

Policy 1105: Membership and Terms of Office

Status: DRAFT

Original Adopted Date: 09/09/2022 | Last Revised Date: Pending

Membership and Terms of Office

The District is governed by a Board of Trustees consisting of seven (7) members. The powers and duties of the Board include the broad authority to adopt and enforce all policies necessary for the management, operations and governance of the District. Except as otherwise provided by law, trustees shall hold office for terms of three (3) years, or until their successors are elected and qualified. Terms of trustees shall be staggered as provided by law.

All trustees shall participate on an equal basis with other members in all business transactions pertaining to all schools maintained by the District. Individual school board members have no authority over school affairs, except as provided by law or as authorized by the Board.

Student Representative

There will be a student representative appointed by the Board from East Helena High School or the 227 Academy to be non-voting members of the Board of the Trustees. The student representative shall attend and participate in discussions of all matters held in open session during regular and special Board meetings. Each month, the student representative may provide a report to the Board of Trustees on High School events consistent with the meeting agenda. This student representative will serve a one-year term.

OPTIONAL:

STUDENT REPRESENTATIVES

The Board of trustees recognizes the importance of maintaining open communication with the student body and providing students with enhanced civic opportunities. In furtherance of these objectives, the Board authorizes the seating of up to two students from the high school to serve in a nonvoting capacity on the Board of Trustees. These student representatives are intended to provide students with a more effective voice at the decision-making level of the school system.

A student representative shall:

- Attend all regular meetings of the Board of Trustees.
- Report on happenings at _____ High School under the Communications items on the agenda.
- Raise issues pertinent to the students at _____ High School.
- Speak on any issue on the agenda or motion before the Board unless deemed inappropriate by the Board.
- Report back to the High School student body via the student organizations.

A student representative shall not:

- Be able to make, second, or vote on any motion or resolution.
- Be allowed to attend executive sessions nor have access to any confidential materials.

The following procedures will be observed for the seating of the student representatives:

- Student representatives will come from the junior and senior classes at the high school. One student shall be a member of the junior class and one student shall be a member of the senior class.
- Advance written permission of the student's parent or legal guardian is required to be eligible to apply for a student representative seat on the Board.
- Any junior or senior, through meeting parental consent requirements and upon completion of an application and letter of intent and the fulfillment of academic requirements, will be considered eligible. The Board of Trustees shall determine which students serve.
- After the students have been selected, they will be given an orientation session by the Superintendent or designee.
- The Board of Trustees reserves the right to dismiss a student without cause and call for the selection of a new member.
- The term of office for the two representatives shall be for one school year; however, it is expected that the junior representative serves for two school years if re-appointed. Additionally, the Board retains the discretion to shorten or lengthen the term based on its judgment and needs. Flexibility in the term allows the Board to respond effectively to changing circumstances.

Access to Information:

The student representatives will have access to public materials provided to the Board but must not be provided with or otherwise access confidential records, in accordance with FERPA regulations and other laws protecting the privacy and confidentiality of records and information. The student representative must be excluded from all discussions involving confidential matters.

Montana Code Annotated

Montana Code Annotated	Description
20-3-301	Election and term of office
20-3-302	Legislative intent to elect less than majority of trustees
20-3-305	Candidate qualification, filing deadline, and withdrawal
20-3-306	Conduct of election
20-3-307	Qualification and oath
20-3-341	Number of trustee positions in elementary districts – transition
20-3-351	Number of trustee positions in high school districts
20-3-352	Request and determination of number of high school district additional trustee positions – nonvoting trustee
20-3-361	Joint board of trustee's organization and voting membership

Cross References

Code	Description
1111	<u>Election</u>

Policy 2050: Innovative Student Instruction

Status: DRAFT

Original Adopted Date: 09/09/2022 | **Last Revised Date:** Pending | **Last Reviewed Date:** 06/16/2025

Student Instruction

The School District has adopted the protocols outlined in this policy to ensure the delivery of education services to students onsite at the school, offsite at other locations using available resources. The District administration or designated personnel are authorized to implement this policy.

As outlined in District Policy 2100, and except for students determined by the School District to be proficient using School District assessments, the adopted calendar has a minimum number of 360 hours for a half-time kindergarten program; 720 aggregate instructional hours for students in full-time kindergarten through third grade; 1,080 hours for students in fourth through eleventh grade and 1,050 hours for students in twelfth grade. Students enrolled on a part-time basis will have ANB calculated consistent with Policy 3121 and Policy 3150.

The School District may satisfy the aggregate number of hours through any combination of onsite, offsite, and online instruction. The District administration is directed to ensure that all students are offered access to the complete range of educational programs and services for the education program required by the accreditation standards adopted by the Montana Board of Public Education.

