging, and supporting healthy eating by students. The District shall provide nutrition education and engage in nutrition promotion that is offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health.

Food Marketing in Schools

School-based marketing will be consistent with nutrition education and health promotions. As such, schools will limit food and beverage marketing to the promotion of foods and beverages that meet the nutrition standards for meals or for food and beverages sold individually.

Nutrition Standards for Foods Available to Students

Meals served through the National School Lunch and Breakfast Programs will meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations which includes but is not limited to the nutritional content standards as set by the Healthy Kids Act. In addition, the District will share information about the nutritious meals with parents and students. Such information is made available on menus, the school website, and on cafeteria menu.

Snacks

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

Free and Reduced-priced Meals

The District will make every effort to eliminate any social stigma attached to the overt identification of student who are eligible for free and reduced-price school meals. Toward this end, schools will utilize electronic identification and payment system and promote the availability of school meals to all students.

Qualifications of School Food Service Staff

Qualified nutrition professionals will administer the school meal programs. The District will provide continuing professional development for all nutrition professionals in schools. Staff development programs should include appropriate certification and/or training programs for child nutrition directors, school nutrition managers, and cafeteria workers, according to their levels of responsibility.

Integrating Physical Activity into the Classroom Setting

The District recognizes that students need opportunities for physical activity beyond physical education class. Toward that end, classroom health education will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to reduce time spent on sedentary activities, such as watching television.

Student Health

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

Staff Wellness

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

Daily Recess

All elementary students will have daily, supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity verbally and through the provision of space and equipment.

Physical Activity Opportunities Before and After School

The District will offer extracurricular physical activity programs, such as physical activity clubs or intramural programs.

Development, Review, and Implementation of the Policy

The District will involve the staff, and the public, including but not limited to parents, students, school food service staff, physical education teachers, school health professionals, trustees,

administrators, and members of the general public in the development, implementation, review, and modification of this policy. The Superintendent or designee is responsible for ensuring compliance with this policy and may develop procedures and regulations to support the implementation of this policy.

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

THOMPSON FALLS SCHOOL DISTRICT

3000 SERIES
STUDENTS

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Thompson Falls School District

STUDENTS **3110**

Entrance, Placement and Transfer

Age

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

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

Exceptional circumstances means:

The student is being admitted into a preschool program established by trustees pursuant to Montana law.

The student is a student with a disability admitted into a special education program within the District for children beginning at age 3.

The student is determined by the trustees to be ready for kindergarten and the child's parents have requested early entry into the District's regular 1-year kindergarten program.

The student is being admitted into an early targeted intervention classroom-based or jumpstart program.

The student is 19 years of age or older and in the trustees' determination would benefit from educational programs offered by a school of the District. A student who is 19 years of age or older on September 10th of the school year would benefit from educational programs offered by a school within the District where:

1. The student is a resident of the District;
2. The student has not graduated;

3. The student is eligible for special education services and is likely to be eligible for adult services for individuals with disabilities due to the significance of the student's disability; and
4. The student's IEP has identified transition goals that focus on preparation for living and working in the community following high school graduation since age 16 or the student's disability has increased in significance after age 16.

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

Entrance – Identity and Immunization

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

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

Placement

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

Children of Relocated Military Families

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

Transfer Students

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

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

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

Cross References:	1700	Uniform Grievance Protocol
	2165	Early Targeted Intervention Programs
	2413	Credit Transfer/Assessment for Placement
	3125	Education of Homeless Children
	3130	Education of Children in Foster Care
	3150	Part-Time Attendance

Legal References:	§ 1-1-215, MCA	Residence -- rules for determining
	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-403, MCA	Immunization requirements
	§ 20-5-404, MCA	Conditional attendance
	§ 20-5-405, MCA	Medical or religious exemption
	§ 20-5-406, MCA	Immunization record
	§ 20-5-502, MCA	Enrollment by caretaker relative -- residency -- affidavit
	§ 20-7-117, MCA	Kindergarten and preschool programs
	§ 20-7-1801, *et seq,* MCA	Early Targeted Interventions
	§ 20-9-311, MCA	Calculation of Average Number Belonging (ANB)
	§ 44-2-511, MCA	School enrollment procedures for missing children
	10.55.701, ARM	Board of Trustees
	10.55.906, ARM	High School Credit

Policy History:
Adopted on: 2-1-2021
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Revised on: 8-11-2025

Thompson Falls School District

STUDENTS 3120

Compulsory Attendance

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

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

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

The provisions above do not apply in the following cases:

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

Compulsory attendance stated above will not apply when children:

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

Legal Reference:	§ 20-1-308, MCA	Religious instruction released time program
	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-102, MCA	Compulsory enrollment and excuses

§ 20-5-103, MCA	Compulsory attendance and excuses (*revised by Senate Bill 518*)
§ 20-5-104, MCA	Attendance officer
§ 20-5-106, MCA	Truancy
§ 20-5-107, MCA	Incapacitated and indigent child attendance
§ 20-5-108, MCA	Tribal agreement with district for Indian child compulsory attendance and other agreements
§ 20-5-202, MCA	Suspension and Expulsion
§ 40-6-701, MCA	Interference with fundamental parental rights restricted

Policy History:
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Thompson Falls School District

STUDENTS 3122

Attendance Policy

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

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

Building level administrators shall act as attendance officers. Attendance procedures for can be found in the current student handbooks.

Legal Reference:	§ 20-5-103, MCA	Compulsory attendance and excuses
	§ 20-5-104, MCA	Attendance officer
	§ 20-5-106, MCA	Truancy

Policy History:
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Revised on:

Thompson Falls School District

STUDENTS 3125

Education of Homeless Children

Every child of a homeless individual and every homeless child are entitled to equal access to the same free, appropriate public education as provided to other students. In addition, homeless students will have access to services comparable to those offered to other students. A "homeless individual" is defined as provided in the McKinney Homeless Assistance Act. The District must assign and admit a child who is homeless to a District school regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The District cannot require an out-of-District attendance agreement and tuition for a homeless child.

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

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

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

Cross Reference:	1700 Uniform Complaint Protocol Administrative Procedures	
Legal Reference:	42 U.S.C. § 11431, et seq. § 20-5-101, MCA	McKinney Homeless Assistance Act Admittance of child to school

Policy History:
Adopted on: 2-1-2021
Revised on:

Thompson Falls School District

STUDENTS 3127

Education of Children in Foster Care

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

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

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

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

Cross References:

Policy History:
Adopted on: 2-1-2021
Revised on:

Children of Military Families

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

Educational Records and Enrollment

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

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

Tuition

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

Placement

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

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

Extracurricular Activities

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

Children of Military Families with Disabilities

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

Legal References:	§ 20-1-230, MCA	Interstate Compact on Educational Opportunity for Military Children
Cross Reference:	2161	Special Education and Accommodations
	2162	Section 504 Procedural Safeguards
	2413	Credit Transfer/Assessment for Placement
	3130	Entrance, Placement and Transfer
	3123	Attendance
	3141	Discretionary Nonresident Student Attendance
	3606	Transfer of Student Records

Policy History:
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Thompson Falls School District

STUDENTS **3141**

Out-of-District Student Enrollment

The Board will enroll out-of-district students in accordance with Montana law and this policy. A student's residence shall be determined pursuant to MCA § 1-1-215 except as otherwise provided by MCA § 20-9-207.

Out-of-District Student Enrollment with Extenuating Circumstances

The District shall enroll out-of-district students when extenuating circumstances exist pursuant to MCA § 20-5-321.

Out-of-District Student Enrollment with no Extenuating Circumstances

The District shall serve students who are residents of the District and out-of-district students who are subject to mandatory enrollment due to extenuating circumstances under MCA § 20-5-321 prior to enrolling other out-of-district students. The District may enroll out-of-district students at the request of the student's parent or guardian as provided in this policy when it is not mandatory because no extenuating circumstances exist. A parent or guardian seeking out-of-district enrollment when not mandatory shall apply on the out-of-district attendance agreement form approved by the Office of Public Instruction to the Board for approval on an annual basis. Out-of-district students shall reapply for admission for each school year. Admission in one school year does not imply or guarantee admission in subsequent years.

Applications for enrollment of out-of-district students must be submitted to the District for consideration for enrollment for the fall semester in the subsequent school year by **September 15th for the first semester and by February 1st for the second semester**; an out-of-district student enrolled before the fall semester shall be considered to be enrolled for the entirety of the school year.

The Superintendent or designee shall review all applications for out-of-district enrollment when it is not mandatory and shall recommend approval or denial of each application to the Board as provided in this policy. As part of the review, the District shall request and review the student records of out-of-district students applying for enrollment prior to making the recommendation to the Board.

The Board shall approve an application for out-of-district attendance unless the trustees find that the impact of approval of the application will negatively impact the quality of education for resident students by grade level, by school, or in the District in the aggregate in one or more of the following ways:

1. The approval would result in exceeding the limits of:
    a. Building construction standards pursuant to Title 50, Chapter 60, MCA;

b. Capacity and ingress and egress elements, either by individual room or by school building of any fire code authorized by Title 50, Chapter 3, MCA;

c. Evacuation elements of the District's adopted school safety plan;

d. Maximum student contact hours for a teacher of the class or maximum class sizes under accreditation standards of the Board of Public Education.

2. The approval would impede meeting goals, standards, or objectives of quality that the trustees have previously adopted in a plan for continuous educational improvement required under the rules adopted by the Board of Public Education.

3. The approval would risk jeopardizing the educational quality within the District because the out-of-district student applying was:

   a. Truant as defined in MCA § 20-5-106 in the last school district attended;

   b. Expelled by another school district at any time; or

   c. Suspended in school or out of school in any school district in which the out-of-district student was enrolled in any of the three (3) school fiscal years preceding the school fiscal year for which attendance is requested. This subsection (c) does not apply to a student eligible for special education or related services.

An eligible child who is not a resident of the District may be accepted by the District to participate in a jumpstart program without an out-of-district attendance agreement and without the payment of tuition.

Within 10 days of receipt of an out-of-district enrollment application, the District shall notify the parent or guardian and the trustees of the student's district of residence of the anticipated date for approval or denial of the application. The Board will consider the recommendation for denial of an out-of-district application in a closed session of the Board unless the parent or guardian waives their respective rights of privacy.

In the event that the District receives more applications for out-of-district students than it can accommodate, the District shall prioritize applications on the basis of the quality of education for students who are residents of the District and obligations of resident taxpayers. The District shall prioritize applications for the enrollment of out-of-district students in the following order provided the criteria established in this policy has been satisfied:

1. Students who attended school within the District the preceding year. In giving priority to students who have attended school within the District, the District will consider the number of years of attendance. Out-of-district students who are currently attending school within the District shall submit an application by **May 15th** prior to the start of the school year in which attendance is sought in order to retain their priority status. If an application for an out-of-district student currently attending school within the District is not submitted by **May15th**, the application will be considered on the same basis as all other applications and subject to the semester deadline stated in this policy.
2. Students who are the children or step-children of nonresident District employees.
3. Students who have siblings attending school within the District.

4. Students who have previously attended school within the District.
5. Students whose parents or guardians own property within the District.
6. Students whose legal residence is adjacent to the boundaries of the District.
7. Students entering kindergarten or grades 6, 7, or 8 and whose district of residence does not provide an equivalent program.
8. When all of the above priorities are equal or not satisfied, the District shall give priority to applications on the basis of time of receipt by the District.

Within 10 days of the decision to approve or deny the enrollment of an out-of-district student and to enter into an out-of-district attendance agreement, the District shall provide copies of the approved or denied attendance agreement to the student's parent or guardian and the student's district of residence. In the event of a denial, the District shall provide the reason permitted by Montana and this policy and supporting documentation.

The District shall notify the district of residence for all out-of-district students enrolled under this policy regarding their tuition obligations under Montana law by July 15 following the year of attendance.

An out-of-district student may not be enrolled for remote instruction unless the student is physically attending a school or offsite instructional setting pursuant to an out-of-district attendance agreement. An out-of-district student may be accepted to participate in a remote instruction course without an out-of-district agreement when the student's district of residence does not provide remote or in-person instruction in an equivalent course.

The out-of-district attendance agreement shall address any transportation obligations of either the district of attendance or the district of residence required by law.

Legal Reference:	§ 1-1-215, MCA	Residence – rules for determining
	§ 20-5-314, MCA	Reciprocal attendance agreement with adjoining state or province
	§ 20-5-320, MCA	Out-of-district attendance by parent or guardian request with no extenuating circumstances
	§ 20-5-321, MCA	Attendance with mandatory approval – tuition and transportation
	§ 20-5-322, MCA	Residency determination – notification – appeal for attendance agreement
	§ 20-5-323, MCA	Tuition and transportation rates
	§ 20-5-324, MCA	Tuition payment provisions -- state obligations -- district obligations -- financing – reporting
	§ 20-7-118, MCA	Remote Instruction
	§ 20-9-707, MCA	Agreement with Montana youth challenge program or accredited Montana job corps program
	10.10.301B, ARM	Out-of-District Attendance Agreements
	10.55.712, ARM	Class Size Elementary

10.55.713, ARM	Teacher load and class size: high school, junior high, middle school, and grades 7 and 8 funded at high school rates

Policy History:
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Revised on: 8-11-2025

Part-Time Attendance

The District shall assign and admit a resident student enrolled in a nonpublic or home school who meets the age requirements established by Montana law. This policy does not restrict or limit the ability of a nonpublic or home school student from participating in extracurricular activities if eligible pursuant to Montana law. The District will also admit a student on a part-time basis as provided in an IEP or Section 504 plan.

Legal Reference:	§ 20-5-101, MCA	Admittance of a child to school (*revised by House Bill 396*)
	§ 20-5-112, MCA	Participation in extracurricular activities
	§ 20-9-311, MCA	Calculation of average number belonging (ANB) – 3-year averaging

Policy History:
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Revised on: 8-14-2023

Thompson Falls School District

STUDENTS 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.

Cross Reference:	3231	Searches and Seizure
	3310	Student Discipline
Legal Reference:	§ 20-4-302, MCA	Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
	§ 20-5-201, MCA	Duties and sanctions
	Tinker v. Des Moines Ind. Sch. Dist., 89 S.Ct. 733 (1969)	

Policy History:
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Thompson Falls School District

STUDENTS **3210**

Equal Educational Opportunity

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

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

Students in private or home school have the right to participate in extracurricular activities in public schools. The District will not restrict extracurricular participation of students in private school or home school based on their enrollment at the public school except as permitted by law. Students in a private or home school seeking to participate in an extracurricular activity shall be required to provide proof of identity and residency to participate.

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

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

Cross References:	Board Policy 3110	Entrance, Placement and Transfer
	Board Policy 3225	Bullying, Harassment, Intimidation and Hazing
Legal References:	§ 49-2-307, MCA	Discrimination in education
	§ 49-3-201, MCA et seq	Governmental Code of Fair Practices
	20 USC 1681 et seq	Title IX
	42 USC § 12111 et seq.	Americans with Disabilities Act
	29 USC § 791 et seq.	Rehabilitation Act of 1973

28 CFR 35.107	Nondiscrimination on the Basis of Disability in State and Local Government Services
34 CFR 104.7	Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance
34 CFR Part 106	Nondiscrimination on the Basis of Sex in Education
10.55.701, ARM	Board of Trustees
§ 20-5-112, MCA	Participation in extracurricular activities (*revised by Senate Bill 350)*
§ 20-5-109, MCA	Nonpublic school requirements for compulsory enrollment exemption
§ 49-2-312, MCA	Discrimination based on vaccination status or possession of immunity passport prohibited

Policy History:
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Thompson Falls School District

STUDENTS 3221

Publications and Distribution or Posting of Materials

School Sponsored Publications

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

Non-School Sponsored Publications

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

Distribution and Posting of Materials

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

Cross Reference:	3310 Student Discipline	
Legal Reference:	§ 20-5-201, MCA	Duties and Sanctions

Policy History:
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Bullying, Harassment, Intimidation, and Hazing

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

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

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

Bullying also includes acts of hazing associated with athletics or school-sponsored organizations or groups. Hazing includes, but is not limited to, any act that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in or affiliation with any District-sponsored activity or grade-level attainment.

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

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

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

Sexual Harassment Prohibited

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

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

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

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

Reporting

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

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

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

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

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

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

Consequences

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

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

Cross References:	1700	Uniform Grievance Protocol Title IX Grievance Procedure Section 504 Grievance Procedure
Legal References:	§ 20-5-207, MCA	Bully-Free Montana Act *(revised by House Bill 450*)
	§ 49-2-307, MCA	Discrimination in education (*revised by House Bill 361*)
	§ 49-3-201, MCA et seq	Governmental Code of Fair Practices
	20 U.S.C § 1681 et seq	Title IX
	34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in Education
	10.55.701, ARM	Board of Trustees
	10.55.719, ARM	Student Protection Procedures
	10.55.801, ARM	School Climate
	House Bill 361	Certain District Policies Prohibited

Policy History:

Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Searches and Seizure

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

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

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

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

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

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

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

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

Students and Their Personal Effects

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

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

Vehicles Parked on School Property

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

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

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

School Property

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

Seizure of Property

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

Cross References: 3310 Student Discipline

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

Policy History:
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Revised on:

Thompson Falls School District

STUDENTS **3235**

Video Surveillance

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

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

The District may video record events open to the public, including but not limited to public performances, athletic competitions, or any rehearsals or practices open to the public, without parental permission.

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

Cross Reference:	3600	Student Records
Legal Reference:	§ 40-6-701, MCA	Interference with fundamental rights of parents restricted (*revised by House Bill 32*)

Policy History:
Adopted on: 2-1-2021
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Revised on: 8-11-2025

Suspension and Expulsion

Suspension

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

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

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

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

Expulsion

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

- The intent to recommend an expulsion;
- The specific charges against the student;
- What rule or regulation was broken;

- The nature of the evidence supporting the charges;
- The date, time and place where the hearing will be held;
- A copy of the procedure that will be followed by the Board; and
- A reminder of the rights the student and parents have, including the right to counsel, the right to cross examine witnesses, and the right to present witnesses.

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

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

Legal References:	§ 20-4-302, MCA	Discipline and punishment of pupils
	§ 20-4-402, MCA	Duties of district superintendent
	§ 20-5-201, MCA	Duties of pupils – sanctions
	§ 20-5-202, MCA	Suspension and expulsion
	20 U.S.C. § 1415(k)	IDEA
	10.55.701, ARM	Board of Trustees

Policy History:
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Thompson Falls School District

STUDENTS **3310**

Student Discipline

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

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

1. Using, possessing, distributing, purchasing or selling tobacco products, vapor products, alternative nicotine products, or marijuana products (tobacco includes but is not limited to cigarettes, e-cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco or any other tobacco or nicotine innovation) (marijuana products include but are not limited to edible products, ointments, tinctures, marijuana derivatives, marijuana concentrates, and marijuana intended for use by smoking or vaping);
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages, including powdered alcohol. Students who may be under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing or selling illegal drugs or controlled substances (includes medical marijuana), look-alike drugs, drug paraphernalia and any such substances that contain chemicals which produce the same effect of illegal substances. Students who may be under the influence of such substances will not be permitted to attend school functions and will be treated as though they had drugs in their possession;
4. Using, possessing, controlling, or transferring a weapon in violation of the "Possession of a Weapon in a School Building" section of this policy.
5. Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon.
6. Disobeying directives from staff members or school officials or disobeying rules and regulations governing student conduct.
7. Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct, including gang or gang activity, except when physical force is determined to be reasonable and necessary and used as self-defense or the defense of another person after an investigation into such conduct.
8. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property.
9. Engaging in any activity that constitutes an interference with school purposes or an educational function or any other disruptive activity.

10. Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic and habitual truants.
11. Hazing or bullying.
12. Forging any signature or making any false entry or attempting to authorize any document used or intended to be used in connection with the operation of a school.
13. Gambling for money.
14. Engaging in dishonesty in academic work, including but not limited to plagiarism, cheating, unauthorized use of artificial intelligence applications to complete schoolwork, submitting work generated by artificial intelligence as original work, or any other form of academic dishonesty.

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

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

Off school grounds at a school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school.

Travel to and from school or a school activity, function, or event.

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

Disciplinary Measures

Disciplinary measures include but are not limited to:

Expulsion

Suspension

Detention, including Saturday school

Loss of student privileges

Loss of bus privileges

Notification to juvenile authorities and/or police

Restitution for damages to school property

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

Gun-Free Schools

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

Possession of a Weapon in a School Building

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

For the purposes of this section only, "school building" means all buildings owned or leased by a local school district that are used for instruction or for student activities; "weapon" means any type of firearm, a knife with a blade four or more inches in length, a sword, a straight razor, a throwing star, nunchucks, brass or metal knuckles, or any other article or instrument possessed with the purpose to commit a criminal offense.

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

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

Legal References:

§ 16-11-302, MCA	Definitions
§ 20-1-220, MCA	Use of tobacco products in public school building or on public school property prohibited (*revised by House Bill 128*)
§ 20-4-302, MCA	Discipline and punishment of pupils
§ 20-5-201, MCA	Duties and sanctions (*revised by House Bill 450*)
§ 20-5-202, MCA	Suspension and Expulsion
§ 20-5-209, MCA	Bullying of student prohibited-self defense authorized *(revised by House Bill 450*)
§ 45-8-361, MCA	Possession of a weapon in school building
§ 45-8-317, MCA	Exceptions

§§ 50-46-301 *et seq*., MCA	Montana Marijuana Act
20 USC §§ 7101 *et seq.*	Safe and Drug-Free Schools & Communities Act
20 USC § 7961	Gun-Free requirements
§ 1-1-204, MCA	Terms denoting state of mind
House Bill 361	Certain District Policies Prohibited

Cross References:

Policy History:
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Thompson Falls School District

STUDENTS **3410**

Student Health/Physical Screenings/Examinations

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

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

Parents will receive written notice of any physical or mental health screening result.

Parents or eligible students will be given the opportunity to opt out of physical or mental health screenings. Further, parents will be notified of the specific or approximate dates during the school year when a physical or mental health screening administered by the District will be conducted.

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

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

Legal Reference:	§ 20-3-324(20), MCA	Powers and duties
	§ 40-6-701, MCA	Interference with Fundamental Parental Rights Restricted – Cause of Action
	20 U.S.C. 1232h(b)	General Provisions Concerning Education

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Thompson Falls School District

STUDENTS 3415

Management of Sports Related Concussions

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

Consistent with guidelines provided by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, the National Federation of High School (NFHS) and the Montana High School Association (MHSA), the District will utilize procedures developed by the MHSA and other pertinent information to inform and educate coaches, athletic trainers, officials, youth athletes, and their parents and/or guardians of the nature and risk of concussions or head injuries, including the dangers associated with continuing to play after a concussion or head injury.

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

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

Legal Reference: Dylan Stiegers Youth Athlete Protection Act

Policy History:

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Thompson Falls School District

STUDENTS **3416**

Administration of Medication

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

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

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

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

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

Administering Medication

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

Emergency Administration of Medication

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

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

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

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

A district can choose to maintain stock supplies of epinephrine, opioid antagonists, and/or albuterol. It can choose all allowed stock supplies, or one or more at its discretion.

The District may maintain a stock supply of autoinjectable epinephrine or epinephrine nasal spray prescribed to it by a physician, advanced practice registered nurse, or physician assistant and filled by a licensed pharmacy. In the event a school within the District chooses to maintain a stock supply of epinephrine autoinjectors or epinephrine nasal spray, it shall inform all parents or guardians about the potential use of the epinephrine autoinjector in an anaphylactic emergency. A school nurse or other authorized personnel will administer autoinjectable epinephrine or epinephrine nasal spray to any student or nonstudent as needed for actual or perceived anaphylaxis. In the event that the District chooses to maintain a stock supply of autoinjectable epinephrine or epinephrine nasal spray, it shall develop the protocol and provide the training required by Montana law.

The District may maintain a stock supply of an opioid antagonist prescribed to it by a physician, advanced practice registered nurse, or physician assistant and filled by a licensed pharmacy. In the event a school within the District chooses to maintain a stock supply of an opioid antagonist, it shall inform all parents or guardians about the potential use of the opioid antagonist in an opioid overdose emergency. A school nurse or other authorized personnel will administer an opioid antagonist to any student or nonstudent as needed for an actual or perceived opioid overdose. In the event that the District chooses to maintain a stock supply of an opioid antagonist, it shall develop the protocol and provide the training required by Montana law.

The District may maintain a stock supply of albuterol, including single-use disposable holding chambers, to be administered by a school nurse or other employee designated by the administration who has undergone required training to be administered to a student or nonstudent as needed for respiratory distress. The District shall obtain a prescription for the stock supply albuterol from a physician, advanced practice registered nurse, or physician assistant and have it filled by a licensed pharmacy. In the event that the District maintains a stock supply of albuterol, it shall develop the protocol and provide the training required by Montana.

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

Self-Administration of Medication

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

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

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

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

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

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

Handing to a student a prefilled, labeled medication holder or a labeled unit dose container, syringe, or original marked and labeled container from a pharmacy;

Opening the lid of a container for a student;

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

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

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

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

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

A written and signed authorization from the parents, an individual who has executed a caretaker relative educational authorization affidavit, or guardians for self-administration of medication, acknowledging that the District or its employees are not liable for injury that results from the student self-administering the medication.

The student must have the prior written approval of his/her primary healthcare provider. The written notice from the student's primary care provider must specify the name and purpose of the medication, the prescribed dosage, frequency with which it may be administered, and the circumstances that may warrant its use.

Documentation that the student has demonstrated to the healthcare practitioner and the school nurse, if available, the skill level necessary to use and administer the medication.

Documentation of a doctor-formulated written treatment plan for managing asthma, severe allergies, or anaphylaxis episodes of the student and for medication use by the student during school hours.

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

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

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

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

Administration of Glucagons

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

Handling and Storage of Medications

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

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

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

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

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

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

Must store controlled substances in a separate compartment, secured and locked at all times. All non-emergency medication shall be kept in a locked, nonportable container, stored in its original container with the original prescription label. Epinephrine, naloxone, and student emergency medication may be kept in portable containers and transported by the school nurse or other authorized school personnel.

Must not allow food to be stored in a refrigeration unit with medications.

Shall notify the building administrator, school district nurse, and parent or guardian of any medication error and document it on the medication administration record.

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

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

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

Disposal of Medication

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

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

Legal Reference:	§ 20-5-412, MCA	Definition – parent-designated adult administration of glucagons – training
	§ 20-5-420, MCA	Self-administration or possession of asthma, severe allergy, or anaphylaxis medication
	24.159.1604, ARM	Tasks Which May Be Routinely Assigned to an Unlicensed Person in Any Setting When a Nurse-Patient Relationship Exists
	§ 37-8-103(1)(c), MCA	Exemptions – limitations on authority conferred
	§ 75-10-1001, *et seq*, MCA	Infectious Waste Management Act
	37.111.812, ARM	Safety Requirements
	§ 20-5-421, MCA	Emergency Use of Epinephrine in School Setting
	§ 20-5-426, MCA	Emergency Use of Opioid Antagonist in School Setting
	House Bill 600	Emergency Use of Albuterol in a School Setting

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Student Fees, Fines, and Charges

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

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

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

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

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

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

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

STUDENTS 3600

Student Records

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

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

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

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Thompson Falls School District

STUDENTS 3606

Transfer of Student Records

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

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

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

STUDENTS 3608

Receipt of Confidential Records

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

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

1. Counselor
2. Nurse
3. Special Education Teacher
4. School Psychologist
5. Administration

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

Cross Reference: 3600 - 3600P Student Records

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

STUDENTS **3612**

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 networks, including access to the Internet, as part of its instructional program and to promote educational excellence by facilitating resource sharing, innovation, and communication.

The District expects all students to take responsibility for appropriate and lawful use of this access, including good behavior online. 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 the use of network and Internet access; however, student cooperation is vital in exercising and promoting responsible use of this access.

The District supports the responsible and appropriate use of Artificial Intelligence (AI) tools for students. Artificial Intelligence (AI) refers to the simulation of human intelligence in machines that are programmed to think and learn. AI can be used to perform tasks that typically require human intelligence, such as understanding language, recognizing patterns, solving problems, support personalized learning, and provide interactive learning experiences.

Curriculum

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

Acceptable Uses

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

2. Unacceptable Uses of Network. The following are considered unacceptable uses and constitute a violation of this policy:

A. Uses that violate the law or encourage others to violate the law, including but not limited to transmitting offensive or harassing messages; offering for sale or use any substance the possession or use of which is prohibited by the District's student discipline policy; viewing, transmitting, or downloading pornographic materials or materials that encourage others to violate the law; intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.

B. Uses that cause harm to others or damage to their property, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating, or otherwise using his/her access to the network or the Internet; uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information.

C. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.

D. Uses that are commercial transactions. Students and other users may not sell or buy anything over the Internet. Students and others should not give information to others, including credit card numbers and social security numbers.

3. Use of AI tools. Students may only use AI tools responsibly and for educational purposes. Students may not use AI tools to engage in any conduct constituting dishonesty in academic work, including but not limited to plagiarism, cheating, unauthorized use of artificial intelligence applications to complete school work, submitting work generated by artificial intelligence as original work, or any other form of academic dishonesty. Students may not use AI tools to violate this Acceptable Use policy or to disseminate or access harmful or inappropriate content. Students may not use AI tools to violate copyright or other laws.

Warranties/Indemnification

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

cooperate with the District in the event of its initiating an investigation of a user's use of access to its computer network and the Internet.

Violations

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Thompson Falls School District

STUDENTS 3630

Cell Phones and Other Electronic Equipment

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

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

STUDENTS **3655**

Student Protection

To promote the safety and protection of students, the District shall conduct a fingerprint-based national criminal history background check before any individual, regardless of employment status, is permitted to have unsupervised contact with a student while in school, at a school-sponsored activity, or in transit to a school-sponsored activity.

All teachers, prior to unsupervised contact with a student, shall submit to a fingerprint-based national criminal history background check pursuant to the educator policies of the Board of Public Education. All other individuals shall submit to the Montana Department of Justice information and material sufficient to obtain a fingerprint-based criminal history background check prior to unsupervised contact with a student. Individuals supervising others who will have unsupervised contact with a student are subject to these requirements.

If an individual has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent, who will decide whether the individual will be declared eligible for unsupervised contact with students or, if required for the position, for employment.

Individuals who will never have unsupervised contact with a student while at school, at a school-sponsored activity, or in transit to a school-sponsored activity are not required by this policy to undergo a fingerprint-based national criminal history background check unless determined necessary by the Superintendent. The Superintendent has the authority to determine whether a fingerprint-based national criminal history background check is required.

Cross Reference:	5122	Fingerprints and Criminal Background Investigations
Legal Reference:	§ 20-3-323, MCA	District policy and record of acts
	§ 44-5-301, MCA	Dissemination of public criminal justice
	§ 44-5-302, MCA	Dissemination of criminal history record information that is not public criminal justice information
	§ 44-5-303, MCA	Dissemination of confidential criminal justice information
	ARM 10.57.201A	Criminal History Background Check
	ARM 10.57.716	Substitute Teachers
	Public Law 105-251	Volunteers for Children Act

Policy History:
Adopted on: 8-11-25
Reviewed on: 8-11-25
Revised on:

THOMPSON FALLS SCHOOL DISTRICT

4000 SERIES
COMMUNITY RELATIONS

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Thompson Falls School District

COMMUNITY RELATIONS 4120

Public Relations

The District will strive to maintain effective two-way communications with the public to enable the Board and staff to interpret schools' needs to the community and provide a means for citizens to express their needs and expectations to the Board and staff.

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

The District may solicit community opinion through parent organizations, parent-teacher conferences, open houses, and other events or activities which may bring staff and citizens together.

Legal Reference: Art. II, Sec. 10, Montana Constitution

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

COMMUNITY RELATIONS 4210

School-Support Organizations

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

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

Fundraising by School Support Organizations

Fundraising by school support groups is considered a usual and desirable part of the function of such groups. Specific fundraising activities must be approved in advance by the Principal. The Principal must be consulted before any expenditure of such funds. All such funds raised by school adjunct groups are to be used for direct or indirect support of school programs. Equipment purchased by support groups and donated to the schools becomes the property of the District and may be used or disposed of in accordance with District policy and state law.

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

COMMUNITY RELATIONS 4301

Visitors to Schools

Board members, parents, and citizens may visit District buildings in accordance with building rules. All visitors shall report to the principal's office on entering any District building. Conferences with teachers should be held outside school hours or during the teacher's conference or preparation time.

Cross Reference: 4313 Disruption of School Operations

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

COMMUNITY RELATIONS 4313

Disruption of School Operations

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

The staff member in charge will make a written report detailing the incident no later than twenty-four (24) hours after the incident occurs. A copy of the report will be given to the staff member's immediate supervisor.

Cross Reference: 4301 Visitors to Schools

Legal Reference:	§ 20-1-206, MCA	Disturbance of school - penalty
	§ 20-5-201, MCA	Duties and sanctions
	§ 45-8-101, MCA	Disorderly conduct

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

COMMUNITY RELATIONS 4315

Conduct on School Property

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

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

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

Cross References:	4313	Disruption of School Operations
Legal References:	§ 20-1-206, MCA	Disturbance of school
	§ 20-1-220, MCA	Use of tobacco on school property prohibited (*revised by House Bill 128*)
	§ 45-8-361, MCA	Possession of a weapon in a school building
	§ 50-46-301, MCA	Montana Medical Marijuana Act

20 USC § 7101	Safe and Drug Free Schools & Community Act

Policy History
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Thompson Falls School District

COMMUNITY RELATIONS 4316

Accommodating Individuals with Disabilities

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

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

Service Animals

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

A service animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this policy. The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. The District may permit the use of a miniature horse by an individual with a disability under circumstances established by the Superintendent.

The Superintendent will establish procedures regarding the use of service animals by individuals with disabilities.

Legal References:	42 U.S.C. § 12111 et seq.	Americans with Disabilities Act
	28 C.F.R. §§ 35.104, 35.136	Nondiscrimination on the Basis of Disability in State and Local Government Services

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

COMMUNITY RELATIONS 4330

Community Use of School Facilities

The Trustees are supportive of the people of the community using the school facilities for both educational and recreational purposes. The Administration shall be charged with the responsibility of coordinating and authorizing use of all grounds and facilities by groups other than those directly connected with the school. The Administration shall develop the rules, regulations, and procedures for the use of facilities. As required by the Boy Scouts of America Equal Access Act, the District shall provide an equal right of access to the Boy Scouts of America and other designated patriotic youth groups. Sexually oriented performances are not permitted on District property.

Legal Reference: 20 USC § 7905 Boy Scouts of America Equal Access Act
House Bill 359 Prohibiting Sexually Oriented Performances on Public Property

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Thompson Falls School District

COMMUNITY RELATIONS 4331

Use of School Property for Posting Notices

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

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

a. Disrupt the educational process;

b. Violate the rights of others;

c. Invade the privacy of others;

d. Infringe on a copyright;

e. Be obscene, vulgar, or indecent; or

f. Promote the use of drugs, alcohol, tobacco, firearms, or certain products that create community concerns.

No commercial publication shall be posted or distributed unless the purpose is to further a school activity, such as graduation, class pictures, or class rings. No information from any candidates for non-student elective offices shall be posted in or around school district property or distributed to the students.

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

COMMUNITY RELATIONS **4332**

Display of Flags and Banners on District Property

The District permits only the following flags and banners to be displayed on district or school property:

- The U.S. flag
- The official flag of the state of Montana or any county, municipality, special district, or other political subdivision within the State
- The official flag of a school district, public university, or community college
- The official flag of any state in the U.S.
- The official flag of any federally recognized tribal nation
- The official flag of any federally recognized foreign nation
- The official flag of any branches and units of the U.S. military
- Official historical flags of the U.S. and the state of Montana, including but not limited to the Betsy Ross flag, Gadsen flag, or other flags of historical significance
- The POW/MIA flag
- Flags or banners representing official school mascots and colors
- Official law enforcement flags, including but not limited to flags honoring law enforcement officers and fallen officers

Legal Reference: *House Bill 819*

Policy History:
Adopted on: 8-11-25
Reviewed on: 8-11-25
Revised on:

Thompson Falls School District

COMMUNITY RELATIONS **4520**

Cooperative Programs with Other Districts and Public Agencies

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

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

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

The District may enter a multidistrict agreement with one or more districts for a district to provide culturally rooted instruction aligned to a learning environment for English language learners or an Indian language immersion program to pupils of a district participating in the multidistrict agreement. The District may enter into a countywide multidistrict agreement for countywide resource sharing or a multicounty regional multidistrict agreement.

Legal Reference:	§§ 7-11-101, *et seq.,* MCA	Interlocal Cooperation Act
	§ 20-3-363, MCA	Multidistrict agreements – fund transfers
	§§ 20-7-451 through 456, MCA	Authorization to create full service education cooperatives
	§§ 20-7-801, *et seq.,* MCA	Public recreation

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023 & 8-11-2025

Registered Sex Offenders

The State of Montana has determined that perpetrators of certain sex crimes pose a continuing threat to society as a whole even after completion of their criminal sentences. Recognizing that the safety and welfare of students is of paramount importance, the District declares that, except in limited circumstances, its property should be off limits to registered sex offenders.

Employment

Notwithstanding any other Board policy, individuals listed by the State of Montana as registered sex offenders are ineligible for employment in any position within the District. However, the Superintendent shall have discretion consistent with other Board policies to recommend an individual whose name has been expunged from the Sex Offender Registry.

