



Board Packet

September 28, 2020

Bozeman School District 7

404 West Main
Bozeman, Montana 59715

Core Purpose

“Bozeman Public Schools exist to provide an outstanding education that inspires and ensures high achievement so every student can succeed and make a difference in a rapidly changing world community.”

Core Values

- ☐ **High Student Achievement:** We are committed to ensuring that all students achieve at high levels.
- ☐ **Committed, Quality Staff:** We employ and retain well qualified and talented staff members who demonstrate a commitment to the core purpose of the District.
- ☐ **Community and Family Engagement:** We believe that parents and the community are essential contributors in the achievement of our goals.
- ☐ **Climate:** We operate in a climate of respect, honesty and hard work, recognizing the need to be adaptable and open to change.
- ☐ **Fiscal Responsibility:** We are fiscally responsible in the management and expenditure of all District resources.
- ☐ **Decision Making:** We rely on best practices research to guide our decision-making.

Big Audacious Goal – Envisioned Future

“The Bozeman Public School District is widely recognized as a vibrant, flexible and progressive educational system that generates student excellence and engages students to succeed and positively contribute in a global community.”

Goals of the Bozeman Public School District

Goal Area 1: Academic Performance:

Every student meets or exceeds the high academic standards of the Bozeman Public School District.

Goal Area 2: Operations and Capacity Building:

District operations, facilities and human resources support an efficient and progressive educational system.

Goal Area 3: Community Engagement and External Relations:

Bozeman Public Schools has created an environment in which parents, community, legislators and all education stakeholders are supportive, engaged, and contribute to successfully educate our students.

Goal Area 4: Student Success/Safety/Health/Welfare:

Bozeman Public Schools has effective systems in place for students to learn and staff to work in a safe and healthy environment.



Welcome to the Bozeman Public Schools Board of Trustees meeting!

If this is your first meeting:

If this is your first time attending a meeting, let us extend our special welcome! These meetings are designed to give everyone the opportunity to participate in seeing how the Bozeman trustees facilitate school business.

What is the purpose of these meetings?

The meetings of the Bozeman Public Schools Board of Trustees are always open to the public. These meetings are held to officially conduct the business of the school district, as governed by Montana law. Trustees are responsible for key decisions, some of which include hiring of employees, reviewing negotiated agreements, approving new curriculum or changes to existing curricula, facility usage requests, and paying of monthly expenses.

How can I address the trustees?

Public Participation on Non-Agenda Items is the time for comment on public matters that are not on the agenda. Members of the audience are encouraged to briefly address the trustees on an issue that is not on the agenda. The Chair of the Board will seek comments from the audience on significant items as they occur. Public matters do not include any pending legal matters, private personnel issues or private student issues. Please do not attempt to address such issues at this time or you will be ruled out of order.

As we have done since March, the Board meeting will be held exclusively using Zoom. The Zoom format will provide for clearer two-way communication and maximize the number of people who can participate. There will not be an “on site in person” meeting. [Zoom Meeting Link](#).

Remember our Disclaimer:

This is the time for comment on public matters that are not on the agenda. Members of the audience are encouraged to briefly address the trustees on an issue that is not on the agenda. The Chair of the Board will seek comments from the audience on significant items as they occur. Public matters do not include any pending legal matters, private personnel issues or private student issues. Please do not attempt to address such issues at this time or you will be ruled out of order.

**BOARD OF TRUSTEES****TERM**

Sandra Wilson -- Board Chair	2021
Greg Neil -- Vice Chair	2023
Kevin Black	2023
Douglas Fischer	2021
Gary Lusin	2021
Tanya Reinhardt	2022
Wendy Tage	2021
Andrew Willett	2022

EXECUTIVE CABINET**POSITION**

Bob Connors	Superintendent
Marilyn King	Deputy Superintendent Instruction
Steve Johnson	Deputy Superintendent Operations
Casey Bertram	Deputy Superintendent Curriculum & Technology
Pat Strauss	Director of Human Resources

Public comment can be submitted electronically to trustees@bsd7.org

BOARD OF TRUSTEE STANDING COMMITTEE ASSIGNMENTS

Board of Trustee Standing Committees

Long-Range Strategic Planning (LRSP)

Trustees

Kevin Black
Greg Neil

Long-Range Facilities Planning (LRFP)

Trustees

Douglas Fischer
Gary Lusin
Wendy Tage

District Safety

Trustees

Andrew Willett
Tanya Reinhardt

BOARD OF TRUSTEE AD-HOC OR AS NEEDED COMMITTEES

Budget

Trustees

Douglas Fischer
Greg Neil
Andrew Willett
Sandy Wilson, Alternate

Teacher (BEA) Negotiations

Trustees

Gary Lusin
Greg Neil
Wendy Tage
Tanya Reinhardt, Alternate

BHS Construction Liaison

Trustees

Greg Neil
Wendy Tage
Sandy Wilson

Legislative Issues (Local Option Tax)

Trustees

Douglas Fischer
Tanya Reinhart, Alternate

TRUSTEE REPRESENTATION ON COMMITTEES/COUNCILS ASSOCIATED WITH BSD7

Bozeman Schools Foundation (BSF)

Trustees

Sandy Wilson

Wellness Advisory Liaison (WAC)

Trustees

Gary Lusin

Indian Ed for All (IEFA)

Trustees

Douglas Fischer

MTSBA Municipal Director and Delegates

Trustees

Gary Lusin, Municipal Director

Greg Neil, Delegate

Tanya Reinhardt, Delegate

Wendy Tage, Delegate

Sandy Wilson, Delegate

Douglas Fischer, Alternate

SCHOOL LIAISONS

Bozeman High School

Sandy Wilson

Gallatin High School

Sandy Wilson

Bridger Charter Program

Sandy Wilson

Chief Joseph Middle School

Tanya Reinhardt

Sacajawea Middle School

Kevin Black

Emily Dickinson Elementary School

Kevin Black

Hawthorne Elementary School

Wendy Tage

Hyalite Elementary School

Douglas Fischer

Irving Elementary School

Douglas Fischer

Longfellow Elementary School

Andy Willett

Meadowlark Elementary School

Wendy Tage

Morning Star Elementary School

Gary Lusin

Whittier Elementary School

Greg Neil



Bozeman Public Schools Upcoming Events

September 28	Monday	NO SCHOOL - K-12 PIR Day	
September 28	Monday	Special Board Meeting	5:45 PM
October 5	Monday	Special Board Meeting	5:45 PM
October 12	Monday	Regular Board Meeting	5:45 PM
October 15-16	Thursday/Friday	NO SCHOOL - K-12 PIR Days	
October 26-27	Monday/Tuesday	K-5 Parent Teacher Conferences	
October 26	Monday	Special Board Meeting	5:45 PM
November 9	Monday	Regular Board Meeting	5:45 PM
November 23	Monday	Special Board Meeting	5:45 PM
November 25-27		NO SCHOOL - Thanksgiving Break	
December 14	Monday	Regular Board Meeting	5:45 PM
December 21-Jan1		NO SCHOOL - Winter Break	
January 11	Monday	Regular Board Meeting	5:45 PM
January 18	Monday	NO SCHOOL - K-12 PIR/Martin Luther King Jr. Day	
January 25-26	Monday/Tuesday	9-12 PIR Day	
January 25	Monday	Special Board Meeting	5:45 PM
February 8	Monday	Regular Board Meeting	5:45 PM
February 15	Monday	President's Day Holiday - NO SCHOOL	
February 22	Monday	Special Board Meeting	5:45 PM
March 8	Monday	Regular Board Meeting	5:45 PM
March 15-19	Monday/Friday	Spring Break	
March 29	Monday	Special Board Meeting	5:45 PM
April 8	Thursday	K-8 PIR Day/K-5 P/T Conferences	
April 9	Friday	K-12 PIR Day/K-5 P/T Conferences	
April 12	Monday	Regular Board Meeting	5:45 PM
April 26	Monday	Special Board Meeting	5:45 PM



BOZEMAN SCHOOL DISTRICT NO. 7
WILLSON BOARD ROOM #122
MONDAY -- September 28, 2020 -- 5:45 PM

Special Board Meeting

- 5:45 1. **Call to Order -- Roll Call -- Pledge of Allegiance** No discussion on these items
2. **BSD7 Experience**
- 2.1 Student Representatives Report
 - 2.2 Board Education
 - 2.3 Recognition and Awards
3. **Public Comment on Non-Agenda Items**
- Recognition of visitors and explanation of procedures to be followed when addressing the Board. Members of the community are given the opportunity to make brief comments to the Board on any matter that is not included in the agenda. Public matters do not include any pending legal matters, private personnel issues, or private student issues. Please do not attempt to address such issues at this time or you will be ruled out of order.
4. **Action Items -- Consent**
- 4.1 Policy 2nd Reading
 - 4.2 Minutes
 - 4.3 High School District
 - 4.4 Both Districts
 - [4.4.1](#) Consider Federal Grant Applications
 - 4.5 Elementary District
 - [4.5.1](#) Consider Admittance of Students for the 2020-21 Enrollment Counts
5. **Board Discussion**
- 5.1 Policy 1st Reading
 - [5.1.1](#) Discuss suggested revisions to Policies - #3000 Series
6. **Action Items -- Singular**
- 6.1 Both Districts
 - [6.1.1](#) Develop and approve metrics to be used to transition to 5 day instruction.
 - 6.2 High School District
 - 6.3 Elementary District
7. **Reports**
- [7.1](#) Executive Cabinet Report
 - [7.2](#) Board of Trustees
 - Requests, Calendar, Concerns, Reports, Future Agenda Items, Open Meeting Topics for Next Meeting

_____ ADJOURN

The Board meeting will be held exclusively using Zoom. The Zoom format will provide for clearer two-way communication and maximize the number of people who can participate. There will not be an “on site in person” meeting. [Zoom Meeting Link](#).

Public comment may be submitted electronically to trustees@bsd7.org

PLEASE TURN OFF CELL PHONES



Meeting Date:	September 28, 2020
Category:	Action Item - Consent - Both Districts
Agenda Item #:	4.4.1
Originated By:	Steve Johnson, Authorized Representative
Others Involved:	Mike Waterman, Director of Business Services

MOTION	SECOND	AYES	NAYS	ABSTAIN

Topic: Consider Federal Grant applications

Facts:

[District Policy #7270](#) requires Board approval for any grant in excess of \$25,000.

Superintendent's Recommendation:

It is recommended that the Board of Trustees approve the submittal of the following federal grant applications:

- Elementary and Secondary School Emergency Relief Fund
- Governor's Coronavirus Relief Funds
- Coronavirus Relief Pupil Transportation Funds

Discussion:

Following is a brief discussion of each grant program.

Elementary and Secondary School Emergency Relief Funds:

The Elementary and Secondary School Emergency Relief Fund (ESSER Fund) was established as part of the Education Stabilization Fund in the CARES Act. Under the ESSER Fund, State educational agencies (SEAs) will award subgrants to local educational agencies (LEAs) to address the impact that the Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on elementary and secondary schools across the Nation.

Governor's Coronavirus Relief Fund

Grants distributed from the Montana Department of Administration from the Governor's CRF funds in support of school funding for pandemic related impacts for reopening schools. Grant amounts are determined on a per-ANB basis and may be expended to cover costs that 1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), 2) were not accounted for in the budget most recently approved as of March 27, 2020, and 3) were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

Coronavirus Relief Pupil Transportation Funds

This transportation financial assistance as distributed by the Montana Department of Administration from the Governor's CRF funds in support of school funding for pandemic-related impacts providing COVID related expenses of pupil transportation to and from school through December 30, 2020.

Other Alternatives:

1. Do not approve the recommendation and request administration propose changes.

[Double click to Return to Agenda](#)



Meeting Date:	September 28, 2020
Category:	Action Item - Consent - Elementary District
Agenda Item #:	4.5.1
Originated By:	Mike Waterman, Director of Business Services
Others Involved:	

MOTION	SECOND	AYES	NAYS	ABSTAIN

Topic:

Consider Admittance of Students for 2020-21 Enrollment Counts.

Facts:

- 20-7-117, MCA requires that the kindergarten programs accommodate children who have reached 5 years of age on or before September 10 of the school year covered by the calculation or have been enrolled by special permission of the board of trustees.
- The District offers an extended kindergarten opportunity to economically disadvantaged and certain other 4- and 5-year old students in need of academic support as defined in policy [3111](#).

Discussion:

The Office of Public Instruction has interpreted this 'special permission' clause to mean students enrolled in this program must be specifically identified and approved by the Board in order to count for ANB funding purposes.

26 students are currently enrolled in the Running Start Kindergarten program. Those students (identified by student number) are:

525852084	560100202	939554411
697236055	128747260	288062120
856789952	798935633	146386229
496394089	771616408	710988777
195613554	654667394	824617092
240030217	433651886	235213520
562829269	401442442	166333738
544433193	738371066	788496195
107272651	943229015	

Recommendation:

It is recommended that the Board waive the age provisions of 20-7-117, MCA, and grant special permission to the students identified above to enroll in the District for the 2019-20 school year, including the October 2020 and February 2021 enrollment count dates.

Other Alternatives:

- Do not approve the recommendation and request administration propose changes.



Meeting Date:	September 28, 2020
Category:	Discussion - Policy 1st Reading
Agenda Item #:	5.1.1
Originated By:	Marilyn King, Deputy Superintendent Instruction
Others Involved:	MTSBA; Steve Johnson, Deputy Superintendent Operations; Trustee Fischer

MOTION	SECOND	AYES	NAYS	ABSTAIN

Topic:
Discuss revisions to 3000 series, as reviewed and recommended by the Montana School Boards Association.

- Facts:**
1. The policy revisions were developed by the Montana School Boards Association in collaboration with District Administrators.
 3. The policy revisions as written are more succinct and reflect current practice and follow law.
 4. The table is color-coded to reflect the following:
 - a. Yellow - revise policy
 - b. Not highlighted - renumber policy
 - c. Gray - delete policy
 - d. Purple - new policy
 5. Policies related to health and Title IX in the 3000 series will be reviewed separately.
 6. These policy revisions/deletions/additions will appear on the October 5, 2020 consent agenda for final consideration and approval.

Bozeman Public Schools District Board of Trustees

Policy Review and Revision Summary of Policy Series 3000 – Students

R = Required **REC** = Recommended **OP** = Optional

EXISTING POLICY	PROPOSED POLICY	STATUS		NOTES
3111	3100	OP	Student Enrollment, Exceptional Circumstances Meriting Waiver of Age Requirements for Pupils	Delete. Pertinent information now included in 3110
3111	3110	REC	Entrance, Placement, and Transfer	Revise; Renumber
3115		REC	Discretionary Nonresident Student Attendance	Revise
3121	3121	REC	Enrollment and Attendance Records	Revise
3122	3122	REC	Attendance Policy	Revise
3120	3120	R	Compulsory Attendance	Revise
3123	3123	R	Attendance Policy – Truancy	Revise
3126	3124	REC	Military Compact Waiver	Renumber
3124	3127		Bridger Charter Academy Enrollment	Renumber
3116	3125	R	Education of Homeless Children	Renumber
3215	3130	REC	Students of Legal Age	Revise; Renumber
3125	3505		Tutors	Renumber
3130	3126		Middle School Attendance Areas and Enrollment	Renumber
3131			Student Release from School—Grades 7-12	Delete
	3145	REC	Foreign Exchange Students	Revise
	3150	REC	Part-Time Attendance	Revise
3202			Student and Family Privacy Rights	Renumber; Included in 2000 series
3211			Pregnant Students	Delete
3212			Married Students	Delete
3222	3222		Distribution and Posting of Materials	Revise
3223			Freedom of Assembly	Delete (info combined with 3233)
3224	3224		Student Dress	Revise
3235	3235	OP	Video Surveillance	Revise
3260			Malicious Vandalism	Delete
3300	3300	R	Suspension and Expulsion – Corrective Actions and Punishments	Revise
3311	3311	R	Firearms and Weapons	Revise
3320			Independent Education Evaluation	Revise
3330	3330	OP	Use of Alcohol-Sensor Device	New
3420	3450		Student Safety	Renumber
3421	5232		Abused and Neglected Child Reporting	Renumber (5232)
3441			Release of Student During the School Day	Revise
3520	3520	R	Student Fees, Fines, and Charges	Revise
4321	3535	OP	Distribution of Fund Drive Literature Through Students	Renumber
	3608	R	Receipt of Confidential Records	New
	3610	OP	Programs for At-Risk/Disadvantaged Students	New

3611	3611	<u>OP</u>	Gangs and Gang Activity	Revise
3630	3630	<u>REC</u>	Cell Phones and Other Electronic Equipment	Revise
	3650	<u>R</u>	Pupil Information Act	New

STUDENTS

Age of Attendance

Attending the schools of the District shall be recognized as a right and responsibility for those who meet the entrance requirements.

Pursuant to Montana law, every resident of the District who satisfies the minimum entry age requirement and is less than 19 years of age on or before September 10 has the right to enroll and attend the District's schools. The Superintendent shall develop procedures for admitting an adult who is 19 years of age or older if there are exceptional circumstances.

The administration shall include children enrolled pursuant to this policy in the District's calculation of average number belonging (ANB) as reported to OPI to the extent allowed by law.

The Board of Trustees declares the following to be qualifying "exceptional circumstances" within the meaning of that term as used in 20-5-101(3) and "special permission" within the meaning of that term as used in 20-7-117 MCA, that merit waiving the age provisions of 20-7-117 MCA for qualifying children under 5 years of age:

1. A child at least 3 years of age with a disability qualifying the child for services under the federal Individuals with Disabilities Education Act.
2. A child who is 4 years of age or older on or before September 10 of the school year in which enrollment is to occur who:
 - a) Meets the income eligibility of 200% or less of the Federal Poverty Guidelines; or
 - b) Is Limited English Proficient within the meaning of Title III of the federal Elementary and Secondary Education Act; or
 - c) Is homeless as defined in 42 U.S. Code § 11302; or
 - d) Has moved into the district and has met the age requirements of another state and were enrolled in either a kindergarten or first grade in that state.
 - e) Does not meet the requirements of a. through d. but is recommended for enrollment by administration in order to effectively use District resources. These students will be placed on a first come first served basis.

School Entrance

1. The District requires that a student's parents, legal guardian, or legal custodian present proof of identity of the child[†] to the school as well as proof of residence in the District. Students who are not residents of the District may apply for admission pursuant to Policy 3114 and Policy 3115.
2. To be admitted to District schools, in accordance with the Montana Immunization Law, a child must have been immunized against varicella, diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles in the manner and with immunizing agents approved by the department. Immunizations may not be required if a child qualifies for conditional attendance or an exemption is filed as provided by Montana law.
3. The above requirements are not to serve as barriers to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The District shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain necessary enrollment documentation.

Placement

The District goal is to place students at levels and in settings that will increase the probability of student success. Developmental testing, together with other relevant criteria, including but not limited to health, maturity, emotional

stability, and developmental disabilities, may be considered in the placement of all students. Final disposition of all placement decisions rests with the principal, subject to review by the Superintendent or the Board.

Transfer

District policies regulating the enrollment of students from other accredited elementary and secondary schools are designed to protect the educational welfare of children.

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

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

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

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

Legal Reference:	20-5-101	M.C.A.	Admittance of Child to School
	20-5-403	M.C.A.	Immunization required = release and acceptance of immunization records
	20-5-404	M.C.A.	Conditional attendance
	20-5-405	M.C.A.	Medical or religious exemption
	20-5-406	M.C.A.	Immunization record
	20-6-501	M.C.A.	Definition of various schools
	20-7-117	M.C.A.	Kindergarten and preschool programs
	20-9-309	M.C.A.	Basic system of free quality public elementary and secondary schools defined
	Individuals with Disabilities Act Federal Rehabilitation Act of 1973		
	Title III, ESEA (English language Acquisition, language Enhancement, and Academic Achievement Act)		
	McKinney-Vento Homeless Assistance Act of 1987 (Pub. L. 100-77, July 22, 1987, 101 Stat. 482, U.S.C § 11301 et seq.		
	44-2-511	M.C.A.	School enrollment procedure
	10.16.3122, ARM		Local Educational Agency Responsibility For Students with Disabilities
	10.55.601, et seq., ARM		Accreditation Standards: Procedures

Adopted: 1/12/87 Revised: 9/28/2015, 07/14/17

[Double click to Return to Agenda](#)

STUDENTS

3110 (currently 3111)

Entrance, Placement, and Transfer

Entrance, Date, and Age

~~Attending the schools of the District shall be recognized as a right and responsibility for those who meet the entrance requirements.~~

~~Pursuant to Montana law, every resident of the District who satisfies the minimum entry age requirement and is less than 19 years of age on or before September 10 has the right to enroll and attend the District's schools. The Superintendent shall develop procedures for admitting an adult who is 19 years of age or older if there are exceptional circumstances.~~

The trustees will enroll and admit a child to a school in the district when the child is 5 years of age or older on or before the tenth (10th) day of September of the school year in which the child is to enroll but is not yet 19 years of age who is a resident of the District. Parents may request a waiver of the age requirement. All waivers are granted in the sole discretion of the Trustees. Non-resident students may be admitted at the discretion of the Trustees. Children will be enrolled in the grade identified in accordance with District policy or at the discretion of the administration in consultation with the student's parents or guardians. The District requires proof of identity and an immunization record for every child to be admitted to District schools. The trustees may at their discretion assign and admit a child to a school in the district who is under 5 years of age or an adult who is 19 years of age or older if there are exceptional circumstances that merit waiving the age provision.

Enrolling Students Under the age of 5 Before September 10 for Exceptional Circumstances

The administration shall review the criteria set forth in this policy and make the determination whether an individual student or class of students meets the criteria for exceptional circumstances. The administration shall then notify the parent(s)/legal guardian(s) of the administration's recommendation to the Board regarding the enrollment of the student(s) under the exceptional circumstances meriting waiving of the age requirements. The administration shall present the information to the Board for approval. In presenting the information to the Board, the administration shall remove all identifying information in order to protect the privacy rights of the student under state and federal law. The Board shall make the final decision on the enrollment of students under the District's exceptional circumstances policy.

The administration shall include children enrolled pursuant to this policy in the District's calculation of average number belonging (ANB) as reported to OPI to the extent allowed by law.

The Board of Trustees declares the following to be qualifying "exceptional circumstances" within the meaning of that term as used in 20-5-101(3) and "special permission" within the meaning of that term as used in 20-7-117 MCA, that merit waiving the age provisions of 20-7-117 MCA for qualifying children under 5 years of age:

- 1 For the purposes of this section "proof of identity" means a certified copy of a birth certificate, a certified transcript or similar student records from the previous school, or any documentary evidence that a school district considers to be satisfactory proof of identity. 44-2-511(6)(a), MCA
1. A child at least 3 years of age with a disability qualifying the child for services under the federal Individuals with Disabilities Education Act.
2. A child who is 4 years of age or older on or before September 10 of the school year in which enrollment is to occur who:
 - a) Meets the income eligibility of 200% or less of the Federal Poverty Guidelines; or
 - b) Is Limited English Proficient within the meaning of Title III of the federal Elementary and Secondary Education Act; or

- c) Is homeless as defined in 42 U.S. Code § 11302, or,
- d) Has moved into the district and has met the age requirements of another state and were enrolled in either a kindergarten or first grade in that state.
- e) Does not meet the requirements of a. through d. but is recommended for enrollment by administration in order to effectively use District resources. These students will be placed on a first come first served basis.

Students 19 years old or over before September 10

Under certain extenuating circumstances, the superintendent may grant the privilege of school attendance to persons whose 19th birthday falls before September 10 of the academic year under consideration. This privilege may be extended to all regular education and Special education students when:

1. A student has not completed graduation requirements, but could do so within one additional year of school attendance beyond four years in a regular education setting or an equivalent in a non- graded classroom.
2. The student is a resident of the District as defined in 1-1-215-M.C.A.
3. The educational needs of the student can be met within the District's existing educational program.
4. The student will be less than 20 years of age during the entire semester of attendance.

School Entrance

1. The District requires that a student's parents, legal guardian, or legal custodian present proof of identity of the child¹ to the school within forty (40) days of enrollment, as well as proof of residence in the District. Students who are not residents of the District may apply for admission pursuant to Policy 3141.
2. To be admitted to District schools, in accordance with the Montana Immunization Law, a child must have been immunized against varicella, diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles in the manner and with immunizing agents approved by the department. Immunizations may not be required if a child qualifies for conditional attendance or an exemption is filed as provided by Montana law.
3. The above requirements are not to serve as barriers to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The District shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain necessary enrollment documentation and ensure a student receives education services in the best interests of the child. The Superintendent or designee shall serve as point of contact with all applicable agencies to review records, facilitate services and resolve disputes.

Placement

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

Transfer: District policies regulating the enrollment of students from other accredited elementary and secondary schools are designed to protect the educational welfare of children.

Elementary Grades (K-8): A student transferring into the District will be admitted and placed subject to observation by appropriate teachers and a building principal during a probation period of six (6) weeks. Thereafter, should doubt arise as to initial grade and level placement of a student, school personnel will conduct an

educational assessment to determine appropriate grade and level placement.

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

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

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

Legal Reference:	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-403, MCA	Immunization required – release and acceptance of immunization records
	§ 20-5-404, MCA	Conditional attendance
	§ 20-5-405, MCA	Medical or religious exemption

1 For the purposes of this section “proof of identity” means a certified copy of a birth certificate, a certified transcript or similar student records from the previous school, or any documentary evidence that a school district considers to be satisfactory proof of identity. 44-2-511(6)(a), MCA

§ 20-5-406, MCA	Immunization record
§ 44-2-511, MCA	School enrollment procedure
10.16.3122, ARM	Local Educational Agency Responsibility For Students with Disabilities
10.55.601, et seq., ARM	Accreditation Standards: Procedures

Policy History:

Adopted on: 01/12/1987

Reviewed on:

Revised on: 09/28/2015, 07/14/2017

Out-of-District Attendance with Discretionary Approval

The Board of Trustees of the Bozeman Public Schools, recognizing that an educational requirement of its resident students includes the need for an orderly educational process and environment, free from disruption, overcrowding and any kind of violence or disruptive influences, hereby establishes criteria on the admission of out-of-district students. The Board recognizes that out-of-district student sections of the statutes contain both mandatory and discretionary provisions and directs the administration to follow the following definitions and procedures in discretionary situations.

Definitions

An out-of-district student is one who lives with a parent, legal guardian or spouse outside of the District boundaries or who lives in the District but whose parent, legal guardian (see Policy #3114 for Guardian definition) or spouse resides elsewhere.

A minor child's district of residence is generally determined by the residence of the parents or legal guardians or a marital relationship with an adult, or as otherwise determined by Court Order. A person's residence is the place where a person remains when not called elsewhere for labor or other special or temporary purpose and to which the person returns in seasons of repose (Sec. 1-1-215, M.C.A.)

A Special Power of Attorney conveys certain enumerated powers and authority to a third party to act on behalf of a minor child for school purposes. For a child in the care of a third party with a Special Power of Attorney the residence of the legal parent or legal guardian determines the residency of the child for purposes of tuition. A Special Power of Attorney does not create the relationship of Guardian to the holder thereof.

Out-of-District Attendance with Discretionary Approval

Out-of-district students not falling under mandatory provisions of Montana State Law, Administrative Rule or Board Policy #3114 will be denied enrollment with the following exceptions:

- A. Students, in grade 12 who have been residents of the School District for at least one full semester immediately prior to moving from the District, will be allowed to attend BSD7 on a tuition basis, for their final year of high school. Students in grade 8 who have been residents of the School District for at least one full semester immediately prior to moving from the District and who move to a K-8 District that feeds into Bozeman High School District, will be allowed to attend 8th grade in Bozeman on a tuition basis.
- B. Out-of-district, Belgrade students who have been attending the Belgrade School District for at least one semester may be allowed to attend Bozeman on a tuition basis at the request of the Superintendent of the Belgrade School District and upon approval of the Bozeman Superintendent of Schools as part of an at-risk exchange program.
- C. Students who live full time within the Bozeman School District boundaries, but whose parents live outside the District may be admitted and charged tuition.
- D. Students in grades 6-8 whose resident district is a non-operating district within Bozeman High School District #7 will be allowed to attend Bozeman Public Schools provided the resident district agrees to pay the tuition.
- E. Students whose parents are at least .75 FTE employees of the District and employees of the District's contracted transportation provider who are scheduled at least 20 hours per week may attend on a tuition basis.

- F. A student who lives within the District with their parent(s) during the school week may be admitted with the payment of tuition. Parents will be required to complete a declaration under penalty of perjury that the student and parent(s) live in the District during the school week.
- G. On a space available basis, out-of-district students (from Belgrade, Livingston, and member districts of the Park County Special Education Cooperative and Gallatin-Madison Special Education Cooperative) may enroll within the Bozeman School District if placed by their resident district through an IEP process in a specialized day treatment program designed to address low-incidence mental health needs, provided the resident district agrees to pay tuition. Placement within the program will involve an intake process that includes representatives from the resident district, the Bozeman School District, and the mental health provider.

General Provisions

- 1. An out-of-district student will not be admitted until an Out-of-District Attendance Agreement has been completed. When admitting an out-of-district student, the District shall utilize form FP-14 prepared by the Office of Public Instruction.
- 2. ~~Except as provided by law, admission to Bozeman Public Schools as an out-of-district student is a privilege (MCA 20-5-320). As such, the~~ Bozeman School District will screen all out-of-district students and only consider those who meet the criteria set forth in this policy.
- 3. The Superintendent or designee is hereby given the authority to admit or deny any student's admission in accordance with this policy.
- 4. The District will charge tuition for out-of-district students per statute. The tuition for a child with a disability will be determined under the rules adopted by the Superintendent of Public Instruction for the calculation of tuition for special education pupils.
- 5. Acceptance of out-of-district students will be contingent on the student's good behavior, regular attendance and passing grades, and adherence to school and District policies. Violation of any of these contingencies or truancy violations may result in a student being dropped from school immediately and the unused portion of the tuition refunded.
- 6. Acceptance of an out-of-district Student is for one school year. All out-of-district students must apply for enrollment at the beginning of each school year and acceptance shall be based on compliance with the applicable criteria for admission of out-of-district students and space availability. Admission for one school year does not mean the student will be accepted the following school year.
- 7. Any out-of-district attendance may be disapproved whenever the accreditation of the school will be adversely affected by acceptance of the child due to insufficient room, overcrowding or when to do so would require the hiring of additional staff.
- 8. Acceptance of an out-of-district student does not imply or guarantee that transportation will be provided. Any transportation that is provided to an out-of-district student may be charged to and paid by the parent, guardian or entity paying tuition in accordance with the District's Transportation policies.
- 9. The Montana High School Association sets regulations pertaining to student eligibility for participation in speech and athletics. The District follows those regulations and does not assure that out-of-district students will be eligible for participation in MHSA-sanctioned activities.
- 10. ~~The District has a right to refuse a student who is on the Sex or Violent Offender Registry or whose name has been expunged from the Registry.~~

11. All out-of-district students allowed to enroll pursuant to this policy shall be subject to the same rules and regulation as all other students and subject to the same disciplinary rules and procedures.
12. Where tuition is required to be paid by a parent or guardian, the full amount of tuition may be paid in full at the time of enrollment or in monthly installments to be paid in full according to the payment agreement. For all students attending with discretionary approval, if tuition is not paid in full according to the payment agreement the student shall be dropped from the rolls of the District and the student will not be considered for future enrollment. The Superintendent or designee shall adopt procedures for consistent payment deadlines.
13. Except as required by § 20-5-321, MCA, the District will admit nonresident students at its discretion.
14. The District will examine a student's records from this district and other school districts before any Board approval for admission. Review of the records and decisions regarding admission cannot be inconsistent with district policies regarding nondiscrimination.
15. The District will not admit nonresident students when doing so would cause the district to exceed the class size standards under 10.55.712 and 10.55.713, ARM.
16. Every nonresident student who attends District schools must reapply for admission for the succeeding school year by June 15. Admission in one school year does not infer or guarantee admission in subsequent years.
17. Nonresident students enrolled under this policy are subject to all district policies, rules, regulations on the same basis as resident students.
18. All resident students who become nonresidents because their parents or guardians move out of the District may continue attendance for the school year, barring registration in another District. At the completion of the school year, a student must apply as a nonresident student in accordance with #6.
19. The District will not admit any student who is expelled from another school district.
20. The District reserves the right to charge tuition for nonresident students. At its discretion, the Board of Trustees may charge or waive tuition for all students whose tuition is required to be paid by one kind of entity, defined as either a parent or guardian or a school district. Any waiver of tuition will be applied equally to all students whose tuition is paid by the same kind of entity (i.e., if the District charges tuition in those circumstances where a resident district pays but waives tuition in those circumstances where a parent or guardian is responsible for tuition, the tuition waiver will be applicable to all students whose parents or guardians bear the responsibility for payment).
21. All nonresident students will be considered ineligible transportees for school transportation services (§ 20-10-101, MCA).
22. Nonresident students enrolled under this policy are subject to all district policies, rules, regulations on the same basis as resident students.

Cross Reference: 2161 – 2161P

3110

3125

3210

Special Education

Entrance, Placement, and Transfer

Education of Homeless Children

Equal Education, Nondiscrimination and Sex

Equity

Legal Reference: § 20-5-314, MCA

Reciprocal attendance agreement with adjoining

[Double click to Return to Agenda](#)

	<u>state or province</u>
<u>§ 20-5-320, MCA</u>	<u>Attendance with discretionary approval</u>
<u>§ 20-5-321, MCA</u>	<u>Attendance with mandatory approval – tuition and transportation</u>
<u>§ 20-5-322, MCA</u>	<u>Residency determination – notification – appeal for attendance agreement</u>
<u>§ 20-5-323, MCA</u>	<u>Tuition and transportation rates</u>
<u>10.10.301B, ARM</u>	<u>Out-of-District Attendance Agreements</u>
<u>10.55.712, ARM</u>	<u>Class Size Elementary</u>
<u>10.55.713, ARM</u>	<u>Teacher Load and Class Size – High School</u>

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on: 07/22/1991, 05/11/1992, 09/25/1995, 05/13/1996, 03/30/1998, 04/12/1999, 08/13/2001, 06/14/2004, 08/8/2005, 08/13/2007, 09/8/2008, 03/22/2010, 05/10/2010, 01/8/2014, 01/26/2015, 02/22/2016, 04/11/2016, 09/12/2016, 10/10/2016, 09/25/2017, 11/12/2018, 04/29/2019, 08/29/2019

STUDENTS

3121

Enrollment and Attendance Records

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

~~The superintendent shall develop procedures for enrolling students.~~

A district may only include, for ANB purposes, an enrolled student who is:

- A resident of the district or a nonresident student admitted by trustees under a student attendance agreement and who is attending a school of the district;
- Unable to attend school due to a medical reason certified by a medical doctor and receiving individualized educational services supervised by the district, at district expense, at a home or facility that does not offer an educational program;
- Unable to attend school due to the student's incarceration in a facility, other than a youth detention center, and who is receiving individualized educational services supervised by the district, at district expense, at a home or facility that does not offer an educational program;
- Living with a caretaker relative under § 1-1-215, MCA;
- Receiving special education and related services, other than day treatment, under a placement by the trustees at a private nonsectarian school or private program if the student's services are provided at the district's expense under an approved individual education plan supervised by the district;
- Participating in the Running Start Program at district expense under § 20-9-706, MCA;
- Receiving education services, provided by the district, using appropriately licensed district staff at a private residential program or private residential facility licensed by the Department of Public Health and Human Services;
- Enrolled in an educational program or course provided at district expense using electronic or offsite delivery methods, including but not limited to tutoring, distance learning programs, online programs, and technology delivered learning programs, while attending a school of the district or any other nonsectarian offsite instructional setting with the approval of the trustees of the district; or
- A resident of the district attending a Montana job corps program under an interlocal agreement with the district under § 20-9-707, MCA.
- A resident of the district attending a Montana Youth Challenge Program under an interlocal agreement with the district under § 20-9-707, MCA.

In order for a student who is served through distance learning or offsite delivery methods to be included in the calculation of average number belonging, the student must meet the residency requirements for that district; live in the district, and must be eligible for educational services under the Individuals with Disabilities Education Act or under 29 U.S.C. 794; or attend school in the district under a mandatory attendance agreement as provided in § 20-9-707, MCA.

Homeless Youth and Foster Children

Assignment to schools shall be subject to modification when federal law applicable to students placed in foster care or students who are homeless requires that such students be educated in a “school of origin” that differs from the assigned school.

<u>Legal Reference:</u>	<u>§ 1-1-215, MCA</u>	<u>Residence – rules for determining</u>
	<u>§ 20-9-311, MCA</u>	<u>Calculation of average number belonging (ANB)</u> <u>-- three-year averaging.</u>
	<u>§ 20-9-706, MCA</u>	<u>Running start program – authorizing class credits at</u> <u>postsecondary institution – eligibility – payment for</u> <u>credits</u>
	<u>§ 20-9-707, MCA</u>	<u>Agreement with Montana youth challenge program or accredited Montana</u> <u>job corps program</u>
	<u>29 U.S.C. 794</u>	<u>Nondiscrimination under Federal grants</u> <u>and programs</u>
	<u>34 CFR 300.1, et seq.</u>	<u>Assistance to states for the education of children with disabilities</u>

Policy History:

Adopted on:

Reviewed on:

Revised on:

STUDENTS

3122

Attendance Policy

The District believes that regular attendance is primarily the responsibility of a parent/guardian and, to a lesser extent, a student's responsibility, depending on student age.

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

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

Specific rules and regulations regarding attendance and tardies can be found in the respective student handbook.

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on: 7/27/1987, 3/14/1988, 4/24/1989, 4/13/1992, 5/11/1992, 6/14/1993, 8/8/1994, 7/8/1996, 8/12/2013

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

Parents or legal guardians or legal custodians are responsible for seeing that their children who are age seven (7) or older before the first (1st) day of school attend school until the later of the following dates:

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

The provisions above do not apply in the following cases:

- (a) The child has been excused under one of the conditions specified in 20-5-102.
- (b) The child is absent because of illness, bereavement, or other reason prescribed by the policies of the trustees.
- (c) The child has been suspended or expelled under the provisions of 20-5-202.
- (d) The child is excused pursuant to Section 2 of 20-5-103.

Compulsory attendance stated above will not apply when children:

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

Legal Reference:	§ 20-1-308, MCA	Religious instruction released time program
	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-102, MCA	Compulsory enrollment and excuses
	§ 20-5-103, MCA	Compulsory attendance and excuses
	§ 20-5-104, MCA	Attendance officer
	§ 20-5-106, MCA	Truancy
	§ 20-5-107, MCA	Incapacitated and indigent child attendance
	§ 20-5-108, MCA	Tribal agreement with district for Indian child compulsory attendance and other agreements
	§ 20-5-202, MCA	Suspension and Expulsion

Policy History:

Adopted on: 11/24/1986
Reviewed on:
Revised on: 09/08/2008, 01/23/2012

STUDENTS

3123

Attendance Policy - Truancy

Students are expected to attend all assigned classes each day. Teachers shall keep a record of absence and tardiness. Before the end of the school day, each school shall attempt to contact every parent, guardian, or custodian whose child is absent from school but who has not reported the child as absent for the school day, to determine whether the parent, guardian, or custodian is aware of the child’s absence from school.

For the purpose of this policy “truant” or “truancy” means the persistent non-attendance without excuse, as defined by this policy, for all or any part of a school day equivalent to the length of one class period of a child required to attend a school under 20-5-103. “Habitual truancy” means recorded unexcused absences of 9 or more days or 54 or more parts of a day, whichever is less, in 1 school year.

The Bozeman School District defines non-attendance without excuse (i.e., unexcused absence) as absenteeism that takes place without the approval of the parent and/or principal.

The Bozeman School District has appointed the principal of each school as the attendance officers of the district.

Upon the board designating one or more of its staff as the attendance officer(s), the attendance officer(s) shall have the powers and duties as stated in 20-5-105, MCA.

Legal Reference:	§ 20-5-103, MCA	Compulsory attendance and excuses
	§ 20-5-104, MCA	Attendance officer
	§ 20-5-105, MCA	Attendance officer – powers and duties
	§ 20-5-106, MCA	Truancy
	§ 20-5-107, MCA	Incapacitated and indigent child attendance
	§ 41-5-103(22), MCA	Definitions

Policy History:

Adopted on:

Reviewed on:

Revised on:

STUDENTS

3124(currently 3126)

Military Compact Waiver

The State of Montana is one of numerous states across the country that is a member of the Interstate Compact on Educational Opportunity for Military Children. As a school district within the State of Montana subject to the laws of the State of Montana, the District shall follow the requirements of the Compact for students who enroll at the District for whom the Compact applies.

Purpose

The purpose of the Interstate Compact on Educational Opportunity for Military Children is to remove barriers to educational success for children of military families due to frequent relocation and deployment of their parents. The Compact facilitates educational success by addressing timely student enrollment, student placement, qualification and eligibility for programs (curricular, co-curricular, and extra-curricular), timely graduation, and the facilitation of cooperation and communication between various member states' schools.

Applicability

This Compact applies only to children of:

1. Active duty members of the uniformed services as defined in the Compact, including member of the national guard and reserve on active duty orders pursuant to 10 U.S.C., 12301(d) and 12304;
2. Members of the veterans of the uniformed services who are severely injured and medically discharged or retired for a period of 1 year after medical discharge or retirement; and
3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of 1 year after death.

Educational Records and Enrollment

1. **Hand Carried/Unofficial Educational Records:** In the event that official educational records cannot be released to a parent for the purpose of school transfer, the custodian of records from the sending school shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission.

Upon receipt of the unofficial educational records, the District shall enroll and appropriately place the student based upon the information the school receives in the unofficial educational records, pending validation by the official records, as soon as possible.

2. **Official Educational Records/Transcripts:** At the time of enrollment and conditional placement of a qualifying student at the District, the District shall request the student's official educational records from their last school of attendance.

A school receiving such a request shall process the official educational records request and furnish such within a period of ten (10) days, or within the timeline determined to be reasonable by the Interstate Commission.

3. **Immunizations:** The District shall provide a period of thirty (30) days from the date of enrollment, or such other time frame as determined by the rules of the Interstate Commission, within which students may obtain any immunizations required by the District. Where the District's requirements include a series of immunizations, initial vaccinations must be obtained within thirty (30) days, or within the timeline determined to be reasonable by the Interstate Commission.
4. **Kindergarten and First Grade Entrance Age:** Students shall be allowed to continue their enrollment at grade level at the District, commensurate with their grade level from their receiving school, including kindergarten, at the time of transition. However, the provisions of Montana Code 20-5-101 regarding trustees enrolling a child in kindergarten or in first grade whose fifth (5th) or sixth (6th) birthday occurs on or before the tenth (10th) day of September of the school year in which the child is to enroll but is not yet 19 years of age, shall continue to apply.

A student who has satisfactorily completed the prerequisite grade level in the sending school shall be eligible for enrollment in the next highest grade level in the District, at the receiving school, regardless of age.

A student who is transferring into the District after the start of the school year shall enter the District on the student's validated grade level from an accredited school in the sending state.

Placement and Attendance

1. **Course Placement:** Upon transfer of a qualifying student, the receiving District shall place the student in courses consistent with the student's courses in the sending school and/or the school's educational assessments. Course placement includes, but is not limited to honors, international baccalaureate, advanced placement, vocational, technical, and career pathways courses.

Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This requirement does not preclude the District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s).

2. **Educational Program Placement:** The District shall initially honor placement of the student in educational programs based on current educational assessments conducted at the sending school or participation/placement in similar programs at the sending school.

Educational program placement includes, but is not limited to, gifted and talented programs and English as a second language. This requirement does not preclude the District from performing subsequent evaluations to ensure appropriate placement of the student.

3. **Special Education Services:** In compliance with the federal requirements of the Individuals with Disabilities Education Act, the District, as the receiving school, shall initially provide comparable services to a student with disabilities based on his or her current Individual Education Plan.

In compliance with Section 504 of the Rehabilitation Act and with Title II of the Americans with Disabilities Act, the District, as the receiving school, shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities consistent with his or her existing 504 or Title II Plan.

This does not preclude the District, as the receiving school, from performing subsequent evaluations to ensure appropriate placement and/or accommodations are made for the student.

4. **Placement Flexibility:** The District's Administration shall have the flexibility to waive course/program prerequisites or other preconditions for placement in courses/programs offered by the receiving District.

- 5. Absences Relating to Deployment Activities:** A student whose parent/legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from deployment in a combat zone or combat support position, shall be granted additional excused absences at the discretion of the District's Superintendent to visit with his or her parent/legal guardian relative to such leave or deployment of the parent/guardian.

Eligibility

- 1. Eligibility for Enrollment:** A Special Power of Attorney pertaining to the guardianship of a student of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

The receiving District shall not charge tuition to a transitioning military student placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

A transitioning military student, placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he or she was enrolled when residing with the custodial parent.

- 2. Eligibility for Extracurricular Activity Participation:** The District shall facilitate the opportunity for transitioning military students' inclusion in extracurricular activities, regardless of application deadlines, to the extent the student is otherwise qualified.

Graduation

In order to facilitate the on-time graduation of children of military families, the receiving District shall incorporate the following procedure:

- 1. Graduation Course Requirements – Waiver:** The receiving District's Administration, through the Superintendent or designee, shall waive specific courses that are required for graduation if similar coursework has been satisfactorily completed at another school.

If the District does not waive the specific course requirement for graduation, the District shall provide a reasonable justification for the denial. This justification shall be provided to the parent/legal guardian in writing.

If the receiving District does not waive the specific course requirement for graduation and the student would have otherwise qualified to graduate from the sending school, the receiving District shall provide an alternative means of acquiring required coursework to ensure that the student's graduation will occur on time.

- 2. Exit Exams:** In lieu of testing requirements required for graduation at the receiving District, the District and the State of Montana shall accept any or all of the following:
- A. Exit exams or end-of-course exams required for graduation from the sending school;
 - B. National norm-referenced achievement tests; or
 - C. Alternative testing.

In the event the above alternatives cannot be accommodated by the receiving District for a student transferring during his or her senior year, subsection 3, below, shall apply.

- 3. Transfer During Senior Year of High School:** Should a military student transferring at the beginning of or during the senior year be ineligible to graduate from the receiving District after all alternatives have been considered,

the sending school and the receiving District shall ensure the receipt of a diploma from the sending school if the student meets the graduation requirements of the sending school.

In the event that one of the states in question is not a member of this Compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

Conflicts

All state laws and District policies that conflict with this policy and/or in conflict with the Compact are superseded to the extent of the conflict.

Cooperation

The receiving District, through its administration, shall timely cooperate with all state agency inquiries and other District/school inquiries relating to a student who is covered by the Compact.

Cross Reference:	2333	Participation in Commencement Exercises
	2410 – 2410P	High School Graduation Requirements
	2413	Credit Transfer and Assessment for Placement
	3110	Entrance, Placement, and Transfer
Legal Reference:	20-1-230, MCA	Enactment – interstate Compact on Educational Opportunity for Military Children – provisions

Policy History:

Adopted on: 11/27/2017

Reviewed on:

Revised on:

STUDENTS

3124(renumber 3127)

Bridger Charter Academy Enrollment

Bridger Charter Academy (BCA) is a District program; not a separate school. It is intended that the Bridger Charter Academy will be highly effective for students seeking:

- a competency/proficiency based pathway to graduation. A competency/proficiency based system is one that creates flexibility by allowing students to progress as they demonstrate proficiency with academic content and skills, regardless of time, place, or pace of learning.
- personalized instruction (via goals, pacing, and context);
- flexible scheduling (based on personal, vocational, curricular and extracurricular needs);
- learning opportunities outside the traditional classroom; and
- a small learning community, focused on academic, personal, and social growth.

While BCA has a limited enrollment capacity based on staffing, the program is open to all students in grades 9-12 who reside within the Bozeman High School District.

Cross Reference: Policy #3128 - High School Enrollment Policy

Policy History:

Adopted on: 05/20/2019

Reviewed on:

Revised on:

STUDENTS

3125

Education of Homeless Children

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

Should a child become homeless over the course of the school year, the child must be able to remain at the school of origin, or be eligible to attend another school in the district.

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

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

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

The Superintendent will give special attention to ensuring the enrollment and attendance of homeless children and youths not currently attending school. The Superintendent will appoint a liaison for homeless children. A “homeless individual” is defined as provided in the McKinney Homeless Assistance Act.

Anyone having a concern or complaint regarding placement or education of a homeless child will first present it orally and informally to the District homeless liaison. To further ensure that the District is removing barriers to the educational access and success of children and youths who are homeless, and to ensure that Title 1 funding is expended in an appropriate manner, the District has adopted the dispute resolution form at 3125F.

Cross Reference: 1700 Uniform Complaint Procedure
3125F McKinney-Vento Homeless Educational Assistance Dispute Resolution

Legal Reference: 42 U.S.C. §§42 U.S.C. § 11301 *et seq* 11431, et seq.

McKinney Homeless Assistance Act

§ 20-5-101, MCA

Admittance of child to school

Policy History:

Adopted on: 03/03/2008

Reviewed on:

Revised on: 01/14/2013, 08/01/2017, 04/22/2019

STUDENTS

3130(currently 3215)

Students of Legal Age

Every student eighteen (18) years of age or older like all other students, will comply with the rules established by the District, pursue the prescribed course of study, and submit to the authority of teachers and other staff members as required by policy and state law.

Forms

Adult students who reside with parents or guardians and/or are classified as dependents of parents or guardians for tax purposes must have applicable forms completed by parents or guardians.

Admission to School

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

Field Trips/Athletic Programs

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

Absence/Lateness/Truancy

Absence notes will be signed by parents or guardians. Excessive absences will result in consequences according to policy 3122P and will be reported on the report card.

Suspension/Expulsion

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

Withdrawal From School

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

Permission to Inspect Student Records

A student that attains the age of legal majority is an “eligible student” under FERPA. An eligible student has the right to access and inspect their student records. An eligible student may not prevent their parents from accessing and inspecting their student records if they are a dependent of their parents in accordance with Internal Revenue Service regulations.

Report Cards

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

Excuses From School

[Double click to Return to Agenda](#)

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

Financial Responsibility

Adult students can be held financially responsible for damage to school property.

Policy History:

Adopted on:

Reviewed on:

Revised on:

STUDENTS

3125 (Renumber 3505)

Tutors

1. Tutors may, when space is available, enter the school for the purpose of providing tutorial instruction. Tutorial assistance by outside providers may not be substituted for District-approved classes.
2. The student and parent must initiate the request for tutorial instruction.
3. The tutoring must be directly related to an academic subject taught where the student attends.
4. Instruction must be provided to a single student. Tutors will not be allowed to instruct or assist groups of students.
5. The approval of the school principal (or designee), and parents or guardian is required.
6. The tutor must keep attendance records, provide a weekly attendance report, and report all truanancies to the administration immediately.
7. Any student with poor attendance or any student who, as a result of this program, disrupts the orderly process of the school can, without prior notice, lose his/her right to this privilege.
8. The principal can, with cause, disallow the use of the building to any tutor.
9. Tutors may provide tutorial help to a student only during regularly scheduled study hall or lunch/recess times. Student schedules will not be adjusted to accommodate the tutor's personal schedule. Tutoring may also occur outside of school hours.

High school students whose parents request that they be allowed to leave the building during study hall for the purpose of tutorial instruction will be allowed to do so under the same circumstances as described above.

Cross-Ref: 4330

Policy History:

Adopted on: 01/09/1995

Reviewed on:

Revised on: 06/26/2012

STUDENTS

3130 (renumber 3126)

Middle School Attendance Areas and Enrollment

Middle School students (grades 6 – 8) shall attend the school designated for their respective attendance areas (see link to official middle school map [HERE](#)). Exceptions to the controlled choice enrollment procedures may be granted by the Assistant Superintendent of Instruction based on adherence to federal guidelines related to Special Education and the McKinney-Vento Act, or upon showing that there is a financial, educational or health problem affecting the student or his/her family which shall be significantly alleviated by attending a specific school.

In order to better balance class sizes to accommodate regular education, special education or other programs, transfers of students between the two middle schools may be allowed with the concurrence of both principals and the Deputy Superintendent Instruction.

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on: 01/13/1992, 03/08/1993, 05/10/1993, 05/22/1995, 05/12/1997, 04/12/1999, 01/28/2008, 03/03/2008

STUDENTS

3131

~~Student Release from School--Grades 7-12~~

~~Students will be released from school for work only when the work activity falls within a school sanctioned program such as Distributive Education, Cooperative Education and the Vocational Special Needs project. Students may be released for university class at the discretion of the principal. With these exceptions, all students will be expected to be enrolled in five or more classes.~~

Policy History:

Adopted on: 9/9/1980

Reviewed on:

Revised on:

STUDENTS

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.

~~Procedures will be developed by the Superintendent.~~

Legal Reference: 20 U.S.C. 221, et seq. Foreign and Exchange Students

Policy History:

Adopted on: 05/11/1992

Reviewed on:

Revised on: 11/08/1993, 01/09/1995, 04/27/1998, 10/08/2012

Part-Time Attendance

1. ~~Non-handicapped students eligible to enroll in grades K-5 will not be accepted for part-time enrollment in the District schools with the exception of students who desire half-time kindergarten. The Superintendent or designee has the ability to grant exceptions when extreme circumstances may warrant review and alteration of a child's instructional program.~~
2. ~~In special circumstances, regular BSD7 students may, upon recommendation of the high school principal and with approval of the Superintendent of schools or designee, modify their academic schedules to attend school less than full-time.~~
3. ~~Non-handicapped students residing within the Bozeman School District currently fulfilling their education requirements outside the Bozeman schools and eligible to enroll in grades 6-12 may enroll as part-time students. Part-time students must enroll in year-long courses prior to the opening of school and semester courses at least one week prior to the start of the semester.~~

~~The criteria for acceptance of non-handicapped part-time students grades 6-12 include:~~

- ~~A. Acceptance of a student shall not create an excess student enrollment in the requested class.~~
- ~~B. Acceptance of a student shall not create need for an additional staff member.~~
- ~~C. Acceptance of the part-time student shall not cause the creation of a new section of the requested class.~~
- ~~D. Regular full-time students shall have first priority on any available space.~~
- ~~E. When a number of part-time students have requested admission into the same class, they will be accepted on a first come basis as long as feasible within the criteria.~~
- ~~F. In the event the class enrollment position of a part-time student is needed for a regular full-time student during the course of the year, the full-time student will have priority for the position beginning with the next semester after the need is identified.~~
- ~~G. Part-time students may not be on campus except for 5 minutes before and after class.~~

~~Handicapped students residing in the District who are attending private or home schools will be accepted in accordance with state and federal statutes and regulations.~~

~~The Superintendent or designee shall develop procedures subject to Board approval for students to modify their academic schedules to attend school less than full-time per #2 above.~~

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

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

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

The District will accept on a first-come, first-served 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.

Legal Reference: § 20-9-311(a), MCA Calculation of average number belonging (ANB) –
 3-year averaging

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on: 08/26/1991, 10/09/1995, 10/14/1996, 01/11/1999, 02/08/1999, 01/10/2000, 04/28/2008, 07/13/2009,
04/24/2019

STUDENTS

3202 (renumbered to 2132)

Student and Family Privacy Rights

Surveys - General

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of -

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use -

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The District has developed and adopted procedures regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the

school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-5901

Policy History:

Adopted on: 08/08/2005

Reviewed on:

Revised on:

STUDENTS

3211

Pregnant Students

~~A student shall not be excluded from attendance in the regular school program solely on the grounds of pregnancy. A pregnant student may be required to produce a physician's statement as to the condition of her health relative to her continued presence in the regular school program. If the statement indicates that the pregnant student's health and physical well-being mandates her withdrawal from regular school attendance, the district shall require a suitable alternative educational program.~~

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on:

STUDENTS

3212

Married Students

~~Married students shall have the same rights and responsibilities as unmarried students. This includes the right to participate in any extracurricular activities on the same basis and subject to the same requirements as unmarried students.~~

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on:

STUDENTS

3222

Distribution and Posting of Student Materials

District policy allows distribution of materials of ~~parent and student curricular clubs and non-curricular groups~~ organizations sponsored by the District or other governmental agencies. ~~The District also may allow distribution of materials that provide information valued or needed by the District.~~

The Superintendent, building principal, or designee must approve all materials before they may be distributed or posted. ~~by any organization. Materials distributed or posted will include an indicator to inform the recipient if the material is from curricular student club or non-curricular student group.~~

To facilitate the distribution of materials with information about student activities, each school may maintain a centrally located bulletin board for the posting of materials, and/or maintain a table available to students for placing approved materials. Materials may also be posted on designated walls in the school buildings.

Materials from curricular student club or non-curricular student group, which provide information valued or needed by the students of the school district may be distributed, except those that would:

- A. Disrupt the educational process;
- B. Violate the rights of others;
- C. Invade the privacy of others;
- D. Infringe on a copyright;
- E. Violate District policy, procedure, or administrative directive;
- F. Be obscene, vulgar or indecent; or
- G. Promote violence, discriminatory conduct, the use of drugs, alcohol, tobacco, nicotine and any other tobacco innovation, firearms, or certain products that create community concerns.

All community materials must be reviewed and approved by the Superintendent or designee in accordance with Policy 4331- ~~and the building principal. In the high school district, all student-initiated materials to be posted must be approved by the building principals.~~

<u>Cross References:</u>	<u>Policy 3550 – Student Clubs</u>
	<u>Policy 4331 Use of School Property for Posting Notices</u>
	<u>Policy 3233 Student Use of School Facilities – Equal Access</u>
	<u>Policy 3510 School Sponsored Activities</u>

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on: 10/24/1988, 03/22/2010, 04/14/2014

STUDENTS

3223

Addressed by Policy 3233.

Freedom of Assembly

~~Individual students and student organizations may meet in school rooms or auditoriums, or at outdoor locations on school grounds, to discuss, pass resolutions and take other lawful action regarding any matter which directly or indirectly concerns or affects them, whether or not it relates to school. Such activities shall not be permitted to interfere with the normal operation of the school and must be conducted when the building is open to the public.~~

~~Legal Reference: Article II, Section 6 and 15, 1972 Montana Constitution~~

Policy History:

~~Adopted on: 11/24/1986~~

~~Reviewed on:~~

~~Revised on:~~

STUDENTS

3224

Student Dress

The District recognizes that a student's choice of dress and grooming habits demonstrate personal style and preference. The District has the responsibility to ensure 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, or others.

Building administrators shall establish procedures for the monitoring of student dress and grooming in school or while engaging in extracurricular activities. Students attending public events sponsored by the school district are permitted to honor their American Indian heritage through the display of culturally significant tribal regalia at a public event sponsored by the school district. Any item that promotes drug use, weapon use, threats of violence, sexual harassment, bullying, or other intimidation, or violates another district policy, state, or federal law may not be worn at a public event sponsored by the school district. Specific regulations shall be published annually in student handbooks.

Cross Reference: 2333 Participation in Commencement Exercises

Legal Reference: § 2-1-315, MCA Tribal regalia and objects of cultural significance - allowed at public events

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on: 01/25/1988, 04/24/2006

STUDENTS

3235

Video Surveillance

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

The Superintendent will notify staff and students, through staff and student handbooks or by other means, that video surveillance may occur on District property. A notice will also be posted at the main entrance of all District buildings, and on all buses, indicating the use of video surveillance.

The District may choose to make video recordings a part of a student's educational record or of a staff member's personnel 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.

Cross Reference: 3600 Student Records

Policy History:

Adopted on: 03/05/2001

Reviewed on:

Revised on: 05/13/2013

STUDENTS

3260

Malicious Vandalism

~~Any student who intentionally damages, destroys or removes any school property or commits any other vandalism may be removed from the premises immediately and may be subject to suspension or expulsion. Board expulsion may result in a total loss of credit for the semester in question. The cost involved in repairing the premises after malicious vandalism may be charged to the student and such cost must be paid prior to re-entry. Additional action may be taken by the police and probation authorities.~~

Cross Reference: Policy #9321, 9321P

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on:

STUDENTS

3300

Suspension and Expulsion - Corrective Actions and Punishment

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

Suspension

- “Suspension” means the exclusion of a student from attending individual classes or school and participating in school activities for an initial period not exceed ten (10) school days. An administrator may order suspension of a student.

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

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

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

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

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

Upon a finding by a school administrator that the immediate return to school by a student 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 one (1) additional period not to exceed ten (10) school days, if the student is granted an informal hearing with the school administrator prior to the additional suspension, and if the decision to impose the additional suspension does not violate the Individuals with Disabilities Education Act (IDEA) or Rehabilitation Act.

Students who are suspended from any class or from school entirely have the right to make up any work missed according to the student handbook.

Expulsion

- “Expulsion” is any removal of a student for more than twenty (20) school days without the provision of educational services. Expulsion is a disciplinary action available only to the Board.

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

The Board will provide written notice to a student and parent or legal guardian of a hearing to consider a recommendation

[Double click to Return to Agenda](#)

for expulsion, which will be sent by registered or certified mail at least five (5) school days before the date of the scheduled hearing. The notice will include time and place of hearing, information describing the process to be used to conduct the hearing, and notice that the Board intends to conduct the hearing in closed session unless a parent or legal guardian waives the student's right to privacy.

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

The student has the right to be present for the duration of the hearing. At hearing the student may be represented by counsel and ask questions, present perspectives, and provide witnesses or documentation. The Board is not bound by formal rules of evidence in conducting the hearing.

Each school shall maintain a record of any disciplinary action that is educationally related, with explanation, taken against the student. When the Board of Trustees takes disciplinary action against a student, the Board must keep a written record of the action taken, with detailed explanation, even if the disciplinary action is decided during a closed session. A disciplinary action that is educationally related is an action that results in the expulsion or out-of-school suspension of the student. This record must be maintained/destroyed consistent with Montana Local Government Records Schedule 7, and is subject to transfer to a local educational agency, accredited school, or nonpublic school pursuant to 20-1-213, MCA.

Procedures for Suspension and Expulsion of Students With Disabilities

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

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

An administrator may remove from current placement any special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function or inflicts serious bodily injury on another person while at school on school premises, or at a school function under the jurisdiction. A serious bodily injury is one that involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or faculty. The District will place such student in an appropriate interim alternative educational setting for no more than forty-five (45) school days in accordance with the IDEA or Rehabilitation Act.

Legal Reference:	20 U.S.C. 1400, et seq.	Individuals with Disabilities Education Act
	34 CFR 300.519-521	Procedural Safeguards
	§ 20-1-213, MCA	Transfer of School Records
	§ 20-4-302, MCA	Discipline and punishment of pupils –definition of corporal punishment – penalty – defense
	§ 20-4-402, MCA	Duties of district superintendent or county high school principal
	§ 20-5-105, MCA	Attendance officer – powers and duties
	§ 20-5-106, MCA	Truancy
	§ 20-5-201, MCA	Duties and sanctions
	§ 20-5-202, MCA	Suspension and expulsion
	ARM 10.16.3346	Aversive Treatment Procedures
	ARM 10.55.910	Student Discipline Records
	<i>Goss v. Lopez</i> , 419 US 565 (1975)	
	Section 504 IDEA	

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on: 05/13/1996, 08/10/2009, 08/12/2013, 06/09/2014, 08/14/2017

STUDENTS

3311

FIREARMS AND WEAPONS**Firearms**

For the purposes of the firearms section of this policy, the term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device pursuant to 18 U.S.C. 921 (4). Such term does not include an antique firearm pursuant to 18 U.S.C. 921 (16).

It is the policy of the Bozeman Public Schools District to comply with the federal Gun Free Schools Act of 1994 and state law 20-5-202 (2), MCA, pertaining to students who bring a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district. In accordance with 20-5-202 (3), MCA, a teacher, superintendent, or a principal shall suspend immediately for good cause a student who is determined to have brought a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district. In accordance with Montana law, a student who is determined to have brought a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district must be expelled from school for a period of not less than 1 year.

However, the Board of Trustees through this policy authorizes the Superintendent, or principal of a school without a Superintendent, to use his/her discretion on a case-by-case basis and modify the requirement of expulsion of a student if he/she deems such modification to be warranted under the circumstances.

A decision to change the placement of a student with a disability who has been expelled pursuant to this section must be made in accordance with the Individuals with Disabilities Education Act.

Possession of Weapons other than Firearms

The District does not allow weapons on school property. Any student found to have possessed, used or transferred a weapon on school property will be subject to discipline in accordance with the District’s discipline policy. For purposes of this section, “weapon” means any object, device, or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury, including but not limited to air guns; pellet guns; BB guns; fake (facsimile) weapons; all knives; blades; clubs; metal knuckles; nunchucks (also known as nunchucks); throwing stars; explosives; fireworks; mace or other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

No person shall possess, use, or distribute any object, device, or instrument having the appearance of a weapon, and such objects, devices, or instruments shall be treated as weapons, including but not limited to weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.) to inflict bodily harm and/or intimidate, and such use will be treated as the possession and use of a weapon.

The District will refer to law enforcement for immediate prosecution any person who possesses, carries, or stores a weapon **in a school building**, and the District may take disciplinary action as well in the case of a student. In addition the District will refer for possible prosecution of a parent or guardian of any minor violating this policy on grounds of allowing a minor to possess, carry, or store a weapon in a school building. (45-8-361 (1) (2))

For the purposes of this section only, “school building” means all buildings owned or leased by a local school district that are used for instruction or for student activities. (45-8-361 (5a))

~~The Bozeman Public Schools prohibit individuals from possessing or carrying weapons on school district property. This prohibition is adopted in accordance with the Gun-Free School Zone Act and Montana Code Section 45-8-361. The trustees of a district~~ Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building ~~as per Montana Code Section 45-8-361(3b).~~ **All persons who wish to possess, carry, or store a weapon in a school building must request permission of the Board at a regular meeting.** The Board has sole discretion in deciding whether to allow a person to possess, carry, or store a weapon in a school building. (45-8-361 (3b))

This policy does not apply to law enforcement officers acting in his or her official capacity.
(45-8-361 (3a))

In accordance with 45-8-361. MCA, the Board recognizes that tools which fit the definition of a “weapon” are useful and necessary in certain educational settings. Examples include knives used in cooking classrooms, explosive gases used for welding lessons and tools used in art classes. The Board grants permission for the possession, use, and storage of these tools in school buildings to the extent that they are:

- 1. Used in conjunction with approved instructional programs and curriculum,
- 2. Necessary components of the lesson,
- 3. Used only under the supervision of the appropriate instructor, and
- 4. Securely stored when not in classroom use.

The trustees shall annually review this policy and update this policy as determined necessary by the trustees based on changing circumstances pertaining to school safety.

Cross Reference:	3310	Student Discipline
	4332	Conduct of School Property
Legal Reference:	§ 20-5-202, MCA	Suspension and expulsion
	§ 45-8-361, MCA	Possession or allowing possession of a weapon in a school building
	20 U.S.C. § 7151, et seq.	Gun Free Schools Act of 1994
	18 U.S.C. § 921	Definitions
	NCLB, Section 4141	Gun Free Requirements

Policy History:

Adopted on: 11/14/1994

Reviewed on:

Revised on: 09/14/1998, 06/11/2007, 02/23/2009, 03/28/2011, 09/09/2013, 04/26/2016

STUDENTS

3320

Independent Education Evaluation

I. General Provisions

A. Rights and Definitions

1. A parent has the right to an Independent Educational Evaluation at public expense if the parent disagrees with an evaluation obtained by the school district. However, the school district may initiate a hearing under ~~34 (CFR) 300.506~~ **34 CFR 300.507(a)(1)** Impartial Due Process Hearing to show that its evaluation is appropriate. If the final decision of the hearing officer is that the evaluation is appropriate, the parent still has the right to an Independent Educational Evaluation (IEE), but not at public expense.
2. The Bozeman School District shall provide to parents, on request, information about where an Independent Educational Evaluation may be obtained.
3. For the purposes of this part:
 - a. Independent Educational Evaluation means an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the education of the child in question.
 - b. Public expense means that the school district either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with ~~34 (CFR) 300.301~~ **34 CFR 300.17** Free Appropriate Public Education (FAPE).

B. Independent Evaluations at Parent Expense

If the parent obtains an Independent Educational Evaluation at private expense, the results of the evaluation:

1. Must be carefully considered by the school district in any decision made with respect to the provision of FAPE (Free & Appropriate Public Education) to the child; and
2. May be presented as evidence at a hearing under this subpart regarding that child.

C. Request for Evaluations by Hearing Officers

If a hearing officer requests an Independent Educational Evaluation as part of a hearing, the cost of the evaluation must be paid for by the school district, ~~34 (CFR) 503. (d)~~ **34 CFR 300.502 (d)** Requests for Evaluations by Hearing Officer.

D. Agency Criteria

Whenever an independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and qualifications of the examiner, must be the same as the criteria which the public agency uses when it initiates an evaluation, ~~34 (CFR) 300.503~~ **34 CFR 300.502 (e)(1)** Independent Educational Evaluation.

Further the Analysis to the Final Regulations of Individual with Disabilities Act (IDEA)-B states that
“School Districts should not be asked to bear the costs of unreasonably expensive independent evaluations.”

Policy History:

Adopted on: 12/08/1997

Reviewed on:

Revised on:

Use of Alcohol-Sensor Device

Students are prohibited by Montana law and District policy from using or possessing alcoholic beverages. It is District policy to deter use or possession of alcoholic beverages by students on District property or at school-sponsored or related activities or events, through use of an alcohol-sensor device.

Anytime the Superintendent, another administrator, or a teacher has reasonable suspicion that a student has consumed an alcoholic beverage, the student will be given an opportunity to admit or deny consumption of alcohol. If the student admits consumption of alcohol, appropriate disciplinary action will be taken under applicable District policies and student handbook provisions, including potential restriction of or exclusion from participation in extra- and co-curricular activities.

If the student denies consumption of alcohol, the Superintendent or another District employee designated by the Superintendent may utilize an alcohol-sensor device to either confirm alcohol consumption or eliminate the suspicion. Confirmation of alcohol consumption will result in appropriate disciplinary action under applicable District policies and student handbook provisions, including potential restriction of participation in or exclusion from extra- and co-curricular activities.

If the student refuses to submit to testing for the presence of alcohol, the District may rely upon other evidence of alcohol consumption in determining whether District policy has been violated.

- Cross Reference:
- 1312 Administrative Procedures
 - 3300 Suspension and Expulsion
 - 3300P Corrective Actions and Punishment
 - 3310 Student Discipline
 - 3310P Discipline of Students With Disabilities
 - 3340 Extra- and Co-Curricular Alcohol, Drug, and Tobacco Use

- Legal Reference:
- § 20-5-201, MCA Duties and sanctions
 - § 45-5-624, MCA Unlawful attempt to purchase or possession of intoxicating substance – interference with sentence or court order

Policy History:
Adopted on:
Reviewed on:
Revised on:

STUDENTS

3420

Student Safety

The Board recognizes that safe practices should be incorporated into all aspects of the instructional program and directs the superintendent to develop and post rules for safety and the prevention of accidents. These rules shall provide for:

1. Instruction of students and staff in safety and accident prevention.
2. Protective devices where they are required for the safety of students.
3. Suitable and safe equipment where such equipment is necessary for the conduct of the educational program and the operation of the schools.

Legal Reference: 10.55.505 A.R.M. Safety

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on:

Abused and Neglected Child Reporting

A District employee who has reasonable cause to suspect, as a result of information they receive in their professional or official capacity, that a child is abused or neglected by anyone regardless of whether the person suspected of causing the abuse or neglect is a parent or other person responsible for the child's welfare, shall report the matter promptly to the Department of Public Health and Human Services. Child abuse or neglect means actual physical or psychological harm to a child, substantial risk of physical or psychological harm to a child, and abandonment. This definition includes sexual abuse and sexual contact by or with a student. The obligation to report suspected child abuse or neglect also applies to actual or attempted sexual or romantic contact between a student and a staff member.

A District employee who makes a report of child abuse or neglect is encouraged to notify the building administrator of the report. An employee does not discharge the obligation to personally report by notifying the Superintendent or principal.

Any District employee who fails to report a suspected case of abuse or neglect to the Department of Public Health and Human Services, or who prevents another person from doing so, may be civilly liable for damages proximately caused by such failure or prevention and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination.

When a District employee makes a report, the DPHHS may share information with that individual or others as permitted by law. Individuals in the District who receive information related to a report of child abuse or neglect shall maintain the confidentiality of the information.

Cross Reference: 5223 Personal Conduct
 3225 Sexual Harassment of Students

Legal Reference: § 41-3-201, MCA Reports
 § 41-3-202, MCA Action on reporting
 § 41-3-203, MCA Immunity from liability
 § 41-3-205, MCA Confidentiality – disclosure exceptions
 § 41-3-207, MCA Penalty for failure to report
 § 45-5-501, MCA Definitions
 § 45-5-502, MCA Sexual Assault

Policy History:
Adopted on:
Reviewed on:
Revised on:

STUDENTS

3441

Release of Student During the School Day

Prior to sending a student to his/her home for illness, discipline or a corrective action, the principal **or designee** shall attempt to reach the student's parent to inform him/her of the school's action and to request that he/she come to the school for the child. If the principal **or designee** cannot reach the parent, K-9 students shall remain at school until the close of the school day. A student may be released to a law enforcement officer in accordance with Policy #4411 (Relations with Law Enforcement and Child Protective Agencies).

Policy History:

Adopted on: 11/24/1986

Reviewed on:

Revised on:

STUDENTS

3520

Student Fees and Fines

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

Fees

The Board may require fees for actual cost of breakage and for excessive supplies used in commercial, industrial arts, music, domestic science, science, or agriculture courses. The Board may also charge a student a reasonable fee for any course or activity not reasonably related to a recognized academic and educational goal of the District or for any course or activity taking place outside normal school functions. The Board may waive fees in cases of financial hardship.

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

Fines

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, in writing, the imposition of a charge for damages to the Superintendent. The District may not refuse to transfer files because a student owes fines or fees.~~

Withholding and Transferring Records for Unpaid Fines or Fees

Pursuant to MCA 20-5-201 (4):

- (a) ~~A school district may withhold the grades, diploma, or transcripts of a pupil who is responsible for the cost of school materials or the loss or damage of school property until the pupil or the pupil's parent or guardian satisfies the obligation.~~
- (b) ~~A school district that decides to withhold a pupil's grades, diploma, or transcripts from the pupil and the pupil's parent or guardian pursuant to subsection (4)(a) shall:~~

The District may not refuse to transfer files to another district because a student owes fines or fees. The District may not withhold the school schedule of a student because the student owes fines or fees. The district may withhold the grades, diploma, or transcripts of a current or former student who is responsible for the cost of school materials or the loss or damage of school property until the student or the student's parent or guardian pays the owed fines or fees.

In the event a student who owes fines or fees transfers to another school district in the state and the District has decided to withhold the student's grades, diploma, or transcripts from the student and the student's parent or guardian, the District shall:

1. upon receiving notice that the student has transferred to another school district in the state, notify the 's student's parent or guardian in writing that the school district to which the has transferred will be requested to withhold the student's grades, diploma, or transcripts until any obligation has been satisfied;
2. forward appropriate grades or transcripts to the school district to which the student has transferred;
3. at the same time, notify the school district to which the student has transferred of any financial obligation of the student and request the withholding of the student's grades, diploma, or transcripts until any obligations are met;
4. when the student or the-student's parent or guardian satisfies the obligation, inform the school district to which the student has transferred.

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

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

Policy History:

Adopted on: 11/2/1986

Reviewed on:

Revised on: 01/22/2007, 04/14/2014

COMMUNITY RELATIONS

~~4324~~ (Renumber to 3535)

Distribution of Fund Drive Literature Through Students

It is the policy of this District to refrain from having the students, as student body members, used for collection or dissemination purposes.

Although the schools recognize that much good is derived from such drives, it is the policy of this district to refrain from having the students, as student body members, used for such collection or dissemination purposes.

Exceptions to this policy will be considered when recognized student or school-affiliated organizations of the district request permission to participate in such activity.

The superintendent shall have the authority to grant exceptions to this policy. The following guidelines shall be followed to assist in the decision-making process:

1. The objectives of the contest, campaign, or promotion shall be consistent with the district's goals and policies.
2. The proposed activity shall have educational value to the participants and be free of objectionable advancement of the name, product or special interest of the sponsoring group.
3. Participation by a student would not interfere with his/her program of curricular or co-curricular activities.

Policy History:

Adopted on: 9/22/86

Reviewed on:

Revised on:

STUDENTS

3608

Receipt of Confidential Records

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

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

- Superintendent
- Deputy Superintendent Instruction

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

Cross Reference: 3600 - 3600P Student Records

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

Policy History:

Adopted on:

Reviewed on:

Revised on:

Programs for At-Risk/Disadvantaged Students

The District will designate one (1) at-risk coordinator to collect and disseminate data regarding dropouts in the District and to coordinate the District's program for students who are at high risk of dropping out of school.

Each school year, the at-risk coordinator will prepare a dropout reduction plan that identifies:

1. The number of District students who dropped out in the preceding regular school term;
2. The number of students in grades 1-12 who are at risk of dropping out;
3. The District's dropout rate goal for the next school year;
4. The dropout reduction programs, resources, and strategies to be used during the school year.

The Board will review and approve the plan and will make it available to the public.

The District is not required to prepare a dropout reduction plan if fewer than five percent (5%) of its students are identified as "at risk" of dropping out.

At-Risk Students

In determining whether a student is at high risk of dropping out of school, the District will consider the student's academic performance as well as whether the student is adjudged delinquent; abuses drugs or alcohol; is a student of limited English proficiency; receives compensatory or remedial education; is sexually, physically, or psychologically abused; is pregnant; is a slow learner; enrolls late in the school year; stops attending school before the end of the school year; is an underachiever; is unmotivated; or exhibits other characteristics that indicate the student is at high risk of dropping out of school.

Programs and District Plan

The District will provide a remedial and support program for any student who is at risk of dropping out of school.

The District will have a plan designed to retain students in a school setting. The District plan will be the responsibility of the Superintendent or the designated at-risk coordinator and will:

1. Emphasize a comprehensive team approach that includes the Superintendent, principal, parent/guardian, teacher, student, community service provider, business representative, or others;
2. Include objectives designed to meet the identified needs of at-risk students and to retain those students in school;
3. Be designed to use community resources that are available to serve at-risk youth;
4. Provide for parental involvement, such as participation in developing student academic plans and training programs for parents; and
5. Provide for review of individual profiles for at-risk students.

The District plan may also:

1. Include alternatives; and
2. Provide for the referral of students who drop out to programs such as adult basic education, Job Training Partnership Act programs, or other options.

Policy History:

Adopted on:

Reviewed on:

Revised on:

Gangs and Gang Activity

The Board is committed to ensuring a safe and orderly environment, where learning and teaching may occur void of physical or psychological disruptions, unlawful acts, or violations of school regulations. Gang activities create an atmosphere of intimidation in the entire school community. Both the immediate consequences of gang activity and the secondary effects are disruptive and obstructive to the process of education and school activities. Groups of individuals which meet the definition of gangs, defined below, shall be restricted from school grounds or school activities.

A gang is defined as any group of two (2) or more persons, whether formal or informal, who associate together to advocate, conspire, or commit:

- A. One or more criminal acts; or
- B. Acts which threaten the safety or well-being of property or persons, including but not limited to harassment and intimidation.

Students on school property or at any school-sponsored activity shall not:

- 1. Wear, possess, use, distribute, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other items which are evidence of membership in or affiliation with any gang and/or representative of any gang;
- 2. Engage in any act, whether verbal or nonverbal, including gestures or handshakes, showing membership in or affiliation with any gang and/or that is representative of any gang; or
- 3. Engage in any act furthering the interest of any gang or gang activity, including but not limited to:
 - a. Soliciting membership in or affiliation with any gang;
 - b. Soliciting any person to pay for protection or threatening another person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
 - c. Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property;
 - d. Engaging in violence, extortion, or any other illegal act or other violation of school property.
 - e. Writing or drawing gang-related messages or symbols in notebooks, notes, or other student-generated papers messages discovered by the School District in the course of an employee's duties or as a result a search conducted in accordance with Policy 3231. This provision is intended to be interpreted and enforced consistent with Policy 3220.

Violations of this policy shall result in disciplinary action, up to and including suspension, expulsion, and/or notification of police.

Cross Reference: Policy 3220 – Freedom of Expression
 Policy 3231 – Search and Seizure

Legal Reference: § 45-8-405, MCA Pattern of criminal street gang activity
 § 45-8-406, MCA Supplying of firearms to criminal street gang

Policy History:

Adopted on: 07/09/2007

Reviewed on:

Revised on:

Student use of Personal Mobile Devices

I. PURPOSE

The purpose of this policy is to set forth expectations for appropriate use of existing and emerging technologies referred to in this policy as persona mobile devices which students may possess, including but not limited to cellular phones, digital picture/video cameras and/or camera phones, personal digital assistants, audio recording devices, iPods, iPads, MP3 players or streaming devices, pagers, and other personal electronic devices capable of transmitting data or images.

II. GENERAL STATEMENT OF POLICY

The School District holds high expectations for student behavior, academic integrity, and responsible use of personal mobile devices. Students who possess and/or use such devices at school or school sponsored events shall demonstrate the greatest respect for the educational environment and the rights and privacy of all individuals within the school community.

III. STANDARDS FOR RESPONSIBLE USE AT SCHOOL, ON BUSES OR AT SCHOOL ACTIVITIES

A. Respect for the educational environment:

- i. Persona mobile devices shall be turned off and kept out of sight during instructional time.
- ii. Students shall not use any personal mobile device that in any way disrupts or detracts from the educational environment.
- iii. Use of personal mobile devices is prohibited in classrooms during the school day, Media Centers and testing centers, and during fine arts performances.
- iv. Students will not be allowed to leave class in response to any personal mobile devices.
- v. High school students are permitted to use personal mobile devices in an appropriate and respectful manner before and after classes, in common areas—such as near lockers or the cafeteria—or outside on school grounds. This provision specifically does not apply to middle school students and middle school students are not permitted to use personal mobile devices in the manner noted in this section.
- vi. With prior approval of the school principal, teachers may permit the purposeful use of personal mobile devices in support of curriculum learning objectives.
- vii. In the case of medical necessity or emergency, a student shall be permitted to possess or use a personal mobile device provided the student receives advanced authorization from the school principal.

B. Respect for privacy rights:

- i. Students shall not photograph or videotape other individuals at school or at school sponsored activities without their knowledge and consent, except for activities considered to be in the public arena such as sporting events or public performances.

ii. Students shall not email, post to the Internet, or other otherwise electronically transmit images of other individuals taken at school without their expressed written consent.

iii. Use of personal mobile devices is strictly prohibited in locker rooms and restrooms.

C. Assuring academic integrity: Students shall not use personal mobile devices in any way that may cause a teacher or staff member to question whether the student may be cheating on tests or academic work or violating copyright policy.

D. Compliance with Other District Policies: Use of personal mobile devices must not violate any other District policies, including those regarding student privacy, copyright, cheating, plagiarism, student code of conduct, electronic technologies acceptable use, or harassment. If a violation occurs involving more than one District policy, consequences for each policy will apply.

IV. VIOLATIONS OF THIS POLICY

A. Violations of this policy will follow the consequences stated in the Student Handbook. Repeated or severe infractions of this policy may also at the principal's discretion, result in additional disciplinary action.

Policy History:

Adopted on:

Reviewed on:

Revised on:

STUDENTS

Cell Phones and Other Electronic Equipment

~~Student possession and use of cellular phones, pagers, and other electronic devices (including, but not limited to iPods, Phones, CD Players, MP3 Players, computers and other devices, whether internet accessible or not) on school grounds, at school-sponsored activities, and while under the supervision and control of school District employees is a privilege which will be permitted only under the circumstances described herein. At no time will any student operate a cell phone or other electronic device with video or photographic capabilities in a locker room, bathroom, or other location where such operation may violate the privacy right of another person. Students may use cellular phones, pagers, and other electronic signaling devices on campus before school begins and after school ends or as determined by school procedures. Schools may regulate the use of cell phones by parents and other adults while they are on school property. In special circumstances, the building principals may authorize use of cell phones or other electronic devices by students (for example, the use of iPods during a bus trip, or exceptions due to a specific student situation). Specific building regulations and procedures shall be published annually in student handbooks. The District is not responsible for lost or stolen devices.~~

Cross-reference:

Policy #3240 Guidelines of Conduct (K-12)

Policy #3300 Corrective Actions or Punishment

Policy #3310 Student Discipline

Policy #3612 District-Provided Access to Electronic Information, Services, and Networks

Adopted: 5-22-06 Rev.: 7/09/07, 12/14/09, 12/12/11, 7/10/12, 11/12/12

STUDENTS

3650

Pupil Online Personal Information ProtectionCompliance

The School District will comply with the Montana Pupil Online Personal Information Protection Act. The School District shall execute written agreements with operators who provide online applications for students and employees in the school district. The School District will execute written agreements with third parties who provide digital educational software or services, including cloud-based services, for the digital storage, management, and retrieval of pupil records. The written agreements will require operators and third parties to the School District for K-12 purposes or the delivery of student or educational services to comply with Montana and federal law regarding protected student information. All pupil records accessed by the operator or third party during the term of the agreement or delivery of service to the application will continue to be the property of and under the control of the school district.

Operators of Online Applications

Operators providing online applications to the School District shall not target advertising to students, sell student information, or otherwise misuse student information. Operators shall not use information to amass a profile about a pupil, except in furtherance of K-12 school purposes. Operators shall not sell a pupil's information, including protected information unless authorized by law. Operators shall not disclose protected information unless the disclosure is made in accordance with School District policy, state or federal law, or with parent consent. Operators shall implement and maintain reasonable security procedures and practices appropriate to the nature of the protected information and safeguard that information from unauthorized access, destruction, use, modification, or disclosure. Operators shall delete a pupil's protected information if the school or district requests the deletion of data under the control of the school or district.

Third Parties Providing Software and Services

Third parties providing digital education software and services to the School District shall certify that pupil records will not be retained or available to the third party upon completion of the terms of the agreement. Furthermore, third parties shall not use any information in pupil records for any purpose other than those required or specifically permitted by the agreement with the operator. Third parties shall not use personally identifiable information in pupil records to engage in targeted advertising.

Third parties providing digital education software and services to the School District shall provide a description of the means by which pupils may retain possession and control of their own pupil-generated content. Third parties shall provide a description of the procedures by which a parent, legal guardian, or eligible pupil may review personally identifiable information in the pupil's records and correct erroneous information. Third parties shall provide a description of the actions the third party will take, including the designation and training of responsible individuals, to ensure the security and confidentiality of pupil records. Third parties shall provide a description of the procedures for notifying the affected parent, legal guardian, or pupil if 18 years of age or older in the event of an unauthorized disclosure of the pupil's records;

Failure to Comply and Legal Review

An operator's or third party's failure to honor the law, agreement or School District policy will result in termination of services. The School District will report any operator who fails to honor the law to the appropriate authorities for criminal prosecution.

All contracts and agreements executed under this agreement will be reviewed by the School District's legal counsel. The Montana Model Data Privacy Agreement as adopted at Policy 3650F is considered to have been reviewed by legal counsel. Any other contracts or agreements, including amendments or changes to the Model Data Privacy Agreement will be reviewed in accordance with this section.

Cross Reference: 3600 Student Records
3650F Model Agreement

Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. 99
Montana Pupil Online Personal Information Protection Act, Title 20, chapter 7, part 13, MCA

Policy History:

Adopted on:

Reviewed on:

Revised on:



Meeting Date:	September 28, 2020
Category:	Action Item - Singular - Metrics for Transition to 5 Day Instruction
Agenda Item #:	6.1.1
Originated By:	Bob Connors, Superintendent
Others Involved:	Executive Cabinet

MOTION	SECOND	AYES	NAYS	ABSTAIN

Topic:

Develop and approve metrics to be used to transition to 5 day instruction.

Facts:

1. The Board conducted an all day meeting on Thursday August 6, 2020 to discuss the options and to hear public comment.
2. On August 10, 2020 the Board voted to start the 2020-21 school year using a blended model. Under that model students attend school in person 2 days per week and are provided remote instruction 3 days per week.
3. At its September 14, 2020 meeting Trustees request this item be placed on the agenda to consider transitioning to the Cohort model.
4. At their September 21, 2020 meeting the Board passed the following motion:

Each grade band level will remain in the blended model, with a targeted move date for PK-5 of November 2; Middle School the second trimester (November 23); and high school at the beginning of the second semester, based on metrics developed by the board, and subject to a board vote.

5. The CDC came out with new guidelines this week for school districts. Matt Kelly has provided the District a memo explaining the new guidelines and how the county will be using the suggested data points.

Discussion:**Student Growth, Achievement and Social Wellbeing:**

The Trustees and Administration of the Bozeman School District agree that the best way to address student growth, academic achievement and the social emotional well being of our students is through in-person learning. As the Board considers metrics and the threshold/s that would move toward five days of in-person instruction it is important to consider the potential spread of Covid that can occur and the negative effects of inconsistent in-person instruction that may result from widespread quarantining or school closure.

Community infectivity metrics:

Following are draft proposed data points that were recently released by the CDC to help the Board finalize the metrics to be used to guide the move to additional in school time. Administration has developed a rubric that provides weighting to the status of each data point. That weighting should be looked at by the Board prior to approval to determine if it is appropriate.

Fiscal Impact:

TBD

Recommendation:

It is recommended by the Superintendent that the Board review and discuss the metrics that have been presented based on CDC, GCCHD, and local school data and protocol to decide whether to adopt it or consider additions or deletions.

If the Board decides to transition to adopt specific metrics to move to the next phase of in-person instruction, an appropriate motion would be:

MOVE TO ACCEPT THE METRICS PRESENTED BY SUPERINTENDENT CONNORS THAT INCLUDE CURRENT TRENDING COVID DATA, INTERNAL SCHOOL DISTRICT SAFETY PROTOCOLS, GALLATIN CITY-COUNTY HEALTH DEPARTMENT (GCCHD) GUIDELINES, AND MONTANA DEPARTMENT OF HEALTH & HUMAN SERVICES (DPHHS) SCHOOL CASE DATA TO MOVE TO THE NEXT PHASE OF IN-PERSON INSTRUCTION.

If the Board decides to transition to adopt specific metrics to move to the next phase of in-person instruction, an appropriate motion would be:

MOVE TO ACCEPT THE TIMELINE AND DATE FOR EACH GRADE BAND, VOTED ON DURING THE SEPTEMBER 21ST BOARD MEETING UNLESS THE INTERNAL SAFETY PROTOCOLS INDICATE WE CAN NOT CHANGE TO THE NEXT PHASE.

Other Alternatives:

1. Postpone a decision to a future meeting.



Meeting Date:	September 28, 2020
Category:	Reports
Agenda Item #:	7.1
Originated By:	Bob Connors, Superintendent
Others Involved:	Executive Cabinet

MOTION	SECOND	AYES	NAYS	ABSTAIN

Topic:

The Superintendent and Executive Cabinet will provide updates of current issues in their respective areas of responsibility. Since the topics that may come up have not been properly noticed, these reports should not result in extensive discussion by the Board and public at this meeting. They may, however, lead to future agenda items that have been properly noticed.



Meeting Date:	September 28, 2020
Category:	Reports
Agenda Item #:	7.2
Originated By:	Trustees
Others Involved:	

MOTION	SECOND	AYES	NAYS	ABSTAIN

Topic:
Individual Trustees will be provided the opportunity to make requests, express concerns, give reports and request future agenda items. Since the topics that may come up have not been properly noticed, these reports should not result in extensive discussion by the Board and public at this meeting. They may, however, lead to future agenda items that have been properly noticed.