For the purposes of this policy and the School District's calculation of ANB under Policy 3121 and "aggregate hours of instruction" within the meaning of that term in Montana law, the term "instruction" shall be construed as being synonymous with and in support of the broader goals of "learning" and full development of educational potential as set forth in Article X, section 1 of the Montana Constitution. Instruction includes innovative teaching strategies that focus on student engagement for the purposes of developing a students' interests, passions, and strengths. The term instruction shall include any directed, distributive, collaborative and/or experiential learning activity provided, supervised, guided, facilitated, work based, or coordinated by the teacher of record in a given course that is done purposely to achieve content proficiency and facilitate the learning of, acquisition of knowledge, skills and abilities by, and to otherwise fulfill the full educational potential of each child.

Staff shall calculate the number of hours students have received instruction as defined in this policy and Policy 3121 through a combined calculation of services received onsite at the school or services provided or accessed at offsite or online instructional settings including, but not limited to, any combination of physical instructional packets, virtual or electronic based course meetings and assignments, self-directed or parent-assisted learning opportunities, and other educational efforts undertaken by the staff and students that can be given for grade or credit. Staff shall report completed hours of instruction as defined in this policy to the supervising teacher, building principal, or district administrator for final calculation.

In order to comply with the requirements of the calendar, District Policy and Section 20-1-301, MCA, the District shall implement the instructional schedules and methods identified in this policy.

Remote Instruction Delivered by District Staff

The Board of Trustees authorizes remote instruction of students by District staff in a manner that satisfies the aggregate number of instructional hours outlined in the District's adopted or revised calendar for a school year. Remote instruction is pupil instruction that occurs through virtual learning processes incorporating distance and online learning methods that best prepare pupils to meet desired learning outcomes. Remote instruction shall include a complete range of educational services offered by the District and shall comply with the requirements of applicable statutes. Students completing course work through a remote instructional setting shall be treated in and have their hours of instruction calculated in the same manner as students attending an onsite institutional setting.

Remote instruction is available to students:

1. meeting the residency requirements for that district as provided in 1-1-215;
2. living in the district and eligible for educational services under the Individuals With Disabilities Education Act or under 29 U.S.C. 794;
3. enrolled in the district and physically attending a school or offsite instructional setting of the district under an attendance agreement pursuant to Title 20, chapter 5, part 3, MCA; or
4. seeking remote instruction in another district when the pupil's district of residence does not provide remote or in-person instruction in an equivalent course. ~~A course is not equivalent if the course does not provide the same level of advantage on successful completion, including but not limited to dual credit, advanced placement, and career certification. The District is not required to provide remote instruction to a nonresident student if, because of class size restrictions, the accreditation of the school would be adversely impacted by providing remote instruction to the pupil.~~

Equivalency is defined by providing the same level of advantage on successful completion as provided in law. The Superintendent or designee is authorized to collaborate with the student's district of residence on the question of equivalency, review course offerings and policies of the requesting student's district of residence to complete the comparison, and report to the Board of Trustees. A course is not equivalent if the course does not provide the same level of advantage on successful completion, including but not limited to dual credit, advanced placement, and career certification. In the event the student's district of residence asserts in writing its course offerings are equivalent to the District's, the Board of Trustees shall not enroll the student.

The District is not required to provide remote instruction to a nonresident student if, because of class size restrictions, the accreditation of the school would be adversely impacted by providing remote instruction to the pupil.

A district providing remote instruction shall include pupils in enrollment counts for ANB calculation purposes as described in 20-9-311. Unless a student receiving remote instruction is enrolled under an attendance agreement pursuant to Title 20, chapter 5, part 3,

88 MCA, the provisions of out-of-district attendance and tuition laws under Title 20, chapter 5,
89 part 3, MCA, do not apply to remote instruction.

90
91 ~~A school of a district providing remote instruction shall provide remote instruction to an out-~~
92 ~~of-district pupil under number 3 above unless, because of class size restrictions, the~~
93 ~~accreditation of the school would be adversely impacted by providing remote instruction to~~
94 ~~the pupil.~~

95
96 The Board of Trustees authorizes the supervising teacher or district administrator to permit
97 students to utilize remote instruction ~~by~~ delivered by District staff when circumstances
98 require. Inquiries about correspondence courses shall be governed by Policy 2167, distance
99 learning provided by non-District staff shall be governed by Policy 2168, and Montana Digital
100 Academy shall be governed by Policy 2170.

101 102 Offsite Instruction

103 Offsite instructional setting is an instructional setting that is an extension of a school of the
104 district, located apart from the school, but within the boundaries of the district, where a school
105 district provides for in-person pupil instruction to a student who is enrolled in the district. The
106 Board of Trustees authorizes the supervising teacher or district administrator to utilize an
107 offsite instructional setting consistent with Board of Public Education standards when required
108 ~~by the circumstances at when circumstances require consistent with Board of Public Education~~
109 ~~standards~~. Inquiries about correspondence courses shall be governed by Policy 2167, distance
110 learning provided by non-District staff shall be governed by Policy 2168, and Montana Digital
111 Academy shall be governed by Policy 2170.