School Off Limits

The District hereby declares that no registered sex offender whose victim was a minor may come on, about, or within one thousand (1,000) feet of any District-owned buildings or property except as otherwise provided in this policy. If an administrator becomes aware that such a sex offender is on, about, or within one thousand (1,000) feet of school property, the administrator shall direct the sex offender to immediately leave the area. The Board authorizes the administrator to request the assistance of the appropriate law enforcement authorities to secure the removal of any registered sex offender from the area. If a registered sex offender disregards the terms of this policy or the directives of the school administrator, then the Superintendent is authorized to confer with counsel and to pursue such criminal or civil action as may be necessary to enforce compliance with this policy.

This policy shall not be construed to impose any duty upon any administrator or any other employee of the District to review the Sex Offender Registry or to screen individuals coming on or within one thousand (1,000) feet of school property to ascertain whether they are on the Registry. This policy shall only apply when administrators are actually aware that the person in question is on the Sex Offender Registry and that the offender's victim was a minor.

Rights of Parents on the Sex Offender Registry

In the event that a registered sex offender whose victim was a minor has a child attending the District, the administrator of the school where the child attends shall be authorized to modify this policy's restrictions to permit the parent to drop off and pick up the child from school and to come onto campus to attend parent-teacher conferences. However, the parent may not linger on or about school property before or after dropping off his or her child, and the parent is prohibited from being in any part of the school building except the main office.

This policy does not impose a duty upon the administrator of any school or any other employee of the District to review the Sex Offender Registry and the school system's directory information to ascertain whether a registered sex offender may have a child attending school in the District. The provisions of this policy shall apply only if an administrator actually becomes aware that a parent of a student at the school is a registered sex offender.

To facilitate voluntary compliance with this policy, administrators are encouraged to speak with any affected parents upon learning of their status as registered sex offenders to communicate the restrictions of this policy. At all times, the administrator shall endeavor to protect the privacy of the offender's child.

In the event of a truly exceptional situation, a parent on the Sex Offender Registry may ask the Superintendent for a waiver of this policy to permit the parent to attend these special events. It is the intent of the Board, however, that these special circumstances be truly unusual and infrequent occurrences.

Legal Reference:	§ 46-23-501, MCA	Sexual or Violent Offender Registration Act
	www.doj.mt.gov/svor/	Sexual or Violent Offender Registry

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Family and Community Engagement

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

- Encourage families to actively participate in the life of their children's schools;
- Ensure families feel welcomed, valued, and connected to one another, school staff, and to what students are learning and doing in class;
- Encourage families and school staff to engage in regular, two-way meaningful communication about student learning;
- Ensure continuous collaboration between families and school staff to support student learning and healthy development both at home and at school and have regular opportunities to strengthen their knowledge and skills to do so effectively;
- Empower families to be advocates for their own and other children to ensure that students are treated equitably and have access to learning opportunities that will support their success;
- Allow families and school staff to partner in decisions that affect children and families and together inform, influence, and create policies, practices, and programs;
- Encourage families and school staff to collaborate with members of the community to connect students, families, and staff to expand learning opportunities, community services, and civic preparation;
- Encourage families and school staff to collaborate with members of the community to connect students, families, and staff to post-secondary education opportunities, including workforce training, apprenticeship opportunities, career pathways, and degree programs, and encourage students to explore college and career planning tools (including Free Application for Federal Student Aid completion) and incentives provided by post-secondary institutions.

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

Cross Reference:	Board Policy 2158	Family Engagement Policy
	Board Policy 2160	Federal Funding and Title I
	Administrative Procedures	
Legal Reference:	§ 10.55.722, ARM	Family and Community Engagement

Policy History
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

THOMPSON FALLS SCHOOL DISTRICT

5000 SERIES
PERSONNEL

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PERSONNEL

Equal Employment Opportunity and Non-Discrimination

As required by federal law, including but not limited to the Civil Rights Act of 1964, Title IX, and Section 504 and the Americans with Disabilities Act and their regulations The District will provide equal employment opportunities to and will not discriminate in its educational programs or activities, including in the area of employment, with respect to all persons, regardless of their race, color, religion, creed, national origin, sex, age, ancestry, marital status, military status, citizenship status, use of lawful products while not at work, physical or mental handicap or disability, if otherwise able to perform essential functions of a job with reasonable accommodations, and other legally protected categories. For purposes of this policy, "sex" includes sexual orientation and gender identity and expression.

The District will make reasonable accommodation for an individual with a disability known to the District, if the individual is otherwise qualified for the position, unless the accommodation would impose undue hardship on the District. Covid-19 vaccine status will not be used as a basis to deny or allow equal opportunity to employment.

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

Retaliation against an employee who has filed a discrimination complaint, testified or participated in any manner in a discrimination investigation or proceeding is prohibited.

Cross Reference:	5015 Bullying/Harassment/Intimidation	
	1700 Uniform Complaint Procedure	
	Title IX Sexual Harassment Grievance Procedure	
	Section 504 and ADA Grievance Procedure	
Legal Reference:	29 U.S.C. §§ 621, *et seq*.	Age Discrimination in Employment Act
	42 U.S.C. §§ 12111, *et seq*.	Americans with Disabilities Act, Title I
	29 U.S.C. § 206(d)	Equal Pay Act

8 U.S.C. §§ 1324(a), *et seq*.	Immigration Reform and Control Act
29 U.S.C. §§ 791, *et seq*	Rehabilitation Act of 1973
20 U.S.C. §§ 1681, *et seq.*	Title IX of the Education Amendments,
34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in Education
Montana Constitution, Art. X, § 1 - Educational goals and duties	
§ 49-2-101, *et seq.*, MCA	Human Rights Act
House Bill 702	Prohibits Discrimination Based on Vaccine Status
§ 50-16-502, MCA	Legislative findings *(Cited by House Bill 702)*
Bostock v. Clayton County, 140 S. Ct. 1731 (2020)	

Policy History:
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Thompson Falls School District

PERSONNEL 5012

Sexual Harassment

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

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

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

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

Cross References: Title IX Sexual Harassment Grievance Procedures

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

Policy History:
Adopted on: 2-1-2021
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Bullying/Harassment/Intimidation

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

Definitions

- A "hostile" working environment is one in which the offensive speech or conduct of another person or persons is so severe or pervasive as to interfere with an employee's ability to perform his or her job. To be sufficiently severe, the working environment must be one that a reasonable person would find hostile and abusive. In making its determination, the District shall look at all the circumstances, including the frequency of the offensive speech or conduct; its severity, whether it is physically threatening or humiliating or merely an offensive utterance; and whether it unreasonably interferes with an employee's work performance. To be considered "hostile," the speech or conduct must go beyond rudeness or casual joking, reaching a level of harassment, mockery, ridicule and/or unrelenting teasing. Isolated incidents or petty slights are generally not sufficient to create a hostile working environment. In the absence of any of the conditions described above, actions such as the issuance of a lawful directive, a disciplinary action, a negative performance evaluation, a recommendation for the nonrenewal of an employment contract or the denial for a request for an employment benefit may not constitute the basis for a claim under this policy, but may be pursued through other dispute resolution procedures.
- "Third parties" include but are not limited to coaches, school volunteers, parents, school visitors, service contractors, or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-District athletic competitions or other school events.
- "District" includes District facilities, District premises, and non-District property if the employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events, where the employee is engaged in District business.
- "Harassment, intimidation, or bullying" means any act that substantially interferes with an employee's opportunities or work performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, or anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member or an interference with school purposes or an educational function, and that has the effect of:
    - Physically harming an employee or damaging an employee's property;
    - Knowingly placing an employee in reasonable fear of physical harm to the employee or damage to the employee's property; or

- Creating a hostile working environment.

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

Reporting

All complaints about behavior which allege facts that, if true, could be reasonably found to violate this policy shall be promptly investigated. The investigation may be suspended or terminated if the employee files a claim in another forum making allegations that are the same or similar to those presented in the complaint. Any employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of harassment, intimidation or bullying in violation of this policy is encouraged to immediately report his/her concerns to the building principal, who has overall responsibility for such investigations. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent shall be filed with the Board.

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

Responsibilities

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

Consequences

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

Retaliation and Reprisal

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

Cross Reference:	3325 Bullying, Harassment, Intimidation and Hazing	
Legal Reference:	10.55.701(1)(g), ARM	Board of Trustees
	10.55.801(1)(d), ARM	School Climate

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021

Thompson Falls School District

PERSONNEL **5120**

Hiring Process and Criteria

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

Every applicant must provide the District with written authorization for a criminal background investigation. The Superintendent will keep any conviction record confidential as required by law and District policy. Every newly hired employee must complete all necessary employment verification forms as required by federal and/or state law, including but not limited to verification that the employee is authorized to work in the United States.

Certification

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

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

Cross Reference:	5122	Fingerprints and Criminal Background Investigations Administrative Procedures
Legal Reference:	§ 20-4-202, MCA	Teacher and specialist certification registration
	§ 39-29-102, MCA	Point preference or alternative preference in initial hiring for certain applicants - - substantially equivalent selection procedure
	20 USC § 6301	Every Student Succeeds Act
	House Bill 226	Legal Employment and Government Accountability Law

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Thompson Falls School District

PERSONNEL 5121

Applicability of Personnel Policies

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

Board policies will govern when a matter is not specifically provided for in an applicable collective bargaining agreement.

Legal Reference: § 39-31-102, MCA Chapter not limit on legislative authority

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL **5122**

Criminal Background Investigations

Board policy requires that any finalist recommended to be employed in a paid or volunteer position with the District, involving unsupervised access to students in schools, as determined by the Superintendent, shall submit to a criminal background investigation conducted by the appropriate law enforcement agency. Any offer of employment or appointment will be contingent on results of the criminal background check. In the event that the background check cannot be obtained in a timely fashion, an individual may be recommended for hire or appointment contingent upon positive results of a background check and allowed to work with students through an arrangement which provides for temporary supervision of the employee or volunteer on an as-needed basis.

The following applicants, as a condition for any offer of employment, will be required to authorize, in writing, a name-based and fingerprint criminal background investigation:

A certified teacher seeking full- or part-time employment with the District;

An educational support personnel employee seeking full- or part-time employment with the District;

An employee of a person or firm holding a contract with the District, if the employee is assigned to the District;

A volunteer assigned to work in the District, who has unsupervised access to students; and

Non-licensed substitute teachers.

Any requirement of an applicant to submit to a fingerprint background check will be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If an applicant has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent, who will decide whether the applicant will be declared eligible for appointment or employment. Arrests resolved without conviction will not be considered in the hiring process, unless the charges are pending.

Cross Reference:	Board Policy 3655	Student Protection
Legal Reference:	§ 20-3-323, MCA	District policy and record of acts
	§ 44-5-301, MCA	Dissemination of public criminal justice
	§ 44-5-302, MCA	Dissemination of criminal history record information that is not public criminal justice information

§ 44-5-303, MCA	Dissemination of confidential criminal justice information
ARM 10.57.113	Substitute Teachers
Public Law 105-251	Volunteers for Children Act

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Staff Health

Medical Examinations

Through its overall safety program and various policies pertaining to school personnel, the Board will promote the safety of employees during working hours and assist them in the maintenance of good health. The Board will encourage all its employees to maintain optimum health through the practice of good health habits.

The Board may require physical examinations of its employees, under circumstances defined below. The District will maintain results of physical examinations in medical files separate from the employee's personnel file and will release them only as permitted by law.

Physical Examinations

If the work is of a physically demanding nature, subsequent to a conditional offer of employment and prior to a commencement of work, the District may require an applicant to have a medical examination and to meet any other health requirements that may be imposed by the State. The District may condition an offer of employment on the results of such examination, if all employees who received a conditional offer of employment in the applicable job category are subject to such examination. The report shall certify the employee's ability to perform the job-related functions of the position for which the employee is being considered. Such examination shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions.

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

Communicable Diseases

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

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

Confidentiality

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

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

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

Policy History:
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Thompson Falls School District

PERSONNEL 5140

Classified Employment and Assignment

Each classified employee will be employed under a written contract of a specified term, with a beginning and ending date. The employee will have no expectation of continued employment at the end of the contract term.

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

The Board will determine salary and wages for classified personnel.

Legal Reference:	§ 39-2-904, MCA	Elements of wrongful discharge – presumptive probationary period
	§ 39-2-912, MCA	Exceptions to Wrongful Discharge from Employment Act
	Hunter v. City of Great Falls (2002), 2002 MT 331	
	Whidden v. Nerison, 294 Mont. 346, 981 P.2d 271 (1999)	
	Bowden v. The Anaconda Co., 38 St. Rep. 1974 (D.C. Mont. 1981)	
	Prout v. Sears, Roebuck & Co., 236 Mont. 152, 722 P.2d 288 (1989)	
	Stowers v. Community Medical Center, Inc., 2007 MT 309, 340 Mont. 116, 172 P.2d 1252.	

Policy History:
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Revised on:

Thompson Falls School District

PERSONNEL 5210

Assignments, Reassignments, Transfers

The Superintendent may assign, reassign, and/or transfer positions and duties of all staff. Teachers will be assigned at the levels and in the subjects for which they are licensed and endorsed, or for which they are enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of ARM 10.55.607. The Superintendent will provide for a system of assignment, reassignment, and transfer of classified staff, including voluntary transfers and promotions. Nothing in this policy prevents reassignment of a staff member during a school year.

Classified Staff

The District retains the right of assignment, reassignment, and transfer. Written notice of reassignment or involuntary transfer will be given to the employee. The staff member will be given opportunity to discuss the proposed transfer or reassignment with the Superintendent.

Certified Staff

Notice of their teaching assignments relative to grade level, building, and subject area will be given to teachers before the beginning of the school year.

Provisions governing vacancies, promotions, and voluntary or involuntary transfers may be found in negotiated agreements or employee handbooks.

Legal Reference: *Bonner School District No. 14 v. Bonner Education Association, MEA-MFT, NEA, AFT, AFL-CIO,* (2008) 2008 MT 9
ARM 10.55.602 Definition of Internship
ARM 10.55.607 Internships

Policy History:
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Revised on:

Thompson Falls School District

PERSONNEL 5213

Vacancies

When the District determines that a vacancy exists for certified personnel, the administration will follow the procedures as outlined in the current collective bargaining agreement.

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

Policy History:
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Revised on:

Thompson Falls School District

PERSONNEL 5220

Prohibition on Aiding and Abetting Sexual Abuse

The District prohibits any individual who is a school employee, trustee, officer, contractor, or agent from assisting a current or former school employee, contractor, or agent in obtaining a new job who knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of law. Assisting a person in obtaining a new job employment does not include the routine transmission of administrative or personnel files.

This prohibition does not apply if the information giving rise to probable cause:

1. Has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct and any other authorities required by federal, state or local law, including, but not limited to Title IX; and
2. One of the following three circumstances has occurred:
    a. the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged committed or attempted, solicited, or conspired to commit the violation of local, state, and/or federal law involving in sexual misconduct regarding a minor or student in violation of law;
    b. the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or
    c. the case or investigation remains open and there have been no charges filed against or indictment of the school employee, contractor, or agent more than four years from the date the information was reported to law enforcement.

Legal References: §§ 8038, 8556 Every Student Succeeds Act
Title IX, 20 U.S.C. 1681 *et seq*.
MCA § 20-4-110
MCA §45-5-501, *et seq*.
MCA §41-3-101 *et seq.*
Senate Bill 132

Cross References: Board Policy 5012

Policy History:
Adopted on: 2-1-2021
Revised on:

Evaluation of Non-Administrative Staff

Each non-administrative staff member's job performance will be evaluated by the staff member's direct supervisor. Certified staff members may be evaluated according to the terms stated in the current collective bargaining agreement if applicable. It shall identify what skill sets are to be evaluated, include both summative and formative elements, and include an assessment of the educator's effectiveness in supporting every student in meeting rigorous learning goals through the performance of the educator's duties. Employees have a right to access to the evaluation instrument and a right to respond in writing to the completed evaluation.

Employees shall be evaluated on a regular basis. Classified employees shall be provided performance feedback at least once each year. The Superintendent shall designate who shall perform the evaluations of each employee; normally they will be done by the employee's supervisor. The Superintendent will develop an evaluation instrument for each position within the District.

For employees covered by a negotiated agreement, there may be additional considerations or conditions defined in that document. In such situations, those aspects will be used to guide the evaluation process. Where a specific conflict exists between those agreements and this policy, the requirements of the negotiated agreement shall prevail.

Legal Reference:	10.55.601, ARM	Accreditation Standards: Procedures
	10.55.724, ARM	Evaluation

Policy History:
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Revised on: 8-14-2023

Thompson Falls School District

PERSONNEL 5223

Personal Conduct

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

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

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

No public officer or public employee shall retaliate against or condone or threaten to retaliate against an individual who, in good faith, alleges waste, fraud or abuse.

Administrators and supervisors may set forth specific rules and regulations governing staff conduct on the job within a particular building.

Legal Reference:	§ 20-1-201, MCA	School officers not to act as agents
	House Bill 208	Retaliation Unlawful

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Revised on:

Thompson Falls School District

PERSONNEL 5224

Political Activity

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

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

No District employee may solicit support for or in opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue, while on the job or in or on District property.

Nothing in this policy is intended to restrict the right of District employees to express their personal political views.

Legal Reference:	5 USC 7321, et seq.	Hatch Act
	§ 2-18-620, MCA	Mandatory leave of absence for employees holding public office – return requirements
	§ 13-35-226, MCA	Unlawful acts of employers and employees

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Tobacco, Marijuana, Alcohol and Drug-Free Workplace

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

1. Smoking or otherwise using a tobacco product, vapor product, alternative nicotine product, or marijuana product (tobacco includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, or any other tobacco or nicotine innovation) (marijuana products include but are not limited to edible products, ointments, tinctures, marijuana derivatives, marijuana concentrates, and marijuana intended for use by smoking or vaping) while on District property or while performing work for the District;
2. Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under the influence of a controlled substance while on District premises or while performing work for the District, including employees possessing a "medical marijuana" card.
3. Distributing, consuming, using, possessing, or being under the influence of alcohol while on District premises or while performing work for the District.

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

For purposes of this policy, a controlled substance is one that is:

1. Not legally obtainable;
2. Being used in a manner other than as prescribed;
3. Legally obtainable but has not been legally obtained; or
4. Referenced in federal or state controlled-substance acts.

As a condition of employment, each employee will:

1. Abide by the terms of the District policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her supervisor of his or her conviction under any criminal drug statute, for a violation occurring on District premises or while performing work for the District, no later than five (5) days after such conviction.

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

1. Provide each employee with a copy of the District drug- and alcohol-free workplace policy;
2. Post notice of the District drug- and alcohol-free workplace policy in a place where other information for employees is posted;
3. Enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs, to provide information to District employees; and
4. Inform employees of available drug and alcohol counseling, rehabilitation, reentry, and any employee-assistance programs.

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program.
The Board will take disciplinary action with respect to an employee convicted of a drug offense in the workplace, within thirty (30) days of receiving notice of a conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant, the Superintendent will notify the appropriate state or federal agency from which the District receives contract or grant moneys of an employee's conviction, within ten (10) days after receiving notice of the conviction.

