# BILLINGS PUBLIC SCHOOLS

# District Student/Parent Handbook

## Mission Statement

**"Billings Public Schools Community strives to inspire, educate, and empower students to be responsible and innovative global citizens who achieve their full potential."**

### *We believe:*

**…about students**

All students are valued and respected
Students learn in diverse ways and at different rates
Personal responsibility is the basis for successful learning and positive behavior
Student success is achieved through shared responsibility
Positive relationships lead to higher achievement, mutual trust, and a safe school environment

**…about home & community**

Parents and families have the greatest influence on, and responsibility for, their student's learning and behavior
Positive role models are essential for learning
Community engagement strengthens learning and promotes a sense of pride in ownership

**…about the District**

District decisions will be based on what is best for students
High expectations lead to high achievement
A highly effective staff creates an environment for student success
Efficient and transparent resource management is essential for the successful operation of the school district
Embracing diversity and culture contributes to a strong learning community
Responsible change promotes progress
Students should have access to equitable learning opportunities

# BILLINGS PUBLIC SCHOOLS' EXPECTATIONS, CONSEQUENCES, AND POLICIES

In addition to a student's school specific student handbook of procedures, the following ***Student/ Parent Handbook*** establishes the obligations of all students in the Billings Public Schools. It is your obligation as a student in our district to know the contents of both and to understand that both the district's ***Student/ Parent Handbook*** and the school's student handbook are enforceable as the "law" of the school district.

Violations of District policy will be dealt with through discipline assigned by our building administrator(s) as agents of the Board of Trustees. And, the protections afforded by District policy will be provided to you by District administration and staff.

The following District policies and procedures are found in this handbook. In addition, they may be located by accessing the District's website at www.billingsschools.org where all of the District's policies are located.

### Contents of Student/Parent Handbook of Board Policies and Procedures


Policy 3100 Educational Enrollment Exceptional Circumstances
Policy 3120 Attendance Policy and Removal of Student during School Day
Procedure 3120-Pl Compulsory Attendance
Procedure 3120-P2 Student Attendance and Removal of student during the school day
Policy 3125 Education of Homeless and Foster Care Children
Policy 3130 Temporary School Closure
Policy 3141 Discretionary Nonresident Student Attendance
Policy 3145 Foreign Exchange Students
Policy 3150 Part-Time Attendance
Policy 3200 Student Rights, Responsibilities, and Code of Conduct
Policy 3201 Freedom of Expression
Policy 3202 Student Publications
Policy 3203 Student Dress
Policy 3203-P1 Student Dress –Gang Activity or Association
Policy 3204 Searches and Seizure
Procedure 3204-P1 Searches of Students and their Property
Procedure 3204-P2 Video Surveillance
Procedure 3204-P3 Video Surveillance - School Buses/Vehicles
Policy 3205 District-Provided Access to Electronic Information, Services & Networks
Procedure 3205-P1 Acceptable Use Procedure
Policy 3210 Harassment, Intimidation, and Bullying
Policy 3220 Equal Educational Opportunity
Policy 3230 Non-Discrimination and Anti– Harassment
Policy 3235 Student Drug and Chemical Use and Abuse *(on Billings Public Schools website)*
Policy 3240 Tobacco Free Schools
Policy 3250 Gun-Free Schools
Policy 3255 Bomb Threats and Threats of Hazardous Substances
Policy 3300 Student Discipline: Consequences for Violations of Student Code of Conduct
Policy 3350 Student Discipline: Due Process
Procedure 3350-P1 Detention
Procedure 3350-P2 Suspension and Expulsion
Policy 3410 Student Health
Policy 3416 Administering Medicines to Students
Procedure 3416-P1 Administering Medications to Students
Policy 3417 Communicable Diseases
Policy 3431 Emergency Treatment
Policy 3520 Student Fees, Fines, and Charges
Policy 3550 Student Clubs

Policy 3600 Student Records
Form 3600-Fl FERPA Annual Notification
Procedure 3600-P1 Student Records
Procedure 3600-P3 Withholding Records
Procedure 3600-P5 Special Education Records
Policy 3606 Transfer of Student Records
Policy 3608 Receipt of Confidential Records

## WEIGHTED GRADES AND TRANSCRIPTS (HIGH SCHOOL ONLY)

GPA and Transcripts

To ensure accuracy for college admissions and scholarships, Billings Public Schools tracks both weighted and unweighted Grade Point Averages (GPA):

- Transcripts: Transcripts display a student's unweighted GPA to accommodate colleges and scholarships that prefer a traditional 4.0 scale. GPA calculations are rounded to the nearest hundredth (0.01).
- Class Rank: Class rank and percentiles are calculated based upon the weighted GPA.
- Scholarship Reporting: The weighted GPA and class rank will be reported for all standard college application and scholarship purposes (such as the Common Application). The single exception is the Montana University System (MUS) Scholarship; the district reports unweighted GPAs for this specific program to ensure our students receive the most favorable scoring possible.

## VALEDICTORIAN SELECTION CRITERIA (HIGH SCHOOL ONLY)

The title of Valedictorian is the highest academic honor bestowed upon graduating seniors. The valedictorian will be the student(s) who takes the most rigorous academic track, resulting in the highest weighted GPA.

Because scheduling limits, course availability, and individual student interests vary, school counselors support academic planning but do not advise students on how to "become" valedictorian. To ensure a completely level playing field across the district, all candidates must meet the following strict structural criteria:

- Credit Threshold: Students must earn at least 24 high school credits, including all specific district graduation requirements.
- Eight-Semester Timeline: The final valedictorian designation is determined at the conclusion of the student's eighth (final) semester.
- The Calculation Math: To prevent the artificial inflation of a GPA through excess non-weighted electives, the valedictorian GPA is calculated using a specific prioritization:
    1. All weighted grades (Approved Honors and Advanced Placement courses where A=5.0) are factored in first.
    2. Non-weighted grades, including non-weighted grades below an A, are added next until exactly 24 total credits are reached.
    3. Any additional non-weighted "A" grades earned beyond the 24-credit mark are excluded from this specific calculation.
- Rounding and Ties: For the purposes of valedictorian determination, the calculated GPA is not rounded. In the event of an exact mathematical tie, multiple valedictorians will be named, honored, and recognized equally.
- Rank vs. Title: Because the valedictorian GPA utilizes a specialized formula for school use, the title of Valedictorian may not always reflect a class rank of 1 on a standard transcript.

A Note on Balancing Rigor and Wellness

While being named valedictorian is an impressive achievement, it represents just one measure of success in high school. Our primary goal is to help every student build a strong academic foundation, pursue deep personal interests, and prepare for future opportunities. We strongly encourage students to challenge themselves appropriately, focus deeply on learning, and choose courses that align with their long-term interests and post-graduation plans, not solely for a rank or a title.

Public Charter Schools

Due to the targeted mission and vision of our public charter schools, valedictorians will not be named for the Billings Early College School, Billings Opportunity School and Billings Multilingual Academy. GPA and transcripts will follow the same guidelines as for our comprehensive high schools.

# BILLINGS PUBLIC SCHOOLS' EXPECTATIONS, CONSEQUENCES AND POLICIES

**The following list is a summary of a few important policies. Positive student behavior and respect for others will insure that they have the best school and learning environment possible and provide for a successful year.**

## EXPECTATIONS

### STUDENT DRESS POLICY

Billings Public Schools respects students' rights to express themselves in the way they dress. All students who attend BPS are also expected to respect the school community by dressing in a professional manner appropriate for a K-12 educational environment. Student attire should facilitate participation in learning as well as the health and safety of students and the adults that supervise them. This policy is intended to provide guidance for students, staff, and parents.

Students are expected to come to school and all activities clean, well groomed, and wearing clothes that appropriately cover the body and do not cause distractions to the learning of others or create a health or safety issue. This basic dress code encourages students to "dress for success" and to come to school properly prepared to participate in the educational process. Students are expected to man- age their personal appearance in a manner that does not disrupt teaching and learning, promote vulgarity or obscenity, advertise illegal substances, drugs, drug brands, tobacco, alcohol, advertise weapons or violence, express double meanings that are inappropriate or promote gang activity as determined by Policy 3224.

All students are expected to wear comfortable, safe, and appropriate clothing in P.E. class (sweats, shorts, athletic shoes, tee shirts). Specific courses or events may require specialized attire, such as sports uniforms or safety gear that may differ from the dress code.

Students that are attending class or working in other school buildings in the district must abide by that building's dress code.

The administration at each school reserves the right to determine what constitutes appropriate dress

In keeping with the above philosophy, and in order to reduce misunderstanding, inappropriate school wear includes, but is not limited to the following:

- Destroyed and distressed pants must not have holes in places that expose undergarments
- Pants must be secured at the waistline and may not hang down exposing undergarments.
- Footwear must have a sole that would be appropriate for walking outside in any weather condition in case of an unexpected evacuation of the building.

**Failure to cooperate with the dress code policy will result in one or more of the following:**

- Change to appropriate clothing of the student's or from the school's collection.
- Parent notification to bring appropriate clothing to school
- Disciplinary consequence.

*(See Policy 3224 and 3224 P-1)*

### BULLYING

Billings Public Schools has "Zero" tolerance for bullying, harassment and intimidation on school property, to or from school, on a school bus or other school vehicle, at school- related functions or activities, or by electronic communications.

Bullying as defined by the Anti-Bullying Alliance is:

- "The repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. Bullying can be physical, verbal or psychological. It can happen face-to-face or online."

Bullying includes retaliation against a victim or witness who reports information about an act of bullying and includes acts of hazing associated with athletics or school sponsored organizations or groups.

Students who violate this policy will face disciplinary action. Depending upon the severity of the offense, consequences will range from detention, to in-school suspension, out of school suspension or expulsion.

*(See Policy 3210 and the Harassment/Intimidation/Bullying* Incident *Reporting Form)*

## SEARCHES

The goal of search and seizure with respect to students is meeting the educational needs of children and ensuring their security. Reasonable 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 and safe educational environment.

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

The School District 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. The School District also utilizes video surveillance to ensure the health, welfare, and safety of all staff, students, and visitors.

School authorities may search a student or a student's personal effects in a student's possession when reasonable grounds suggest a search will produce evidence that the particular student has violated or is violating a law or District student conduct rules.

When a search produces evidence that a student has violated or is violating a law or District policies, procedure, rules, and handbooks such evidence may be seized and impounded by school authorities and disciplinary action may be taken.

A student on school property or at a school sanctioned event <u>does not</u> have the right of refusal to be searched.

*(See Policy 3204 & 3204 P-1 through P-3)*

## ACCESS TO ELECTRONIC INFORMATION, SERVICES, NETWORKS

The District provides electronic equipment and 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 on-line. The District may withdraw student access to its network and to the Internet when any misuse occurs.

<u>EDUCATIONAL PURPOSES ONLY</u>

All use of the District's electronic network must be

- In support of education and/or research, and in furtherance of the District's stated educational goals; or
- For a legitimate school business purpose.
- Use is a privilege, not a right.

Students and staff have no expectation of privacy in any materials that are stored, transmitted, or received via the District's electronic network or District computers.

The District reserves the right to monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of computers, systems, networks and Internet access and any and all information transmitted or received in connection with such usage.

Unacceptable uses of network

- Uses that violate the law or encourage others to violate the law.

- Uses that cause harm to others or damage to their property.
- Uses that jeopardize the security of computers, systems, or networks of the District or others.
- Exposing self or others to the potential of personal harm.
- Uses that are commercial transactions.

*(See Policy 3205)*

## TEXTBOOKS

Although textbooks are furnished by the school, students are responsible for them and must pay for lost or damaged books. New books are expensive (up to $150). Students should have a cover on every textbook in order to protect the book and avoid paying payment of fines due to excessive wear and tear. Fines for textbooks will be as follows:

- Loss of book – value of book
- Willfully damaging book – value of new book
- Broken back/spine – 1/2 the value of the book
- Cover torn off – 1/3 value of new book
- Water damage – 1/4 to 1/2 value of new book
- Undue soiling – 1/5 to 1/2 value of new book

**Report cards will be held until assessed fines have been paid**.

*(See Policy 3520)*

## CELL PHONES

Billings Public Schools recommends students NOT bring cell phones or electronic devices to school and takes no responsibility for devices that are lost or stolen, even when those devices are placed in a classroom caddy or other storage system during the class period. Also, be aware that the school can revoke any student's cell phone privileges and require the phone to be turned in upon arrival and not returned until dismissal as a result of a student's failure to use the phone appropriately while on campus.