112 113 Proficiency-Based Learning

114 The Board of Trustees authorizes proficiency-based learning and ANB calculation in situations
115 when a student demonstrates proficiency in a course area as determined by the Board of Trustees
116 using District assessments consistent with District Policy 1005FE, or other measures approved by
117 the Board of Trustees.

118
119 The Board of Trustees waives the minimum number of instructional hours for students who
120 demonstrate proficiency in a course area using district assessments that include, but are not
121 limited to, the course or class teacher's determination of proficiency as defined by the Board of
122 Trustees. This determination shall be based on a review of the student's completed coursework,
123 participation in course delivery, and other methods applicable to the specific course or class. The
124 Board of Trustees authorizes the use of the proficiency determination process for students who
125 have selected this method of delivery, students for whom the School District is unable to
126 document satisfaction of the required minimum aggregate number of hours through the offsite or
127 onsite methods outlined in this policy, or other students whom School District personnel
128 determine satisfy the definition of proficient or meeting proficiency.

129
130 This provision is based in the declaration by the Montana Legislature that any regulation
131 discriminating against a student who has participated in proficiency-based learning is inconsistent
132 with the Montana Constitution.

133
134
135

Montana Code Annotated

20-1-101

Description

Definitions

20-1-301

School Fiscal Year

20-6-101

Definition of elementary and high school districts

20-7-118

Offsite Provision of Educational Services

20-7-1601

Transformational Learning - Legislative Intent

20-9-311

Remote Instruction

20-9-311

Calculation of Average Number Belonging

Montana Constitution

Article X, section 1

Description

Educational Goals and Duties

136 **Cross References**

Code

1005FE

Description

[Proficiency-Based ANB](#)

2100

[School Calendar and Day](#)

2158

[Parent and Family Engagement and Educational Involvement](#)

2158-P(1)

[Parent and Family Engagement and Educational Involvement
- Student Pronoun Use](#)

2161

[Special Education](#)

2161-P(1)

[Special Education - Procedure](#)

2162

[Section 504](#)

2162-P(2)

[Section 504 - Procedures](#)

2166

[Gifted Program](#)

2167

[Correspondence Courses](#)

2168

[Remote Instruction from Non-District Sources](#)

2170

[Digital Academy Classes](#)

2170-P(1)

[Digital Academy Classes](#)

2221

[School Emergency and Closure](#)

2221-P(1)

[School Emergency and Closure - Procedure](#)

2375

[Advancement Requirements \(9-12\)](#)

2410	<u>High School Graduation Requirements</u>
2410-P(1)	<u>High School Graduation Requirements</u>
2410-P(2)	<u>High School Graduation Requirements - Graduate Profile</u>
2410-NF(1)	<u>High School Graduation Requirements - Commitments and Intentions</u>
2420	<u>Grading and Progress Report</u>
2421	<u>Promotion and Retention</u>
2600	<u>Work Based Learning</u>
2600-P(1)	<u>Work Based Learning - Insurance</u>
2600-NF(1)	<u>Work Based Learning - Affiliation Agreement</u>
3121	<u>Enrollment and Attendance Records</u>
3121-P(1)	<u>Enrollment and Attendance Records</u>
3150	<u>Part-Time Enrollment</u>
3612	<u>School-Provided Access to Electronic Information, Services, Equipment, and Networks</u>
3612-P(1)	<u>School-Provided Access to Electronic Information, Services, Equipment, and Networks</u>
3612-NF(1)	<u>School-Provided Access to Electronic Information, Services, Equipment, and Networks - Student Internet Access and Equipment Use Conduct Agreement</u>

Policy 2100: School Calendar and Day

Status: DRAFT

Original Adopted Date: 09/09/2022 | **Last Revised Date:** Pending | **Last Reviewed Date:** 06/17/2025

School Calendar

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

Commemorative Holidays

The Superintendent or his or her designee shall develop for Board approval appropriate exercises and observances the purpose of which shall be to educate students regarding the commemorated person or occasion on the following designated commemorative days:

- (a) Lincoln's Birthday (February 12);
- (b) Washington's Birthday (February 22);
- (c) Arbor Day (last Friday in April);
- (d) Flag Day (June 14);
- (e) Citizenship Day (September 17);
- (f) American Indian Heritage Day (fourth Friday in September);
- (g) Columbus Day (October 12);
- (h) Pioneer Day (November 1);
- (i) Freedom Week (last full week of September), to educate students about the sacrifices made for freedom in the founding of the United States and the values on which the United States was founded;
- (j) other days designated by the legislature or governor as legal holidays.

Saturday School

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

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

School Fiscal Year

At least the minimum number of aggregate hours must be conducted during each school fiscal year. The minimum aggregate hours required by grade are:

- a. A minimum of 360 aggregate hours for a kindergarten program;
- b. 720 hours for grades 1 through 3;
- c. 1,080 hours for grades 4 through 12; and
- d. 1,050 hours may be sufficient for graduating seniors.

The minimum aggregate hours, described above, are not required for any pupil demonstrating proficiency pursuant to 20-9-311(4)(d), MCA.

In addition, seven (7) pupil instruction-related days may be scheduled for the following purposes:

1. Pre-school staff orientation for the purpose of organization of the school year;
2. Staff professional development programs (minimum of three (3) days);
3. Parent/teacher conferences; and
4. Post-school record and report (not to exceed one (1) day, or one-half (½) day at the end of each semester or quarter).

The Trustees may schedule additional professional development days, but may not include any additional professional development day for the purpose of calculation of ANB under Sec. 20-9-311, MCA. The Board of Trustees has established an advisory committee to develop, recommend, and evaluate the school district's yearly professional development plan. Each year the Board of Trustees shall adopt a professional development plan for the subsequent school year based on the recommendation of the advisory committee.

Extended School Year

In accordance with Section 20-1-301, MCA, and any applicable collective bargaining agreement covering the employment of affected employees, the Board of Trustees may establish a school calendar with an earlier start date and a later end date to ensure students receive the minimum number aggregate instructional hours. The purpose of an extended school year will be to maximize flexibility in the delivery of instruction and learning for each student in the School District. When setting an extended school year, the School District will collaborate with students, parents, employees and other community stakeholders. When proposing to adopt changes to a previously adopted school term the Board of Trustees will follow the procedures outlined in in this policy.

Montana Code Annotated

	Description
20-1-301	School Fiscal Year
20-1-302	School Term, Day, Week
20-1-303	Conduct of School on Saturday or Sunday Prohibited - Exceptions
20-1-304	Pupil Instruction Related Day
20-1-306	Commemorative Exercises on certain days
20-9-311	Calculation of Average Number Belonging

Administrative Rules of Montana

	Description
10.55.701	Board of Trustees
10.55.714	Professional Development
10.55.906	High School Credit
10.65.101	PIR Days for Base Funding
10.65.103	Program for PIR Days

Cross References

Code

1005FE

Description

[Proficiency-Based ANB](#)

2050	<u>Innovative Student Instruction</u>
2140	<u>Guidance and Counseling</u>
2221	<u>School Emergency and Closure</u>
2221-P(1)	<u>School Emergency and Closure - Procedure</u>

Policy 2151: Interscholastic Activities

Status: DRAFT

Original Adopted Date: 09/09/2022 | **Last Revised Date:** Pending | **Last Reviewed Date:** 09/09/2022

The District recognizes the value of a program of interscholastic activities as an integral part of the total school experience. The program of interscholastic activities will include all activities relating to competitive sport or intellectual contests, games or events, or exhibitions involving individual students or teams of students of this District, when such events occur between schools outside this District.

All facilities and equipment utilized in the interscholastic activity program, whether or not the property of the District, will be inspected on a regular basis. Participants will be issued equipment which has been properly maintained and fitted.

An activity coach must be properly trained and qualified for an assignment as described in the coach's job description. A syllabus which outlines the skills, techniques, and safety measures associated with a coaching assignment will be distributed to each coach. All personnel coaching intramural or interscholastic activities will hold a current valid first aid certificate.

The Board recognizes that certain risks are associated with participation in interscholastic activities. While the District will strive to prevent injuries and accidents to students, each parent or guardian will be required to sign an "assumption of risk" statement indicating that the parents ~~assume all risks for injuries resulting from such participation~~ are aware of the risks inherent in participating in interscholastic activities. Each participant will be required to furnish evidence of physical fitness (physical form) prior to becoming a member of an athletic team. A participant will be free of injury and will have fully recovered from illness before participating in any event.

Coaches and/or trainers may not issue medicine of any type to students. This provision does not preclude the coach and/or trainer from using approved first aid items.

Administrative Rules of Montana

10.55.707

Description

Teacher and Specialist Licensure

37.111.825

Health Supervision and Maintenance

Cross References

Code

8130

Description

[Outdoor Air Quality Restrictions](#)

8132

[Activity Trips](#)

Policy 3110: Entrance, Placement, and Transfer

Status: DRAFT

Original Adopted Date: 09/09/2022 | **Last Revised Date:** Pending | **Last Reviewed Date:** 12/01/2025

Entrance, Placement, and Transfer

Entrance, Date, and Age

The trustees will enroll and admit a child to a school in the district when the child is 5 years of age or older on or before the tenth (10th) day of September of the school year in which the child is to enroll but is not yet 19 years of age who is a resident of the District. Parents may request a waiver of the age requirement. All waivers are granted in the sole discretion of the Trustees.

In accordance with Sec. 20-7-411, MCA, the Trustees shall provide or establish and maintain a special education program for each preschool child with a disability who is 3 years of age or older and under 7 years of age, and will enroll and admit into the special education program a child with a disability, as that term is defined at Sec. 20-7-401, MCA, if the child with a disability is at least 3 years of age.