Legal Reference:	41 USC §§ 702, 703, 706	Drug-free workplace requirements for Federal grant recipients
	§ 20-1-220, MCA	Use of tobacco products in public school building or on public school property prohibited (*revised by House Bill 128*)
	§ 50-46-205(2)(b), MCA	Limitations of Medical Marijuana Act

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Thompson Falls School District

PERSONNEL 5228

Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

The District will adhere to federal law and regulations requiring a drug and alcohol testing program for school bus and commercial vehicle drivers.

The program will comply with requirements of the Code of Federal Regulations, Title 49, §§ 382, *et seq.* The Superintendent will adopt and enact regulations consistent with federal regulations, defining the circumstances and procedures for testing.

Legal Reference: 49 U.S.C. § 45101, Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991)
49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs), 382 (Controlled substance and alcohol use and testing), and 395 (Hours of service of drivers)

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL 5231

Personnel Records

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

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

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

Personnel records must be kept for 10 years after termination.

Legal Reference:	Admin. R. Mont. 10.55.701(5)	Board of Trustees
	Admin. R. Mont. 10.55.724	Evaluation
	§ 20-1-212(2), MCA	Destruction of records by school officer

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Thompson Falls School District

PERSONNEL 5232

Abused and Neglected Child Reporting

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

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

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

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL **5250**

Non-Renewal of Employment/Dismissal from Employment

The Board, after receiving the recommendations of the Superintendent, will determine the non-renewal or termination of certified and classified staff, in conformity with state statutes and applicable District policy.

Legal Reference:	§ 20-4-204, MCA	Termination of tenure teacher services
	§ 20-4-206, MCA	Notification of nontenure teacher reelection – acceptance – termination.
	§ 20-4-207, MCA	Dismissal of teacher under contract
	House Bill 602	Require school district personnel to inform board of trustees of reductions in force

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Thompson Falls School District

PERSONNEL 5251

Resignations

The Board authorizes the Superintendent to accept on its behalf resignations from any District employee. The Superintendent shall provide written acceptance of the resignation, including the date of acceptance, to the employee, setting forth the effective date of the resignation.

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

Legal Reference: *Booth v. Argenbright*, 225 M 272, 731 P.2d 1318, 44 St. Rep. 227 (1987)

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL 5253

Retirement Programs for Employees

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

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

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

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

The District will contribute to the PERS whenever a classified employee is employed for more than the equivalent of one hundred twenty (120) full days (960 hours) in any one (1) fiscal year. Part-time employees who are employed for less than 960 hours in a fiscal year may elect PERS coverage, at their option and in accordance with § 19-3-412, MCA.

Legal Reference:	Title 19, Chapter 1, MCA	Social Security
	Title 19, Chapter 3, MCA	Public Employees' Retirement System
	Title 19, Chapter 20, MCA	Teachers' Retirement

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL 5255

Disciplinary Action

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

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

The Superintendent is authorized to immediately suspend a staff member.

Cross Reference	Policy 3310	Student Discipline
Legal Reference:	§ 20-3-210, MCA	Controversy appeals and hearings
	§ 20-3-324, MCA	Powers and duties
	§ 20-4-207, MCA	Dismissal of teacher under contract
	§ 39-2-903, MCA	Definitions
	Johnson v. Columbia Falls Aluminum Company LLC, 2009 MT 108N.	

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL 5256

Reduction in Force

The Board has exclusive authority to determine the appropriate number of employees. A reduction in certified employees may occur as a result of but not be limited to changes in the education program, staff realignment, changes in the size or nature of the student population, financial considerations, or other reasons deemed relevant by the Board.

The Board will follow the procedure stated in the current collective bargaining agreement when considering a reduction in force. The reduction in certified employees, other than administrators, will generally be accomplished through normal attrition when possible. The Board may terminate certified employees, if normal attrition does not meet the required reduction in force.

The Board will consider performance evaluations, staff needs, and other reasons it deems relevant, in determining order of dismissal when it reduces classified staff or discontinues some type of educational service.

Cross Reference:	5250	Non-Renewal of Employment/Dismissal from Employment
Legal Reference:	§ 20-4-206, MCA	Notification of nontenure teacher reelection – acceptance – termination

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Leaves of Absence

Sick and Bereavement Leave

Certified employees will be granted sick leave according to the terms of their collective bargaining agreement.

Classified employees will be granted sick leave benefits in accordance with § 2-18-618, MCA. For classified staff, "sick leave" is defined as a leave of absence, with pay, for a sickness suffered by an employee or an employee's immediate family. Sick leave may be used by an employee when they are unable to perform job duties because of:

A physical or mental illness, injury, or disability;

Maternity or pregnancy-related disability or treatment, including a prenatal care, birth, or medical care for the employee or the employee's child;

Parental leave for a permanent employee as provided in § 2-18-606, MCA;

Quarantine resulting from exposure to a contagious disease;

Examination or treatment by a licensed health care provider;

Short-term attendance, in an agency's discretion to care for a person (who is not the employee or a member of the employee's immediate family) until other care can reasonably be obtained;

Necessary care for a spouse, child or parent with a serious health condition, as defined in the Family and Medical Leave Act of 1993; or

Death or funeral attendance of an immediate family member or, at an agency's discretion, another person.

Nothing in this policy guarantees approval of the granting of such leave in any instance. The District will judge each request in accordance with this policy and governing collective bargaining agreements.

It is understood that seniority will accumulate while a teacher or employee is utilizing sick leave credits. Seniority will not accumulate, unless an employee is in a paid status. Abuse of sick leave is cause for disciplinary action up to and including termination.

Personal Leave

Certified employees will be granted personal and emergency leave according to the terms of their teaching contracts. Administrators will be granted personal and emergency leave pursuant to the terms of their individual contracts, or at the discretion of the Board. Classified staff may be granted personal and emergency leave pursuant to the terms and conditions stated in the current classified staff handbook. Personal and emergency leave is without pay unless otherwise stated.

Civic Duty Leave

Leaves for service on either a jury or in the Legislature will be granted in accordance with state and federal law. A certified staff member hired to replace one serving in the Legislature does not acquire tenure. An employee on leave to hold a public office is not required to use leave or benefits without the employee's consent or to perform work during such leave.

An employee who is summoned to jury duty or subpoenaed to serve as a witness may elect to receive regular salary or to take annual leave during jury time. An employee who elects not to take annual leave, however, must remit to the District all juror and witness fees and allowances (except for expenses and mileage). The District may request the court to excuse an employee from jury duty, when an employee is needed for proper operation of the school.

Legal Reference:	42 USC 2000e	Equal Employment Opportunities
	§ 2-18-601(10), MCA	Definitions
	§ 2-18-618, MCA	Sick leave
	§ 2-18-620, MCA	Mandatory leave of absence for employees holding public office – return requirements
	§ 49-2-310, MCA	Maternity leave – unlawful acts of employers
	§ 49-2-311, MCA	Reinstatement to job following pregnancy-related leave of absence

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Thompson Falls School District

PERSONNEL 5322

Military Leave

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Montana Military Service Employment Rights, the Superintendent shall grant military leave to employees for voluntary or involuntary service in the uniformed services of the United States, upon receipt of the required notice. Benefits shall be maintained for these employees as required by law and/or collective bargaining agreements. A service member who returns to the District for work following a period of active duty must be reinstated to the same or similar position and at the same rate of pay unless otherwise provided by law.

Time spent in active military service shall be counted in the same manner as regular employment for purposes of seniority or District service unless otherwise provided in a collective bargaining agreement.

The District will not discriminate in hiring, reemployment, promotion, or benefits based upon membership or service in the uniformed services.

All requests for military leave will be submitted to the Superintendent, in writing, accompanied by copies of the proper documentation showing the necessity for the military leave request.

When possible, all requests for military leave will be submitted at least one (1) full month in advance of the date military service is to begin.

Persons returning from military leave are asked to give the Superintendent notice of intent to return, in writing, as least one (1) full month in advance of the return date.

Legal Reference:	38 U.S.C. §§ 4301-4333	The Uniformed Services Employment and Reemployment Act of 1994
	§10-1-1004, MCA	Rights under federal law
	§10-1-1005, MCA	Prohibition against employment discrimination
	§10-1-1006, MCA	Entitlement to leave of absence
	§10-1-1007, MCA	Right to return to employment without loss of benefits – exceptions – definition
	§10-1-1009, MCA	Paid military leave for public employees

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL 5325

Breastfeeding Workplace

Recognizing that breastfeeding is a normal part of daily life for mothers and infants and that Montana law authorizes mothers to breastfeed their infants where mothers and children are authorized to be, the District will support women who want to continue breastfeeding after returning from maternity leave.

The District shall provide reasonable unpaid break time each day to an employee who needs to express milk for the employee's child, if breaks are currently allowed. If breaks are not currently allowed, the District shall consider each case and make accommodations as possible. The District is not required to provide break time if to do so would unduly disrupt the District's operations. Supervisors are encouraged to consider flexible schedules when accommodating employee's needs.

The District will make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, where an employee can express the employee's breast milk. The available space will include the provision for lighting and electricity for the pump apparatus. If possible, supervisors will ensure that employees are aware of these workplace accommodations prior to maternity leave.

Legal Reference: Title 39, Chapter 2, Part 2, MCA General Obligations of Employers

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Family Medical Leave

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

Servicemember Family Leave

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

Eligibility

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

The Board has determined that the 12-month period in which an employee may take FMLA leave will be measured forward from the first date an employee takes FMLA leave.

Coordination of Paid Leave

Employees will be required to use appropriate paid leave while on FMLA leave. Workers' compensation absences will be designated FMLA leave.

Medical Certification

The Superintendent has discretion to require medical certification to determine initial or continued eligibility under FMLA as well as fitness for duty.

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL 5331

Insurance Benefits for Employees

Certified employees are eligible for insurance benefits offered by the District as stated in the current collective bargaining agreement. Classified employees who are regularly scheduled to work over 30 hours are eligible for group health insurance benefits contribution on the same basis as the certified staff.

A medical examination at the expense of the employee may be required, if the employee elects to join the District health insurance program after initially refusing coverage during the "open season," as defined in the plan documents. An eligible employee wishing to discontinue or change health insurance coverage must initiate the action by contacting the personnel office and completing appropriate forms.

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL 5333

Holidays

Holidays for certified staff are dictated in part by the school calendar. Temporary employees will not receive holiday pay. Part-time employees will receive holiday pay on a prorated basis.

The holidays required for classified staff, by § 20-1-305, MCA, are:

1. Independence Day (July 4)
2. Labor Day (1st Monday in September)
3. Thanksgiving Day (4th Thursday in November)
4. Christmas Day (December 25th)
5. New Year's Day (January 1)
6. Memorial Day (last Monday in May)
7. President's Day (3rd Monday in February)
8. Martin Luther King Day (3rd Monday in January)
9. State and national election days when the school building is used as a polling place and conduct of school would interfere with the election process

When an employee, as defined above, is required to work any of these holidays, another day shall be granted in lieu of such holiday, unless the employee elects to be paid for the holiday in addition to the employee's regular pay for all time worked on the holiday.

When one of the above holidays falls on Sunday, the following Monday will be a holiday. When one of the above holidays falls on Saturday, the preceding Friday will be a holiday.

When a holiday occurs during a period in which vacation is being taken by an employee, the holiday will not be charged against the employee's annual leave.

Legal Reference: § 20-1-305, MCA School holidays

Policy History:
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Revised on:

Thompson Falls School District

PERSONNEL 5334

Vacations

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

Legal Reference:	§ 2-18-611, MCA	Annual vacation leave
	§ 2-18-612, MCA	Rate earned
	§ 2-18-617, MCA	Accumulation of leave – cash for unused – transfer

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL 5336

Compensatory Time and Overtime for Classified Employees

Non-exempt classified employees who work more than forty (40) hours in a given workweek may receive overtime pay of one and one-half (1½) times the normal hourly rate unless the District and the employee agree to the provision of compensation time at a rate of one and one-half (1½) times all hours worked in excess of forty (40) hours in any workweek. The Superintendent must approve any overtime work of a classified employee.

Any unauthorized overtime may result in disciplinary action up to and including termination.

Under Montana law and the Federal Fair Labor Standards Act, a classified employee may not volunteer to work without pay in an assignment similar to the employee's regular work.

Legal Reference: 29 USC 201, et seq. Fair Labor Standards Act

Policy History:
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Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL 5337

Workers' Compensation Benefits

All employees of the District are covered by workers' compensation benefits. In the event of an industrial accident, an employee should:

1. Attend to first aid and/or medical treatment during an emergency;

2. Correct or report as needing correction a hazardous situation as soon as possible after an emergency situation is stabilized;

3. Report the injury or disabling condition, whether actual or possible, to the immediate supervisor, within forty-eight (48) hours, on the Employer's First Report of Occupational Injury or Disease; and

4. Call or visit the administrative office after medical treatment, if needed, to complete the necessary report of accident and injury on an Occupational Injury or Disease form.

The administrator will notify the immediate supervisor of the report and will include the immediate supervisor as necessary in completing the required report.

An employee who is injured in an industrial accident may be eligible for workers' compensation benefits. By law, employee use of sick leave must be coordinated with receipt of workers' compensation benefits, on a case-by-case basis, in consultation with the Workers' Compensation Division, Department of Labor and Industry.

The District will not automatically and simply defer to a report of industrial accident but will investigate as it deems appropriate to determine: (1) whether continuing hazardous conditions exist which need to be eliminated; and (2) whether in fact an accident attributable to the District working environment occurred as reported. The District may require the employee to authorize the employee's physician to release pertinent medical information to the District or to a physician of the District's choice, should an actual claim be filed against the Workers' Compensation Division, which could result in additional fees being levied against the District.

Legal Reference: §§ 39-71-101, et seq., MCA Workers' Compensation Act

Policy History:
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Revised on:

Employee use of Electronic Mail, Internet, and District Equipment

Electronic mail ("e-mail") is an electronic message that is transmitted between two (2) or more computers or electronic terminals, whether or not the message is converted to hard-copy format after receipt, and whether or not the message is viewed upon transmission or stored for later retrieval. E-mail includes all electronic messages that are transmitted through a local, regional, or global computer network.

Because of the unique nature of e-mail/Internet, and because the District desires to protect its interest with regard to its electronic records, the following rules have been established to address e-mail/Internet usage by all employees:

1. The District e-mail and Internet systems are intended to be used for educational purposes only, and employees should have no expectation of privacy when using the e-mail or Internet systems for any purpose. Employees have no expectation of privacy in District owned technology equipment, including but not limited to District-owned desktops, laptops, memory storage devices, and cell phones.

2. Users of District e-mail and Internet systems are responsible for their appropriate use. All illegal and improper uses of the e-mail and Internet system, including but not limited to extreme network etiquette violations including mail that degrades or demeans other individuals, pornography, obscenity, harassment, solicitation, gambling, and violating copyright or intellectual property rights, are prohibited. Abuse of the e-mail or Internet systems through excessive personal use, or use in violation of the law or District policies, will result in disciplinary action, up to and including termination of employment.

3. All e-mail/Internet records are considered District records and should be transmitted only to individuals who have a need to receive them. If the sender of an e-mail or Internet message does not intend for the e-mail or Internet message to be forwarded, the sender should clearly mark the message "Do Not Forward."

In order to keep District e-mail and Internet systems secure, users may not leave the terminal "signed on" when unattended and may not leave their password available in an obvious place near the terminal or share their password with anyone except the system administrator. The District reserves the right to bypass individual passwords at any time and to monitor the use of such systems by employees.

Additionally, District records and e-mail/Internet records are subject to disclosure to law enforcement or government officials or to other third parties through subpoena or other process. Consequently, the District retains the right to access stored records in cases where there is reasonable cause to expect wrongdoing or misuse of the system and to review, store, and disclose all information sent over the District e-mail systems for any legally permissible reason, including

but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation, and to access District information in the employee's absence. Employee e-mail/Internet messages may not necessarily reflect the views of the District.

Except as provided herein, District employees are prohibited from accessing another employee's e-mail without the expressed consent of the employee. All District employees should be aware that e-mail messages can be retrieved, even if they have been deleted, and that statements made in e-mail communications can form the basis of various legal claims against the individual author or the District.

E-mail sent or received by the District or the District's employees may be considered a public record subject to public disclosure or inspection. All District e-mail and Internet communications may be monitored.

An individual User Release form must be filed with the District.

Policy History:
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Revised on:

Thompson Falls School District

PERSONNEL **5460**

Electronic Resources and Social Networking

The District recognizes that an effective public education system develops students who are globally aware, civically engaged, and capable of managing their lives and careers. The District also believes that students need to be proficient users of information, media, and technology to succeed in a digital world.

Public school employees are held to a high standard of behavior. The Montana Department of Education *Professional Educators of Montana Code of Ethics* requires District staff to maintain a professional relationship with each student, both in and outside the classroom. The District encourages all staff to read and become familiar with the Code of Ethics.

Therefore, the District will use electronic resources as a powerful and compelling means for students to learn core subjects and applied skills in relevant and rigorous ways. It is the District's goal to provide students with rich and ample opportunities to use technology for important purposes in schools just as individuals in workplaces and other real-life settings. The District's technology will enable educators and students to communicate, learn, share, collaborate and create, to think and solve problems, to manage their work and to take ownership of their lives.

The School Board discourages district staff from socializing with students on social networking websites (during school or out-of-school). Staff are reminded that the same relationship, exchange, interaction, information, or behavior that would be unacceptable in a non-technological medium, is unacceptable when done through the use of technology. In fact, due to the vastly increased potential audience digital dissemination presents, extra caution must be exercised by staff to ensure they don't cross the line of acceptability.

Specifically, the following forms of technology-based interactivity or connectivity are expressly not permitted or forbidden:

Sharing personal landline or cell phone numbers with students;

Text messaging students;

Emailing students other than through and to school controlled and monitored accounts;

Soliciting students as friends or contacts on social networking sites;

Accepting the solicitation of students as friends or contacts on social networking sites;

Sharing with students access information to personal websites or other media through which the staff member would share personal information and occurrences.

What in other mediums of expression could remain private opinions, when expressed by staff on a social networking website, have the potential to be disseminated far beyond the speaker's desire or intention, and could undermine the public perception of fitness of the individual to

educate students, and thus undermine teaching effectiveness. In this way, the effect of the expression and publication of such opinions could potentially lead to disciplinary action being taken against the staff member, up to and including termination or nonrenewal of the contract of employment.

Staff shall not access social networking cites using District equipment or personal equipment, including during breaks or preparation periods, during the instructional day, except if the staff member has a duty free period. All school district employees who participate in social networking websites, shall not post any school district data, documents, photographs, logos, or other district owned or created information on any website. Further, the posting of any private or confidential school district material on such websites is strictly prohibited.