*Policy 8320*

**K-5**

No cell phone use is allowed during school time. Student cell phones are to be turned off and placed in backpacks until they walk out of the school building at the end of the day.

**6-8**

No cell phone use is allowed during school time. Phones and wearable devices, i.e. Apple Watches, Air Pods and similar devices, are to be turned off and put in lockers during school time.

**9-12**

No cell phones or other personal electronic devices use is allowed during class time, educational or otherwise. All cell phones should be put into the school provided phone storage spot during class time. Devices can only be used before and after school, during passing time or at lunch.

Parents can call the office and messages will be relayed to students.

## CONSEQUENCES FOR MAJOR MISBEHAVIORS

"Any teacher or principal shall have the authority to hold any pupil to strict accountability for any disorderly conduct in school or on the way to or from school, or during intermission or recess." Mont. Code Ann § 20-4-302

**NOTE: Depending on the severity of the offense, an administrator may impose any level of disciplinary action that is warranted to promote and ensure an orderly educational atmosphere in the school and eliminate health and safety risks. Consequences are cumulative during time in Billings Public Schools!**

# DISTRICT POLICIES

## POLICY 3100 EDUCATION ENROLLMENT EXCEPTIONAL CIRCUMSTANCES

The Trustees of the District may, at their discretion, assign a child to 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 of Mont Code. Ann § 20-5-101.

"Exceptional Circumstances" under this policy shall mean any of the following:

- the child is being admitted into a preschool program established by the Trustees pursuant to 20-7-117;
- the child is determined by the Trustees to be ready for kindergarten and the child's parents have requested early entry into the District's regular kindergarten program;
- the child is being admitted into an early literacy targeted intervention classroom or jumpstart program;
- 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.

## POLICY 3120 ATTENDANCE POLICY

Pursuant to state law, the Board authorizes the Super- intendent to adopt procedures implementing compulsory attendance regulations throughout the District. These procedures shall be published in student hand- books annually.

Removal of Student During School Day

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

### PROCEDURE 3120-P1 ATTENDANCE POLICY AND REMOVAL OF STUDENT DURING SCHOOL DAY

Compulsory Attendance

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

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

Parents shall enroll the student unless the student is:

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

## PROCEDURE 3120-P2 ATTENDANCE POLICY AND REMOVAL OF STUDENT DURING SCHOOL DAY

**Student Attendance**

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

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

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

**Attendance Policy - K-8**
It is the responsibility of the parent or guardian to assure their student is in school regularly. When a student must be absent for illness or other unforeseeable emergencies, parents must inform the school of the student's absence. In cases where doubt occurs concerning the validity of an excuse, the administration may request verification. If a student is not present and the parent has not notified the school of the absence, the school will attempt to call the parent.

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

**Excused Absences**
Excused absences are categorized as follows:
- Illness
- medical appointments which cannot be scheduled outside the school day
- participation in school activities
- bereavement
- verifiable family emergencies
- necessary absences approved by the parent

**Unexcused Absences/Truancies**
In the event the principal determines an absence unnecessary, the absence will be considered as unexcused, such as:
- leaving the building without checking out
- excuses such as oversleeping, car trouble, missing the bus, and being late from lunch
- disciplinary suspensions
- incarceration

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

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

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

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

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

**Limit on Total Absences**
If the total number of absences from any high school class exceeds 10 per semester, a student may receive a P grade. Absences from classes due to school-sponsored activities are not counted in the ten (10).

Students may appeal the 10 absences per semester limit. A student who anticipates that an extended absence will exceed the 10-day limit may appeal in advance. Consequences for students on a 504 or IEP will be determined by appropriate planning meetings.

# POLICY 3125 EDUCATION OF STUDENTS EXPERIENCING HOMELESSNESS AND STUDENTS IN FOSTER CARE

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

The district must assign and admit any student identified as experiencing homelessness of in foster care to the school regardless of residence and without regard to the student's ability to produce records normally required for enrollment (e.g., proof of residency, immunization, birth certificate, or prior school records).

The District may not require tuition or an out-of-district attendance agreement for a student experiencing homelessness or a student placed in foster care.

**School Stability and School of Origin**
If a student becomes homeless or enters foster care during the school year, the student has the right to remain in the school of origin unless it is determined, based on the best interest of the students, that reenrollment in another school is more appropriate. If a change in placement is determined to be in the best interested of the students, the District will immediately enroll the student in the new school and provide written notice of the decision and appeal rights.

**Enrollment and Records**
The Superintendent will review and revise as necessary any procedures that create barriers to enrollment, attendance, or academic success for students experiencing homelessness or in foster care. IN doing so, the Superintendent will address transportation, immunizations, residency, documentation, and school records required to ensure compliance with the McKinney-Vento Homeless Assistance Act and the Every Student Succeeds Act (ESSA).

The District shall immediately enroll any student identified as homeless or in foster care, even if the student lacks required documentation. The District will promptly request and obtain missing records for the student's previous school.

**Transportation**
Upon request, the District shall provide transportation to enable a student's experiencing homelessness or in foster care to remain in the school of origin. When the student resides outside the District boundaries, the District will coordinate with other districts or child welfare agencies to arrange transportation and share costs in accordance with federal and state law.

**Comparable Services and Programs**
Students experiencing homelessness or placed in foster care will have access to educational and support services comparable to those provided to other students, including but not limited to:

- Transportation services;
- Educational services for which a student meets eligibility criteria (e.g., Title I);

- Educational programs for children with disabilities and limited English proficiency;
- Programs in vocational and technical education
- Programs for gifted and talented students; and
- School nutrition programs.

**Liaisons and Coordination**

The Superintendent will ensure that homeless and foster care students are identified, enrolled, and attending school. The Superintendent shall designate:

- A District Homeless Liaison responsible for implementing McKinney-Vento protections, assisting with enrollment, dispute resolution, and staff training; and
- A District Foster Care Point of Contact responsible for coordinating with local child welfare agencies, facilitating school stability decisions, and supporting transition and record transfers.

Contact information for both positions shall be publicly posted on the District's website.

**Definitions**

A "homeless child or youth" is defined as provided in the McKinney-Vento Homeless Assistance Ace (42 U.S.C. §§11431 et seq.).

A "child in foster care" means a child placed away from the home of the parent or guardian under the responsibility of a child welfare agency, including placements in foster family homes, group homes, emergency shelters, residential facilities, or pre-adoptive homes, consistent with the Every Student Succeeds Act (ESSA).

**Complaint and Dispute Resolution**

Anyone having a concern or complaint regarding the placement, school selection, or education of a student experiencing homelessness or a student in foster care shall first present it orally and informally to the appropriate District Liaison or Point of Contact. If the matter is not resolved, the complainant may submit a written complaint using the District's Uniform Complaint Procedure (Policy 1700).
The student shall remain enrolled and receive transportation and services in the requested school pending resolution of the dispute.

The District shall also maintain and make available the McKinney-Vento Dispute Resolution Form (Policy 3125F).

**Confidentiality**

Information about a student's living situation or foster care status is confidential and shall be protected in accordance with FERPA and applicable state laws. Staff will receive training on confidentiality and appropriate sharing of information.

**Training and Review**

The District will provide annual training for staff involved in registration, enrollment, counseling, transportation, and support services to ensure compliance with McKinney-Vento and ESSA foster care requirements. The Superintendent will review this policy and related procedures annually and report updates as needed.

# POLICY 3141 NONRESIDENT STUDENT ENROLLMENT

**Nonresident Student Enrollment**

For the purposes of this policy, except as provided in Section 20-9-707, MCA, a student's district of residence must be determined on the basis of the provisions of Section 1-1-215, MCA.

**Mandatory Nonresident Enrollment for Extenuating Circumstances**

The District shall enroll a student who resides outside of the District whenever the extenuating circumstances listed in Section 20-5-321, MCA, exist.

**Applying for Nonresident Enrollment with No Extenuating Circumstances**

Whenever the extenuating circumstances listed in Section 20-5-321, MCA do not exist and mandatory enrollment of a

student who resides outside the District is not required, the District may enroll the nonresident student at the request of the student's parent or guardian as specified in this policy. The District shall serve children who are residents of the district and nonresident children seeking mandatory enrollment for extenuating circumstances prior to enrolling nonresidents students seeking to apply when extenuating circumstances do not exist.

Every nonresident student who seeks to enroll in the District shall apply for admission for the succeeding school year by (date). All applications shall be submitted using the form found at Policy 3141F as developed by the Superintendent of Public Instruction. Nonresident students shall reapply for admission each school year. Admission in one school year does not infer or guarantee admission in subsequent years. Each application shall be assigned a unique number distinct from a student identification number that does not disclose a student's personally identifiable information consistent with Policy 3600. Within 10 days of the initial application for an attendance, the District shall notify the parent or guardian of the child and district of residence involved in the out-of-district attendance agreement of application the anticipated date for approval or disapproval of the agreement application by the Board of Trustees.

The Board of Trustees authorizes the District Administrator to review the applications for nonresident enrollment consistent with this policy and Section 20-5-320, MCA. Not more than 30 days following the application deadline or the receipt of an application, the District Administrator shall submit to the Board of Trustees a list of students who are recommended for enrollment and a list of students who are not recommended for enrollment based on the factors established in this policy and the District's integrated strategic action plan. The Board of Trustees shall make the decision to approve or deny requests for nonresident enrollment during a properly noticed meeting of the Board. Each application requiring discussion of confidential student information shall be considered during a closed session consistent with Policy 1400 after giving prior notice to the parents that their application will be considered by the Board of Trustees in a closed session of the Board. Any motion on an application must be made in open session and shall be made referring to the distinct application number.

In reviewing and determining whether to approve an application for attendance by a nonresident child, the District Administrator shall recommend for approval and Board of Policy 3141 Page 2 of 4 Trustees shall approve the application unless the Board of Trustees find that the impact of approval of the application will negatively impact the quality of education for resident pupils by grade level, by school, or in the District in the aggregate in one or more of the following ways:

- The approval would result in exceeding limits of:
    - building construction standards pursuant to Title 50, chapter 60, MCA;
    - capacity and ingress and egress elements, either by individual room or by school building, of any fire code authorized by Title 50, chapter 3; or
    - evacuation elements of the district's adopted school safety plan.

    The Board authorizes the District Administrator to coordinate with the local fire marshal, law enforcement, health department, and first responders when developing standards under this Subsection 1. Findings shall be adopted by the Board in the District's strategic action plan or plan for continuous improvement specified in Policy 1610.

    The approval would impede meeting goals, standards, or objectives of quality education adopted by the Board in the District's strategic action plan or plan for continuous improvement specified in Policy 1610. The Board finds that expulsion or suspension from this District would impede in meeting goals standards, or objectives of quality education stated in the plan.

- The approval would risk jeopardizing the educational quality adopted by the Board in the District's strategic action plan or plan for continuous improvement specified in Policy 1610 because the nonresident child who is applying was:
    - truant as defined in Section 20-5-106, MCA, in the last school district attended;
    - expelled by another school district at any time; or
    - suspended in another school district in any of the 3 school fiscal years preceding the school fiscal year for which attendance is requested. This Subsection C does not apply to a student who is eligible for special education or related services.

Review and consideration of applications and the records of applicants as well as decisions regarding admission shall be consistent with District policies regarding nondiscrimination.

In the event the District receives more applications under this policy than the District can accommodate, for any of the reasons specified above, the District shall prioritize applications on the basis of the quality of education for students who are residents of the District of attendance and the obligations of resident taxpayers. This priority may include applications from children of District employees, applications from previously enrolled students with demonstrated good behavior, and children with siblings who have previously enrolled in the District as nonresident students. This priority is specifically established and shall be implemented on a rational basis to provide a quality education to students enrolled in the District.