In accordance with Title 20, Chapter 7, Part 18 of the MCA and Policy 2165, the Trustees may enroll a child under the age of 5 into an early targeted intervention classroom or home-based program if the child is 4 years of age or older on or before September 10 of the year in which the child is to participate in the program and the child is an "eligible child" as that term is defined in Sec. 20-7-1802, MCA.

Non-resident students may be admitted at the discretion of the Trustees. Children will be enrolled in the grade identified in accordance with District policy or at the discretion of the of the administration in consultation with the student's parents or guardians. The District requires proof of identity and an immunization record for every child to be admitted to District schools.

The Trustees may at their discretion assign and admit a child to a school in the district who is under 5 years of age or an adult who is 19 years of age or older if there are exceptional circumstances that merit waiving the age provision. As used in this policy, "exceptional circumstances" means any of the following:

- (a) the child is being admitted into a preschool program established by the Trustees pursuant to Sec. 20-7-117, MCA;
- (b) the child under 5 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;
- (c) the child under 5 is being admitted into an early targeted intervention classroom or jumpstart program pursuant to Title 20, chapter 7, part 18 and Policy 2165;
- (d) the child is a child with a disability and is being admitted into a special education program pursuant to Sec. 20-7-411, MCA. or
- (e) the adult is 19 years of age or older and in the trustees' determination would benefit from educational programs offered by a school of the district.

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 of this Policy.

The trustees shall assign and admit a child who is enrolled in a nonpublic or home school and who meets the age and residency requirement of this policy on a part-time basis at the request of the child's parent or guardian consistent with the provisions of Policy 3150. A part time enrollee shall be calculated for purposes of ANB consistent with Policy 3121.

The Trustees shall assign and admit to a school of the District or otherwise provide special education services to an adult with a disability residing in the District who has neither reached the age of 22 nor previously graduated from high school by earning a regular high school diploma based on the school district's graduation requirements and that was not based upon a lesser credential.

School Entrance

1. The District requires that a student's parents, legal guardian, or legal custodian present proof of identity of the child to the school within forty (40) days of enrollment, as well as proof of residence in the District. Students who are not residents of the District may apply for admission pursuant to Policy 3141. For the purposes of this section "proof of identity" means a certified copy of a birth certificate, a certified transcript or similar student records from the previous school, or any documentary evidence that a school district considers to be satisfactory proof of identity.

2. To be admitted to District schools, in accordance with the Montana Immunization Law, a child must have been immunized against varicella, diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles in the manner and with immunizing agents approved by the department. Immunizations may not be required if a child qualifies for conditional attendance or an exemption is filed as provided by Montana law.

3. The above requirements are not to serve as barriers to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The District shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain necessary enrollment documentation and ensure a student receives education services in the best interests of the child. The Superintendent or designee shall serve as point of contact with all applicable agencies to review records, facilitate services and resolve disputes.

Placement

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

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 will be placed in student data management system as soon as enrolled under this provision. The student will attend classes during preliminary enrollment and the Board authorizes the administration to provide offsite instruction to the student if not present in the District. The District will include a student enrolled under this provision as part of the calculation of ANB.

101 Transfer
 102 District policies regulating the enrollment of students from other accredited elementary and
 103 secondary schools are designed to protect the educational welfare of children.
 104
 105 Elementary Grades (K-8)
 106 A student transferring into the District will be admitted and placed
 107 subject to observation by appropriate teachers and a building principal during a probation period of
 108 two (2) weeks. Thereafter, should doubt arise as to initial grade and level placement of a student,
 109 school personnel will conduct an educational assessment to determine appropriate grade and
 110 level placement.
 111
 112 Secondary Grades (9-12) Credit Transfer
 113 A transfer of credits from any secondary school is subject to a satisfactory examination of the
 114 following:
 115 1. Appropriate certificates of school accreditation;
 116 2. Length of course, school day, and school year;
 117 3. Content of applicable courses;
 118 4. School building as it relates to credit earned (i.e., lab areas for appropriate science
 119 or vocational instruction);
 120 5. Appropriate evaluation of student performance leading toward credit issuance.
 121
 122 The District will follow Montana Accreditation Rules and Standards, along with local alternate
 123 procedures for earning credit, in reviewing requests for transfer of credits. High school principals
 124 have authority for approving credit transfers, subject to review by the Superintendent or the Board.
 125
 126
 127

Montaná Code Annotated	Description
20-1-101	Definitions
20-5-101	Admittance of child to school
20-5-403	Immunization required – release and acceptance of immunization records
20-5-404	Conditional Attendance
20-5-405	Medical or religious exemption
20-5-406	Immunization record
20-7-117	Kindergarten and preschool programs
44-2-511	School enrollment procedure
Title 20, Chapter 5, Part 5	Enrollment of Pupil by Caretaker Relative
Administrative Rules of Montana	Description
10.16.3122	Local Educational Agency Responsibility for Students with Disabilities
10.55.712	Class Size Elementary

10.55.713

Teacher load and class size

Title 10, Chapter 55

Accreditation Standards

128 **Cross References**

Code

Description

2158

[Parent and Family Engagement and Educational Involvement](#)

2158-P(1)

[Parent and Family Engagement and Educational Involvement
- Student Pronoun Use](#)

2413

[Credit Transfer and Assessment for Placement](#)

3121

[Enrollment and Attendance Records](#)

3121-P(1)

[Enrollment and Attendance Records](#)

3124

[Military Compact Waiver](#)

3125

[Education of Homeless Children](#)

3125-NF(1)

[Education of Homeless Children - McKinney-Vento Homeless
Education Assistance Dispute Resolution Form](#)

3141

[Nonresident Student Enrollment](#)

3141-F(1)

[Nonresident Student Enrollment - Application Form](#)

3150

[Part-Time Enrollment](#)

3413

[Student Immunization](#)

3413-F(1)

[Student Immunization - Medical Exemptions](#)

3413-F(2)

[Student Immunization - Religious Exemptions](#)

3520

[Student Fees, Fines, and Charges](#)

3600

[Student Records](#)

3600-P(1)

[Student Records - Maintenance of School Student Records](#)

3600-NF(1)

[Student Records - Notification to Parents and Students of
Rights Concerning a Student's School Records](#)

3600-F(1)

[Student Records](#)

8100

[Transportation](#)

Policy 3120: Compulsory Attendance

Status: DRAFT

Original Adopted Date: 09/09/2022 | **Last Revised Date:** Pending

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 (1st) day of school attend school until the later of the following dates:

1. Child's sixteenth (16th) birthday; or
2. The 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 Section 2 of 20-5-103.
- 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 the age of sixteen (16) is not in the best interests of the child and the school.

Montana Code Annotated

20-1-308

Description

Religious instruction released time program

20-5-101

Admittance of child to school

20-5-102

Compulsory enrollment and excuses

20-5-103

Compulsory Attendance and Excuses

20-5-104	Attendance officer
20-5-106	Truancy
20-5-107	Incapacitated and indigent child attendance
20-5-108	Tribal agreement with district for Indian child compulsory attendance and other agreements
20-5-202	Suspension and expulsion
40-6-701	Interference with fundamental parental rights restricted

37 **Cross References**

Code	Description
2158	<u>Parent and Family Engagement and Educational Involvement</u>
2158-P(1)	<u>Parent and Family Engagement and Educational Involvement - Student Pronoun Use</u>
2335	<u>Health Enhancement Curriculum and Related Issues</u>
2335-NF(1)	<u>Health Enhancement Curriculum and Related Issues - Annual Notice</u>
2335-NF(2)	<u>Health Enhancement Curriculum and Related Issues - 5 to 14 Day Notice</u>
2335-NF(3)	<u>Health Enhancement Curriculum and Related Issues</u>

Policy 3150: Part-Time Enrollment

Status: DRAFT

Original Adopted Date: 09/09/2022 | **Last Revised Date:** Pending | **Last Reviewed Date:** 12/01/2025

Part-Time Attendance

The District will assign and admit to a school of the District a child who is enrolled in a nonpublic or home school and who meets the age and residency requirements of Sec. 20-5-101, MCA, as a part-time enrollee at the request of the child's parent or guardian. For the purposes of this policy, a "part-time enrollee" is a qualifying pupil who is enrolled and admitted at one of the fractional levels that qualify for part-time ANB pursuant to Sec. 20-9-311(4)(a) or (4)(d), MCA.

The District will prioritize enrollment for both part-time and full-time students wishing to enroll in the same course or a specific section of a course based on the following criteria:

1. Priority will be given to students who require a particular course to advance to the next grade level, ~~matriculate~~ achieve promotion from the 8th grade to high school, or graduate from high school within the District.

2. Preference will be extended to students who need to complete a specific course as a prerequisite for subsequent courses necessary for promotion, matriculation, or graduation as described above.

After addressing these priority cases, all other enrollment requests will be processed equitably, ensuring that both part-time and full-time students receive consistent treatment. The application of a "first-come, first-served" approach to address a course or section of a course that has reached maximum capacity will only take effect after the priority determinations have been resolved. This will be based on the timestamp of submission for requests once the District opens the application period for courses at the beginning of each semester or school year.

Participation in District Extracurricular Activities by Unenrolled Children

This policy does not restrict or limit the ability of unenrolled children to seek to participate in extracurricular activities in accordance with Policy 3510. The District may secure ANB for unenrolled children participating in identified extracurricular activities in accordance with Policy 3121.

Montana Code Annotated

20-5-101

Description

Admittance of child to school

20-5-112

Participation in extracurricular activities

20-9-311

Calculation of Average Number Belonging

Cross References

Code

2050

Description

[Innovative Student Instruction](#)

2158	<u>Parent and Family Engagement and Educational Involvement</u>
2158-P(1)	<u>Parent and Family Engagement and Educational Involvement - Student Pronoun Use</u>
2333	<u>Participation in Commencement Exercises</u>
2410	<u>High School Graduation Requirements</u>
2410-P(1)	<u>High School Graduation Requirements</u>
2410-P(2)	<u>High School Graduation Requirements - Graduate Profile</u>
2410-NF(1)	<u>High School Graduation Requirements - Commitments and Intentions</u>
2413	<u>Credit Transfer and Assessment for Placement</u>
3110	<u>Entrance, Placement, and Transfer</u>
3110-NF(1)	<u>Entrance, Placement, and Transfer - Education Authorization Affidavit</u>
3121	<u>Enrollment and Attendance Records</u>
3121-P(1)	<u>Enrollment and Attendance Records</u>
3141	<u>Nonresident Student Enrollment</u>
3141-F(1)	<u>Nonresident Student Enrollment - Application Form</u>
3510	<u>School-Sponsored Activities</u>
3550	<u>Student Clubs</u>
3550-NF(1)	<u>Student Clubs - School District Student Club Application</u>
7225	<u>Crowdfunding Proposals</u>
7260	<u>Endowments, Gifts, and Investments</u>
7425	<u>Extra-Curricular Funds</u>
7425-NF(1)	<u>Extra-Curricular Funds - Class Fundraising Notice</u>
8130	<u>Outdoor Air Quality Restrictions</u>
8132	<u>Activity Trips</u>

Policy 3231: Searches and Seizure

Status: DRAFT

Original Adopted Date: 09/09/2022 | Last Revised Date: Pending | Last Reviewed Date:
09/09/2022

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

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:

~~A "pat-down" of the exterior of the student's clothing;~~

A search of the student's clothing, ~~including pockets~~ by requesting that the student remove any coat, jacket, or other outer wear which can then be searched and by requesting that the student empty their pockets;

A search of any container or object used by, belonging to, or otherwise in the possession or control of a student; and/or

Devices or tools identified in school district policy or the student handbook or deemed necessary by the Superintendent or designee.

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

School Property and Equipment and Personal Effects of Students

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

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

Students

School officials may search any individual student, his/her property, or District property under his/her control, when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the District or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that

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

Students may not use, transport, carry, or possess illegal drugs or any weapons in their vehicles on school property. While on school property, vehicles may be inspected at any time by staff, or by contractors employed by the District utilizing trained dogs, for the presence of illegal drugs, drug paraphernalia, or weapons. In the event the school has reason to believe that drugs, drug paraphernalia, or weapons are present, including by alert-trained dogs, the student's vehicle will be searched, and the student expressly consents to such a search.

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

Seizure of Property

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

United States Constitution
Fourth Amendment

Description
Unreasonable Search and Seizure

United States Supreme Court
469 U.S. 325 (1985)
557 U.S. 364 (2009)

Description
New Jersey v. T.L.O.
Safford Unified School Dist. No. 1 v. Redding

Cross References

Code
3200
3330

Description
[Student Rights and Responsibilities](#)
[Use of Alcohol Sensor Device](#)

Policy 5321: Sick Leave

Status: DRAFT

Original Adopted Date: 09/09/2022 | **Last Revised Date:** Pending

Sick and Bereavement Leave

Classified employees, Business Managers/District Clerks, and Superintendents will be granted sick leave benefits in accordance with § 2-18-618, MCA.

"Sick leave" means a leave of absence with pay for:

(a) a sickness suffered by an employee or a member of the employee's immediate family; or

(b) the time that an employee is unable to perform job duties because of:

- a physical or mental illness, injury, or disability;
- maternity or pregnancy-related disability or treatment, including prenatal care, birth, or medical care for the employee or the employee's child;
- (quarantine resulting from exposure to a contagious disease;
- examination or treatment by a licensed health care provider;
- short-term attendance, in the District's discretion, to care for a relative or household member who is not 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 the District's discretion, another person.

Immediate family is defined as an employee's spouse and any member of the employee's household, or any parent, child, grandparent, grandchild, or corresponding in-law.

~~[OPTIONAL] Personal and Emergency Leave~~

~~Teachers will be granted personal and emergency leave according to terms of the current collective bargaining agreement. Upon recommendation of the Superintendent, and in accordance with law and District policy, classified staff may be granted personal leave pursuant to the following conditions:~~

- ~~1. Leave will be without pay unless otherwise stated. If leave is to include expenses payable by the District, leave approval will so state.~~
- ~~2. Leave will be granted only in units of half (½) or full days.~~
- ~~3. Notice of at least one (1) week is required for any personal leave of less than one (1) week; notice of one (1) month is required for any personal leave exceeding one (1) week.~~
- ~~4. With approval of the Board, the Superintendent has the flexibility, in unusual or exceptional circumstances, to grant personal leave to employees not covered by sick or annual leave. The employee will not receive fringe benefits during any personal leave of greater than fifteen (15) days. During the leave, the employee may pay the District's share of any insurance benefit program in order to maintain those benefits, provided that is acceptable~~

~~to the insurance carrier. Staff using personal leave will not earn any sick leave or annual leave credits or any other benefits during the approved leave of absence.~~

Civic Duty Leave

~~Leaves for service on either a jury or in the Legislature will be granted in accordance with state and federal law.~~

~~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.~~

Montana Code Annotated

2-18-601(15)

Description

Definitions

2-18-618

Sick leave

2-18-619

Jury Duty – Service as Witness

39-2-104

Mandatory leave of absence for employees holding public office

49-2-311

Reinstatement to job following pregnancy

Title 39, Chapter 31

Collective bargaining for public employees

United States Code

42 U.S.C 2000e

Description

Equal Employment Opportunities

Cross References

Code

5328

Description

[Family Medical Leave](#)

5328-P(1)

[Family Medical Leave](#)

5329

[Long-Term Disability Leave](#)

5329-P(1)

[Long-Term Disability Leave - Procedure](#)

5330

[Maternity and Paternity Leave](#)

7330

[Payroll Procedures](#)

7330-NF(1)

[Payroll Procedures - Schedules](#)

Policy 5322: Military Leave

Status: DRAFT

Original Adopted Date: 09/09/2022 | Last Revised Date: Pending

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.

Military Leave

A District employee who is a member of the national guard of Montana or any other state or who is a member of the organized or unorganized reserve corps or military forces of the United States and who has been an employee for a period of at least 6 months must be given leave of absence with pay at a rate of 120 hours in a calendar year or academic year if applicable, for performing military service. The full 120 hours of leave must be credited in full to an employee after 6 months of employment and in each successive calendar year, or academic year if applicable.

Military leave may not be charged against the employee's annual vacation time. Unused military leave must be carried over to the next calendar year, or academic year if applicable, but may not exceed a total of 240 hours in any calendar or academic year.

Right to Return to Work

After a leave of absence for state military duty, an employee is entitled to return to employment with the same seniority, status, pay, health insurance, pension, and other benefits as the employee would have accrued had the employee not been absent for state military duty. If an employee was in probationary status when ordered to state military duty, the District may require the employee to resume the probationary period upon returning to employment with the District.

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.

Nondiscrimination

The District will not discriminate in hiring, reemployment, promotion, or benefits based upon membership or service in the uniformed services.

Requests for Leave

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

50 advance of the date military service is to begin.
51
52 Persons returning from military leave are asked to give the Superintendent notice of intent to
53 return, in writing, as least one (1) full month in advance of the return date.
54
55 The District shall post notice of the rights, benefits, and obligations of the District and employees in
56 the customary place for notices.

57

Montana Code Annotated
10-1-1001, et seq

Description
Montana Military Service Employment Rights

58

NEW

Policy 5323: Personal and Emergency Leave

Status: DRAFT

Original Adopted Date: Pending

Personal and Emergency Leave

Upon recommendation of the Superintendent, and in accordance with District policy and any applicable collective bargaining agreement, employees may be granted personal or emergency leave at the discretion of the Board of Trustees pursuant to the following conditions:

1. Leave will be without pay unless otherwise stated. If leave is to include expenses payable by the District, leave approval will so state.
2. Leave will be granted only in units of half ($\frac{1}{2}$) or full days.
3. Notice of at least one (1) week is required for any personal leave of less than one (1) week; notice of one (1) month is required for any personal leave exceeding one (1) week.
4. The Board hereby delegates to the Superintendent the authority, in unusual or exceptional circumstances, to grant immediate personal or emergency leave to employees who have exhausted or are not covered by sick leave or vacation pending Board approval of personal or emergency leave.

NEW

Policy 5324: Civic Duty Leave

Status: DRAFT

Original Adopted Date: Pending

Jury Duty

When an employee is summoned for jury duty, the Superintendent may request that the Court excuse the employee from jury duty if the employee's presence at work is necessary for the proper operation of the District. If the employee is not excused or no request is made to excuse the employee, a leave of absence for jury duty will be granted. The employee 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).

Witness Subpoena

When an employee is subpoenaed to serve as a witness, the employee may elect to receive regular salary while serving as a witness, or take annual leave. An employee who elects not to take annual leave, however, must remit to the District all witness fees and allowances (except for expenses and mileage).

Public Office

If an employee is elected or appointed to a city, county, or state public office, the District shall grant to the employee a leave of absence while the employee is performing public service, not to exceed 180 days per year. An employee granted a leave of absence shall make arrangements to return to work within 10 days following completion of the service for which the leave was granted. If the District employs 10 or more persons, the employee will be restored to their position with the same seniority, status, compensation, hours, locality, and benefits as existed immediately prior to the leave of absence.

During the leave of absence, the employee cannot be required to perform work or to use leave or benefits without the consent of the employee. If the District provides health care benefits to the employee, the District shall continue offering the employee health care benefits with the same covered benefits and covered persons during the leave of absence.