The District supports the use of Artificial Intelligence (AI) tools to assist teachers and staff, including but not limited to as a tool to assist with lesson planning, differentiation, and productivity. The use of AI tools shall not act as a substitute for teaching or to replace the teacher's professional judgment. Teachers and staff are expected to model appropriate and ethical use of AI tools for students. Teachers and staff shall not input any student names, grades, or other personally identifiable information into AI tools. Teachers and staff may be required by administration to disclose the use of AI tools.

The Board directs the Superintendent or his/her designee to create strong electronic educational systems that support innovative teaching and learning, to provide appropriate staff development opportunities and to develop procedures to support this policy.

Cross Reference:	5015	Bullying/Harassment/Intimidation
	5223	Personal Conduct
	5255	Disciplinary Action
	Professional Educators of Montana Code of Ethics	

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Thompson Falls School District

PERSONNEL 5500

Payment of Wages Upon Termination

When a District employee quits, is laid off, or is discharged, wages owed will be paid on the next regular pay day for the pay period in which the employee left employment or within fifteen (15) days from the date of separation of employment, whichever occurs first.

In the case of an employee discharged for allegations of theft connected to the employee's work, the District may withhold the value of the theft, provided:

1. The employee agrees in writing to the withholding; or

2. The District files a report of the theft with law enforcement within seven (7) business days of separation.

If no charges are filed within thirty (30) days of the filing of a report with law enforcement, wages are due within a thirty-(30)-day period.

Legal Reference:	§ 39-3-205, MCA	Payment of wages when employee separated from employment prior to payday – exceptions

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

HIPAA

Health Insurance Portability and Accountability Act of 1996 (HIPAA)

The District's group health plan is a Covered Entity under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and its implementing regulations, the Standards for the Privacy of Individually Identifiable Information. In order to comply with HIPAA and its related regulations, the District has implemented the following HIPAA Privacy Policy:

The HIPAA Privacy Rule

The standards found in the Privacy Rule are designed to protect and guard against the misuse of individually identifiable health information, with particular concern regarding employers using an employee's (or dependent's) health information from the group health plan to make adverse employment-related decisions. The Privacy Rule states that verbal, written, or electronic information that can be used to connect a person's name or identity with medical, treatment, or health history information is Protected Health Information (PHI) under the HIPAA Privacy Rule.

Under the HIPAA Privacy Rule:

1. Individuals have a right to access and copy their health record to the extent allowed by HIPAA.
2. Individuals have the right to request an amendment to their health record. The plan may deny an individual's request under certain circumstances specified in the HIPAA Privacy Rule.
3. Individuals have the right to an accounting of disclosures of their health record for reasons other than treatment, payment, or healthcare operations.
4. PHI, including health, medical, and claims records, can be used and disclosed without authorization for specific, limited purposes (treatment, payment, or operations of the group health plan). A valid authorization from the individual must be provided for use or disclosure for other than those purposes.
5. Safeguards are required to protect the privacy of health information.
6. Covered entities are required to issue a notice of privacy practices to their enrollees.
7. Violators are held accountable with civil and criminal penalties for improper use or disclosure of PHI.

Compliance

The District has been designated the Privacy Officer. The Privacy Officer will oversee all ongoing activities related to the development, implementation, maintenance of, and adherence to the District's policies and procedures covering the privacy of and access to patient health information in compliance with HIPAA, other applicable federal and state laws, and the

District's privacy practices.

As required for a Covered Entity under HIPAA, the plan has developed these internal privacy policies and procedures to assure that PHI is protected and that access to and use and disclosure of PHI are restricted in a manner consistent with HIPAA's privacy protections. The policies and procedures recognize routine and recurring disclosures for treatment, payment, and healthcare operations and include physical, electronic, and procedural safeguards to protect PHI. The procedures include safeguards for sending PHI via mail or fax, receiving PHI for plan purposes, and workstation safeguards and procedures for securing and retaining PHI received by the plan. Plan participants are entitled to receive a copy of the plan's policies and procedures upon request.

The District has distributed a notice of privacy practices to plan participants. The notice informs plan participants of their rights and the District's privacy practices related to the use and disclosure of PHI. A copy of this notice may be obtained by contacting the Privacy Officer.

The HIPAA Privacy Rule prohibits the District from disclosing medical information without the patient's written permission other than for treatment, payment, or healthcare operations purposes. An authorization signed by the patient and designating specified individuals to whom the District may disclose specified medical information must be on file, before the plan can discuss a patient's medical information with a third party (such as a spouse, parent, group health plan representative, or other individual).

The District has taken the following steps to ensure PHI is safeguarded:

3. The District has implemented policies and procedures to designate who has and who does not have authorized access to PHI.
4. Documents containing PHI are kept in a restricted/locked area.
5. Computer files with PHI are password protected and have firewalls making unauthorized access difficult.
6. Copies of PHI will be destroyed when information is no longer needed, unless it is required by law to be retained for a specified period of time.
7. The District will act promptly to take reasonable measures to mitigate any harmful effects known to the group health plan, due to a use or disclosure of PHI in violation of the plan's policies, procedures, or requirements of the HIPAA Privacy Rule.
8. The District will appropriately discipline employees who violate the District's group health plan's policies, procedures, or the HIPAA Privacy Rule, up to and including termination of employment if warranted by the circumstances.

The District will ensure health information will not be used in making employment and compensation decisions. The HIPAA Privacy Rule and other applicable laws expressly prohibit an employer from making adverse employment decisions (demotions, terminations, etc.) based on health information received from the group health plan. To the extent possible, the District

has separated the plan operations functions from the employment functions and has safeguards in place to prevent PHI from the plan from going to or being used by an employee's supervisor, manager, or superior to make employment-related decisions.

Complaints

If an employee believes their privacy rights have been violated, they may file a written complaint with the Privacy Officer.

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

PERSONNEL 5700

Conflicts of Interest

Employees shall refrain from any activity that can be reasonably seen as creating a conflict of interest with their duties and responsibilities as employees of the District.

The following conduct is specifically prohibited:

- Using public time, facilities, equipment, supplies, personnel, or funds for the employee's private business purposes;
- Engaging in a substantial financial transaction for the employee's private business purposes with a person whom the employee inspects or supervises in the course of official duties;
- Assisting any person for a fee or other compensation in obtaining a contract, claim, license, or other economic benefit from the District;
- Assisting any person for a contingent fee in obtaining a contract, claim, license, or other economic benefit from the District;
- Performing an official act directly and substantially affecting to its economic benefit a business or other undertaking in which the employee either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent;
- Performing an official act directly and substantially affecting a business or undertaking to its economic detriment a business or other undertaking in which the employee has a substantial personal interest in a competing firm or undertaking;
- Soliciting or accepting employment, or engaging in negotiations or meetings to consider employment, with a person whom the employee regulates in the course of official duties without first giving written notification to the employee's supervisor and Superintendent.

Employees who violate this policy will be subject to disciplinary action, up to and including termination from employment.

Cross Reference:

Legal Reference:	§ 2-2-121, MCA	Rules of conduct for public officers and public employees

Policy History:
Adopted on: 2-1-2021
Revised on:

THOMPSON FALLS SCHOOL DISTRICT

6000 SERIES
ADMINISTRATION

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Thompson Falls School District

ADMINISTRATION 6110

Superintendent

Duties and Authorities

The Superintendent is the District's executive officer and is responsible for the administration and management of District schools, in accordance with Board policies and directives and state and federal law. The Superintendent is authorized to develop administrative procedures to implement Board policy and to delegate duties and responsibilities; however, delegation of a power or duty does not relieve the Superintendent of responsibility for that which was delegated.

Qualifications and Appointment

The Superintendent will have the experience and skills necessary to work effectively with the Board, District employees, students, and the community. The Superintendent must be appropriately licensed and endorsed in accordance with state statutes and Board of Public Education rules; or considered appropriately assigned if the Superintendent is enrolled in an internship program and meets the requirements of Montana regulations.

Evaluation

At least annually, the Board will evaluate the performance of the Superintendent, using standards and objectives developed by the Superintendent and the Board, which are consistent with District mission and goal statements. A specific time shall be designated for a formal evaluation session. The evaluation will include a discussion of professional strengths, as well as performance areas needing improvement.

Compensation and Benefits

The Board and the Superintendent will enter into a contract which conforms to this policy and state law. The contract will govern the employment relationship between the Board and the Superintendent.

Legal Reference:	§ 20-4-402, MCA	Duties of district superintendent or county high school principal
	ARM 10.55.602	Definition of Internship
	ARM 10.55.607	Internships
	ARM 10.55.702	Licensure and Duties of District Administrator – District Superintendent

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

ADMINISTRATION 6110P

Superintendent

The Board will:	**The Superintendent will:**
Select the Superintendent and delegate to him/her all necessary administrative powers.	Serve as chief executive officer of the District.
Adopt policies for the operations of the school system and review administrative procedures.	Recommend policies or policy changes to the Board and develop procedures which implement Board policy.
Formulate a statement of goals reflecting the philosophy of the District.	Provide leadership in the development, operation, supervision, and evaluation of the educational program.
Adopt annual objectives for improvement of the District.	Recommend annual objectives for improvement of the District.
Approve courses of study.	Recommend courses of study.
Approve textbooks.	Recommend textbooks.
Approve the annual budget.	Prepare and submit the annual budget.
Employ certificated and classified staff, in its discretion, upon recommendation of the Superintendent.	Recommend candidates for employment as certificated and classified staff.
Authorize the allocation of certificated and classified staff.	Recommend staff needs based on student enrollment, direct and assign teachers and other employees of the schools under his/her supervision; shall organize, reorganize, and arrange the administrative and supervisory staff, including instruction and business affairs, as best serves the District, subject to the approval of the Board.
Approve contracts for major construction, remodeling, or maintenance.	Recommend contracts for major construction, remodeling, or maintenance.
Approve payment of vouchers and payroll.	Recommend payment of vouchers and payroll.

Approve proposed major changes of school plant and facilities.	Prepare reports regarding school plant and facilities needs.

The Board will:	**The Superintendent will:**
Approve collective bargaining agreements.	Supervise negotiation of collective bargaining agreements.
Assure that appropriate criteria and processes for evaluating staff are in place.	Establish criteria and processes for evaluating staff.
Appoint citizens and staff to serve on special Board committees, if necessary.	Recommend formation of *ad hoc* citizens' committees.
Conduct regular meetings.	As necessary, attend all Board meetings and all Board and citizen committee meetings, serve as an ex-officio member of all Board committees, and provide administrative recommendations on each item of business considered by each of these groups.
Serve as final arbitrator for staff, citizens, and students.	Inform the Board of appeals and implement any such forthcoming Board decisions.
Promptly refer to the Superintendent all criticisms, complaints, and suggestions called to its attention.	Respond and take action on all criticism, complaints, and suggestions, as appropriate.
Authorize the ongoing professional enrichment of its administrative leader, as feasible.	Undertake consultative work, speaking engagements, writing, lecturing, or other professional duties and obligations.
Approve appropriate District expenditures recommended by the Superintendent for the purpose of ongoing District operations.	Diligently investigate and make purchases that benefit the most efficient and functional operation of the District.

<u>Procedure History:</u>
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

ADMINISTRATION 6121

District Organization

The Superintendent shall develop an organizational chart indicating the channels of authority and reporting relationships for school personnel. These channels should be followed, and no level should be bypassed, except in unusual circumstances.

The organization of District positions of employment for purposes of supervision, services, leadership, administration of Board policy, and all other operational tasks shall be on a "line and staff" basis. District personnel occupying these positions of employment shall carry out their duties and responsibilities on the basis of line and staff organization.

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

ADMINISTRATION 6210

Principals

Principals are the chief administrators of their assigned schools and are responsible for the day-to-day operation of their building. The primary responsibility of Principals is the development and improvement of instruction. The majority of the Principals' time shall be spent on curriculum and staff development through formal and informal activities, establishing clear lines of communication regarding the school rules, accomplishments, practices, and policies with parents and teachers. Principals are responsible for management of their staff, maintenance of the facility and equipment, administration of the educational program, control of the students attending the school, management of the school's budget, and communication between the school and the community.

Legal Reference:	§ 20-4-403, MCA	Powers and duties of principal
	10.55.701, ARM	Board of Trustees
	10.55.703, ARM	Licensure and Duties of School Principal

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

ADMINISTRATION 6410

Evaluation of Administrative Staff

Each administrator will be evaluated annually, in order to provide guidance and direction to the administrator in the performance of his/her assignment. Such evaluation will be based on job descriptions, accomplishment of annual goals and performance objectives, and established evaluative criteria. Administrators have a right to access to the evaluation instrument and a right to respond in writing to the completed evaluation.

The Superintendent shall establish procedures for the conduct of these evaluations. Near the beginning of the school year, the Superintendent shall inform the administrator of the criteria to be used for evaluation purposes, including the adopted goals for the District. Such criteria shall include performance statements dealing with leadership; administration and management; school financing; professional preparation; effort toward improvement; interest in students, staff, citizens, and programs; and staff evaluation.

Both the evaluator and the administrator involved in the evaluation will sign the written evaluation report and retain a copy for their records. A person being evaluated has the right to submit and attach a written statement to the evaluation within a reasonable time following the evaluation conference.

Cross Reference: 6140 Duties and Qualifications of Administrative Staff Other Than Superintendent

Legal Reference: 10.55.724, ARM Evaluation

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Thompson Falls School District

ADMINISTRATION 6420

Professional Growth and Development

The Board recognizes that training and study for administrators contribute to skill development necessary to better serve the District's needs. Each year the Superintendent should develop an administrative in-service program based on the needs of the District, as well as the needs of individual administrators.

Administrative staff are encouraged to be members of and participate in professional associations which have as their purposes the upgrading of school administration and the continued improvement of education in general.

Legal Reference: § 20-1-304, MCA Pupil-instruction-related day

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

THOMPSON FALLS SCHOOL DISTRICT

7000 SERIES
FINANCIAL MANAGEMENT

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Thompson Falls School District

FINANCIAL MANAGEMENT 7008

Tuition

Whenever a nonresident student is to be enrolled in the District, either by choice or by placement, an attendance agreement must be filed with the Board. Terms of the agreement must include tuition rate, the party responsible for paying tuition and the schedule of payment, transportation charges, if any, and the party responsible for paying transportation costs.

Tuition rates shall be determined annually, consistent with Montana law and approved by the Board.

Cross Reference: 3141 Discretionary Nonresident Student Attendance Policy

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

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7121

Budget Adjustments

When any budgeted fund line item is in excess of the amount required, the Board may transfer any of the excess appropriation to another line item(s) within the same fund.

The Board authorizes the administration to transfer line items within the same budgeted fund to adjust line item overdrafts or to meet special line item needs. Line item budget transfers to adjust line item overdrafts are at the discretion of the administrators.

Total budget expenditures for each fund as adopted in the final budget shall constitute the appropriations of the District for the ensuing fiscal year. The Board will be limited in the incurring of expenditures to the total of such appropriations.

With timely notice of a public meeting, trustees, by majority vote of those present, may declare by resolution that a budget amendment (in addition to the final budget) is necessary. Budget amendments are authorized for specified reasons by § 20-9-161, MCA. The resolution will state the facts of the budget amendment, the estimated amount of funds needed, and the time and place the Board will meet for the purpose of considering and adopting a budget amendment.

The meeting to adopt a budget amendment will be open and will provide opportunity for any taxpayer to appear and be heard. Budget procedures will be consistent with statutory requirements. When applicable, the District will apply for state financial aid to supplement the amount to be collected from local taxes.

Legal Reference:	§ 20-9-133, MCA	Adoption and expenditure limitations of final budget
	§ 20-9-161, MCA	Definition of budget amendment for budgeting purposes
	§ 20-9-162, MCA	Authorization for budget amendment adoption
	§ 20-9-163, MCA	Resolution for budget amendment – petition to superintendent of public instruction
	§ 20-9-164, MCA	Notice of budget amendment resolution
	§ 20-9-165, MCA	Budget amendment limitation, preparation, and adoption procedures
	§ 20-9-166, MCA	State financial aid for budget amendments
	§ 20-9-208, MCA	Transfers among appropriation items of fund – transfers from fund to fund

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7210

Revenues

The District will seek and utilize all available sources of revenue for financing its educational programs, including revenues from non-tax, local, state, and federal sources. The District will properly credit all revenues received to appropriate funds and accounts as specified by federal and state statutes and accounting and reporting regulations for Montana school districts.

The District will collect and deposit all direct receipts of revenues as necessary but at least once monthly. The District will make an effort to collect all revenues due from all sources, including but not limited to rental fees, bus fees, fines, tuition fees, other fees and charges. Uncollectible checks may be turned over to the county attorney for collection.

Legal Reference:	Title 20, Chapter 9, MCA	Finance
	Title 10, Chapter 10, ARM	Special Accounting Practices

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7251

Disposal of School District Property Without a Vote

The Board is authorized to dispose of a site, building, or any other real or personal property of the District, that is or is about to become abandoned, obsolete, undesirable, or unsuitable for school purposes.

To effect proper disposal, the trustees shall pass a resolution stating their decision concerning property disposal. The resolution will not become effective until fourteen (14) days after the resolution is published in a newspaper of general circulation in the District.

Should any taxpayer properly protest the resolution during the fourteen (14) days after the date of publication, the trustees shall submit testimony to the court with jurisdiction.

Once the resolution is effective, or if appealed the decision has been upheld by the court, the trustees shall sell or dispose of the real or personal property in a reasonable manner determined to be in the best interests of the District. Proceeds from the sale of fixed assets can be deposited to the general, debt service, building, or any other appropriate fund.

Legal Reference:	§ 20-6-604, MCA	Sale of property when resolution passed after hearing – appeal procedure

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7260

Endowments, Gifts, and Investments

The Board may accept gifts, endowments, legacies, and devises subject to the lawful conditions imposed by the donor. Neither the Board nor the Superintendent will approve any gifts that are inappropriate. Except where otherwise specified by the donor, the Board may deposit the gift, legacy, devise, or proceeds in any budgeted or nonbudgeted fund and may thereafter transfer any portion of the gift, legacy, devise, or proceeds to any other fund at the Board's discretion. The Board may transfer any previously donated funds deposited into an endowment fund along with any accumulated interest to any other budgeted or nonbudgeted fund and may spend such funds at the discretion of the Board unless restricted by the donor. In the event the donor has specified or imposed any conditions for the gift, legacy, or devise, the Board shall deposit the gift, legacy, devise, or proceeds into an endowment fund.

The Board authorizes the Superintendent to establish procedures for determining the suitability or appropriateness of all gifts received and accepted by the District.

Educational foundations which seek to promote, enhance, and enable educational opportunities and school improvement activities in the District may solicit and receive tax-deductible funds from donors. Educational foundations may be sanctioned by the Board but not managed or directed by it. The Board may appoint nonvoting advisors to the foundation board, if the bylaws of the foundation permit that action.

The Board directs that all school funds be invested in a prudent manner so as to achieve maximum economic benefit to the District. Funds not needed for current obligations may be invested in investment options as set out in Montana statutes, whenever it is deemed advantageous for the District to do so.