Within 10 days of approval or disapproval of an application for non-resident enrollment, District shall provide copies of the approved or disapproved attendance agreement application to the parent or guardian and to the district of residence. In the case of a disapproval, the District shall provide the specific allowable reason for the disapproval consistent with this policy and supporting documentation. For an approved application and out-of-district attendance agreement application the District shall provide a copy of the completed agreement to the county superintendent of schools of the county of residence, county superintendent of schools of the county of attendance, and the Superintendent of Public Instruction. Whenever a student enrolls in and attends a school outside of the student's district of residence under the provisions of this policy, by July 15 following the year of attendance, the district of attendance shall notify the district of residence of an obligation under Section 20-5-323, MCA. If an out-of-district attendance agreement application is disapproved or no action is taken, the parent or guardian may appeal the disapproval or lack of action in accordance with Montana law.

Transportation

- An attendance agreement established under 20-5-320 or 20-5321 must set forth the financial obligations, if any, for costs incurred for transportation as provided in § 20-5-323 (6), MCA and Title 20, chapter 10, MCA.
- If the attendance agreement is for a child with a disability who has transportation included in the child's individualized education program, transportation or the costs of transportation must be paid by the child's district of residence.
- Unless the attendance agreement is for a child with a disability who has transportation included in the child's individualized education program and unless otherwise agreed to in the out-of-district attendance agreement:
    - when a child has approval to attend a school outside the child's district of residence because of a parent's or guardian's request under the provisions of §§ 20-5-320 or 20-5321(1)(c), MCA, the parent or guardian of the child is responsible for transportation and the child is not an eligible transportee as defined in § 20-10-101, MCA. The district of attendance may discretionarily provide transportation for a child who is not an eligible transportee pursuant to § 2010-122, MCA.
    - when a child attends a school outside the child's district of residence under the provisions of § 20-5-321(1)(a) or (1)(b), MCA, the district of residence is responsible for transportation; and
    - when a child attends a school outside the child's district of residence under the provisions of § 20-5-321(1)(d) or (1)(e), MCA, the district of attendance is responsible for transportation consistent with and subject to the provisions of 20 U.S.C. 6312(c)(5).
- The amount, if any, charged for transportation may not exceed the lesser of the average transportation cost for each student in the child's district of residence or 35 cents a mile. The average expenditures for the district transportation fund for the preceding school fiscal year must be calculated by dividing the transportation fund expenditures by the October 1 enrollment count for the preceding fiscal year.

# POLICY 3145 FOREIGN EXCHANGE STUDENTS

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

J-1 visa holders (students sponsored by an approved foreign exchange organization) are eligible to attend either elementary or secondary school. Any sponsoring organization must have a local representative, be a nonprofit organization, and be approved by the Council on Standards for International Education Travel.

F-1 visa holders (individual foreign students sponsored by relatives or friends) may not attend the District.

The District finds that foreign exchange students add to the richness of the high school setting for both District and foreign students. Thus, the District is willing to enroll a manageable number of foreign exchange students.

To protect the interests of the District and students, the District has adopted the following policies (it should be remembered that foreign exchange students are educated at the expense of the taxpayers of the District and the state of Montana):

- The foreign exchange student must be eighteen (18) years of age or younger at the time of enrollment;
- The foreign exchange student must reside with a legal resident of the District. Exceptions may be granted.
- The foreign exchange student must have sufficient knowledge of the English language to enable effective communication and to use instructional materials and textbooks printed in English.
    - The District may administer an English proficiency test of its choosing, which will supersede all other tests.
    - If an organization places a student who, on arrival, is deemed by the District to be deficient in English language proficiency, the organization will either terminate the student's placement or provide and pay for tutorial help until the student reaches proficiency, as determined by the District.

Academic Standards and Graduation

- A foreign exchange student will be expected to meet all appropriate standards required of any student enrolled in the District.
- Foreign exchange students may not graduate or receive a diploma from Billings Public Schools. However, they may participate in ceremonies and receive a certificate of attendance.

Orientation by the Exchange Organization

- Orientation, both pre-departure and upon arrival in the United States, must be provided to the exchange student.
- Orientation must also be provided to the host family in advance of the exchange student's arrival. The family should be advised of potential problems in hosting an exchange student and provided with suggestions for coping with these problems.
- The student's host family and the District must be provided written information which includes at least:
    - Name, address, and phone number of both local and area coordinators for the exchange organization.
    - A twenty-four-(24)-hour emergency telephone number for immediate assistance by the exchange organization.

Supervision

- The sponsoring foreign student exchange organization must assume the final responsibility of resolving problems, including, if necessary, the changing of host families or the early return home of the exchange student because of personal, family, or school difficulties.
- The sponsoring foreign student exchange organization must contact the exchange student and host family periodically throughout the exchange visit to ensure that problems are dealt with promptly and effectively.
- The host family must be available and willing to meet with school personnel when functions or conditions require it.

Student Opportunities and Responsibilities

- Required Courses. Foreign exchange students will be expected to enroll in the following academic classes while attending Billings Public Schools:
    - One (1) English class;
    - One (1) United States history class or one (1) government class;
    - Maintain enrollment in at least six (6) classes.
- Athletic Program. Foreign exchange students are eligible to participate in the High School Activities Program. Guidelines for participation are set by District policy and by the Montana High School Association, as follows:
    - RECOGNITION. The student must be a participant of an "official Foreign Exchange Program" as defined in the publication from the National Association of Secondary School Principals, entitled, "Advisory List of International Educational Travel and Exchange Programs."
    - GRADUATION. The student cannot have graduated or received a diploma in his/her own country.
- Student Fees. Foreign exchange students are expected to pay all yearbook fees, lab fees, prom tickets, athletic fees, cap and gown fees, lunch prices, and all other school-incurred expenses that are expected of other students enrolled in Billings Public Schools.
- Achievement and Discipline. Foreign exchange students must maintain passing grades in all classes, follow rules and regulations of District student policies, and show satisfactory discipline and attendance. Failure to comply with these expectations may result in dismissal of the student from the District Foreign Exchange Program.
- Scholarship(s). The District will not include names of foreign exchange students in its formal class-rank listing based on cumulative grade point average, nor will foreign exchange students be eligible to apply for any local scholarship.

Placement Quotas for Foreign Student Exchange Organizations

The fact that a foreign exchange organization has located a host family within the District does not infer the District will automatically enroll the student. While the organization may develop such an agreement with a host family, the family should be advised it is contingent upon admission to Billings Public Schools.

## POLICY 3150 PART-TIME ATTENDANCE

The District will review requests for part-time enrollment on a case-by-case basis, with a building principal making a final decision.

Criteria for accepting students for part-time enrollment are the following:

- accepting a student will not create excess student enrollment in a requested class
- accepting a student will not create need for an additional staff member
- accepting a student will not cause a new section of a course to be created.

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

## POLICY 3200 STUDENT RIGHTS, RESPONSIBILITIES, AND CODE OF CONDUCT

The District recognizes 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 or disrupting the education environment. The District may impose disciplinary measures whenever students violate the rights of others or violate District policies, procedures, rules, or handbooks, on school premises or at any school function or activity. School premises means all property owned, leased, or used by the School District for instruction or student activities. The District reserves the right to impose disciplinary action when a student's conduct, whether occurring on or off school property, substantially disrupts or interferes with the educational environment, the safety of students or staff, or the orderly operation of the school.

Each student is expected to strive to take full advantage of educational opportunities and to do the student's best in all areas of school life. Each student has the right to an education in an orderly, safe, and sanitary atmosphere and is expected to contribute to the school environment.

All students who attend the District's schools, programs, or activities shall comply with the written policies, procedures, rules, and handbooks of the schools, shall pursue the required course of studies, and shall submit to the authority of the Superintendent, principals, other administrators, teachers, or other designees of the District. Violation of any of these expectations is a violation of school policy and will result in discipline.

## POLICY 3201 STUDENT FREEDOM OF EXPRESSION

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

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

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

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

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

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

## POLICY 3202 STUDENT PUBLICATIONS

Student Publications

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

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

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

## POLICY 3204 SEARCHES AND SEIZURE

Searches and Seizure

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

School Property and Equipment and Personal Effects of Students

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

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

Students

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

Also, by parking in the school parking lots, the student consents to having the student’s vehicle searched if the school authorities have reasonable suspicion to believe that a violation of school policies, procedures, rules, and handbooks has occurred.

Seizure of Property

When a search produces evidence that a student has violated or is violating either a law or District policies, procedure,

rules, and handbooks 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.

# PROCEDURE 3204-P1 SEARCHES AND SEIZURES

Searches of Students and Their Property

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

Searches upon individualized suspicion

Searches of a student and/or the student's personal effects in the student's possession must be based on reasonable suspicion that the student(s) has violated school rules or the law.

School officials responsible for conducting the search must be able to clearly articulate which school rule or law has allegedly been violated and establish that the search is reasonable in its inception.

The information which forms the basis of the search and connects the student to the violation must be both recent and credible.

Searches of a student and/or the student's personal effects in the student's possession must be conducted in a manner which is reasonably related to its objectives and reasonable in scope in light of the age and sex of the student along with the nature of the infraction. Highly intrusive searches require a high degree of individualized suspicion based upon specific and reliable evidence and should never be taken unless serious infractions, such as possession of drugs or weapons, are suspected. If a highly intrusive search is necessary, an attempt will be made to contact the parent or legal guardian prior to the search. An intrusive search shall be conducted in consultation with/by law enforcement and/o r an Executive Director or the Superintendent.

Searches of school property

School officials may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by the student(s), without notice or consent of the student(s).

The principal may request the assistance of law enforcement officials in a search of school property or may conduct such searches through the use of specially trained dogs in accordance with procedures set forth below.

**ADMINISTRATIVE SEARCHES**

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

- There is a recognized problem, such as drug use or possession of weapons in the school, and other methods of addressing the problem have not been effective.
- The problem has been acknowledged and recognized by the building principal and the parents of students attending there. The principal or other administrator may involve parents using whatever means of communication is customary in that school.
- Parents and students have been given written notice that administrative searches will take place, the reason for the searches, and the procedure to be followed.

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

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

**ADMINISTRATIVE SEARCH PROCEDURES**

Clothing and Personal

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

Dog Searches

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

**Alcohol Consumption Sensor**

Procedure for Administering an Alcohol Consumption Test:

- A student who is believed to be under the influence of alcohol while attending school or attending a school sponsored event should be escorted by the appropriate school official to a secure location in the building.
- The appropriate school official should confront the student about the suspected consumption and notify the student that the alcohol detection test will be administered.
- The alcohol detection test should then be administered.
- If the presence of alcohol is detected, the student's responsible adult should be notified to transport the student home.
- Disciplinary action should be taken in accordance with School District policy. Law enforcement may be notified.
- Refusal by the student to comply with the above procedures will be treated as defiance. The consequences for the defiance will be the same as being under the influence of alcohol.
- If the responsible adult disputes the results, the responsible adult can have a test done at the responsible adult's own expense by an outside agency within four hours, at an agreed upon site. The student will not be allowed to return to school until the test results are provided to the school.

**Seizure of Property/Responsible Adult Notification**

If a search produces evidence that the student has violated or is violating either the law or the District's policies, procedures, rules, and handbooks such evidence may be seized and Procedure 3204-P1 Page 4 of 5 impounded by school authorities, and disciplinary action may be taken. Such evidence may be transferred to law enforcement authorities. The student(s) will be taken to a designated area, and the responsible adult of the student(s) will be contacted.

# PROCEDURE 3204-P2 VIDEO SURVEILLANCE

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

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

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

Video recordings will be totally without sound.

# PROCEDURE 3204-P3 VIDEO SURVEILLANCE

School Buses/Vehicles

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

# PROCEDURE 3204-P4 FOR USE OF SECURITY CAMERA RECORDING IN BUSES/VEHICLE

The following will have access to the recording:

- An administrator from School District #2:
- A supervisor/manager of First Student Transportation

Note: There are four to five cameras available and 15 to 20 buses with camera boxes.

The camera is active:

- During the requested runs which may include the a.m., p.m., midday, field trips, and shuttles;

Often times a combination of runs will be recorded even though only a specific run is being monitored.

The following will have access to the recording:

- An administrator of School District #2 or other appropriate School District #2 employee(s);
- A supervisor or manager of First Student Transportation and the appropriate school bus driver(s);
- Parent(s)/guardian(s) under the supervision of an authorized adult may view the recorded activity of his or her own student(s). The viewed segment may be as short as one second in length.
- Student(s) under the supervision of an authorized adult, as part of a specific investigation or disciplinary action;
- Investigative agencies when evidence of criminal activity exists;
- Other person(s) as designated by First Student Transportation or School District #2 to assist in an investigation or identification of a student(s).

A recording may be kept:

- Until the disciplinary action or investigation has been resolved satisfactorily;
- Permanently if requested or deemed necessary by an administrator of School District #2 or the Manager of First Student Transportation.

School Buildings and Grounds

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

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

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

- The real time image and/or the recording may be viewed:
    - During an orientation activity that may involve parents, staff or students;
    - During the course of an investigation or as part of the process for identifying a student or other district employees.
- The following will have access to the recording:
    - The school administrators and site School Resource Officer (SRO);
    - Investigative agencies (e.g. the Fire Department) when evidence of criminal activity exists;
    - Parents, under the supervision of an authorized adult, may view the recorded activity of their own student(s). The viewed segment may be as short as one second in length.

- Students, under the supervision of an authorized adult, as part of the orientation to the system or as part of a specific investigation.

- A recording may be kept permanently:
  - If an investigative agency wants the record for later court procedures;
  - If there is an internally anticipated future need such as when there are chronic issues (e.g. harassment, vandalism).
- A recording may be kept:
  - Digitally on the hard drive where it remains until recorded over (a maximum of 18 days);
  - On a CD which will be kept in the school vault.
- A recording may be kept:
  - Either until the involved student(s) graduates or until the criminal investigation is completed, whichever is later.

# POLICY 3205 DISTRICT-PROVIDED ACCESS TO ELECTRONIC INFORMATION, SERVICES, AND NETWORKS

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

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

**Curriculum**

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

Acceptable Uses

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

Unacceptable Uses of Network.

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

Warranties/Indemnification

The District makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this policy. The District is not responsible for any information that may be lost, dam- aged, 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 net- work and the Internet, including, but not limited to, any fees or charges incurred through purchase of goods or services by a user. The District expects a user or, if a user is a minor, a user's parents or legal guardian to cooperate with the District in the event of its initiating an investigation of a user's use of access to its computer network

and the Internet.

Violations

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

# PROCEDURE 3205-P1 DISTRICT-PROVIDED ACCESS TO ELECTRONIC INFORMATION, SERVICES AND NETWORKS PROCEDURE

**Acceptable use Procedure**

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

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

- Engaging in illegal activities
- Sending or displaying pornography, offensive messages, offensive language or other offensive media
- Use of racist, harassing, insulting or threatening communications
- Using district resources for campaigning or promotion of candidates or ballot issues
- Wasting technological resources for non-educational purposes i.e. - interactive games, p2p file sharing, down- loading games, shareware or freeware, streaming audio & video, excessive printing
- Disclosing personal information outside the network
- Posting of images or personal information
- Accessing and/or changing files, systems or folders without authorization
- Trespassing in and/or changing other users files, folders or documents w/o their permission
- Using the network for buying, selling, personal profit or gain
- Sharing passwords or logging on as another user without their permission
- Transmitting viruses, Trojan horses, worms or other destructive files
- Posting to bulletin boards, web logs (blogs), chats or instant messaging (IM), unless specified under curriculum or as approved by the supervising teacher or administrator
- Engaging in gambling or betting Plagiarizing and violating copyright laws
- Using personal electronic devices unless approved by a teacher or administrator for educational purposes (i.e. – cell phones, MP3 players, PDAs, cameras)
- Attaching devices to the network without prior approval from the supervising teacher or administrator
- Attaching personal equipment, such as laptops, to the district network, installing district software on it or having district personnel maintain it without permission from the Director of Technology
- Transmitting anonymous communications

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

# POLICY 3210 HARRASMENT, INTIMIDATION, AND BULLYING

**Harassment, Intimidation, and Bullying**

The District is committed to providing a safe, productive and positive learning environment for all students at all grade levels. A safe and accepting school environment is conducive to and necessary for optimal academic achievement. Like other disruptive behaviors, bullying, harassment, intimidation, hazing and retaliation negatively impact the learning environment. Harassment, intimidation, bullying, hazing, and retaliation are behaviors that will not be tolerated at any grade level. Students and staff are strictly prohibited from taking any action that could be interpreted as bullying, intimidation, harassment, hazing, or retaliation for reporting such action.

**Definitions**

"Harassment," "intimidation" and "bullying" means any threatening, insulting, or demeaning gesture or physical conduct, including any intentional written, verbal, or electronic communication or threat directed against a student or students regardless of the underlying reason for such conduct that:

- causes a student physical or mental harm, damages a student's property or places a student in reasonable fear of harm to the student or the student's property;
- is sufficiently severe, pervasive or persistent as to interfere with or limit a student's ability to participate in or benefit from access to educational opportunity or benefit; and/or
- substantially disrupts the orderly operation of the school.

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

"Retaliation" means an act or communication intended:

- as retribution against a person who has reported an incidence of bullying, harassment, intimidation, hazing or other prohibited discrimination; or
- to improperly influence the reporting, investigation, or discipline that results from an incident of bullying, harassment, intimidation, hazing or other prohibited discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, coercion, discrimination, harassment, or social con- tact toward a complainant, or any complainant's or witnesses' relatives, friends, or associates. Generally speaking, retaliation is taking revenge for a perceived wrong; in this context, it could include intimidation, teasing, seeking the sympathies of students, sarcasm, or even disingenuous apologies.

"Persistent" may consist of repeated acts against a single student or isolated acts directed against a stu- dent or a number of different students.

"HIB" means harassing, intimidating, bullying, hazing and/or retaliatory conduct that is prohibited by this District policy.

"Electronic Communication" is defined in 45-8- 213, MCA, and includes any communication by any electronic device or other means including but not limited to text messaging, sexting, email, or use of social networking.

"Sexting" means sending sexually explicit messages or photographs by way of electronic communication, such as sending a text message with a sexual image.

"Staff Member" includes but is not limited to teachers, specialists, coaches, administrators, board members, volunteers, custodians, and any others employed or authorized by the superintendent, school board, or district.

"Designated Investigator" is the principal of the school, a staff member or independent investigator appointed by the superintendent, principal, or person responsible for receiving and investigating reports of bullying, harassment, or intimidation.

**Prohibitions**

No student or staff member may engage in any of the following:

- Bullying, intimidation, harassment, or hazing of a student;
- Retaliation against a student or staff member for reporting an incident of harassment, bullying, intimidation or hazing, or for participating as a wit- ness in the investigation of such an incident; or
- Coercion of another person to commit bullying, harassment, intimidation, hazing or retaliation.

Harassment, bullying, intimidation, hazing and/or retaliation is strictly prohibited:

- in a classroom or any other location on school premises, including without limitation proper- ty used by the school for school purposes but not owned by the school (e.g., a parking lot);
- during any school related program, activity, or function where the school is responsible for the student, including on a school bus or other school- related vehicle; or
- through the use of electronic communication as defined in 45-8-213, regardless of when or where it occurs, that disrupts the orderly operation of the school or any school-related program, activity, or function where the school

is responsible for the student.

**Consequences**

If a student or employee is found to have com- mitted one of the above-prohibited behaviors, consequences shall follow, up to and including expulsion or termination from employment. Such action is meant not only to discipline the offending student or staff member, but also to protect the target from future aggression or retaliation. Consequences shall be implemented after reporting, investigation, and determination that a prohibited act has been committed.

**Depending on the age of the students involved and severity of the infraction, disciplinary and remedial actions taken by administration may include and is not limited to one or more of the following:**

- Parental notification
- Loss of privilege(s), including participating in school activities
- Parent conference
- Reassignment of seats
- Reassignment of classes
- Reassignment to another mode of transportation
- Escort of the perpetrator
- Completion of apology letter and acknowledgement of behavior
- Referral or appointments with school counselor or other professionals
- Payment for damaged property
- Detention
- Suspension (in-school or out-of-school)
- Referral to law enforcement
- Expulsion

Any student disciplined will be afforded due process in accordance with District policies.

Depending on the severity of the offense, disciplinary and remedial actions for school staff is subject to and commensurate with the district's personnel policies and collective bargaining agreements and may include:

- Verbal warning
- Written warning
- Suspension with or without pay
- Referral to law enforcement
- Termination of employment

**Intervention**

- All staff members shall intervene when witnessing potential HIB. If the staff member witnesses such behavior or receives a report of unresolved HIB the staff member will report the matter as provided for in this policy.
- If it is determined that staff was aware of HIB and did nothing to intervene, the staff member will be subject to discipline or other remedial action.

**Reporting**

- Students who feel they have been subjected to HIB or other students, parents, staff, or other com- munity members who believe they have witnessed such treatment of a student may report the incident either in writing (via Incident Reporting Form) or verbally. Reports may be made to any employee. Failure to use the designated form will not cause the complaint to be dismissed so long as the written report provides sufficient detail for action by the school.
- Any employee who becomes aware of HIB should attempt to resolve the matter immediately. When an employee is made aware of unresolved incidents they shall fill out or assist the student in filling out an Incident Reporting Form and submit it to an administrator (unless the administrator is the subject of the complaint) within two school days of the incident.
- If the principal is the subject of the com- plaint, the report should be submitted to the Executive Director of Human Resources, the Executive Director of School Leadership Support, or the Superintendent.
- Anonymous reports containing adequate detail to investigate will be investigated.
- Incident Reporting Forms are available on the District website, included in the student hand- book, and available in each school's main office.

**Investigatory Process**

- All investigations should be initiated promptly, but no later than two school days after the Incident Report has been completed and filed with the school administration.
- The designated investigator will determine whether HIB has occurred by interviewing the aggressor(s), the target(s), the reporter, and known bystanders and other witnesses. Previous incident reports involving the same students should also be taken into consideration.
- Any interviewees should be informed that information given will be kept as confidential as possible in accordance with student due process rights, but that disclosure may be necessary.
- The investigation should be performed and concluded within five school days of receipt of a report. Upon conclusion, if it is found that HIB has occurred parents of the target(s) and the aggressor(s) shall be notified immediately by a school administrator.
- The school administration will determine whether another entity has jurisdiction over the incident. If instances of HIB rise to the level of a possible criminal offense, a school administrator shall immediately notify law enforcement.
- The school administrator shall determine and implement appropriate consequences, which may include discipline and/or remedial action for the aggressor and the target. The aggressor will be informed that retaliation is strictly prohibited and will be met with similar or additional consequences.
- The school administration shall take all necessary steps to protect the target from further HIB incidents. This can include but is not limited to changing the aggressor's seat, transportation route, or classes and identifying a staff member to act as a supervisor for the aggressor. If an escort is appropriate, the aggressor – not the target – should be escorted.
- A school administrator will follow up with the target of any HIB to ensure that the negative behavior has stopped and not repeated.
- A written record will be kept of each report- ed incident, including the written report, investigatory steps and information, conclusive findings, referral to other entities (e.g. law enforcement), and disciplinary and/or remedial action taken.

**Notification and Training**

- This policy and any related procedures will be included in student handbooks for all grade levels and prominently posted on the District's webpage.
- Reporting form(s) will be readily available to staff members, students, and parents, including on- line on the District's website.
- Staff and students will be educated on the policy and procedures, including: recognizing inappropriate behaviors; using appropriate intervention and remediation; and possible consequences and discipline.

# POLICY 3220 EQUAL EDUCATIONAL OPPORTUNITY

Equal Educational Opportunity

The District recognizes and celebrates Montana's Constitutional guarantee of equal educational opportunity to each person in this state. To that end, the District will make equal educational opportunities available for all students of the District without regard to race, color, national origin, ancestry, sex, ethnicity, language barrier, religious belief, political belief, physical or mental handicap or disability, economic or social condition, age, or actual or potential marital or parental status. This policy applies to all areas of education including academics, coursework, co- curricular and extracurricular activities, and other rights or privileges of enrollment. In addition, the District will not tolerate harassment, intimidation, bullying, or hazing as set forth in Policy 3210. If such conduct is based on or motivated by race, color, national origin, sex, age, political beliefs, religion, creed, physical or mental handicap or disability, or marital status, the District will consider such behavior as constituting discrimination in violation of state and federal law. Any student or responsible adult with questions about this policy is encouraged to address the question first to the student's building administrator. The student or responsible adult may also address questions concerning this policy to the Superintendent or to the District's nondiscrimination coordinator (Executive Director of Human Resources). Any individual may file a complaint alleging violation of this policy by following the procedure outlined in Policy 3230, Policy 1700, or the use Form 3210-F1. Pursuant to federal law, the District will notify annually all students, the responsible adult, and staff of this policy and the name and location of the designated District coordinator to receive inquiries. The annual notification will also be included in all student handbooks.

# POLICY 3224 STUDENT DRESS

The District recognizes that a student's choice of dress and grooming habits demonstrates personal style and preference. The District has the responsibility to ensure appropriate conditions for learning while protecting the health and safety of

its student body. Even though the schools will allow a wide variety of clothing styles, dress and grooming must not substantially disrupt the educational process of the school or create a health or safety hazard for students, staff, or others. Building administrators shall establish written dress codes that will be distributed and explained to students at the beginning of each school year. Additional dress codes may be established by classroom teachers, coaches, and activity sponsors, with approval from the building administrator. Teachers, coaches, and sponsors shall put their dress codes in writing and distribute them to the students, athletes, or activity participants at the beginning of the school year and/or prior to the starting date of the activity or sport. In order to maintain a positive and safe learning environment, students are prohibited from the following while on school premises or while attending school functions or activities:

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

It is the responsibility of building administration to determine the appropriateness of student clothing and accessories, especially as clothing, apparel, accessories, and particularly group or gang-related ones may vary from year to year. For the purpose of this Policy, a gang is an unauthorized group of three or more people who demonstrate a majority of the following traits:

- Exhibit antisocial behavior often associated with crime or a threat to the community;
- Interact together to the exclusion of others;
- Claim a territory or area;
- Have a name;
- Have rivals/enemies;
- Create an atmosphere in which the well-being of students, staff, or any other person is adversely affected by undue pressure, behavior, harassment, intimidation, bullying, overt gestures, or threat of violence.

School Uniforms

The Board authorizes any school to choose a school uniform. The decision to select a school uniform requires a two-thirds vote of the responsible adult for all students in the school at the time of the vote (one adult vote per student). The Board requires that the building administrator establish a procedure for selecting approved items of attire, for addressing any exceptions to an adopted procedure, and for making a financial assistance provision for needy students.

Discipline

Students whose dress does not conform with this policy, and other District procedures, rules, or handbooks, will be referred to a building administrator for disciplinary action.

## POLICY 3224-P1 GANG ACTIVITY OR ASSOCIATION

Student Dress – Gang Activity or Association

The Billings Public School System recognizes that a student's choice of dress and grooming habits demonstrates personal style and preference. The District has the responsibility to insure proper and appropriate conditions for learning along with protecting the health and safety of its student body. Even though the schools will allow a wide variety of clothing styles, dress and grooming must not materially or substantially disrupt the educational process of the school or create a health or safety hazard for students, staff, employees or others. Elementary, middle, and high schools will establish written dress codes that will be distributed and/or explained to students at the beginning of each school year. Additional dress codes may be established by classroom teachers with approval from the building administrator. In order to maintain a positive and safe learning environment, students are prohibited from the following while on school grounds or while attending school activities:

- Wearing or possessing clothing, jewelry, accessories and other personal materials, electronic equipment such as pagers, cell or camera phones, or other communication devices, or grooming in a manner which by its nature denotes membership in a group or gang advocating threats, violence, intimidation, drugs, illegal activities, or any other disruptive behavior.

- Implying gang membership or affiliation by writ- ten communication, marks, drawing, paint, design or emblem upon any school property, personal property, or on one's person.
- Wearing clothing that carries derogatory, obscene or sexually suggestive statements, connotations, or graphics; advertises alcohol, tobacco or drugs; or endorses or promotes any illegal activity.
- Wearing clothing or accessories that are distracting to the learning process, unsafe, unhealthy or disruptive.

It is the responsibility of building administration, operating under administrative guidelines, to determine the appropriateness of student clothing and accessories, especially as clothing, apparel, accessories and particularly group or gang related ones may vary and change from year to year. Gang Activity or Association For the purpose of this procedure, a gang is an unauthorized group of three or more people who demonstrate a majority of the following traits:

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

Extracurricular Activities

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

Discipline

Students whose dress does not conform with Billings Public Schools Policy #3203 will be referred to a building administrator for appropriate disciplinary action.

## POLICY 3230 NON-DISCRIMINATION AND ANTI-HARASSMENT

Non-Discrimination and Anti-Harassment

The District will not tolerate harassment, intimidation, bullying, hazing, or retaliation as defined in Policy 3210, or adverse conduct that is reasonably perceived as being motivated by any actual or perceived attribute such as race, color, ancestry, national origin, language barrier, religious beliefs, political ideas, age, sex, marital status, or disability. Such conduct by students, employees, trustees, volunteers, and third-parties (who are on school grounds or involved in school-related activities) is discriminatory and prohibited. One example of prohibited discrimination is “sexual harassment”. Sexual harassment occurs whenever an individual makes unwelcome advances, requests sexual favors, or engages in other verbal, non-verbal, or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

- Is so severe or pervasive that it denies or limits the provision of educational, benefits, services, or treatment; or
- Has the purpose or effect of:
    - Substantially interfering with a student’s educational environment;
    - Creating an intimidating, hostile, or offensive educational environment;
    - Depriving a student of educational aid, benefits, services, or treatment; or
    - Making submission to or rejection of such conduct the basis for academic decisions affecting the student or making such conduct a condition of a student’s ability to participate in the student’s education.

Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person’s alleged sexual activities. Sexual harassment also includes sexual violence: physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the use of drugs or alcohol or due to mental handicap or disability.

Harassment motivated by any protected-class status is considered discrimination if it:

- Is so severe or pervasive that it denies or limits the provision of educational, benefits, services, or treatment; and/or
- Has the purpose or effect of:
    - Substantially interfering with a student’s educational environment;
    - Creating an intimidating, hostile, or offensive educational environment;
    - Depriving a student of educational aid, benefits, services, or treatment; or
    - Making submission to or rejection of such conduct the basis for academic decisions affecting the student or making such conduct a condition of a student’s ability to participate in the student’s education.

**Designation of Title IX Coordinators**

The District has designated employees in each school to serve as a Title IX Coordinator, who is trained to understand and apply the procedures and policies for addressing sexual harassment, sexual violence, and discrimination. In addition, the Executive Director of Human Resources in Lincoln Center also serves in this role. These coordinators are not limited to addressing gender-based discrimination but can address all issues pertaining to harassment, intimidation, bullying, hazing, discrimination, and retaliation.

Jennifer Kennedy and O'Shean Moran
Title IX Coordinator
Billings Public Schools
415 N. 30th Street
Billings, MT 59101
1-406-281-5045 and 1-406-281-5122

**Procedure for Reporting Harassment, Discrimination, or Retaliation:**

Students who believe they are being or have been subjected to protected class-based harassment, dis- crimination, or retaliation or who have witnessed such conduct may report the conduct either:

- On Form 3210-F1;
- In accordance with the Uniform Complaint Procedure, Policy 1700;
- Verbally to an administrator, teacher, counselor, or Title IX coordinator;
- In accordance with Title IX, IDEA, Section 504, or ADA grievance procedures; or
- Verbally to any employee.

Any adult school employee, adult volunteer, district contractor, or agent who witnesses, overhears, or receives a report, formal or informal, written or oral, of harassment, intimidation, or bullying, hazing, discrimination, or retaliation shall report it in accordance with this policy and/or any procedures developed under this policy.

**Employee Responsibilities**

Each administrator is responsible for maintaining an educational environment free from discrimination. The administrators shall take appropriate actions to ensure the School District's equal opportunity and non-discrimination policies and procedures are enforced. These actions include, at a minimum:

- Providing notification of the District's grievance or reporting procedures in the student and staff handbooks (See incident reporting form, Policy 3210);
- Providing notification of the rights and responsibilities of students and staff regarding harassment, intimidation, bullying, hazing, discrimination, and retaliation;
- Providing new employees of the District a copy of these policies;
- Taking prompt action to report and investigate complaints of harassment, intimidation, bullying, discrimination, and retaliation; and
- Instructing employees and students regarding the procedures for reporting harassment, intimidation, bullying, discrimination, and retaliation.

All school employees shall intervene when witnessing behavior which could be considered bullying, harassment, intimidation, hazing, discrimination, or retaliation. If the employee witnesses such behavior or receives a report of such behavior, the employee shall report the behavior to an administrator or Title IX coordinator and/or on Form 3210-F1. If it is determined that an employee was aware of bullying, intimidation, harassment, discrimination, or retaliation and did nothing to intervene or report, the employee will be subject to discipline.

**Investigation Process**

- All investigations should be initiated promptly, but no later than two (2) school days after the Incident Report has been completed and filed with the school administration.
- The designated investigator will determine whether bullying, harassment, intimidation or hazing, discrimination, or retaliation has occurred by interviewing the aggressor(s), the target(s), the reporter, and known bystanders and other witnesses. Previous incident reports involving the same individuals should also be taken into consideration.
- Any interviewees should be informed that information given will be kept as confidential as possible in accordance with student due process rights, but that disclosure may be necessary and required in proceedings flowing from the

incident.

- The investigation should be performed and concluded within five (5) school days of initiation of the investigation. Upon conclusion, if it is found that bullying, harassment, intimidation, hazing, or retaliation has occurred, the responsible adult of the target(s) and the aggressor(s) shall be notified immediately by a school administrator.
- The school administration will determine whether another entity has jurisdiction over the incident. If instances of bullying, harassment, intimidation, hazing, discrimination, or retaliation rise to the level of a possible criminal offense, a school administrator shall immediately notify the police.
- The school principal, in conjunction with the counselor or other appropriate staff, shall deter- mine and implement appropriate consequences, which may include discipline and/or remedial action for the aggressor and the target. The aggressor will be informed that retaliation is strictly prohibited and will be met with additional consequences.
- The school administration shall take all necessary steps to protect the target from further bullying, harassment, intimidation, hazing, discrimination, and retaliation incidents. This can include but is not limited to changing the aggressor's seat, transportation route, or classes and identifying a staff member to act as a super- visor for the aggressor. If an escort is appropriate, the aggressor – not the target – shall be escorted. However, the School District may provide an escort for the targeted student, if requested by that student.
- The principal or other designated school administrator will follow up with the target of any bullying, harassment, intimidation, hazing, discrimination, or retaliation to ensure that the negative behavior has stopped.
- A written record will be kept of each reported incident, including the written report, investigatory steps and information, conclusions and findings, referral to other entities (e.g. law enforcement), and disciplinary and/or remedial action taken.

**Consequences for Discrimination**

If a student or staff member is found to have committed one of the above-prohibited behaviors, consequences may follow, up to and including expulsion or termination from employment. Such action is meant not only to discipline the offending student or staff member, but also to protect the target from future aggression or retaliation. Consequences may be implemented after reporting, investigation, and determination that a prohibited act has been committed.

Depending on the age of the students involved and severity of the infraction, disciplinary and remedial actions for student perpetrators may include:

- Notification given to the responsible adult;
- Loss of privilege(s), including participation in school activities;
- Conference with the responsible adult;
- Reassignment of seats;
- Reassignment of classes;
- Reassignment to another mode of transportation;
- Escort of the perpetrator;
- Completion of apology letter and acknowledgement of behavior;
- Referral or appointments with school counselor or other professionals;
- Payment for damaged property;
- Detention;
- Suspension (in-school or out-of-school);
- Referral to law enforcement; and
- Expulsion.

Any student disciplined will be afforded due process in accordance with District policies.

Depending on the severity of the offense, disciplinary and remedial actions for school staff is subject to and commensurate with the district's personnel policies and may include:

- Verbal warning;
- Written warning;
- Training, at the employee's expense;
- Suspension with or without pay;
- Referral to law enforcement; and
- Termination of employment.

The District may also provide additional training to students and staff following a report and investigation. The District

may also provide information and resources to the victim of available academic, counseling, medical, and other services.

**Retaliation, Reprisal, and Fabrication**

The District prohibits retaliation and reprisal against any person who reports an act of harassment, intimidation, bullying, hazing or discrimination or who participates as a witness in an investigation or disciplinary hearing arising out of such reports. Students or employees who retaliate will be disciplined, with the possible consequences including expulsion or termination. Individuals who intentionally fabricate allegations of harassment, intimidation, bullying, hazing, or discrimination shall be subject to disciplinary action, up to and including expulsion or termination.

**Notification and Training**

- The District policy, procedures and rules will be included in student handbooks for all grade levels and prominently posted on the District's webpage.
- Reporting form(s) will be readily available to staff members, students, and the responsible adult, including on-line on the District's web- site.
- Staff and students will be educated on the policy, procedures, and rules, including: recognizing inappropriate behaviors; using appropriate intervention and remediation; and possible consequences and discipline.

## POLICY 3235 STUDENT DRUG AND CHEMICAL USE AND ABUSE

***(Please see complete policy on Billings Public Schools website and refer to the Athletic Code of Conduct)***

## POLICY 3240 TOBACCO FREE SCHOOLS

Tobacco Free Schools

As it is a medical fact that the use of tobacco and related substances is a major health hazard, the Board of Trustees of School District No. 2 hereby institutes a "tobacco free" policy in all schools, school functions, and school activities. Use of tobacco by minors is also against the law. It is the belief of the Board that staff modeling is critical to the educational process and that this policy supports our instructional expectations and curriculum. Since it is also a medical fact that passive smoke consumption can be as life threatening as active smoke consumption, the Board of Trustees hereby directs that all buildings utilized by School District No. 2 shall be "tobacco free," in order to ensure that all students, staff, and public alike within school buildings shall be free and protected from passive smoke exposure. Students who use tobacco on school premises, at school functions, or during school activities are subject to discipline.

## POLICY 3250 GUN FREE SCHOOLS

Gun-Free Schools

In accordance with the provisions of the Gun-Free Schools Act, 20 USC 3351, any student who brings a firearm onto school premises or at a school-related function or activity, except as provided below, shall be suspended or expelled for a period of not less than one calendar year unless modified by the Superintendent on the basis of facts determined through the hearing process, as set forth in the District discipline policies below. In accordance with the provisions of the Gun-Free School Zones Act, 18 USC 922(q), students and other authorized persons may bring unloaded firearms onto school property for use in instructional activities that have prior written permission of the District Superintendent. At the conclusion of the activity, the firearms must be immediately removed from school property. No student shall possess any firearm, without authorization, on school premises, on the way to and from school or school activities, or during intermission or recess, or any school function or activity. Violation of this provision shall result in discipline up to and including expulsion. All students charged with violation of this procedure shall have the right to a hearing. The term "firearm" shall be defined as provided in 18 USC 921. This term shall include any weapon which is designed, or may be readily converted, to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas, or which can reasonably be considered, or looks like, a firearm. The Superintendent shall develop a process to notify the criminal justice or juvenile delinquency system of any student who brings a firearm to school. The District will refer to law enforcement for immediate prosecution any person who possesses, carries, or stores a weapon in a school building or on school premises. In addition, the District will refer for possible prosecution a responsible adult of any minor violating this policy on grounds of allowing a minor to possess, carry, or store a weapon in a school. The District shall keep a record of all students disciplined under this policy and the circumstances surrounding their discipline, including the number of students expelled and the types of weapons involved. This information shall be provided to local law enforcement authorities and other governmental agencies as required by law. This policy in no instance applies to law enforcement officers and other

officials provided for in law. The Superintendent may grant persons and entities advance permission to possess, carry, or store a weapon in a school building.

## POLICY 3255 BOMB THREATS AND THREATS OF HAZARDOUS SUBSTANCES

Bomb Threats and Threats of Hazardous Substances the Board will expel any student who makes a bomb threat, even if only a hoax or intended to be a hoax, for a definite period of time of at least one (1) calendar year. However, the Superintendent may modify the requirement for expulsion of a student on a case- by case basis. The Board will expel any student who makes a threat of a hazardous substance, even if only a hoax or intended to be a hoax, for a definite period of time of at least one (1) calendar year. However, the Superintendent may modify the requirement for ex- pulsion of a student on a case by-case basis.

## POLICY 3300 STUDENT DISCIPLINE: CONSEQUENCES FOR VIOLATIONS OF STUDENT CODE OF CONDUCT

The Board grants authority to a teacher or principal to hold a student to strict accountability for conduct:

- In school;
- On, or within sight of, school grounds before, during, or after school hours;
- At a school function or activity;
- On the way to or from school, school functions or activities;
- During intermission or recess;
- Out of school conduct as defined below; or
- At school functions and activities.

The Board grants authority to a building administrator to impose on students under their charge any disciplinary measure, other than expulsion or corporal punishment, that is appropriate and in accordance with policies, procedures, rules, and hand- books on student discipline. The Board authorizes teachers/adult supervisors of students to implement their classroom disciplinary interventions or remove students from classrooms with a referral to the building administrator for disruptive behavior.

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

- Tend to demoralize other students in the school;
- Are detrimental to the overall good order and best interests of the school;
- Produce a negative effect on the discipline, function, or general welfare of the school;
- Adversely impact the physical or emotional safety and/or the care for and wellbeing of the school's students, staff, or property; or
- Anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a student or staff member or an interference with school purposes or any educational function.

**Disciplinary Measures**

This District may assign consequences to any student for disobedience or misconduct. For the purpose of this Policy, “disobedience or misconduct" means a student's failure to obey or a student's improper behavior, including without limitation violation of school policies, procedures, rules and handbooks, laws and regulations, applicable to schools, and any behavior damaging to the school environment. Disciplinary measures include, but are not limited to:

- Expulsion;
- Suspension;
- Detention, including Saturdays;
- School community service;
- Loss of student privileges;
- Loss of bus privileges;
- Notification to juvenile authorities and/or police; and
- 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 that 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, or as otherwise allowed by law.

# POLICY 3350 STUDENT DISCIPLINE: DUE PROCESS

The District will maintain a system of legally-sound procedures for administering student discipline so that due process of law is provided. The type of procedural protections given will depend upon the severity of the infractions(s) and the severity of the penalty being sought.

# PROCEDURE 3350-P1 DETENTION

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students after school hours for not more than 60 minutes on one or more days. Students may be required to attend Saturday detention for up to four hours. Preceding the assessment of such consequences, the staff member shall inform the student of the nature of the offense charged and/or the specific conduct which allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify the student's actions to the staff members. After-school detention shall not begin until the responsible adult has been notified (except in the case of the adult student) for the purpose of informing the responsible adult to make arrangements for the necessary transportation of the student when the student has been detained after school hours for corrective action or punishment.

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

# PROCEDURE 3350-P2 SUSPENSION AND EXPULSION

The District recognizes and honors students' constitutional right to educational opportunity. However, as provided for in Montana law, the District will exercise its right to suspend or expel a student when necessary. The District expects all students to know and follow the District's policies, procedures, rules, and handbooks. The District considers a student's failure or refusal to comply with District policies, procedures, rules, and handbooks cause for discipline, including suspension or expulsion. Students with disabilities will be suspended or expelled pursuant to the provisions of the Individuals with Disabilities Education Act (IDEA), Section 504, and corresponding Montana law.

See Policies 3360 P-3 and P-4.

**Definitions and Rudimentary Procedures**

"Suspension" means the exclusion of a student from attending individual classes, school, school functions or activities and participating in school activities for an initial period not to exceed ten (10) consecutive school days per incident. Following an alleged infraction, a school administrator shall give the student oral or written notice of the alleged mis- conduct. If the student denies the allegations, the administrator shall explain the evidence of the mis- conduct to the student. The student shall then be given an opportunity to present the student's position.

The administrator shall make every reasonable at- tempt to contact the responsible adult as soon as possible, by phone, email, or letter. If requested by the responsible adult, a meeting with the responsible adult shall be scheduled at the earliest convenience. K-8 students will not be sent home during the school day, but may be suspended effective at the end of the school day unless a responsible adult has been notified and will transport the student to home or other safe place. The student may not participate in school sponsored activities during the term of suspension or alternative placement.

An administrator may hold an informal hearing with the student and responsible adult on or before day ten (10) to determine if the student's immediate return to school would be detrimental to the health, welfare, or safety of others or would be disruptive of the educational process. A student may be suspended for an additional period of time not to exceed a total suspension of twenty (20) consecutive school days. Only an administrator may order the suspension of a student.

"Expulsion" is any removal of a student for more than twenty (20) school days without the provision of educational services. Only the Board of Trustees may expel a student.

**Due Process Hearing**

There are two (2) distinct situations that may lead to a due process hearing:

- A series of problems with documented efforts by the school to solve these problems; and
- A situation where there is a single severe violation of the policies, procedures, rules, or hand- books.

The hearing can result in four (4) possible actions being taken by the hearing officer:

- Reinstatement of the student at the conclusion of the current disciplinary action;
- A suspension, not to exceed twenty (20) days, from date of initial suspension;
- Alternative placement, which could extend up to one school year. If the violation occurs in the second semester of the school year, the disciplinary action may extend through the first semester of the following school year; and
- A recommendation of the hearing officer, through the Superintendent, to the Board of Trustees, that the student be expelled from the Billings Public Schools.

Correspondence and the record of the due process hearing and outcome will become a part of the student's permanent record as provided by law.

**Building Administrator**

If a due process hearing is warranted, the administrator who made the decision to hold a due process hearing will send a notice to the responsible adult (hand-delivered or certified return mail) or if the student is over age 18, by hand-delivery. This notice must be postmarked or hand-delivered with receipt, not later than two (2) school days following the day the administrative decision to pursue due process hearing was made. This notice shall contain:

- Name of hearing officer (different person from the one deciding to invoke process, and only licensed administrators contracted by the District may act as hearing officers);
- A description of possible disciplinary action;
- A description of the alleged misconduct and standards of student conduct allegedly violated;
- Notice that all educational records will be re- viewed;
- A statement of time and place of the hearing, with not less than two (2) days between notice and the actual hearing to permit preparation of defense;
- A statement of procedural rights accorded the student including the right to be represented by an attorney, the right to question witnesses, and the right to present witnesses and evidence, the right to an impartial hearing officer, the right to have a personal copy of the official record at the student's own expense, and the right to reasonable access to the student's records and relevant non-privileged evidence which may be used at the hearing. However, in the event of sexual abuse or severe harassment, the District may protect the victim and limit any right to face-to- face cross-examination;
- The student or responsible adult must give written notice to the building administrator at least 48 hours before the date of the hearing if the student will have an attorney present;
- The administrator must contact the appropriate executive director or Superintendent to request legal counsel if the student is represented by an attorney; the building administrator must also notify the hearing officer that attorneys will be present. If the hearing officer requests legal counsel, one will be secured through the appropriate executive director or the Superintendent;
- A statement that nonappearance of the student or the student's representative shall entitle the hearing officer to conduct the hearing in the student's absence;
- A copy of this Policy and any related policies, procedures, rules, and handbooks; and
- A statement that any reasonable accommodations, such as an interpreter, will be provided as requested;
- The hearing may be waived and the proposed disciplinary action imposed if the student and responsible adult furnish the hearing officer a signed statement to that effect;
- A statement that the hearing shall be recorded.
- The hearing shall be closed to the public unless the student requests in writing an open hearing
- prior to its commencement.

The hearing shall be scheduled within five (5) school days after the hearing notice has been sent. If the student requests a postponement of the hearing the student is to remain out of school pending a decision by the hearing officer. The postponement may be granted only if the student and the student's representative agree that the student shall remain out of school pending a decision by the hearing officer, waiving the statutory and constitutional right of reinstatement after twenty (20) days.

The student has a right to an impartial hearing officer. Upon written objection of the student made at least two (2) days before the hearing, stating the reason for the objection, another hearing officer may be designated. If the first assigned hearing officer conducts the hearing, that officer must address the objection and make a finding of impartiality. The student has the right to question all witnesses and challenge all evidence (except the victim of sexual abuse or severe sexual harassment). The student may submit evidence, present witnesses and testify in the student's own defense. Freedom from self-incrimination is not applicable in school disciplinary proceedings. While a student will not be

compelled to testify, the refusal to do so may be used to support a finding that the student did engage in the charged conduct.

**Hearing Officer**

The hearing officer is not required to conform to the formal rules of evidence. The student is presumed innocent until evidence proves otherwise. The hearing officer has two (2) school days to make the findings and decision. The student's initial disciplinary action will remain in effect until notified by the hearing officer of the due process decision.

The student and responsible adult shall be notified of the result of the hearing in writing, by hand-delivery, or by certified return mail, posted within two (2) school days after the hearing. The letter from the hearing officer must:

- Be on district or school letterhead;
- Indicate date of hearing;
- Name the student;
- Explain behavior that made due process hearing necessary;
- State the beginning and ending date of disciplinary action, if any, and restrictions on student's presence on school premises and at school activities;
- Identify an alternative placement;
- Inform as to appeal procedure; and
- Be signed by the hearing officer.

**Superintendent Review**

The Superintendent or the Superintendent's designee shall review the Hearing Officer's final report. If the Superintendent is satisfied that Board Policy, including the right to substantive and procedural due process, was followed by the building administrator and Hearing Officer, then the Superintendent shall affirm the Hearing Officer's report. If the Superintendent is not satisfied that Board Policy was followed, then the Superintendent shall remand the matter to the building administrator and/or hearing officer for further action. The Superintendent shall give written notice to the building administrator, hearing officer, student, and responsible adult within five (5) school days of receipt of the hearing officers' final report, unless the student has sent the Superintendent a written appeal, in which case the time to review is extended an additional two (2) days.

**Appeal**

The student or responsible adult may appeal the issue of whether substantive and procedural due process was provided by writing to the Superintendent within three (3) days of receipt of the hearing officer's decision. The Superintendent may designate a review by an impartial individual for a recommendation concerning the appeal.

**Board Hearing**

If the hearing officer believes, after a due process hearing, that the Board should consider an expulsion, the hearing officer shall forward the record of the hearing, along with a written recommendation of expulsion, to the Superintendent. The hearing officer's recommendation shall contain the following:

- Date due process hearing occurred;
- Reasons for expulsion recommendation; and
- Hearing officer's signature.

**Superintendent**

The Superintendent shall provide the record from the due process hearing and the recommendation for expulsion to the Board if the Superintendent concurs in the recommendation. The record and recommendation provided to the Board shall include:

- All documents, including exhibits, statements, notices, letters, and other written communications between the School District and the student, concerning the alleged misconduct and the hearing;
- A detailed description of the due process hearing including date, location, persons present and role of each person present;
- A reasonably detailed summary of the testimony and evidence of the hearing by the hearing officer;
- A reasonably detailed statement of the hearing officer's assessment of the evidence and testimony;
- A proposed statement of the facts, including all facts necessary to determine that expulsion is proper; and
- A statement of why the hearing officer believes the conduct may warrant expulsion, and the date and location of the hearing.

The Superintendent shall send notice of the expulsion hearing to the student and responsible adult at least five (5) school days before the date scheduled for the hearing. In addition to that date, the notice of the hearing shall include:

- A definition of expulsion;
- The date, time and place of the hearing;
- Information describing the process to be used to conduct the hearing;
- Notice that the student or responsible adult must give notice at least two (2) school days before the hearing that they will have an attorney present at the hearing;
- Information that the student, or the student's responsible adult or attorney may make arrangements with the Superintendent to review the due process hearing record; and
- The Board's decision to conduct the hearing in closed session unless the responsible adult or emancipated student waives the right to hold the hearing in executive session. Such waiver re- quests must be made to the School Board, in writing, at least two (2) school days before the hearing. The Board's decision as to whether to hold the hearing in executive session will be made in accordance with state law.

An expulsion hearing may be rescheduled by the student or responsible adult by submitting a written request showing good cause to the Superintendent or the Superintendent's designee at least two (2) school days prior to the date of the hearing as originally scheduled. A student's request to reschedule constitutes a waiver of any statutory or constitutional right to be reinstated within twenty (20) days of the first day of suspension. The Superintendent or the Super- intendent's designee shall determine if the request shows good cause.

**Board of Trustee**

The Board shall consider expulsion in a de novo hearing. The expulsion hearing is not an appeal of the due process hearing officer's decision, and the Board's determination on the question of expulsion shall not affect any disciplinary action already imposed. The de novo board hearing on expulsion should be scheduled so that it may be resolved within twenty days of initial suspension, unless the student or responsible adult has waived that deadline.

The expulsion hearing will be conducted by the Board in accordance with Montana law. Formal rules of evidence are not binding upon the Board's conduct of the hearing. Before the expulsion hearing the student will be entitled to:

- Access to any and all evidence which may be presented, as well as access to the student's own records; and
- Representation by the responsible adult, or someone else designated in writing by the responsible adult.

During the expulsion hearing, the student shall be entitled to:

- The opportunity to comment on any evidence discovered after the due process hearing;
- Not be compelled to testify, although the refusal to do so may be used to support a finding that the student did engage in the charged con- duct;
- The opportunity to comment on any alleged violation of due process;
- Representation by the responsible adult, or someone else designated in writing by the responsible adult.
- The opportunity to present evidence or testimony of any witness on the student's behalf.
- The opportunity to cross-examine witnesses, except the victim of sexual abuse or severe sexual harassment.

At the expulsion hearing, the record of the due process hearing shall be entered into evidence. The Board will announce its decision and shall cause notice of the decision to be sent by certified mail (return receipt requested) or by hand-delivery with receipt, to the student and responsible adult.

After the lapse of one year, the student so expelled may apply for reentry to the school by making written application to the Board through the Superintendent. The application for readmission shall contain facts and evidence indicating resolution of the problem that caused the expulsion. Any supporting statements from persons other than the responsible adult or student should be included with the application.

The Board shall consider each application individually and make an independent determination of whether or not the request will be granted. The Board may order a hearing to be held on any application for readmission to school. The hearing shall follow procedures the same as those of the expulsion hearing, except the student shall have the burden of establishing the resolution of the student's particular difficulties. Readmission may occur only at the beginning of a grading period.

# POLICY 3410 STUDENT HEALTH

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

- development of procedures at each building for isolation and temporary care of students who become ill during the school day;
- consulting services of a qualified specialist for staff, students, and parents;
- vision and hearing screening;
- scoliosis screening; and
- referral for immunization as provided by the Department of Health and Human Services.

# POLICY 3416 ADMINISTERING MEDICINES TO STUDENTS

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

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

**Administration of Glucagon**

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

# PROCEDURE 3416- P1 ADMINISTERING MEDICINES TO STUDENTS

Procedures for Self-Administration and Administration of Medications

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

Self-Administered Medications: Elementary Students

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

Self-Administered Medications: Middle School Students

- Middle school students will follow elementary procedures when taking prescription medication.
- Middle school students may keep in their possession a small quantity of nonprescription medication in original container and self-administer in accordance with parent instruction.

Self-Administered Medications: High School Students

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

Procedures for Students with Special Needs

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

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

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

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

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

The school must be provided with signed written permission from the parent/guardian of the student requesting the nurse assist the student in taking the medication prescribed by the physician.

- The medication must be in the original container, labeled accordingly (child's name, name of medication, dosage, route, time of day to be taken, duration of time to be taken, and physician name).
- A signed physician order is required for all medication to be administered. This order must be current (renewed at the beginning of the school year and for any change in medication orders).
- All medication must be stored in designated area that is to remain locked when not in use.
- The nurse will complete the medication recording form to be retained as part of the health file.
- The nurse will make certain of the child's identity before administering medication.

# POLICY 3417 COMMUNICABLE DISEASES

Although the District is required to provide educational services to all school-age children who reside within its boundaries, it may deny attendance at school to any child diagnosed as having a communicable disease that could make a child's attendance harmful to the welfare of other students. The District also may deny attendance to a child with suppressed immunity in order to protect the welfare of that child when others in a school have an infectious disease, which, although not normally life threatening, could be life threatening to a child with suppressed immunity.

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

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

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

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

Only those persons with direct responsibility for the care of a student or for determining appropriate educational accommodation will be informed of the specific nature of a condition, if it is determined that such individuals need to know this information. The District may notify parents of other children attending a school that their children have been exposed to a communicable disease without identifying the particular student who has the disease.

# POLICY 3431 EMERGENCY TREATMENT

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

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

When a student is injured, staff will provide immediate care and attention until relieved by a superior, a nurse, or a doctor.

The District will employ its normal procedures to address medical emergencies without regard to the existence of medical directives to health care professionals as such directives do not govern school-based personnel. A principal or designated staff member will call a parent or parental designee immediately so that the parent may arrange for care or treatment of an injured student.

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

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

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

# POLICY 3520 STUDENT FEES, FINES, AND CHARGES

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

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

The Board delegates authority to the Superintendent to establish appropriate fees and procedures governing collection of fees and asks the Superintendent to make annual reports to the Board regarding fee schedules. The Board also may require fees for the 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. A student or parent may appeal the imposition of a charge for damages to the Superintendent and to the Board.

# POLICY 3550 STUDENT CLUBS

The Board recognizes that student clubs are a helpful resource for schools and supports their formation. Student clubs must complete an application process. The Superintendent or designee is delegated the authority to approve or deny club applications.

**Curricular Student Clubs**

The Board of Trustees authorizes the administration to approve and recognize student clubs or organizations in a manner consistent with this policy and administrative procedure. Student clubs that are recognized by the District and permitted to use District facilities, use the District's name, a District school's name, or a District school's team name or any logo attributable to the District, and raise and deposit funds with the District.

In order for the administration to approve and recognize a student club the group must submit an application to the

building administrator containing the following, which shall be submitted using Form 3550F (1):

- The organization's name and purpose.
- The portion of the curriculum that forms the basis of the club. The portion of the curriculum that forms the basis of the club or the course offered at the school enhanced by the club's functions. This step is required for consideration as a curricular club. Applications that do not satisfy this step may be permitted to meet at the school as a noncurricular student group.
- The staff employee designated to serve as the group's advisor.
- The rules and procedures under which it operates.
- A statement that the membership will adhere to applicable Board policies and administrative procedures.
- A statement that membership is open and unrestricted and the organization will not engage in discrimination based on someone's innate characteristics or membership in a protected classification.

The administration will report to the Board when new student clubs have been approved and recognized.

Upon approval of a new student club, the administration will notify the District clerk so the group may have any funds raised for its operations designated in accordance with the District's financial practices.

Approved student clubs will appear in the student handbook and other appropriate district publications. Advisors of new student clubs may be eligible for a stipend in accordance with applicable collective bargaining agreement provisions and available district resources. Approved curricular student clubs may also have limited access as designated by the administration to distribute messages through official communications of the district (e.g. intercom announcements, district newsletters, group emails, etc.).

**Non-Curricular Student Groups**

Student-led and initiated groups of similar interests that do not meet the requirements to be an approved curricular student club as outlined in this policy shall be designated as noncurricular student groups. Noncurricular student groups include any student group that does not directly relate to the body of courses offered by the District but has a regular meeting schedule and established operational structure. District employees that are present at meetings in a supervisory capacity are not eligible for a stipend. Student meetings must be supervised by an adult. Employees or agents of the District that are present at student group meetings must only serve in a supervisory capacity.

The District approves a limited open forum, within the meaning of that term as defined 20 U.S. Code § 4071, for no non-curricular student groups to meet on school premises during noninstructional time. Noncurricular student groups wishing to conduct a meeting within this limited forum are subject to the following fair opportunity criteria, which shall be uniformly administered consistent with 20 U.S. Code § 4071:

- All such meeting must be voluntary and student-initiated;
- There shall be no sponsorship of the meeting by the District or its agents or employees;
- Employees or agents of the District that are present at religious meetings must be only in a non-participatory capacity;
- All meeting must not materially and substantially interfere with the orderly conduct of educational activities within the District; and
- Non-school persons may not direct, conduct, control, or regularly attend activities of the non-curricular student groups. Meeting is defined as a gathering of a group of students for the purpose of discussing group beliefs or engaging in group operations. An event that does not meet this definition will be required to comply with the Community Use of District Facilities Policy and Procedure.

**Fundraising**

Noncurricular student groups may be authorized by the Board to have the name of the school to appear as part of their group's name. A logo attributable to the school or District, the District's name, or the school's team name or mascot may not be used by a noncurricular group.

The permission to post notice of gatherings or use the school name does not constitute sponsorship of the group by the District.

**Informal Gatherings**

Informal gatherings of students are not permitted to use the District's name, a District school's name, or a District school's team name or mascot, or any logo attributable to the District, and raise and deposit funds with the District. Informal student gatherings may not post notices or other materials unless first requested and accepted under Board Policy

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**Financial Operations**

All Funds raised by recognized student clubs are subject to applicable School District policies regarding financial management. All funds raised by recognized student clubs that are donated to the School District become public funds when place in a School District account. All public funds must be monitored in accordance with state law. Deposits must be reviewed to ensure compliance with equity rules, amateur rules and appropriateness under district policy.

Funds spent by the School District will be done in accordance with the District purchase order policy and spending limits regardless of the source of the donation. All expenditures should be preapproved to ensure equity and auditing standards are met.

The administration is authorized to develop procedures to implement this policy.

# POLICY 3600 STUDENT RECORDS

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

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

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

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

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.

# FORM 3600-F1 FERPA (FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT) ANNUAL NOTIFICATION

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

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

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

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

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

where the records may be inspected.

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

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

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

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

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

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

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

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

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

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

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

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

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

Any parent(s) or guardian(s) or eligible student may prohibit the release of any or all of the above information by

delivering a written objection to the building principal on or before the student's first day of school.

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

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

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

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

## PROCEDURE 3600-P1 STUDENT RECORDS

Maintenance of School Student Records

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

The permanent record includes:

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

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

The cumulative record may include:

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

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

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

Access to Student Records

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

Neither the District nor any District employee will release, disclose, or grant access to information found in any student record, unless the conditions set forth in this policy are met.

Parents of a student under eighteen (18) years of age are entitled to inspect and to copy information in their child's school records. A parental re- quest to view or to copy records must be made in writing and must be directed to the Superintendent. The District will grant access to records within fifteen (15) days of receipt of such a request.

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

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

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

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

When a current, demonstrable educational or administrative need is shown, the District, without parental consent or notification, may grant access to or may release information from student records to District employees or officials, or to the Montana Board of Public Education, or to the Montana Office of Public Instruction.

The District may grant access to or release information from student records without parental consent or notification to any person, for purposes of research, statistical reporting, or planning provided that no student or parent can be identified from the information released and the person to whom information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.

The District will grant access to or release information from a student's records pursuant to a court order, provided that a parent is given prompt written notice, on receipt of such order, of its terms, the nature and substance of information proposed to be released and is given opportunity to inspect and copy such records and to challenge their contents.

The District will grant access to or release information from any student record, as specifically required by federal or state statute.

The District will grant access to or release information from student records to any person possessing a written, dated consent, signed by a parent or eligible student with particularity as to whom records may be released, information or record to be released, and reasons for a release. The District will keep one (1) copy of a consent form in a student's records, and the Superintendent will mail one (1) copy to a parent or eligible student. Whenever the District requests a consent to release certain records, the Superintendent will inform a parent or an eligible student of the right to limit such consent to specific portions of information in the records.

The District may release student records to a superintendent or an official with similar responsibilities in a school in which a student has enrolled or intends to enroll, on written request from such official.

Before release of any records or information under items 5, 6, 7, and 8 above, the District will provide prompt written notice to parents or an eligible student of the intended action. This notification will include a statement concerning the nature and substance of records to be released and the right to inspect, copy, and challenge the contents.

The District may release student records or information in connection with an emergency, with- out parental consent, if knowledge of such in- formation is necessary to protect the health or safety of a student or other persons. The Super- intendent will make this decision, taking into consideration the nature of an emergency, the seriousness of a threat to the health and safety of a student or other persons, the need for such records to address an emergency, and whether a person

to whom such records are to be released is in a position to deal with an emergency. The District will notify parents or an eligible student, as soon as possible, of the information released, date of release, the person, agency, or organization to whom a release was made, and the purpose of a release.

The District may disclose, without parental consent, student records or information to the youth court and to law enforcement authorities pertaining to violations of the Montana Youth Court Act or criminal laws by a student.

The District may charge a nominal fee for copying information in a student's records; however, no parent or student will be precluded from copying information because of financial hardship.

The District will assure that a record of all releases of information from student records (including all instances of access granted, whether or not records were copied) is kept and is maintained as part of such records. The District will maintain this record for the life of a student record and will assure it to be accessible only to a parent or an eligible student, the Superintendent, or other designated person. The record of release will include:

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

Directory Information

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

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

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

**Student Record Challenges**

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

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

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

# PROCEDURE 3600-P3 STUDENT RECORDS

Withholding Records for Unmet Financial Obligations

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

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

Forward appropriate grades or transcripts to the school to which the pupil has transferred, and notify that district of the student's financial obligation and formally request that the pupil's grades, diploma, and transcripts be withheld as indicated under the School Laws of Montana 20-5-201 until formal notice that the obligation has been met;

Inform the transfer school district when the pupil or pupil's parents have satisfied the obligation.

Upon receiving notice from a school district requesting the withholding of the grades, diploma, or transcripts of a pupil, this district shall withhold the grades, diploma, or transcripts of the pupil until it receives notice, from the requesting district, that the decision has been rescinded.

# PROCEDURE 3600-P5 SPECIAL EDUCATION RECORDS

Notice to Parents

The District shall provide notice to parents prior to any major identification, location or evaluation activity to include:

- Information from parents about primary language will be collected prior to evaluation through the Parent Interview Form or the Pupil Information Form depending on the age of the student. When the primary language is other than English, attempts will be documented of the District's attempts at providing notice in the parents' native language or other method of communication.
- Parents will receive as part of this notice a description of the types of information sought, the methods used to gather this information, and the uses of this information. This will be accomplished through the use of one of these two forms depending on the age and origination of identification process, Parent Consent/ Notification for Special Education or What Can You Expect at Preschool Screening flyer.
- A summary of the policies and procedures that the District will follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information will be provided parents through one of the following documents, Parents' Rights in Special Education or What Can You Expect at Preschool Screening.
- Description of all rights of this information, including the rights under the "Family Education Rights and Privacy Act" (1974) will be provided parents through one of the following documents, Parents' Rights in Special Education or What Can You Expect at Pres chool Screening.
- Published notice will be made in local newspaper, screening flyers sent home from schools and to community service providers of children (pediatricians, Department of Family Services, medical clinics, Head Start) with circulation adequate to notify parents within the District of these activities.

Access Rights

The District will comply with a request to access records without unnecessary delay and before any meeting regarding an IEP or any hearing relating to the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child, and in no case more than 45 days. The parent has the right to:

- have a representative inspect and review records; and
- a response from the District to reasonable request for explanations and interpretations of the records.

Records on More Than One Child

When records include information on more than one child, the parent of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

Videotaping Students

Administrators may arrange for surveillance videotaping when appropriate to supervise areas. Certified staff may arrange to videotape, as a tool of observation, a student(s) for the following purposes:

- gather assessment or baseline information;
- assist in planning and training of staff specifically involved with the student(s);
- to evaluate student curriculum/activity outcomes or to assist with student self-evaluation.

The following guidelines must be followed when videotaping a student(s):

- if the videotape is to be shared with persons outside the classroom or evaluation process, prior parental notice and consent is required.
- if the video is being produced for any reason other than those listed above, prior parental consent is required.
- the produced video will be considered as part of the student's educational record and maintained according to guidelines or will be eliminated at the conclusion of the assessment, activity or training. This determination will be made by the certified staff. Surveillance tapes will be maintained by the school administrator.
- excepting surveillance tapes, students and staff will be provided prior knowledge of videotaping.
- parents may access and review a video of their child; however, that video can only contain film of their child unless prior parental consent is obtained from other children's parent.

# POLICY 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 the 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.

# Policy 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 Health and Human Services.

- Superintendent
- Building administrator
- Counselors

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

| | Warning | Detention(s) | Detention 1-2 hrs. / Possible Meeting With Parents | Full Day ISS / Possible Meeting With Parents | Journey Center (JC)/OSS 1-3 days / Possible Meeting With Parents | JC/OSS 3-5 days / Meeting With Parents | JC/OSS 5-10 days / Meeting With Parents | OSS | Manifestation and/or Administrative Hearing |
|---|---|---|---|---|---|---|---|---|---|
| **Alcohol/Marijuana - Possession** | | | | | 1st: 3 days | 2nd: 5 days | | | 3rd |
| **Assault** | | | | | | 1st: 5+ days | | | 2nd |
| **Altercation - Mutual** | | | | | 1st: 3 - days | 2nd 5 days | | | 3rd |
| **Arson/Bomb Threat/Threat to School** | | | | | | | | | 1st Threat Assessment |
| **Bullying/Harrassment/Threat Towards Student** | | 1st | | 2nd CIA contract | 3rd - HIB | 3rd - HIB | | | 3rd/4th |
| **Distribution of Marijuana/Alcohol/Tobacco (3+ vapes)** | | | | | | | | | 1st |
| **Dress Code** | 1st | 2nd or 3rd | 4th | 5th | | | | | |
| **Drug Dealing/Selling/Distribution - Excluding Alcohol,Marijuana,Tobacco** | | | | | | | | | 1st |
| **Failure to Serve Detention** | | 1st Double | | 2nd - 1 day ISS | 3rd - 1-2 days ISS | 4th - 1-3 days TC | Parent Meeting | | |
| **False Fire Alarm** | | | | | | | | 1st Threat Assessment | 2nd |
| **Fake Call For Self or Another Student** | | | | | 1st JC | 2nd JC | | | |
| **Forgery/Impersonation/Lying** | | | | 1st 1- 2 days | | 2nd 3-5 days | | | 3rd |
| **Inappropriate Use of Technology** | | 1st loss of privilege | 2nd | 3rd | 4th | | | | |
| **Inciting/Filming a Fight or Altercation** | | | | | 1st- 1-3 days | 2nd 3-5 days | 3rd 5-10 days | | 4th |
| **Littering** | | 1st Lunch Clean (LC) | 2nd - 1 week LC | | | | | | |
| **Major Class Disruption/Non-Compliance/ Insubordination** | | | 1st | 2nd | 3rd | 4th | | | |
| **PDA** | 1st | 2nd - 2+ | | 3rd - ISS | | | | | |
| **Profanity/ Threat Towards Staff** | | | | | | 1st | | | 2nd |
| **Refusal to be searched** | | | | | | | | | 1st |
| **Sexual Harassment** | | | | | 1st HIB Contract | 2nd | | | 3rd |
| **Skip Detention** | 1st - Warning | | 2nd - Double | 3rd - ISS | 4th- JC | | | | |
| **Theft** | | | | | 1st 1-3 days OSS/ISS | 2nd 3-5 days OSS | | | 3rd |
| **Tobacco - Possession (1 or 2 vapes)** | | | | | 1st 1day JC 1 day & Vape Class | 2nd- 3 days | 3rd- 5+ | | 4th |
| **Under The Influence - Any Substance** | | | | | | | 1st: 5 days | | 2nd |
| **Unexcused Absesnce/Truancy** | Student will serve time in detention or Journey Center and possibly placed on attendance contract | | | | | | | | |
| **Vandalism/Theft/Destruction of Property*** | | | | | 1st | | 2nd | | 3rd |
| **Weapon Posession/Use** | | | | | | | | | 1st Threat Assessment Possible Hearing |

***Administration has the discretion to reduce or increase any consequence as they see fit to correct the behavior - 2 major incidents may result in a Due Process Hearing.***

***Billings Public Schools works in partnership with Billings Police Department and School Resource Officers. Behavior Violations may be referred to building SRO at the discretion of of the building administration.***