Legal Reference:	§ 20-6-601, MCA	Power to accept gifts
	§ 20-7-803, MCA	Authority to accept gifts
	§ 20-9-212, MCA	Duties of county treasurer
	§ 20-9-213(4), MCA	Duties of trustees
	§ 20-9-604, MCA	Gifts, legacies, devises, and administration of endowment fund

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7310

Budget Implementation and Execution

Once adopted by the Board, the operating budget shall be administered by the Superintendent's designees. All actions of the Superintendent/designees in executing programs and/or activities delineated in that budget are authorized according to these provisions:

1. Expenditure of funds for employment and assignment of staff shall meet legal requirements of the state of Montana and adopted Board policies.

2. Funds held for contingencies may not be expended without Board approval.

3. A listing of warrants describing goods and/or services for which payment has been made must be presented for Board ratification each month.

4. Purchases will be made according to the legal requirements of the state of Montana and adopted Board policy.

Legal Reference:	§ 20-3-332, MCA	Personal immunity and liability of trustees
	§ 20-9-213, MCA	Duties of trustees

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Purchasing

Authorization and Control

The Superintendent is authorized to direct expenditures and purchases within limits of the detailed annual budget for the school year. The Board must approve purchase of capital outlay items, when the aggregate total of a requisition exceeds Eighty Thousand Dollars ($80,000) except the Superintendent shall have the authority to make capital outlay purchases without advance approval when necessary to protect the interests of the District or the health and safety of staff or students. The Superintendent will establish requisition and purchase order procedures to control and maintain proper accounting of expenditure of funds. Staff who obligate the District without proper authorization may be held personally responsible for payment of such obligations. The Board adopts all applicable provisions of the Montana Procurement Act.

Bids and Contracts

Whenever any building furnishing, repairing, or other work for the benefit of the District or purchasing of supplies for the District is necessary, the work done or the purchase made must be by contract if the sum exceeds Eighty Thousand Dollars ($80,000). The District will call for formal bids by issuing public notice as specified in statute. Specifications will be prepared and made available to all vendors interested in submitting a bid. The contract shall be awarded to the lowest responsible bidder, except that the trustees may reject any or all bids. The Board, in making a determination as to which vendor is the lowest responsible bidder, will take into consideration not only the amount of each bid, but will also consider the skill, ability, and integrity of a vendor to do faithful, conscientious work and to promptly fulfill the contract according to its letter and spirit. Bidding requirements do not apply to a registered professional engineer, surveyor, real estate appraiser, or registered architect; a physician, dentist, pharmacist, or other medical, dental, or health care provider; an attorney; a consulting actuary; a private investigator licensed by any jurisdiction; a claims adjuster; or an accountant licensed under Title 37, Chapter 50.

Advertisement for bid must be made once each week for two (2) consecutive weeks, and a second (2nd) publication must be made not less than five (5) nor more than twelve (12) days before consideration of bids.

The Superintendent will establish bidding and contract-awarding procedures. Bid procedures will be waived only as specified in statute, such as §§ 18-2-501, 502 and 503, MCA. Any contract required to be let for bid shall contain language to the following effect:

> *In making a determination as to which vendor is the lowest responsible bidder, if any, the District will take into consideration not only the pecuniary ability of a*

vendor to perform the contract, but will also consider the skill, ability, and integrity of a vendor to do faithful, conscientious work and promptly fulfill the contract according to its letter and spirit. References must be provided and will be contacted. The District further reserves the right to contact others with whom a vendor has conducted business, in addition to those listed as references, in determining whether a vendor is the lowest responsible bidder. Additional information and/or inquiries into a vendor's skill, ability, and integrity are set forth in the bid specifications.

Cooperative Purchasing

The District may enter into cooperative purchasing contracts with one or more districts for procurement of supplies or services. A district participating in a cooperative purchasing group may purchase supplies and services through the group without complying with the provisions of 20-9-204(3), MCA if the cooperative purchasing group has a publicly available master list of items available with pricing included and provides an opportunity at least twice yearly for any vendor, including a Montana vendor, to compete, based on a lowest responsible bidder standard, for inclusion of the vendor's supplies and services on the cooperative purchasing group's master list.

Legal Reference:	§§ 18-1-101, et seq., MCA	Preferences and General Matters
	§§ 18-1-201, et seq., MCA	Bid Security
	§ 20-9-204, MCA	Conflicts of interests, letting contracts, and calling for bids
	Debcon v. City of Glasgow, 305 Mont. 391 (2001)	

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Procurement of Supplies, Materials, Equipment and Services Using Federal Funds

Procurement of all supplies, materials, equipment, and services paid for from federal funds or District matching funds shall be made in accordance with all applicable federal, state, and local statutes and/or regulations, the terms and conditions of the federal grant, Board policy, and administrative procedures. Procurement of any supplies, materials, equipment or services not using federal funds shall be subject to Board Policy 7010 and state law.

The Superintendent shall maintain a procurement and contract administration system in accordance with the requirements for the administration and management of Federal grants and Federally-funded programs. The District shall maintain a contract administration system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the District's general purchasing policy.

The District shall take affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

All District employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts.
The District will avoid acquisition of unnecessary or duplicative items and shall give consideration to mechanisms to obtain a more economical purchase (i.e., consolidating or breaking out procurements where permitted under state law). Where appropriate, the District shall conduct an analysis of lease versus purchase alternatives and any other appropriate options to determine the most economical approach.

To foster greater economy and efficiency, the District may engage in cooperative purchasing where appropriate for procurement or use of common or shared goods and services.

Competition

All procurement transactions paid for from federal funds or District matching funds shall be conducted in a manner that encourages full and open competition and that is in good administrative practice and sound business judgment. To promote these purposes, the District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Further, the District does not use statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals under this policy, unless (1) an applicable federal statute expressly mandates or encourages a geographic preference; or (2) the

District is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the District uses a pre-qualified list of persons, firms, or products to acquire goods and services that are subject to this policy, the pre-qualified list shall include a sufficient number of qualified sources as to ensure maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list at any time and they must re-qualify every twenty-four (24) months in accordance with administrative procedures established by the Superintendent.

Solicitation Language

The District shall require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications will be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.
The Board shall not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The District shall utilize the following methods of procurement:

Micro-Purchases
Purchases of supplies, materials, services, or equipment using federal funds less than $10,000 shall be “Micro-Purchases.” The District is not required to use a formal bidding process for Micro-Purchases, but it shall ensure that purchases are reasonable and equitably distributed among all qualified sources. The District shall maintain all procurement documentation to ensure the cost is less than $10,000 for a Micro-Purchase.

Small Purchases
Purchases of supplies, materials, services, or equipment using federal funds between $10,000 and $80,000 shall be considered “Small Purchases.” The District is not required to use a formal bidding process for Small Purchases, but it shall use a competitive process to

ensure fairness. For any Small Purchase, the District shall obtain at least two or more price quotes. The District shall maintain all procurement documentation to ensure the cost is less than $80,000 but more than $10,000 for a Small Purchase.

Sealed Bids

Sealed bids shall be used when the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price. Sealed, competitive bids shall be obtained when the purchase of, and contract for supplies, materials, or equipment (including construction projects) which exceeds $80,000 and would utilize federal funds or District matching funds.

1. Bids shall be solicited in accordance with the provisions of state law and board policy. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
2. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
3. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
4. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder.
5. The Board reserves the right to reject any or all bids for sound documented reason.

Competitive Proposals

Procurement by competitive proposal, normally conducted with more than one source submitting an offer, is generally used when conditions are not appropriate for the use of sealed bids.

If this method is used, the following requirements apply:

1. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
2. Proposals shall be solicited from an adequate number of sources.
3. The District shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
4. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered. Price may not be considered where procuring architectural/engineering services; compensation is subject to negotiation of a fair and reasonable fee after selection.

Noncompetitive Proposals

The District may only solicit a proposal from a sole source when one or more of the following circumstances apply:

1. The item is available only from a single source;
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
3. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; or
4. After solicitation of a number of sources, competition is determined to be inadequate.

Contract/Price Analysis

The District shall perform a cost or price analysis in connection with every procurement action in excess of $80,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.
The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

Time and Materials Contracts

The District uses a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. A time and materials type contract is a contract whose cost to the District is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Suspension and Debarment

The District will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance; and (4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts.

The District shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over $25,000, the District shall confirm that the vendor is not debarred or suspended by verifying such status.

Maintenance of Procurement Records

The District maintains records sufficient to detail the history of all procurements. These records include, but are not limited to the following: rationale for the method of procurement, selection of contract type, contractor selection, or rejection, and the basis for the contract price (including a cost or price analysis).

Legal References:	§ 18-1-101 et seq., MCA	Public Contracts
	§ 20-9-204, MCA	Conflicts of interest, letting contracts and calling for bids
	2 C.F.R. Part 180	
	2 C.F.R. 200.317	
	2 C.F.R. 200.318	
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	2 C.F.R. 200.324	
	2 C.F.R. 200.325	
	2 C.F.R. 200.326	
	48 C.F.R. chapter 1	
Cross References:	Policy 5700	Conflicts of Interest
	Policy 7320	Purchasing

Policy History:
Adopted on: 2-1-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7326

Documentation and Approval of Claims

All financial obligations and disbursements must be documented in compliance with statutory provisions and audit guidelines. Documentation will specifically describe acquired goods and/or services, budget appropriations applicable to payment, and required approvals. All purchases, encumbrances and obligations, and disbursements must be approved by the administrator designated with authority, responsibility, and control over budget appropriations. The responsibility for approving these documents cannot be delegated.

The District business office is responsible for developing procedures and forms to be used in the requisition, purchase, and payment of claims.

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Advertising in Schools/Revenue Enhancement

Revenue enhancement through a variety of District-wide and District-approved marketing activities, including but not limited to advertising, corporate sponsorship, signage in or on District facilities, etc., is a Board-approved venture. The Board may approve such opportunities subject to certain restrictions in keeping with the community standards of good taste. Advertising will model and promote positive values for District students through proactive educational messages and not be simply traditional advertising of a product. Preferred advertising includes messages encouraging student achievement and establishment of high standards of personal conduct.

All sponsorship contracts will allow the District to terminate the contract on at least an annual basis, if it is determined that it will have an adverse impact on implementation of curriculum or the educational experience of students.

The revenue derived should:

1. Enhance student achievement;
2. Assist in maintenance of existing District athletic and activity programs; and
3. Provide scholarships for students participating in athletic, academic, and activity programs, who demonstrate financial need and merit.

Appropriate opportunities for marketing activities include but are not limited to:

1. Fixed signage.
2. Banners.
3. District-level publications.
4. Television and radio broadcasts.
5. Athletic facilities, including stadiums, high school baseball fields, and high school gymnasiums.
6. District-level projects.
7. Expanded usage of facilities beyond traditional uses (i.e., concerts, rallies, etc.).
8. The interior and exterior of a limited number of District buses, if the advertising is associated with student art selected by the District. The only advertising information allowed will note sponsorship of the student art by the participant. Maintenance for these buses will include but not exceed normal maintenance costs.
9. Individual school publications (when not in conflict with current contracts).

Advertising will not be allowed in classrooms, other than corporate-sponsored curriculum materials approved subject to Board policy.

The following restrictions will be in place when seeking revenue enhancement. Revenue

enhancement activities will not:

1. Promote hostility, disorder, or violence;
2. Attack ethnic, racial, or religious groups;
3. Discriminate, demean, harass, or ridicule any person or group of persons on the basis of gender;
4. Be libelous;
5. Inhibit the functioning of the school and/or District;
6. Promote, favor, or oppose the candidacy of any candidate for election, adoption of any bond/budget issues, or any public question submitted at any general, county, municipal, or school election;
7. Be obscene or pornographic, as defined by prevailing community standards throughout the District;
8. Promote the use of drugs, alcohol, tobacco, firearms, or certain products that create community concerns;
9. Promote any religious or political organization;
10. Use any District or school logo without prior approval.

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7335

Personal Reimbursements

While it is recommended that all purchases of goods or services be made within established purchasing procedures, there may be an occasional need for an employee to make a purchase for the benefit of the District from personal funds. In that event, an employee will be reimbursed for a personal purchase under the following criteria:

1. It is clearly demonstrated that the purchase is of benefit to the District;

2. The purchase was made with the prior approval of an authorized administrator;

3. The item purchased was not available from District resources; and

4. The claim for personal reimbursement is properly accounted for and documented with an invoice or receipt.

The District business office is responsible for developing procedures and forms to be used in processing claims for personal reimbursements.

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7336

Travel Allowances and Expenses

The District will reimburse employees and trustees for travel expenses while traveling outside the District and engaged in official District business. All travel expenses must be reported on the established travel expense and voucher forms and approved by the employee's supervisor and the Superintendent.

Employees are expected to use the District owned vehicle when traveling on school business. If personal vehicle use is needed, the employee must request permission from the Superintendent prior to the day(s) of use. If an employee is granted permission to use their personal vehicle, they will be reimbursed for mileage at the current federal rate. **If prior approval has not been requested,** the employee will not be reimbursed for the use of their personal vehicle.

The District business office is responsible for development of procedures and forms to be used in connection with travel expense claims and reimbursements.

Legal Reference:	§ 2-18-501, MCA	Meals, lodging, and transportation of persons in state service
	§ 2-18-502, MCA	Computation of meal allowance
	§ 2-18-503, MCA	Mileage – allowance

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7405

Procurement Card Use

The Board of Trustees permits the use of procurement cards for actual and necessary expenses incurred in the performance of work-related duties for the District. A list of those individuals that will be issued a District procurement card will be maintained in the business office and reported to the Board each year at its meeting in June.

The District provides procurement cards with a credit limit not to exceed $100,000.00 for the aggregate of all cards. Procurement cards may only be used for legitimate District business expenditures. The use of procurement cards is not intended to circumvent the District's policy on purchasing.

Users must take proper care of District credit cards and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft must immediately be reported to the business office and to the appropriate financial institution. Failure to take proper care of credit cards or failure to report damage, loss, or theft may subject the employee to financial liability.

Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature, or violate the intent of this policy may result in procurement card revocation and discipline of the employee.

Users must submit detailed documentation, including itemized receipts for commodities, services, travel, and/or other actual and necessary expenses which have been incurred in connection with school-related business for which the procurement card has been used.

The Superintendent shall establish regulations governing the issuance and use of procurement cards. Each cardholder shall be apprised of the procedures governing the use of the procurement card, and a copy of this policy and accompanying regulations shall be given to each cardholder.

The District Clerk shall monitor the use of each procurement card every month and report any serious problems and/or discrepancies directly to the Superintendent and the Board.

Cross Reference:	7320	Purchasing
	7335	Personal Reimbursement
	7336	Travel Allowances and Expenses
Legal Reference:	§2-7-503, MCA	Financial reports and audits of local government entities

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7410

Fund Accounting System

The accounts of the District are organized on the basis of funds, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for by providing a separate set of self-balancing accounts. The accounts of the District are maintained on the modified accrual basis of accounting.

Legal Reference: § 20-9-201, MCA Definitions and application

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7425

Extra- and Co-Curricular Funds

The Board is responsible for establishment and management of student extra- and co-curricular funds. The purpose of student extra- and co-curricular funds is to account for revenues and disbursements of those funds raised by students through recognized student body organizations and activities. The funds shall be deposited and expended by check, in a bank account maintained by the District for student extra- and co-curricular funds. The use of the student extra- and co-curricular funds is limited to the benefit of the students. Students will be involved in the decision-making process related to use of the funds.

The Board shall follow the *Student Activity Fund Accounting* (published by the Montana Association of School Business Officials (MASBO)) in establishing accounting procedures for administration of student extra- and co-curricular funds and will appoint a fund administrator.

Specific procedures are available in the Clerk's office.

Legal Reference:	§ 2-7-503, MCA	Financial reports and audits of local government entities
	§ 20-9-504, MCA	Extracurricular fund for pupil functions

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7430

Financial Reporting and Audits

The Board directs that financial reports of all District funds be prepared in compliance with statutory provisions and generally accepted accounting and financial reporting standards. In addition to reports required for local, state and federal agencies, financial reports will be prepared monthly and annually and presented to the Board. Financial reports shall reflect financial activity and status of District funds.

The Board directs that District audits be conducted in accordance with Montana law. Each audit shall be a comprehensive audit of the affairs of the District and District funds. The audits shall comply with all statutory provisions and generally accepted governmental auditing standards. Each audit may be made every year and cover the immediately preceding fiscal year.

Upon receipt of the audit report, the Board shall review the contents and notify the Montana Department of Administration in writing of any actions the Board plans to take on any deficiencies or recommendations in the audit report within 30 days. Following the expiration of this 30-day period, the District shall send a copy of the audit report to a newspaper of general circulation within the District for publication of a notice that the District will provide a copy of the audit report to any interested person upon request. The District shall pay any costs for publication of this notice.

Legal References:	§ 20-9-203, MCA	Examination of district accounting records
	§ 20-6-602, MCA	Trustees' power of over property
	§ 20-6-603, MCA	Trustees' authority to acquire or dispose of sites and buildings -- when election required.
	§ 20-6-604, MCA	Sale of property when resolution passed after hearing -- appeal procedure.
	§ 20-7-515, MCA	Actions by governing bodies
	§ 20-7-521, MCA	Publication

Policy History:
Adopted on: 2-1-2021
Revised on:
Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7500

Property Records

Property and inventory records will be maintained for all land, buildings, and physical property under District control and will be updated annually.

For purposes of this policy, "equipment" means a unit of furniture or furnishings, an instrument, a machine, an apparatus or a set of articles which retains its shape and appearance with use, is nonexpendable, and does not lose its identity when incorporated into a more complex unit. The Superintendent will ensure inventories of equipment are systematically and accurately recorded and updated annually. Property records of facilities and other fixed assets will be maintained on an ongoing basis. No equipment will be removed for personal or non-school use except in accordance with Board policy.

Property records will show, appropriate to the item recorded, the:

1. Description and identification
2. Manufacturer
3. Date of purchase
4. Initial cost
5. Location
6. Serial number, if available
7. Model number, if available

Equipment may be identified with a permanent tag providing appropriate District and equipment identification.

Cross Reference:	7510 Capitalization Policy for Fixed Assets	
Legal Reference:	§ 20-6-602, MCA	Trustees' power over property
	§ 20-6-608, MCA	Authority and duty of trustees to insure district property

Policy History:
Adopted on: 2-1-2021
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Thompson Falls School District

FINANCIAL MANAGEMENT 7510

Capitalization Policy for Fixed Assets

A fixed asset is a property that meets all the following requirements:

1. Must be tangible in nature;

2. Must have a useful life of longer than the current fiscal year; and

3. Must be of significant value.

Fixed assets may be acquired through donation, purchase, or may be self-constructed. The asset value for a donation will be the fair market value at the time of donation. The asset value for purchases will be the initial cost plus the trade-in value of any old asset given up, plus all costs related to placing the asset into operation. The cost of self-constructed assets will include both the cost of materials used and the cost of labor involved in construction of the asset.

The following significant values will be used for different classes of assets:

Class of Fixed Asset	Significant Value
Equipment and machinery	$5000.00 or more
Buildings - improvements	$5000.00 or more
Improvements other than to buildings	$5000.00 or more
Land	Any amount

Cross Reference: 7500 Property Records

Policy History:
Adopted on: 2-1-2021
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Revised on:

Thompson Falls School District

FINANCIAL MANAGEMENT 7515

Fund Balances

The fund balance policy establishes a framework for the management of all excess funds managed by the District. It also provides guidance and direction for elected and appointed officials as well as staff in the use of excess funds at year-end.

This fund balance policy applies to all funds in the custody of the Clerk of the District. These funds are accounted for in the District's annual audited financial reports and include, but are not limited to, the following:

- General Fund
- Special Revenue Funds
- Capital Project Funds
- Enterprise Funds
- Any new funds created by the District, unless specifically exempted by the governing body; in accordance with state law or GASB pronouncements.

The District shall classify its fund balances in its various funds in one or more of the following five classifications: non-spendable, restricted, committed, assigned, and unassigned.

Definitions

A. Fund balance---means the arithmetic difference between the assets and liabilities reported in a school district fund.

B. Committed fund balance—amounts constrained to specific purposes by the District itself, using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the District takes the same highest-level action to remove or change the constraint.

C. Assigned fund balance—amounts a school district intends to use for a specific purpose; intent can be expressed by the District or by an official to which the Board of Trustees delegates the authority

D. Non-spendable fund balance—amounts that are not in a spendable form (such as inventory) or are required to be maintained intact (such as the corpus of an endowment fund)

E. Restricted fund balance—amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation

F. Unassigned fund balance—amounts that are available for any purpose; these amounts are reported only in the general fund.

Minimum Fund Balance

The school district will strive to maintain a minimum unassigned general fund balance of 1% of the annual budget.

Order of Resource Use

If resources from more than one fund balance classification could be spent, the school district will strive to spend resources from fund balance classifications in the following order (first to last): restricted, committed, assigned, and unassigned.

Committing Fund Balance

A majority vote of the school board is required to commit a fund balance to a specific purpose and subsequently to remove or change any constraint so adopted by the board.

Assigning Fund Balance

The school board, by majority vote, may assign fund balances to be used for specific purposes when appropriate. The board also delegates the power to assign fund balances to the following: District Superintendent and Clerk. Assignments so made shall be reported to the school board on a monthly basis, either separately or as part of ongoing reporting by the assigning party if other than the school board.

An appropriation of an existing fund balance to eliminate a projected budgetary deficit in the subsequent year's budget in an amount no greater than the projected excess of expected expenditures over expected revenues satisfies the criteria to be classified as an assignment of fund balance.

The school board will conduct, at a minimum, an annual review of the sufficiency of the minimum unassigned general fund balance level.

Legal References*:* Statement No. 54 of the Governmental Accounting Standards Board

Policy History:
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Thompson Falls School District

FINANCIAL MANAGEMENT 7520

Independent Investment Accounts

The Board may establish independent investment accounts separate and apart from those funds maintained by the county treasurer. The Board may transfer cash into an independent investment account from any budgeted or non-budgeted funds. A separate account shall be established for each fund from which transfers are made. The principal and any interest earned must be reallocated to the fund from which the deposit was originally made.

The District may either:

1. Establish and use the account as a non-spending account, returning sufficient funds to the county treasurer in time to pay all claims against the applicable fund; or

2. Establish a subsidiary checking account and make expenditures from the investment account, provided all transactions are accounted for and reported, as required by applicable accounting principles. If the District desires to establish a subsidiary checking account for purposes of paying for expenditures directly from an investment account, the District must enter into a written agreement with the county treasurer, in accordance with § 20-9-235, MCA.

Legal Reference: § 20-9-235, MCA Authorization for school district investment account

Policy History:
Adopted on: 2-1-2021
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8000 SERIES
NONINSTRUCTIONALOPERATIONS

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Transportation

The District may provide transportation to and from school for a student who:

1. Resides three (3) or more miles, over the shortest practical route, from the nearest operating public elementary or public high school;

2. Is a student with a disability, whose IEP identifies transportation as a related service; or

3. Has another compelling and legally sufficient reason to receive transportation services.

The District may elect to reimburse the parent or guardian of a student for individually transporting any eligible student.

The District may provide transportation by school bus or other vehicle or through individual transportation such as paying the parent or guardian for individually transporting the student. The Board may pay board and room reimbursements, provide supervised correspondence study, or provide supervised home study. The Board may authorize children attending an approved private school to ride a school bus, provided that space is available and a fee to cover the per-seat cost for such transportation is collected. The District may transport and charge for an ineligible public school student, provided the parent or guardian pays a proportionate share of transportation services. Fees collected for transportation of ineligible students shall be deposited in the transportation fund. Transportation issues that cannot be resolved by the trustees may be appealed to the county transportation committee.

Homeless students shall be transported in accordance with the McKinney Homeless Assistance Act and state law. The District shall cooperate with child protective agencies in the transportation of children in foster care in accordance with ESSA.

In-Town Busing

In-town busing is defined as the busing of students within three (3) miles of their school. In-town busing is a privilege the District can discontinue at any time. The Superintendent will establish guidelines under which a student may request in-town busing.

Legal Reference:	§ 20-10-101, MCA	Definitions
	§ 20-10-121, MCA	Duty of trustees to provide transportation – types of transportation – bus riding time limitation
	§ 20-10-122, MCA	Discretionary provision of transportation and payment for this transportation

§ 20-10-123, MCA	Provision of transportation for nonpublic school children
10.7.101, et seq., ARM	Pupil Transportation
10.64.101-700, et seq., ARM	Transportation
No Child Left Behind Act of 2001 (P.L. 107-110)	

Policy History:
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Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS 8102

Contracting for Transportation Services

If the Board enters into a contract for transportation services, the contractor shall operate such equipment according to District policy and the rules and regulations of the Board of Public Education. The contract shall be in effect for not more than five (5) years. Prior to entering into the first such contract, the District shall determine that the cost of contracting for the ensuing term will not exceed the projected costs of operating its own system. Before any transportation contract to a private party or contractor is awarded, the trustees shall:

1. Secure bids by advertising for a twenty-one-(21)-day period (three (3) consecutive weeks); or

2. Negotiate a new contract with the present contractor, provided the new contract does not exceed by more than twelve percent (12%) per year the basic costs of the previous contract.

No money shall be expended unless a contract with a private carrier has been executed.

Legal Reference:
§ 20-10-102, MCA School bus requirements
§ 20-10-107, MCA Power of trustees
§ 20-10-125, MCA Bid letting for contract bus – payments under transportation contract
10.7.108, ARM Bus Contracts

Policy History:
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Revised on:

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS 8110

Bus Routes and Schedules

The Superintendent's designee is responsible for scheduling bus transportation, including determination of routes and bus stops. Such routes are subject to approval of the county transportation committee. The purpose of bus scheduling and routing is to achieve maximum service with a minimum fleet of buses consistent with providing safe and reasonably equal service to all bus students.

In order to operate the transportation system as safely and efficiently as possible, the following factors shall be considered in establishing bus routes:

1. A school bus route shall be established with due consideration of the sum total of local conditions affecting the safety, economic soundness, and convenience of its operation, including road conditions, condition of bridges and culverts, hazardous crossings, presence of railroad tracks and arterial highways, extreme weather conditions and variations, length of route, number of families and children to be serviced, availability of turnaround points, capacity of bus, and related factors.

2. The District may extend a bus route across another transportation service area, if it is necessary in order to provide transportation to students in the District's own transportation service area. A district may not transport students from outside its transportation service area.

3. No school child attending an elementary school shall be required to ride the school bus under average road conditions more than one (1) hour without consent of the child's parent or guardian.

4. School bus drivers are encouraged to make recommendations in regard to establishing or changing routes.

5. Parents should be referred to the Superintendent for any request of change in routes, stops, or schedules.

The Board reserves the right to change, alter, add, or delete any route at any time such changes are deemed in the best interest of the District, subject to approval by the county transportation committee.

Bus Stops

Buses should stop only at designated places approved by school authorities. Exceptions should be made only in cases of emergency and inclement weather conditions.

Bus stops shall be chosen with safety in mind. Points shall be selected where motorists approaching from either direction will have a clear view of the bus for a distance of at least one hundred fifty feet (150) feet in cities to five hundred (500) feet in other areas.

School loading and unloading zones are to be established and marked to provide safe and orderly loading and unloading of students. The principal of each building is responsible for the conduct of students waiting in loading zones.

The Board shall approve all bus stops requiring a child to cross a roadway.

Delay in Schedule

The driver is to notify the administration of a delay in schedule. The administration will notify parents on routes and radio stations, if necessary.

Special Activities

The District may use passenger vehicles to transport students to or from school-sponsored functions or activities. However, the District will not use passenger vehicles for purposes of transporting students to or from school on a regular bus route.

Responsibilities - Students

Students must realize that safety is based on group conduct. Talk should be in conversational tones at all times. There should be no shouting or loud talking which may distract the bus driver. There should be no shouting at passersby. Students should instantly obey any command or suggestions from the driver and/or his/her assistants.

Responsibilities - Parents

The interest and assistance of each parent is a valued asset to the transportation program. Parents' efforts toward making each bus trip a safe and pleasant experience are requested and appreciated. The following suggestions are only three of the many ways parents can assist:

1. Ensure that students are at the bus stop in sufficient time to efficiently meet the bus.
2. Properly prepare children for weather conditions.
3. Encourage school bus safety at home. Caution children regarding safe behavior and conduct while riding the school bus.

Safety

The Superintendent will develop written rules establishing procedures for bus safety and emergency exit drills and for student conduct while riding buses.

If the bus and driver are present, the driver is responsible for the safety of his/her passengers, particularly for those who must cross a roadway prior to loading or after leaving the bus. Except in emergencies, no bus driver shall order or allow a student to board or disembark at other than his/her assigned stop unless so authorized by the Superintendent. In order to assure the safety of all, the bus driver may hold students accountable for their conduct during the course of transportation and may recommend corrective action against a student. Bus drivers are expressly prohibited from using corporal punishment.

The bus driver is responsible for the use of the warning and stop signaling systems and the consequent protection of his/her passengers. Failure to use the system constitutes negligence on the part of the driver.

Inclement Weather

The Board recognizes the unpredictability and resulting dangers associated with weather in Montana. In the interest of safety and operational efficiency, the Superintendent is empowered to make decisions as to emergency operation of buses, cancellation of bus routes, and closing of school, in accordance with his or her best judgment. The Board may develop guidelines in cooperation with the Superintendent to assist the Superintendent in making such decisions.

Legal Reference:	§ 20-10-106, MCA	Determination of mileage distances
	§ 20-10-121, MCA	Duty of trustees to provide transportation – types of transportation – bus riding time limitation
	§ 20-10-132, MCA	Duties of county transportation committee
	§ 61-8-351, MCA	Meeting or passing school bus --vehicle operator liability for violation –penalty
	§61-9-402, MCA	Audio and Visual Signals
	§ 20-10-109, MCA	Liability insurance for school bus
	Montana School Bus Standards	

Policy History:
Adopted on: 8-2-2021
Reviewed on:
Revised on: 4-15-2024

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS **8111**

Transportation of Students With Disabilities

Transportation shall be provided as a related service, when a student with a disability requires special transportation in order to benefit from special education or to have access to an appropriate education placement. Transportation is defined as:

(a) Travel to and from school and between schools;

(b) Travel in and around school buildings or to those activities that are a regular part of the student's instructional program;

(c) Specialized equipment (such as special or adapted buses, lifts, and ramps) if required to provide transportation for a student with disabilities.

The student's Individualized Education Program will determine, on an individual basis, when a student with a disability requires this related service.

The District shall transport a student with a disability who is entitled to transportation as a related service in accordance with Montana law.

Cross Reference: 3300 Corrective Actions and Punishment

Legal Reference:	§ 20-5-323, MCA	Tuition -- transportation
	§ 20-10-101, MCA	Definitions
	§ 20-10-102, MCA	School bus requirements
	§ 20-10-121, MCA	Duty of trustees to provide transportation – types of transportation — bus riding time
	§ 20-10-124, MCA	Private party contract for transportation – individual transportation contract
	10.16.3820, ARM	Transportation for Special Education Students with Disabilities

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-11-2025

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS 8121

District-Owned Vehicles

The District may own and maintains certain vehicles. These are for use by properly authorized personnel of the District for District business purposes.

Any driver who receives a citation for a driving violation while operating a District vehicle shall personally pay all fines levied. All citations received while the driver is a District employee, whether operating a District vehicle or not, must be reported and may result in disciplinary action up to and including termination.

Bus and Vehicle Maintenance, District

Buses used in the District's transportation program shall be in safe and legal operating condition. All buses shall be inspected by the Department of Justice, Montana Highway Patrol, before the beginning of each semester. The transportation contractor shall establish a specific list of tasks bus drivers will perform on a daily basis. All other District vehicles shall be maintained following established programs developed by the Superintendent.

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS 8123

Driver Training and Responsibility

Bus drivers shall observe all state statutes and administrative rules governing traffic safety and school bus operation. At the beginning of each school year, the District will provide each driver with a copy of the District's written rules for bus drivers and for student conduct on buses.

Each bus driver will meet the qualifications established by the Superintendent of Public Instruction, including possession of a valid Montana commercial driver's license (with school bus "S" and passenger "P" endorsements), receive ten (10) hours of in-service annually, and Department of Transportation-approved physician's certification that he or she is medically qualified for employment as a bus driver. The bus driver shall secure a valid standard first aid certificate from an authorized instructor, within two (2) months after being employed, and maintain a valid first aid certificate throughout employment as a bus driver. The bus driver must have five (5) years driving experience.

A school bus driver is prohibited from operating a school bus while using a cellular phone, including hands free cellular phone devices, except:

(1) During an emergency situation;
(2) To call for assistance if there is a mechanical breakdown or other mechanical problem;
(3) When the school bus is parked.

A teacher, coach, or other certified staff member assigned to accompany students on a bus will have primary responsibility for behavior of students in his or her charge. The bus driver has final authority and responsibility for the bus. The Superintendent will establish written procedures for bus drivers.

Legal Reference:	§ 20-10-103, MCA	School bus driver qualifications
	10.7.111, ARM	Qualification of Bus Drivers
	10.64.201, ARM	Drivers
	§ 50-46-205, MCA	Limitations of Medical Marijuana Act

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS 8124

Student Conduct on Buses

The Superintendent will establish written rules of conduct for students riding school buses. Such rules will be reviewed annually by the Superintendent and transportation contractor and revised if necessary. If the rules are substantially revised, they shall be submitted to the Board for approval.

At the beginning of each school year, a copy of the rules of conduct for students riding buses will be provided to students, and the classroom teacher and bus driver will review the rules with the students. A copy of the rules will be posted in each bus and will be available upon request at the District office and in each building principal's office.

The bus driver is responsible for enforcing the rules and will work closely with a parent and building principal to modify a student's behavior. Rules shall include consistent consequences for student misbehavior. A recommendation for permanent termination of bus privileges, accompanied by a written record of the incident(s) that led to the recommendation, shall be referred to the Superintendent for final determination. The student's parent or guardian may appeal a termination to the Board. No further appeal shall be allowed.

Cross Reference:	3310	Student Discipline
	8111	Transportation of Students with Disabilities
Legal Reference:	§ 20-4-302, MCA	Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
	§ 20-5-201, MCA	Duties and sanctions

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS 8132

Activity Trips

Buses will be operated by a qualified bus driver on all activity runs, and only authorized activity participants, professional staff, and chaperones assigned by the administration may ride the bus.

A duplicate copy of the passenger list will be made for all activity trips. One (1) copy will remain with the professional staff member in charge on the bus, and one (1) copy will be given to the Activities Director before the bus departs.

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Food Services

The District supports the philosophy of the National School Lunch Program and will provide wholesome, appetizing, and nutritious meals for children in District schools. The Board may authorize a portion of federal funds received in lieu of taxes to be used to provide free meals for federally connected indigent students.

Because of the potential liability of the District, the food services program will not accept donations of food without approval of the Board. Should the Board approve a food donation, the Superintendent will establish inspection and handling procedures for the food and determine that provisions of all state and local laws have been met before selling the food as part of school meals.

School concessions shall comply with federal, state, and county regulations in order to provide safe food for community members and students at school events.

Commodities

The District will use food commodities made available under the Federal Food Commodity Program for school meals.

Free and Reduced-Price Food Services

The District will provide free and reduced-price meals to students, according to the terms of the National School Lunch Program and the laws, rules, and regulations of the state. The District will inform parents of the eligibility standards for free or reduced-price meals. Identity of students receiving free or reduced-price meals will be confidential, in accordance with National School Lunch Program guidelines. A parent has the right to appeal to a designated hearing official any decision with respect to his or her application for free or reduced-price food services.

The Board may establish programs whereby meals may be provided in the District in accordance with National School Lunch Program guidelines.

The amount charged for such meals shall be sufficient to cover all costs of the meals, including preparation labor and food, handling, utility, and equipment depreciation costs.

Legal Reference:	§ 20-10-204, MCA	Duties of trustees
	§ 20-10-205, MCA	Allocation of federal funds to school food services fund for federally connected, indigent pupils
	§ 20-10-207, MCA	School food services fund

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Meal Charges

The District recognizes that students may forget or lose lunch money or may have an unpaid meal account balance. The District endeavors to treat all students with dignity regarding unpaid meal charges; however, unpaid meal charges create a significant financial burden for the District. To ensure that students do not go hungry but also minimize the financial burden, the District shall charge meals and collect on meal account charges in all schools consistent with this policy.

Students who are eligible to receive free meals do not have a meal account and, therefore, are not subject to this policy. Free lunch status students may pre-pay for or purchase a la carte items with cash.

Elementary and Middle School Students

Elementary and middle school students will pay for meals at the rate established by the District in accordance with federal and state law, which includes charging reduced rates to eligible students. Meals may be pre-paid by submitting payment (cash, check, or credit card) to the school office or cafeteria or by cash at the time of service. The District will not deny an elementary or middle school student a meal and will provide a regular meal if the student does not have a meal; however, the District will charge the meal to the student's account at the established rate. An elementary or middle school student will be permitted to charge up to twenty dollars ($20.00) if his or her meal account has a balance of zero. Once a student has reached a negative balance of twenty dollars ($20.00), the student will not be permitted to charge a la carte items, such as milk, but the school will offer the student with an alternate.

High School Students

High school students will pay for meals at the rate established by the District in accordance with federal and state law, which includes charging reduced rates to eligible students. Meals may be pre-paid by submitting payment (cash, check, or credit card) to the school office or cafeteria or by cash at the time of service. A high school student will be permitted to charge a maximum of five (5) meals if his or her meal account has a balance of zero. Once the student's account has been charged five (5) meals, the student or parents/guardians must submit payment for the meal account balance. If a student has reached the maximum meal account balance and no payment has been received, the student must have cash or a meal from home. The school will not provide an alternate meal for high school students who have reached the maximum meal account balance without payment.

Adults

Adults must pay the full cost of all meals purchased. Adults may pre-pay for meals, submit cash at the time of service, or charge up to five (5) meals.

Payment of Meal Account

Each school shall maintain regards regarding student meal balances. The District issues notices through an automated system every two weeks when a student's meal account has a balance of five dollars ($5) or more. The District issues notices every two weeks regarding meal account balances for elementary students and monthly regarding meal account balances for middle school students. Parents/guardians may also check a student meal account balance online through the District's student information system portal accessible through its website (http://www.thompsonfalls.net).

Parents/guardians must submit payment for meal accounts in person to the school office or cafeteria (by cash, check, or credit card), by mail to the District (206 Haley Ave. West) (by cash or check), or by phone (406-827-7190) (credit card only). Payment must be submitted thirty (30) days from the date of notice of balance. If the District has not received payment by the end of the school year, the payment is considered overdue and is a delinquent debt. The District will use reasonable efforts and as permitted by state and federal law to collect meal account balances which are delinquent debts, including payment plans as determined appropriate.

Legal References: 2 C.F.R. § 200.426
7 C.F.R. Part 210
7 C.F.R. § 245.5

Cross References: Board Policy 5232
Board Policy 8200

Policy History:
Adopted on: 2-1-2021
Revised on:

Procurement of School Food

The District will abide by the following requirements for any procurement related to its food services:

Purchases Greater than $80,000

Except as permitted below, whenever the cost of food service supplies, products, or equipment exceed $80,000, the District will call for formal bids by issuing public notice as required by law. Specifications will be prepared and made available to all vendors interested in submitting a bid. The contract shall be awarded to the lowest responsible bidder, except that the trustees may reject any or all bids. The Board, in making a determination as to which vendor is the lowest responsible bidder, will take into consideration not only the amount of each bid, but will also consider the skill, ability, and integrity of a vendor to do faithful, conscientious work and to promptly fulfill the contract according to its letter and spirit.

The District may enter into cooperative purchasing contracts with one or more districts for procurement of food supplies or services. Such services and supplies may be purchased without complying with the above stated bidding requirements if the cooperative purchasing group has a publicly available master list of items available with pricing included and provides and opportunity at least twice yearly for any vendor to compete, based on lowest responsible bidder standard, for inclusion of the vendor's supplies and services on the cooperative purchasing group's master list.

Purchases Less than $80,000 but Greater than $10,000

Purchases of food service supplies, products, or equipment between $10,000 and $80,000 shall be considered "Small Purchases." The District is not required to use a formal bidding process for Small Purchases, but it shall use a competitive process to ensure fairness. For any Small Purchase, the District shall obtain at least two or more price quotes. The District shall maintain all procurement documentation to ensure the cost is less than $80,000 but more than $10,000 for a Small Purchase.

Purchases Less than $10,000

Purchases of food service supplies, products, or equipment less than $10,000 shall be "Micro-Purchases." The District is not required to use a formal bidding process for Micro-Purchases, but it shall ensure that purchases are reasonable and equitably distributed among all qualified sources. The District shall maintain all procurement documentation to ensure the cost is less than $10,000 for a Micro-Purchase.

Bid Specifications

The District will not award a contract to a potential vendor who has written any of the bid specifications, the solicitation documents, or any of the contract language.

The District shall take affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

Identical bid specifications and/or request for proposals will be provided to all potential vendors.

Buy American

The District shall procure domestic commodities and products ("Buy American") for the use of its Child Nutrition Program to the maximum extent practicable. The District is permitted to buy foreign goods only when:

- Food preferences can only be met with foreign goods;
- A sufficient quantity and/or quality is not available through domestic commodities or products; or
- The cost of domestic commodities and products is significantly higher.

Debarment and Suspension

For any food service purchase in excess of $25,000, the District shall obtain verification or certification from a vendor that neither it nor any of its principals (e.g., key employees) have been proposed for debarment, debarred, or suspended by a federal agency.

Standard of Conduct

District employees engaged in the award and/or administration of food service contracts supported by federal funds are subject to the following code of conduct:

- No employee may participate in the selection, award, or administration of a food service contract supported by federal funds if he or she has a conflict of interest or can reasonably be perceived as having a conflict of interest.
- No employee may solicit any gratuities, favors, or anything else of monetary value from a potential vendor.
  No employee may participate in the selection, award, or administration of a food service contract supported by federal funds when the employee or member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of these individuals has a financial interest in a vendor.
- Employees are expected to demonstrate integrity and honesty.

Employees who fail to abide by this policy will be subject to disciplinary action up to and including discharge.

Bid Protest Procedures

Any vendor who desires to protest the award of a bid pursuant to this policy shall, within fifteen (15) days after award of the bid, give notice of their protest. The notice shall state in detail the basis of the claimant's bid protest and the resolution requested. The bid protest shall be provided to the Business Manager or designee. The Business Manager or designee shall investigate the claim and issue a written decision within fifteen (15) days after receipt. If the claimant is not satisfied with the decision of the Business Manager or designee, the claimant may appeal the decision to the District's Board of Trustees. The notice of appeal shall be filed with the Board of Trustees within fifteen (15) days after issuance of the decision from which the appeal is taken. The appeal shall state the basis of the appeal and provide to the Board the original bid protest, together with a copy of the decision being appealed from. The specific grounds for the appeal shall be stated in the appeal and shall not include additional claims or information not provided with the original bid protest.

The Board of Trustees at the next regular board meeting following the receipt of the appeal shall either hear the appeal or set a time to consider the appeal. The Board may in its discretion render a decision based upon the information and records before the Board of Trustees or, in the Board's discretion, may request the claimant and a representative of the District to each present information pertaining to the bid protest.

The Board shall issue a written decision within thirty (30) days of the meeting in which it considered the appeal.

Legal References:	2 C.F.R. § 200.318	General Procurement Standards
	7 C.F.R. § 210.21	Procurement
	7 C.F.R. § 220.16	Procurement Standards
	7 C.F.R. § 225.17	Procurement Standards
	MCA § 20-9-204	Conflicts of interest, letting contracts, and calling for bids
Cross References:	Board Policy 5223	
	Board Policy 5255	
	Board Policy 5700	

Board Policy 7320
Board Policy 7322
Board Policy 7530

Policy History:
Adopted on: 2-1-2021
Revised on:

Thompson Falls School District

NON-INSTRUCTIONAL OPERATIONS 8225

Tobacco and Marijuana Free Policy

The District maintains tobacco-free and marijuana-free buildings and grounds. Tobacco includes but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine and any other tobacco innovation. Marijuana projects are products that contain marijuana for use by a consumer and include but are not limited to edible products, ointments, tinctures, marijuana derivatives, marijuana concentrates, and marijuana intended for use by smoking or vaping.

Use of tobacco and marijuana products in a public school building or on public school property is prohibited, unless used in a classroom or on other school property as part of a lecture, demonstration, or educational forum sanctioned by a school administrator or faculty member, concerning the risks associated with using tobacco products or in connection with Native American cultural activities.

For the purpose of this policy, "public school building or public school property" means:

- Public land, fixtures, buildings, or other property owned or occupied by an institution for the teaching of minor children, that is established and maintained under the laws of the state of Montana at public expense; and
- Includes playgrounds, school steps, parking lots, administration buildings, athletic facilities, gymnasiums, locker rooms, and school vehicles.

Violation of the policy by students and staff will be subject to actions outlined in District discipline policies.

Legal Reference:	§ 20-1-220, MCA	Use of tobacco product in public school building or on public school property prohibited (*revised by House Bill 128*)
	§§ 50-40-101, et seq., MCA	Montana Clean Indoor Air Act of 1979
	ARM 37.111.825	Health Supervision and Maintenance

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

District Safety

The Board recognizes that safety and health standards should be incorporated into all aspects of the operation of the District. Rules for safety and prevention of accidents will be posted in compliance with Montana Safety Culture Act and the Montana Occupational Safety and Health Act. Injuries and accidents will be reported to the District office.

The building principal will develop a plan of fire, civil defense, tornado, and earthquake warning, protection, and evacuation. This plan and procedures will be discussed and distributed to each teacher at the beginning of each school year. There will be at least eight (8) disaster drills a year. All teachers will discuss disaster drill procedures with their class at the beginning of each year and will have them posted in a conspicuous place next to the exit door. A record will be kept of all fire drills. The drills will be held at different hours of the day or evening to avoid distinction between drills and actual disasters. The Superintendent will develop safety and health standards that comply with the Montana Safety Culture Act.

Safety or Emergency Plans

The Board shall review the school safety or emergency operations plan at least annually and update the plan as determined necessary by the trustees based on changing circumstances pertaining to school safety. Once the Board has made the annual certification to OPI, it may transfer funds pursuant to Section 20-1-401, MCA to make improvements to school safety and security.

The school safety plan or emergency operations plan must include threat assessment practices regarding the following:

1. The adoption of a threat assessment protocol, outlining policies and procedures for implementation when there is notification of a student threat of harm to others or property; and
2. An identified threat assessment team, composed of key staff, that meets at least monthly and may include behavioral threat assessment addressing students in need of academic and behavioral supports or interventions.

School Closure

The Superintendent is authorized to close the schools in the event of hazardous weather or other emergencies that threaten the safety of students, staff members, or school property. Specific procedures for school closures may be found in the District's Safety Plan or Emergency Operations Plan. The Board shall periodically review the District's Safety Plan or Emergency Operations Plan and shall update the plan as necessary based upon changing circumstances regarding school safety.

Hazardous and Infectious Materials

The Superintendent shall take all reasonable measures to protect the safety of District personnel, students, and visitors on District premises from risks associated with hazardous materials, including pesticides, and infectious materials. Specific procedures for handling hazardous or infectious materials may be found in the District's Safety Plan.

Safety Measures

The Superintendent is authorized to adopt reasonable safety measures to protect the safety of District personnel, students, and visitors on District premises and during school-related activities. Reasonable safety measures include adoption of cleaning/sanitization plans, use of physical safeguards/barriers, and required use of personal protective equipment (*e.g.*, face masks). Exceptions to any requirements adopted by the Superintendent may be granted as required by law and on a case-by-case basis.

Legal References:	§ 20-1-401, MCA	Disaster drills (*revised by Senate Bill 213*)
	§ 20-1-402, MCA	Number of disaster drills required – time of drills to vary
	§ 20-1-801, *et seq*., MCA	Emergency School Closure
	§§ 39-71-1501, MCA	Montana Safety Culture Act
	§ 50-71-111, *et. seq*., MCA	Montana Occupational Health and Safety Act

Cross References:

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on: 8-14-2023

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS 8320

Property Damage

The District will maintain a comprehensive insurance program which will provide adequate coverage, as determined by the Board, in the event of loss or damage to school buildings and/or equipment, including motor vehicles. The comprehensive insurance program will maximize the District's protection and coverage while minimizing costs for insurance. This program may include alternatives for sharing the risk between the District and an insurance carrier and through self-insurance plans.

Privately Owned Property

The District will not assume responsibility for maintenance, repair, or replacement of any privately owned property brought to a school or to a District function, unless the use or presence of such property has been specifically requested in writing by the administration.

Legal Reference:	§ 20-6-608, MCA	Authority and duty of trustees to insure district property

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS 8400

Sale of Real Property

Unless the property can be disposed of without a vote, the Board has the power to dispose of all District property, only when the qualified electors of the District approve of such action at an election called for such approval or when the trustees adopt a resolution stating their intention to dispose of the property. When the trustees adopt such a resolution, they shall schedule a meeting to consider a resolution to authorize the sale of the real property. The conduct of the meeting and any such subsequent appeals shall be in accord with § 20-6-604, MCA.

Receipts from a sale of real property shall be placed in the debt service fund, building fund, general fund, or in any combination of these three (3) funds, at the Board's discretion.

Legal Reference:	§ 20-6-603, MCA	Trustees' authority to acquire or dispose of sites and buildings – when election required
	§ 20-6-604, MCA	Sale of property when resolution passed after hearing – appeal procedure

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS 8410

Operation and Maintenance of District Facilities

The District seeks to maintain and operate facilities in a safe and healthful condition. The facilities manager, in cooperation with principals, fire chief, and county sanitarian, will periodically inspect plant and facilities. The facilities manager will develop a program to maintain the District physical plant by way of a continuous program of repair, maintenance, and reconditioning. Budget recommendations will be made each year to meet these needs and any such needs arising from an emergency.

The facilities manager will formulate and implement energy conservation measures. Principals and staff are encouraged to exercise other cost-saving procedures in order to conserve District resources in their buildings.

Legal Reference: 10.55.908, ARM School Facilities

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS 8420

District-Wide Asbestos Program

It is the intent of the District that the Asbestos Hazard Emergency Response Act (AHERA) and all of its amendments and changes be complied with by all District employees, vendors, and contractors.

Legal Reference: 15 USC § 2641 Congressional findings and purpose

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Records Management

The District will retain, in a manner consistent with applicable law and the state's *Rules for Disposition of Local Government Records,* such records as are required by law or regulations to be created and/or maintained, and such other records as are related to students, school personnel, and the operations of the schools.

For the purpose of this policy, "records" are all documentary materials, regardless of media or characteristics, made or received and maintained by the school unit in transaction of its business. Records include email and other digital communications sent and received.

Records may be created, received, and stored in multiple formats, including but not limited to print, microfiche, audio and videotapes, and various digital forms (on hard drives, computer disks and CDs, servers, flash drives, etc.).

The Superintendent will be responsible for developing and implementing a records management program for the cataloging, maintenance, storage, retrieval, and disposition of school records. The Superintendent will also be responsible for developing guidelines to assist school employees in understanding the kinds of information that must be saved and those which can be disposed of or deleted. The Superintendent may delegate records-management responsibilities to other school personnel at his/her discretion to facilitate implementation of this policy.

Litigation Holds for Electronic Stored Information (ESI)

The District will have an ESI Team. The ESI Team is a designated group of individuals who implement and monitor litigation holds, a directive not to destroy ESI that might be relevant to a pending or imminent legal proceeding. The ESI Team will include a designated school administrator, an attorney, and a member from the Technology Department. In the case of a litigation hold, the ESI Team shall direct employees and the Technology Department, as necessary, to suspend the normal retention procedure for all related records.

Inspections of ESI

Any requests for ESI records should be made in writing and will be reviewed by the Superintendent or designee, in consultation with an attorney if needed, and released in accordance with Montana public records law.

Delegated Authority

The Board delegates to the Superintendent or designees the right to implement and enforce additional procedures or directives relating to ESI retention consistent with this policy, as needed.

Cross Reference:

3600	Student Records
5231	Personnel Records
5450	Employee Electronic Mail

Legal Reference: Montana Secretary of State (Rules for Disposition of Local Government Records)
Federal Rules of Civil Procedure (FRCP)

§ 2-6-403, MCA	Duties and responsibilities
§ 20-1-212, MCA	Destruction of records by school officer
§ 20-7-101(2), MCA	Standards of accreditation
§ 20-9-215, MCA	Destruction of certain financial records
24.9.805 (4), ARM	Employment Records

Policy History:
Adopted on: 2-1-2021
Reviewed on: 1-11-2021
Revised on:

Thompson Falls School District

NONINSTRUCTIONAL OPERATIONS **8450**

Automated External Defibrillators (AED)

The Board recognizes that from time to time emergencies may arise that justify the use of an Automated External Defibrillator (AED). The Board has purchased one or more of these units for use by qualified personnel. The Board approves the use of AED units, subject to the following conditions:

1. **Provide written notice of where the AED is placed (or to be placed) to the emergency medical service providing services in the area;**
2. Maintain, test, and operate the AED according to the manufacturer's guidelines and maintain written records of all maintenance and testing performed on the AED;
3. ~~3.~~ Each time an AED is used for an individual in cardiac arrest, require that an emergency medical service is summoned to provide assistance as soon as possible

Liability Limitations

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability for a personal injury that results from that care or treatment.

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability as a result of any act or failure to act in providing or arranging further medical treatment for the individual upon whom the AED was used, unless the individual using the AED or the person providing CPR, as applicable, acts with gross negligence or with willful or wanton disregard for the care of the person upon whom the AED is or may be used.

Legal Reference:	Title 37, Chapter 104, subchapter 6, ARM – Automated External Defibrillators (AED)	
	§50-6-501, MCA	Definitions
	§50-6-502, MCA	AED program – requirements for AED use
	§50-6-503, MCA	Rulemaking
	§50-6-505, MCA	Liability limitations

Policy History:
Adopted on: 2-1-2021
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Contracts with Third Parties Affecting Student Records

The Board recognizes the value of digital educational software and services with respect to management of student records as well as providing educational resources. The District also recognizes the necessity of ensuring that student information is protected and not used for commercial marketing purposes.

The Board may enter into a contract with a third party provider of digital educational software or services:

- For the digital storage, management, and retrieval of student records (including through cloud-based services); or
- Authorizes a third-party digital software provider to access, store, and use student records in accordance with the provisions any such resulting contract.

"Student records" include the student record maintained by the District in accordance with the Family Educational Rights and Privacy Act ("FERPA") and board policy and any information acquired directly from the student through the use of instructional software or applications assigned to the student by a teacher or other District employee.

District personnel may utilize digital educational software or services in accordance with this policy. Personnel are not authorized to use third party digital educational software or services for which the District has not entered into a contract pursuant to this policy.

All contracts entered into by the Board under this policy shall provide for the following at a minimum:

1. All student records are and continue to be the property and under the control of the District;
2. A description of the means by which students may retain possession and control of their own student-generated content if applicable, including the options through which a student may transfer his or her own generated content to a personal account;
3. The third party is prohibited from using any information from a student record for any purpose other than what is specifically authorized by the contract;
4. A description of the procedures through which a parent/guardian or adult student may review personally identifiable information in the student's record and correct erroneous information;
5. A description of the actions the third party shall take to ensure the security and confidentiality of student records, including the designation and training of responsible individuals;
6. A description of the procedures for notifying the parent/guardian or adult student in the event of an unauthorized disclosure of the student's records;
7. Certification and a description of how certification will be verified that the third party shall not retain or access the student records upon completion of the terms of the contract;

8. A description of how the District and third party will jointly ensure compliance with FERPA; and
9. The third party is prohibited against using personally identifiable information in student records to engage in targeted advertising.

The District may impose other restrictions, conditions or provisions in any contract subject to this policy. Nothing herein shall, by itself, absolve a third party of liability in the event of an unauthorized disclosure of student records.

Any contract failing to comply with these requirements and remains noncompliant after notice and an opportunity to cure defects shall be void.

Legal References:	20 U.S.C. § 1232g	Family Educational Rights and Privacy Act
	House Bill 745	Montana Pupil Online Personal Information Protection Act
Cross References:	Board Policy 3600	

Policy History:
Adopted on: 2-1-2021
Revised on: