



**BOZEMAN SCHOOL DISTRICT NO. 7**  
**VIRTUAL MEETING VIA ZOOM**  
**MONDAY -- January 11, 2021 -- 5:45 PM**

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**Regular Board Meeting**

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- 5:45 1. **Call to Order -- Roll Call -- Pledge of Allegiance** **No discussion on these items**  
**Morning Star Choir - Recording of virtual Star Spangled Banner**
2. **BSD7 Experience**
- 2.1 Student Representatives Report
  - [2.2](#) Board Education - DESSA Baseline Data  
The Board Education Opportunity is a **15-minute** segment that allows our Board to receive an educational snippet of what is happening in our District.
  - 2.3 Recognition and Awards
    - [2.3.1](#) 2020 AA Volleyball All-State Individuals
    - [2.3.2](#) 2020 AA Football All-State Individuals
    - [2.3.3](#) 2020 Montana Coaches Association Fall Coaches of the year
    - [2.3.4](#) State Level Finalist - Presidential Award for Excellence in Mathematics and Science Teaching
    - [2.3.5](#) Consider Approval of Facility Dedication
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
    - [4.1.1](#) Consider Approval of Revisions to Policies - #8000 Series
  - 4.2 Minutes
    - [4.2.1](#) Consider Approval of Board Meeting Minutes
  - 4.3 High School District
    - [4.3.1](#) Consider Approval of High School Bond Projects Update
    - [4.3.2](#) Consider Approval of Resolution to Approve and Adopt High School General Fund Budget Amendment
    - [4.3.3](#) Consider Approval of a Telecommunications Easement at the Bozeman High School Campus
    - [4.3.4](#) Consider Approval of Bridger Charter Academy Charter Renewal
  - 4.4 Both Districts
    - [4.4.1](#) Consider Approval of Personnel Actions
    - [4.4.2](#) Consider Approval of Financial Reports, Warrant Approval, and Donations
    - [4.4.3](#) Consider Approval of 2021 District Wide Capital Improvements Projects
  - 4.5 **Elementary District**
5. **Board Discussion**
- 5.1 Policy 1st Reading
    - [5.1.1](#) Discuss Suggested Revisions to Policies - #5000 Series
    - [5.1.2](#) Discuss Suggested Universal Policy Update

[5.1.3](#) Discuss Proposed New Emergency Policy - #1905, Face Coverings as Personal Protective Equipment

[5.2](#) Legislative Update

**6. Action Items -- Singular**

6.1 **Both Districts**

6.2 High School District

[6.2.1](#) Consider Recommendation for High School Instructional Model

6.3 Elementary District

[6.3.1](#) Consider Recommendation for PK-5 and Middle School Instructional Models

**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](#)

If you wish to participate, please go to the linked page on our website [HERE](#) to link into the meeting through Zoom. There are times when the technology is such that the link may need to be changed and we will ensure that the provided link works at least 30 minutes before the meeting and will update the link as necessary to ensure it works.

Public comment may be submitted electronically to [trustees@bsd7.org](mailto:trustees@bsd7.org)

**PLEASE TURN OFF CELL PHONES**



<b>Meeting Date:</b>	January 11, 2021
<b>Category:</b>	Board Education
<b>Agenda Item #:</b>	2.2
<b>Originated By:</b>	Casey Bertram and Marilyn King, Interim Co-Superintendents
<b>Others Involved:</b>	Chad Berg, Director of Special Education and Student Health; Johanna Bertken, Student Assistance Coordinator; Jacob Rich, Assessment Facilitator/Data Use Advocate

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

DESSA Baseline Data - [Link to Presentation](#)

**Fiscal Impact:**

N/A

**Discussion:**

The Devereux Student Strengths Assessment (DESSA) is a norm-referenced, valid and reliable teacher-completed survey of students' social and emotional strengths and needs. The DESSA was piloted in February 2020 at Emily Dickinson Elementary School, and was fully implemented across all of our K-12 schools in November and December of 2020.

Chad Berg, Johanna Bertken, and Jacob Rich will provide an overview of this fall's DESSA implementation, including district, grade-band, school, and other disaggregated data, and will discuss how this and future data points will be used in the tiered delivery of social and emotional learning.

This discussion supports the following Long Range Strategic Plan strategic objectives:

4.01 Create safe, supportive, engaging and healthy school environments.

4.02 Promote safety and wellness for students and staff to support responsible, healthy choices

3.04 Engage in a collaborative dialogue surrounding topics of educational importance to our community and their impact on the LRSP.



<b>Meeting Date:</b>	January 11, 2021
<b>Category:</b>	Recognition and Awards
<b>Agenda Item #:</b>	2.3.1
<b>Originated By:</b>	Mark Ator, Activities Director
<b>Others Involved:</b>	Jeni Anderson - BHS Head Coach Ashley Obstar - GHS Head Coach

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Recognition of 2020 AA Volleyball All-State Individuals.

**Fiscal Impact:**

N/A

**Recommendation:**

It is recommended that the Board of Trustees adopt the following resolution:

- WHEREAS: The Bozeman High Volleyball team qualified for the State AA Volleyball Quarterfinals on November 7th, 2020; and
- WHEREAS: The Gallatin High Volleyball team took 4th place in the Eastern AA and hosted a playoff game on November 5, 2020; and
- WHEREAS: Earning 1st Team All-State honors were Molly O'Connor (GHS) and Jordan Radick (BHS)
- THEREFORE: Be it resolved that the Board of Trustees recognize and honor the 2020 AA Volleyball All-State Individuals: Molly O'Connor and Jordan Radick.





<b>Meeting Date:</b>	January 11, 2021
<b>Category:</b>	Recognition and Awards
<b>Agenda Item #:</b>	2.3.2
<b>Originated By:</b>	Mark Ator, Activities Director
<b>Others Involved:</b>	Levi Wesche, Head Coach

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Recognition of 2020 AA Football All-State Individuals.

**Fiscal Impact:**

N/A

**Recommendation:**

It is recommended that the Board of Trustees adopt the following resolution:

WHEREAS: The Bozeman High Football team played in the State Semifinals at Billings West on Friday, November 13, 2020; and

WHEREAS: The Bozeman High Football team completed the season with a 6-3 record which also resulted in the following team members earning 1st Team All-State honors:

Elijah Eckles, Kenneth Eiden IV, Brady Lang, Camren Spencer, and Brooks Talbot

THEREFORE: Be it resolved that the Board of Trustees recognize and honor the 2020 AA Football All-State Individuals: Elijah Eckles, Kenneth Eiden IV, Brady Lang, Camren Spencer, and Brooks Talbot.



**Meeting Date:** January 11, 2021

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**Category:** Recognition and Awards

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**Agenda Item #:** 2.3.3

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**Originated By:** Mark Ator, Activities Director

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**Others Involved:**

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MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Recognition of 2020 Montana Coaches Association Fall Coaches of the Year.

**Fiscal Impact:**

N/A

**Recommendation:**

It is recommended that the Board of Trustees adopt the following resolution:

WHEREAS: Casey Jermyn coached the Hawk Girls to a 1st place finish at the State AA Cross Country Meet on October 24, 2020; and

WHEREAS: Ryan Nelson coached the Hawk Girls to a 1st place finish at the State AA Golf Tournament held on October 1 and 2nd, 2020;

THEREFORE: Be it resolved that the Board of Trustees recognize and honor the 2020 Montana Coaches Association Fall Coaches of the year, Casey Jermyn and Ryan Nelson.



<b>Meeting Date:</b>	January 11, 2021
<b>Category:</b>	Recognition and Awards
<b>Agenda Item #:</b>	2.3.4
<b>Originated By:</b>	Marilyn King, Deputy Superintendent Instruction
<b>Others Involved:</b>	Tami Phillippi, BEA President; Laura Conwell, Principal, Longfellow Elementary School; Mike Van Vuren, Principal, Hyalite Elementary School

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**  
Recognition of State Level Finalists - Presidential Award for Excellence in Mathematics and Science Teaching.

**Fiscal Impact:**  
N/A

**Recommendation:**  
It is recommended that the Board of Trustees adopt the following resolution:

WHEREAS: Five Montana public school teachers have been selected as 2020 state-level finalists for the prestigious Presidential Awards for Excellence in Mathematics and Science Teaching; and

WHEREAS: The Awards provide recognition to exceptional teachers who are models in both their classrooms and in their communities; and

WHEREAS: Lisa Moellenkamp, of Longfellow Elementary School and Christine O'Shea, of Hyalite Elementary School, have been selected as state-level finalists;

THEREFORE: Be it resolved that the Board of Trustees recognize and honor Lisa Moellenkamp and Christine O'Shea for this honor.



Meeting Date:	January 11, 2021
Category:	Recognition and Awards
Agenda Item #:	2.3.5
Originated By:	Todd Swinehart, Director of Facilities
Others Involved:	Mike Waterman, Director of Business Services

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**  
Consider Approval of a Facility Dedication.

**Facts:**

1. District policy [9250 - Dedication of Facilities](#) and procedure [9250P - Dedication of Facilities](#) outlines the procedures to formally dedicate a portion of a facility.

*When naming a room, gym, field or other District facility, other than schools, the Superintendent shall implement in the following manner:*

- 1. The Superintendent shall select a committee of community members whose purpose it shall be to submit to the Board a recommendation for any proposed naming. The committee shall include a cross section of at least one District employee, parent and other community member. The recommendation shall include a statement why the committee is recommending the naming.*
  - 2. The name shall be known to and significant to the people of the District.*
  - 3. The committee recommendation shall be submitted to the Board.*
2. In order to honor the service and dedication provided by Steve Johnson, a committee consisting of staff members, administrators, and community members was created to discuss potential naming opportunities to commemorate his long standing tenure with Bozeman Public Schools.
  3. The indicated committee met on December 11, 2020, and ultimately proposed the recommendation to name the auditorium at Gallatin High School the **Steven D. Johnson Auditorium**.

**Discussion:**

The committee elected to name the recently completed auditorium at Gallatin High School in honor of Mr. Steve Johnson to commemorate his remarkable career and efforts on behalf of Bozeman Public Schools. The auditorium was chosen as it encompasses Mr. Johnson's spirit of listening and his tireless efforts to create an equal and welcoming space for students, staff, and community members alike. It was with great pride that Steve was able to oversee the construction of Gallatin High School along with the auditorium space from the passage of the bond to (finally!) seeing a second high school becoming a reality. While Mr. Johnson's departure is bittersweet, his contributions to the District and Community will undoubtedly be realized for generations to come.

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**Fiscal Impact:**

None

**Recommendation:**

It is recommended the Board of Trustees recognize and honor the career of Steve Johnson by approving the dedication of the Auditorium at Gallatin High School and naming it the **Steven D. Johnson Auditorium**.

**Other Alternatives:**

1. Do not approve.



Meeting Date:	January 11, 2021
Category:	Action Item - Consent - Policy 2nd Reading
Agenda Item #:	4.1.1
Originated By:	Mike Waterman, Director of Business Services
Others Involved:	MTSBA; Trustee Neil

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Consider Approval of Revisions to Policies - #8000 Series.

**Facts:**

1. First reading of the revised policies took place on December 14, 2020.
2. The policy revisions were developed by the Montana School Boards Association in collaboration with District Administrators.

**Discussion:**

1. The policy revisions as written are more succinct and reflect current practice.

**Recommendation:**

It is recommended that the Board of Trustees approve the policy updates.

**Other Alternatives:**

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

**Bozeman Public Schools District Board of Trustees**  
**Policy Review and Revision**  
**Summary of Policy Series 8000 – Noninstructional Operations**

**R** = *Required*

**REC** = *Recommended*

**OP** = *Optional*

Existing Policy	Proposed Policy	Status		Kris Goss Notes	District Comments and Recommendations
8101	8100P		Transportation Procedures	Change to Procedure	<b>Delete</b>  MW – changes recommended
8110	8110	<u>REC</u>	Bus Routes and Schedules		<b>Revised</b>  MW – recommend minor updates. See 8110-mw
8111	8111	<u>REC</u>	Transportation of Students with Disabilities		<b>Revised</b>  MW – updates to language and terms, need updated cross reference  ChB – added conforming people-first language throughout the policy
8121	8121	<u>REC</u>	District-Owned Vehicles		<b>Revised</b>  MW – recommend minor updates. See 8121-mw
8123	8123	<u>REC</u>	Driver Training and Responsibility	Updates to reflect new regulations	<b>Revised</b>  MW – option selected. See 8123-mw
8124	8124	<u>REC</u>	Student Conduct on Buses	Updates for consistency with law	<b>Revised</b>  MW- concur with recommendations
	8130	<u>REC</u>	Air Quality Restrictions on Outdoor Activities, Practice and Competition		<b>Revised</b>  MK - Inserted responsible persons for decision-making.

8210	8210	<u>R</u>	Food Service Procurement Policy	Updates for compliance with OPI	<b>Revised</b> MW – changes recommended. Purchasing language should be containing purchasing policy. See 8210-mw
8225	8225	<u>R</u>	Tobacco Free Policy	Updates to reflect new law	<b>Revised</b> MW – concur with recommendations
8301	8301	<u>R</u>	District Safety		<b>Revised</b> MW – made additional changes including incorporated language from 9310. Do not recommend optional language. Also recommend eliminating 9310. See 8301mwmk.
8310	8305		Liability Insurance	Renumber	<b>Renumber</b> No changes, other than renumber
8340	8320	<u>REC</u>	Property Damage	Updates for private property	<b>Revised</b> MW – concur with recommendations
8330			Self Insurance	Review for necessity	<b>Delete</b> MW – recommend delete
8340			Privately Owned Property	Included in 8320	<b>Delete</b> MW – concur with recommendations
8351			Loans of School Property	Updates for agreements	<b>Revised</b> MW – made additional recommendations. See 8351mw
8420		<u>REC</u>	Data Management	Review for accuracy and necessity	<b>Revised</b> CB – updates recommended
8421			District Web Page procedures	Review for accuracy	<b>Revised</b>



					CB - updates recommended
8423	8424		Lead Renovation		<p><b>Revised</b></p> <p>TS - Allow notice via email pursuant to Federal Law</p>
8425	8426	<u>OP</u>	Therapy Animals		<p><b>Revised</b></p> <p>MW – no changes. Refer to DSI</p> <p>ChB – added Designee, removed requirement for annual request to better align with current practice</p>

~~NON-INSTRUCTIONAL OPERATIONS~~~~Transportation (Bozeman Public Schools)~~

~~Boundary Designations -- A map detailing the fee/free transportation boundary for the district transportation program and elementary school attendance areas can be found in the following district offices: Superintendent, Assistant Superintendent of Instruction, and Clerk. Maps may also be found in each of the building principals offices.~~

~~When the boundary follows a street, the boundary shall run down the center of the street. Residents located on the side of the street which is within the boundary will be charged a bus fee.~~

~~Fee/Free Transportation -- Students residing outside the transportation boundary will receive free transportation to and from school. Students residing within the transportation boundary who are transported will be charged a fee to be established no more than annually by the Board of Trustees, during a public meeting. Students within the transportation boundaries will be accommodated on a space available basis.~~

~~K-5 students attending a school other than their first choice may be transported without charge.~~

~~Students may be transported without charge to and from locations other than their homes if no additional cost to the district results, and if the parent or guardian signs the required liability form.~~

~~Fee Payment Procedure -- Transportation fees must be paid in advance. The payment may be made on either a semester or annual basis. The dates for the semester payments shall be 10 days prior to the first day of school, and 10 days prior to the beginning of the second semester. Annual payments must be made 10 days prior to the first day of school. Students entering the district during the school year, residing within the transportation boundary, will be assessed a fee prorated for each of the remaining months in the semester or year. This amount will be calculated starting with the first day of any month in which the student will be transported for the entire month.~~

~~Reimbursement of Fees -- \*Reimbursements will be calculated from the first of any month in which the student will be transported for the entire month.~~

~~\*NOTE: School days prior to September 1 and in the month of June will be considered extension of the months of September and May respectively.~~

~~Hazardous Areas--Designated Procedure~~

~~In accordance with this Board policy, residential areas within the established busing boundary may be declared hazardous and students residing in those hazardous areas will be transported by the school district at no charge.~~

~~The Assistant Superintendent of Business and Operations and the Assistant Superintendent of Curriculum and Instruction will review the conditions in accordance with the established criteria and recommend for or against the hazardous area designation for each requested area. Other solutions short of recommending a hazardous area designation may be proposed if the circumstances warrant.~~

~~A recommendation will be prepared by the Assistant Superintendents and submitted to the Superintendent for his/her determination.~~

~~The criteria to be used in determining hazardous areas will be as follows:~~

- ~~1. Can students reach their area school via a sidewalk?~~

- ~~2. If no sidewalk exists, can the students reach the area school by residential streets where the normal vehicle speed is 25 MPH or less?~~
- ~~3. In traversing their route to school, is the safety of students jeopardized by railway traffic, high speed automobile traffic, dangerous waterways or other imminently hazardous conditions?~~
- ~~4. Are there other viable alternatives such as crosswalk guards or reassignment of students that would negate or ameliorate the hazard?~~

Adopted: 12/8/86

Revised: 8/22/88, 4/24/89, 11/11/91, 6/8/92, 9/14/98, 6/14/99

## NONINSTRUCTIONAL OPERATIONS

8110

### Bus Routes and Schedules

The Superintendent's designee is responsible for scheduling bus transportation, including determination of routes and bus stops. Such routes are subject to approval of the county transportation committee. The purpose of bus scheduling and routing is to achieve maximum service with a minimum fleet of buses consistent with providing safe and reasonably equal service to all bus students.

In order to operate the transportation system as safely and efficiently as possible, the following factors shall be considered in establishing bus routes:

1. A school bus route shall be established with due consideration of the sum total of local conditions affecting the safety, economic soundness and convenience of its operation, including road conditions, condition of bridges and culverts, hazardous crossings, presence of railroad tracks and arterial highways, extreme weather conditions and variations, length of route, number of families and children to be serviced, availability of turn-around points, capacity of bus, and other related factors.
2. Bus routes shall be planned to eliminate overlapping and empty bus miles insofar as possible.
3. Where alternate routes are considered, preference shall be given to the route more directly serving the largest number of students.
4. Buses shall be routed so that they travel over only graded, surfaced (asphalt, gravel) roads. County maintained roads shall be used for bus routes. Private roads shall not be used for bus routes without prior approval from the Superintendent.
5. Buses shall be routed so as to pass as near to the residence of the majority of their passengers as good, safe, economical travel conditions will warrant.
6. Bus routes will not be approved to drive up to the house of each patron to pick up the children. Bus transportation is a group service and not an individual taxi service.
7. In exceptional cases, it may be advisable for the bus to leave the main route and enter the private lanes of individuals, e.g. in emergencies such as stormy weather, illness, to pick up handicapped children, or to turn around at the end of the route.
8. No school child attending an elementary school shall be required to ride the school bus, under average road conditions, more than one hour without consent of the child's parent or guardian.
9. School bus drivers are encouraged to make recommendations in regard to establishing or changing routes.
10. Parents should be referred to the ~~Assistant Superintendent of Business & Operations~~ Transportation Office for any request of change in routes, stops, or schedules.

The Board reserves the right to change, alter, add, or delete any route at any time such changes are deemed in the best interest of the District, subject to approval by the county transportation committee.

### Bus Stops

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Buses should stop only at designated places approved by school authorities. Exceptions should be made only in cases of emergency and inclement weather conditions.

Bus stops shall be chosen with safety in mind. Points shall be selected where motorists approaching from either direction will have a clear view of the bus for a distance of at least three hundred (300) to five hundred (500) feet. Stops shall never be made over the brow of a hill, on the outdoing end of a curve, on a blind curve, at a road intersection or on a steep grade.

School loading and unloading zones are to be established and marked to provide safe and orderly loading and unloading of students. The principal of each building is responsible for the conduct of students waiting in loading zones.

#### Delay in Schedule

The driver is to notify the administration of a delay in schedule. The administration will notify parents on routes and radio stations, if necessary.

#### Responsibilities—Pupils

Pupils must realize that safety is based on group conduct. Talk should be in conversational tones at all times. There should be no shouting or loud talking which may distract the bus driver. There should be no shouting at passersby. Pupils should instantly obey any command or suggestions from the driver and/or his/her assistants. Older pupils should help look after the safety and comfort of other children, especially the smaller children.

#### Responsibilities—Parents

The interest and assistance of each parent are valued assets to the transportation program. Parents' efforts towards making each bus trip a safe and pleasant experience are requested and appreciated. The following suggestions are only three of the many ways parents can assist:

1. Ensure that their students are at the bus stop in sufficient time to efficiently meet the bus.
2. Properly prepare their children for weather conditions.
3. Encourage school bus safety at home. Caution their children regarding safe behavior and conduct while riding on the school bus.

#### Safety

The Superintendent shall develop written rules establishing the procedures for bus safety and emergency exit drills, and for student conduct while riding on buses.

The bus driver is responsible for the safety of his/her passengers, particularly for those who must cross a roadway prior to loading or after leaving the bus. Except in emergencies, no bus driver shall order or allow a student to board or disembark at other than his/her assigned stop unless so authorized by the Assistant Superintendent of Business & Operations Transportation Office. In order to assure the safety of all, the bus driver may hold students accountable for their conduct during the course of transportation and may recommend corrective action against a student. Bus drivers are expressly prohibited from using corporal punishment.

The bus driver is responsible for the use of the warning and stop signaling systems and the consequent protection of his/her passengers. Failure to use the system constitutes negligence on the part of the driver. However, drivers are prohibited from using amber or red lights when a bus is stopped at a school site to receive or discharge school children and the receipt or discharge does not involve street crossing by the children.

The system must be used with judgment and courtesy. Its abuse causes resentment on the part of the public. A driver should allow approaching vehicles time to stop or pass before the flashing lights are used.

### Eligibility

To be eligible to ride the bus, the individual pupil must:

- be a student registered in the Bozeman elementary, middle or high school;
- reside with his/her parents or guardian who maintain a permanent home within the boundaries of the district ~~and pay transportation;~~
- live outside the established transportation zone or boundary.

Out-of-District: Students who reside outside the boundaries of the district and pay tuition may ride the buses free. Their transportation fee is included in the tuition fee. Bus routes will not be extended outside of Bozeman School District to accommodate these students.

Within the boundary limit (provided room is available): Students residing within the boundary limit may ride the bus on a fee basis as established by the Trustees.

### Inclement Weather

The School Board recognizes the unpredictability and resulting dangers associated with the weather in Montana and with other acts of God. To achieve the maximum safety for children and efficiency of operation, the Superintendent of Schools is empowered to make decisions as to the emergency operation of buses, the cancellation of bus routes and the closing of school in accordance with his/her best judgment. The School Board may develop guidelines in cooperation with the Superintendent to assist him/her in making such decisions.

Legal Reference:      § 20-10-106, MCADetermination of mileage distances  
                                 § 20-10-121, MCADuty of trustees to provide transportation – types of transportation – bus riding time limitation  
                                 § 20-10-132, MCADuties of county transportation committee

### Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on:11/11/91, 9/13/93

## NONINSTRUCTIONAL OPERATIONS

8111

### Transportation of Students With Disabilities

Transportation shall be provided as a related service, when a student with a disability requires special transportation in order to benefit from special education or to have access to an appropriate education placement. Transportation is defined as:

- (a) Travel to and from school and between schools;
- (b) Travel in and around school buildings or to those activities that are a regular part of the student's instructional program;
- (c) Specialized equipment (such as special or adapted buses, lifts, and ramps) if required to provide special transportation for a student with disabilities.

The ~~Evaluation~~ IEP Team that develops the disabled student's Individualized Education Program will determine, on an individual basis, when a student with a disability requires this related service. Such recommendations must be specified on the student's IEP. Only those children with disabilities who qualify for transportation as a related service under the provisions of the IDEA shall be entitled to special transportation. All other children with disabilities in the District have access to the District's regular transportation system under policies and procedures applicable to all District students. Utilizing the District's regular transportation service shall be viewed as a "least restrictive environment."

### I.E.P. Provisions

The IEP team must specify the criteria used in arriving at its determination. Likewise, specific information about the student's needs, i.e., special health conditions of the child, and other considerations unique to this student must be stated on the IEP.

If transportation is discontinued as a related service for the child, an IEP meeting must be convened, with parents participating to discuss reasons for the IEP team's recommendation.

Transportation when provided as a related service shall be at no cost to the ~~handicapped~~ student or his parent.

### Location of Pick Up and Drop Off Points

Parents shall be advised at the IEP meeting that pick up and delivery of eligible students will be from the child's home to the school where enrolled. Pick up and delivery to other locations than the student's home requires advanced approval by the Director of Special Education and consideration will be given only for permanent locations. Temporary changes impacting the scheduling of buses may or may not be approved.

### Mode of Transportation

One of the district's special education buses will be the preferred mode of transportation. Exceptions may be made in situations where buses are prohibited from entering certain subdivisions due to inadequate turning space or distance from school may seriously impact bus scheduling. In such situations, other arrangements such as an individual transportation contract may be arranged with the parents. Such voluntary agreement shall stipulate in writing the terms of reimbursement.

Parents shall provide the district with verification of a valid driver's license and adequate automobile insurance coverage. It is recognized that the district has an obligation to furnish transportation for those ~~handicapped~~ students requiring this related service.

## Suspension Procedures

District policies and procedures on bus suspension for all students shall apply equally to ~~handicapped~~ students with disabilities riding the regular bus routes. However, when a ~~handicapped~~ student requires transportation as a related service, suspension action requires an IEP committee review as prescribed in District Policy ~~3300~~. It is recommended that suspension of transportation services not exceed five days in any given school year. Should suspension exceed the five days, an IEP meeting should be called to review the student's program and placement.

The Superintendent shall develop procedures for ~~child study~~ IEP teams to follow when transportation is recommended as a related service for ~~handicapped~~ students with disabilities.

Cross Reference: 3300 Suspension and Expulsion - Corrective Actions and Punishment

Legal Reference: 10.16.3820, ARM Transportation for Special Education Students with Disabilities

### Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on:



## NONINSTRUCTIONAL OPERATIONS

8121

### District-Owned Vehicles

The District owns and maintains certain vehicles. Included among them are pickups, school buses, and vans. These are for use by properly authorized personnel of the District for District business purposes. The following regulations shall apply to the use of these vehicles:

1. Requests for use of the vehicles are to be made ~~directly to the MOSS office using the current protocols, either in person or by telephone.~~
2. The driver of any district-owned vehicle or school bus must hold a valid operator's license and meet the minimum state requirements for the type of vehicle being driven ~~bus certification.~~
3. Upon return from a trip, all district vehicles must be returned to the appropriate parking area.
4. No animals are allowed in district vehicles unless directly involved with school district business. The employee to whom the vehicle is issued is responsible for the general care and upkeep of the vehicle which is in his/her use.
5. A school district credit card may be furnished for the purpose of gas and oil. The employee to whom the vehicle is issued will sign the receipt for gasoline, oil and minor maintenance services at the time of purchase. All maintenance work must be ~~prior~~ approved in advance by a district official.
6. In the event of an accident, the ~~Business~~ MOSS office shall be notified immediately and a detailed report given. Upon return, a written report should be supplied by the driver for insurance and legal purposes. State law requires that all automobile accidents be reported to the proper local authorities. ~~In most cases, a report is required for the state highway patrol.~~
7. Any employee of the school district who uses or is authorized the use of any district-owned vehicle for other than official purposes, shall be subject to disciplinary action which may include suspension or dismissal.
8. School district vehicles are to be used exclusively by school district personnel and those under the direct supervision of district personnel, excluding students. At no time shall there be any passengers other than students, individuals representing the school district and/or school district employees.
9. Any driver who receives a citation for a driving violation shall personally pay all fines levied. All citations received while operating a district vehicle shall be reported to the driver's supervisor. Failure to report any violation may result in disciplinary action.

### Bus and Vehicle Maintenance, District

Buses used in the District's transportation program shall be in safe and legal operating condition. All buses shall be inspected by the Department of Justice, Montana Highway Patrol, before the beginning of each semester. The Superintendent will establish a specific list of tasks bus drivers will perform on a daily basis. All other District vehicles shall be maintained following established programs developed by the Superintendent.

### Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 11/11/91

Driver Training and Responsibility

Bus drivers shall observe all state statutes and administrative rules governing traffic safety and school bus operation. At the beginning of each school year, the District will provide each driver with a copy of the District's written rules for bus drivers and for student conduct on buses.

School bus drivers must hold a valid Montana school bus certificate for a district to receive state reimbursement for that driver's bus routes. Qualifications for bus drivers are prescribed by 20-10.103, MCA, and by the board of Public Education in Arm 10.64.201. The first aid certificate required by ARM 10.64.201 must include instruction in adult and pediatric CPR, be signed by a certified instructor, and be received after an initial in-person training of at least four hours. The certificate must be renewed every two years. A driver may not operate a school bus without a valid, current certificate.

The district will pay those costs incurred by the district employed bus drivers for obtaining or renewing certification in first aid. To participate in this program, bus drivers must have enrolled in a district-approved program. Other first aid programs must have prior approval and will be considered on an individual basis by the Superintendent.

District employed bus drivers will also be eligible for reimbursement for state required physical examinations. These physicals must be taken from a local licensed medical doctor to be reimbursable.

~~Each bus driver shall meet the qualifications established by the Superintendent of Public Instruction, including a chauffeur's license, a valid Montana driver's license and a physician's certification that he/she is medically qualified for employment as a bus driver. The bus driver shall also secure a valid standard first aid certificate from an authorized instructor within two months after being employed.~~

A school bus driver is prohibited from operating a school bus while using a cellular phone, including hands free cellular phone devices, except when parked and:

- (1) During an emergency situation;
- (2) To call for assistance if there is a mechanical breakdown or other mechanical problem;
- (3) When the school bus is parked.

A teacher, coach, or other certified staff member assigned to accompany students on a bus will have primary responsibility for behavior of students in his or her charge. The bus driver has final authority and responsibility for the bus. The Superintendent will establish written procedures for bus drivers.

Maximum Driving Time

The district recognizes from a risk management and student safety standard the importance of driver safety while transporting students. Therefore, the district will m:

Meet the federal standard on maximum driving time for drivers. ~~{OPTION}~~

- 2. Require the following maximum driving time standards:
  - a. No driver will be required to drive more than 8 hours following 6 consecutive hours off duty. ~~{OPTION}~~
  - b. No driver will be required to drive more than 5 hours following 3 consecutive hours off duty. ~~{OPTION}~~
  - c. No driver will be required to drive more than 6 hours following 4 consecutive hours off duty. ~~{OPTION}~~

## Activity Trips

Legal Reference: § 20-10-103, MCASchool bus driver qualifications  
10.7.111, ARMBus Drivers Certification Requirement for Reimbursement  
10.64.201, ARMSchool Bus Driver Qualifications National Highway Traffic Safety  
Administration  
CFR 49, Part 395Transportation - Hours of Service for Drivers

### Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on:11/11/91

## NONINSTRUCTIONAL OPERATIONS

8124

### Student Conduct on Buses

The general student code of conduct is applicable to conduct on school buses.

The Superintendent may establish written rules of conduct for students riding school buses. Such rules will be reviewed annually by the Superintendent and revised if necessary. If rules are substantially revised, they will be submitted to the Board for approval.

At the beginning of each school year, a copy of the rules of conduct for students riding buses will be provided to students, and the classroom teacher and bus driver will review the rules with the students. A copy of the rules will be posted in each bus and will be available upon request at the District office and in each building principal's office.

The bus contractor and bus driver are responsible for enforcing the rules and will work closely with a parent and building principal to modify a student's behavior. Rules shall include consistent consequences for student misbehavior. To aid in the enforcement of rules, the contractor may use video and audio surveillance equipment on the buses. If such equipment is used, the Superintendent shall establish written procedures outlining its use.

A recommendation for permanent termination of bus privileges, accompanied by a written record of the incident(s) that led to the recommendation, shall be referred to the Deputy Superintendent his/her disposition for final determination. The student's parent or guardian may appeal a termination to the Board. ~~No further appeal shall be allowed.~~

~~Expulsion-Termination~~ recommendations shall be accompanied by a complete written record of the incident(s) that led to the recommendation.

Cross Reference:     3310   Student Discipline  
                             8111   Transportation of Students With Disabilities

Legal Reference:     § 20-4-302, MCADiscipline and punishment of pupils – definition of corporal punishment  
                             penalty – defense  
                             § 20-5-201, MCADuties and sanctions

### Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 11/11/91, 6/14/93, 5/13/13

## NONINSTRUCTIONAL OPERATIONS

8130

### Air Quality Restrictions on Outdoor Activities, Practice and Competition

Each school district is responsible for ensuring the safety of its students and student athletes when participating in physical education, recess, practices or athletic contests.

The School District Board of Trustees and Administration will use the Recommendations for Outdoor Activities Based on Air Quality for Schools guidelines, developed by the Montana Department of Environmental Quality (DEQ) and the DEQ's Air Data Map, as the determining factor when making a decision to allow or not allow students to participate in outdoor activities and contests.

The School District Board of Trustees and Administration have developed the following protocol for determination of allowing students and student athletes to participate in outdoor activities when Air Quality Restrictions have reached the Unhealthy for Sensitive Groups or higher categories as indicated on the DEQ guidelines.

1. The School District will use the ~~{\_\_\_\_\_ air quality monitor} {\_\_\_\_\_ geographical spot on the Bozeman geographical spot on the State of Montana air quality website todaysair.mt.gov website}~~ to determine the air quality for our school district.
2. The following personnel will make the decision to hold or cancel outdoor activities, practices, or contests:
  - a. Recess (all levels) Building Principal
  - b. Junior High practices (all levels) Building Principal/Building Coordinator
  - c. Junior High contests (all levels) Building Principal/Building Coordinator
  - d. High School practices (all levels) #BSD7 Athletic Director/Building Coordinators
  - e. High School contests (all levels) #BSD7 Athletic Director/Principals
  - f. All outdoor activities, (all levels) #BSD7 Athletic Director/Principals/Supt
3. The decision to hold or cancel outdoor activities will be made **2 hours** in advance of the activity.
4. The notice to hold or cancel an outdoor activity will be communicated to:
  - a. Students through PowerSchool, Email list
  - b. Staff through Email
  - c. Coaches through Phone
  - d. Parents through Powerschool Phone, Email
  - e. Community AD will email print media, television media, post on social media

References: 10.55.701(q), ARM Board of Trustees  
www. todaysair.mt.gov  
<http://svc.mt.gov/deq/todaysair/smokereport/mostRecentUpdate.aspx>

### Policy History:

Adopted on:

Reviewed on:

Revised on:

**NONINSTRUCTIONAL OPERATIONS**

8210

Procurement Policy for School Food Purchases

The Bozeman School District will adhere to the following requirements for any procurement related to food service:

Purchases

The District will follow Policy #7320 and Procedure #7320P, Purchasing: Authorization, Control, and Procurement and all other applicable Policies when purchasing products for the food service program:

Purchases greater than \$80,000:

- ~~If the aggregate amount exceeds eighty thousand dollars (\$80,000), the contract must be awarded through a formal bid process and a call for bids or request for proposals shall be published according to 20-9-204, MCA. No contract shall be divided for the purpose of avoiding the formal procurement process.~~
- ~~The District may enter into a cooperative purchasing contract for procurement of supplies with one or more districts or a Cooperative Services Program. This allows the District to participate in a cooperative purchasing group to purchases supplies through the group without bidding if the cooperative purchasing group has a publicly available master list of items available with pricing included and provides an opportunity at least twice yearly for any vendor, including a Montana vendor, to compete, based on a lowest responsible bidder standard.~~

Purchases great than \$10,00 and less than \$80,000:

- ~~Any purchase greater than \$10,000 and less than eighty thousand (\$80,000) will be handled in a fair and equitable manner consistent with district policy on purchasing.~~
- ~~The School District will obtain two or more estimates when any purchase will cost more than \$10,000 and less than eighty thousand (\$80,000).~~
- ~~The District may enter into a cooperative purchasing contract for procurement of supplies with one or more districts or a Cooperative Services Program. This allows the District to participate in a cooperative purchasing group to purchases supplies through the group without bidding if the cooperative purchasing group has a publicly available master list of items available with pricing included and provides an opportunity at least twice yearly for any vendor, including a Montana vendor, to compete, based on a lowest responsible bidder standard.~~

Purchases less than \$10,000

- ~~Any purchase greater than ten thousand dollars (\$10,000) is a micro-purchase. Micro-purchases may be awarded without soliciting competitive quotes if the price is considered reasonable. To the extent feasible, the District must distribute micro-purchases equitably among qualified suppliers.~~

Geographic Preference

No Geographic Preference (advantage based on location) is allowed with federal funds except for documented Farm to School (Farm to Plate) efforts. Therefore, as part of Farm to School Bozeman School District may choose to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products only.

Standards of Conduct for District Employees

- ~~The Bozeman School District maintains the following code of conduct for any employees engaged in award and administration of contracts supported by Federal Funds:~~

- ~~No District employee will engage in any procurement when there is a conflict of interest, real or perceived, and District employees cannot solicit or accept any gratuities, favors or anything of monetary value from prospective vendors. This shall not preclude district personnel from serving on boards or participating in organizations that support the district's need to obtain quality services and supplies.~~
- ~~No District employee shall participate in the selection, award or administration of a contract when any of the following persons have a financial interest in the firm selected for award:~~
  - ~~The employee~~
  - ~~Any member of his/her immediate family~~
  - ~~People with whom there is an intimate personal relationship~~
  - ~~An organization which employs or is about to employ any of the above~~
- ~~The District expects all employees to behave with the utmost integrity and never be self-serving, be fair in all aspects of the procurement process, be alert to conflicts of interest, and avoid any compromising situations.~~
- ~~Employees found to be in violation of this policy are subject to disciplinary action, up to and including termination.~~

Policy History:

Adopted on: 05/08/17

Reviewed on:

Revised on:

## NON-INSTRUCTIONAL OPERATIONS

8225

### Tobacco Free Policy

The District maintains tobacco-free buildings and grounds. Tobacco includes but is not limited to cigarettes, cigars, snuff, pipe smoking tobacco, smokeless tobacco, vapor product, alternative nicotine product or any other tobacco or nicotine delivery innovation.

Use of tobacco or nicotine products in a public school building or on public school property is prohibited, unless used in a classroom or on other school property as part of a lecture, demonstration, or educational forum sanctioned by a school administrator or faculty member, concerning the risks associated with using tobacco products or in connection with Native American cultural activities.

For the purpose of this policy, “public school building or public school property” means:

- Public land, fixtures, buildings, or other property owned or occupied by an institution for the teaching of minor children, that is established and maintained under the laws of the state of Montana at public expense; and
- Includes playgrounds, school steps, parking lots, administration buildings, athletic facilities, gymnasiums, locker rooms, and school vehicles.

Violation of the policy by students and staff will be subject to actions outlined in District discipline policies.

Use of FDA-approved cessation devices may be permitted at school buildings and on school grounds with the approval of the building administrator.

Legal Reference:      § 20-1-220, MCA Use of tobacco product in public school building or on public school property prohibited  
                              § 50-40-104(4)(e), MCA Smoking in enclosed public places prohibited – notice to public - place where prohibition inapplicable  
                              ARM 37.111.825(5) Health Supervision and Maintenance  
                              42 U.S.C. 1996, 1996a American Indian Religious Freedom Act

### Policy History:

Adopted on: 3/22/10

Reviewed on:

Revised on: 04/08/19



## NONINSTRUCTIONAL OPERATIONS

8301

### District Safety

For purposes of this policy, “disaster means the occurrence or imminent threat of damage, injury, or loss of life or property”.

The Board recognizes that safety and health standards should be incorporated into all aspects of the operation of the District. Rules for safety and prevention of accidents will be posted in compliance with the Montana Safety Culture Act and the Montana Safety Act. Injuries and accidents will be reported to the District office.

The Board of Trustees has identified the following local hazards that exist within the boundaries of its school district: fire, earthquake, extreme weather conditions (including high winds, tornadoes, hail and floods), intruders, firearms, explosive devices and dangerous animals.

### Responsibilities

#### Principals

The principal has the primary responsibility to identify safety hazards which may occur between periodic safety inspections, to supervise the instructional staff to assure that safety education is conducted as part of the educational program, and to assure the proper supervision of students. The principal is responsible to work closely with the ~~Director of Personnel~~ Deputy Superintendent Instruction as it relates to the training of staff.

The building principal shall design and incorporate drills in its school safety or emergency operations plan to address the above stated hazards. The trustees shall certify to the office of public instruction that a school safety or emergency operations plan has been adopted. This plan and procedures will be discussed and distributed to each teacher at the beginning of each school year. There will be at least eight (8) disaster drills a year in a school. All teachers will discuss safety drill procedures with their class at the beginning of each year and will have them posted in a conspicuous place next to the exit door. Drills must be held at different hours of the day or evening to avoid distinction between drills and actual disasters. A record will be kept of all fire drills.

#### Director of Facilities

The Director of Facilities has the responsibility for the maintenance of a safe educational environment including both facilities and grounds.

#### Director of Human Resources

The Director of Human Resources has the overall responsibility for personnel training as required by the Montana Safety Culture Act.

#### Deputy Superintendent of Instruction

The ~~Assistant~~ Deputy Superintendent of Instruction is responsible for safety education of students. He/she is responsible to assure that adequate supervision is provided, and that students are given adequate safety education.

#### Staff Protection

The District will participate in the prosecution of any individual(s) who may disturb any school or school meetings, insult or abuse any school employee or student during the course of the school/work day, or otherwise violate the laws of the State of Montana regarding school disturbance or individual protection for school employees or students.

#### Work-Related Illness or Injury

All accidents are to be reported to the principal or supervisor in charge as soon as possible. All Workers' Compensation reports will be filed with the District Human Resources Office who will send the claim to the current Workers' Compensation Management Company.

The Superintendent will develop safety and health standards and a Safety Committee which comply with the Montana Safety Culture Act. The trustees shall review the school safety or emergency operations plan periodically and update the plan as determined necessary by the trustees based on changing circumstances pertaining to school safety. Once the trustees have made the certification to the office of public instruction, the trustees may transfer funds pursuant to Section 20-1-401, MCA to make improvements to school safety and security.

~~The Superintendent will develop safety and health standards which comply with the Montana Safety Culture Act.~~  
**[Optional]:** ~~The Superintendent shall ensure District employees are provided equipment, tools, and devices designed to ensure a safe and health workplace in accordance with this policy. Failure to use the provided equipment in a suitable or timely manner may be considered a violation of District policy. If a staff member requires equipment that is not available, an employee may submit a request to the administration in accordance with established District practice.~~

Legal Reference:       § 20-1-401, MCADisaster drills to be conducted regularly – districts to identify disaster risks and adopt school safety plan  
                              § 20-1-402, MCANumber of disaster drills required – time of drills to vary  
                              §§ 39-71-1501, et seq., MCAMontana Safety Culture Act

Policy History:

Adopted on: 09/10/07

Reviewed on:

Revised on:09/09/13, 08/10/15

## NON-INSTRUCTIONAL OPERATIONS

Liability Insurance

The Board of Trustees and its agents are immune from suit for damages arising from the lawful discharge or omission of an official duty, or in good faith take action without proper legal authority. The Board shall maintain sufficient liability insurance to protect itself against claims for the negligent or wrongful acts of its staff or agents. The amount and terms of such insurance protection shall be regularly reviewed as part of the district's risk management program.

The Board shall hold individual Board members, administrators, staff or agents of the district harmless and defend them from any financial loss, including reasonable attorneys' fees, arising out of any act or failure to act, provided that at the time the individual was acting within the scope of his/her responsibilities and in compliance with the policies and procedures of the district.

Legal Reference:       20-3-331 M.C.A.Purchase of Liability Insurance  
                              2-9-100 M.C.A.Liability Exposure

Policy History

Adopted on: 12/8/86

Reviewed on:

Revised on:

## NONINSTRUCTIONAL OPERATIONS

8320

### Property Damage

The District will maintain a comprehensive insurance program which will provide adequate coverage, as determined by the Board, in the event of loss or damage to school buildings and/or equipment, including motor vehicles. The comprehensive insurance program will maximize the District's protection and coverage while minimizing costs for insurance. This program may include alternatives for sharing the risk between the District and an insurance carrier and through self-insurance plans.

### Privately Owned Property

The District will not assume responsibility for maintenance, repair, or replacement of any privately owned property brought to a school or to a District function, unless the use or presence of such property has been specifically requested in writing by the administration.

Legal Reference:       § 20-6-608, MCA Authority and duty of trustees to insure district property

### Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 11/11/91

~~NON-INSTRUCTIONAL OPERATIONS~~

Staff Insurance

~~The district shall develop and maintain an effective program of insurance for its staff. Such programs may include, but are not limited to, unemployment compensation, industrial accident and/or injury insurance, liability and medical insurance.~~

~~The district may make available liability, life, health, health care, accident, disability or salary protection insurance or any one of or a combination of these types of insurance, and may contribute all or part of the cost of such insurance.~~

Policy History

~~Adopted on: 12/8/86~~

~~Reviewed on:~~

~~Revised on:~~

~~NON-INSTRUCTIONAL OPERATIONS~~

~~Privately-Owned Property~~

~~The district shall not assume responsibility for the maintenance, repair or replacement of any privately-owned property brought to a school or district function unless the use or presence of such property has been specifically requested in writing by the administration.~~

~~Adopted: 12/8/86~~

## NON-INSTRUCTIONAL OPERATIONS

Loans of School-Owned Equipment and Books

School-owned equipment shall not be loaned for non-school use off school property, with the following exceptions:

1. Use of specific items of equipment may be granted on the written request of the intended user and approval by the Superintendent, and only when such equipment is unobtainable elsewhere. In such instances, the user shall be fully liable for any damage or loss occurring to the equipment during the period of its use, and shall be responsible for its safe return. Use of school property or equipment under this provision shall be in accordance with a written agreement signed by the user and Superintendent or designee.
2. School equipment may be removed from school property by students or staff only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities. ~~The prior approval of the principal is required for such removal.~~ Removal of school equipment from school property for personal use by staff or students is prohibited. School books may be used by students during vacations when permission is granted by the building principal. Students and staff may use school technology equipment offsite in accordance with District Policy and Acceptable Use Agreements, as then applicable.
3. The use of school telephones and cellular phones that does not interfere with the performance of job duties as determined by the Superintendent or designee is permissible on a limited basis for personal calls. School district telephones may not be used to conduct business other than school business. Any personal cellular or long distance telephone calls must be paid for in accordance with 8351P.
4. School-owned equipment may be used in conjunction with rental of a school facility. See: Policy 4330 - Use of School Facilities.

## Policy History

Adopted on: 12/8/86  
Reviewed on:  
Revised on: 9/8/97

## NON-INSTRUCTIONAL OPERATIONS

Data Management - Computer System

The school district maintains multiple computer systems and management of those computer systems shall be managed as follows:

1. ~~Establish a written plan with appropriate agencies for usage of their computers at designated times in the event of system failure of the school district's computer system.~~
2. Maintain a backup of all software and system files in a secure location off-site or on the cloud separate from the school district's central computer facility.
3. Maintain adequate insurance coverage for the risk of loss of the school district's management computer system.
4. Back up on a regular basis all user files to the District approved cloud storage. ~~on to backup media and store the backup media in a secure location off-site from the school district's central computer facility.~~
5. Hardware and software additions and modifications shall be requested using the district approved hardware/software purchasing request form. ~~in writing to the Information Systems Supervisor.~~
6. Provide security precautions for hardware and software for all work stations and the central computer facility.
7. Conduct training and in-service on a regular and as needed basis for authorized personnel in the use of the management computer system. User manuals for the computer system will be provided for all authorized personnel.

## Policy History

Adopted on: 12/8/86  
Reviewed on:  
Revised on: 11/11/91



## NON-INSTRUCTIONAL OPERATIONS

### Computer Software

The unauthorized copying of any computer software which is licensed or protected by copyright is theft, and thus unethical.

Failure to observe software copyrights and/or license agreements may result in disciplinary action by the district and/or legal action by the copyright owner.

No district-owned computing resources should be used for unauthorized commercial purposes.

Respect for the intellectual work and property of others has traditionally been essential to the mission of education institutions. The district does not tolerate plagiarism, and does not condone the unauthorized copying of software, including programs, applications, databases and code.

### Policy History

Adopted on: 11/11/91

Reviewed on:

Revised on:

### Lead Renovation

In accordance with the requirements of the Environmental Protection Agency (EPA), the Bozeman School District has this Lead Renovation Policy that is designed to recognize, control and mitigate lead hazards at all District owned facilities and grounds.

The Lead-based paint renovation, repair and painting program (RRP) is a federal regulatory program affecting contractors, property managers, and others who disturb painted surfaces. It applies to child-occupied facilities such as schools and day-care centers built prior to 1978.

“Renovation” is broadly defined as any activity that disturbs painted surfaces and includes most repair, remodeling, and maintenance activities, including window replacement.

The District has implemented this policy to identify, inspect, control, maintain and improve the handling of lead related issues across the district facilities and grounds. In an effort to reduce potential hazards, the District through training has put together maintenance programs that will not only better protect the environment, but the students and employees of the District as well.

The District’s Lead Renovation Policy shall apply to not only employees of the maintenance department but to outside contractors as well. No outside painting contractor will be permitted to work for the District after April 22, 2010 unless they can show proof of training relative to lead renovation or maintenance from an accredited training institution.

### Information Distribution Requirements

No more than 60 days before beginning renovation activities in any school facility of the District, the company performing the renovation must:

1. Provide the Superintendent with EPA pamphlet titled *Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools*.
2. Obtain, from the District, a written acknowledgement that the District has received the pamphlet.
3. Provide the parents and guardians of children using the facility with the pamphlet and information describing the general nature and locations of the renovation and the anticipated completion date by complying with one of the following:
  - (i) Mail or hand-deliver the pamphlet and the renovation information to each parent or guardian of a child using the child-occupied facility. The School District will also include information about how parents and guardians may choose to receive the pamphlet via email in the “All in One” consent and enrollment form.
  - (ii) While the renovation is ongoing, post informational signs describing the general nature and locations of the renovation and the anticipated completion date. These signs must be posted in areas where they can be seen by the parents or guardians of the children frequenting the child-occupied facility. The signs must be accompanied by a posted copy of the pamphlet or information on how interested parents or guardians can review a copy of the pamphlet or obtain a copy from the renovation firm at no cost to the parents or guardians.
4. The renovation company must prepare, sign, and date a statement describing the steps performed to notify all parents and guardians of the intended renovation activities and to provide the pamphlet.

### Recordkeeping Requirements

All documents must be retained for three (3) years following the completion of a renovation.

Records that must be retained include:

- Reports certifying that lead-based paint is not present.
- Records relating to the distribution of the lead pamphlet.
- Documentation of compliance with the requirements of the Lead-Based Paint Renovation, Repair, and Painting Program.

Legal Reference:	40 CFR Part 745, Subpart E	Lead-based paint poisoning in certain residential structures
	15 U.S.C. 2682 and 2886	Toxic Substances Control Act, Sections 402 and 406

Policy History:

Adopted on: 10/25/10

Reviewed on:

Revised on:

## NONINSTRUCTIONAL OPERATIONS

8426

The District supports the use of therapy dogs and other therapy animals by teachers or other qualified school personnel (“Owner”) for the benefit of its students, subject to the conditions of this policy.

### Therapy Animals

Therapy dogs and other therapy animals are family pets that are trained and registered or certified through therapy organizations. They are only half of the therapy team. The handler is the other half. Therapy teams enter the school by invitation or prior approval.

A therapy animal is not a service animal, and unlike a service animal, a therapy animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. Therapy animals do not have legal rights.

### Requirements of Therapy Animals and User/Owners

Individuals with disabilities using therapy or companion animals are responsible for their animals at all times and must comply with the following requirements:

**Request:** An Owner must submit a written request to the Superintendent or Designee. The request must be renewed ~~each school year or~~ whenever a different therapy animal will be used.

**Registration, Training and Certification:** The Owner must register the therapy animal and provide documentation of the registration, certification, and training to the Superintendent or Designee. The registration and certification must remain current at all times.

**Health and Vaccination:** The therapy animal must be clean, well groomed, in good health, house broken, and immunized against diseases common to dogs. The Owner must submit proof of current licensure from the local licensing authority and proof of the therapy animal’s current vaccinations and immunizations from a licensed veterinarian.

**Control:** A therapy animal must be under the control of the “Owner”, at all times, through the use of a leash or other tether unless the use of a leash or other tether would interfere with the therapy animals’ safe, effective performance of its work or tasks.

**Identification:** The therapy animals must wear appropriate visible identification that identifies in writing that the animal is a therapy animal.

**Behavior:** The Owner must take responsibility for the behavior of the animal in private and public places, and for due care and diligence in the use of the animal on school district property.

**Health and Safety:** The therapy animal must not pose a health and safety risk to any student, employee, or other person at the school.

**Supervision and Care of Therapy Animals:** The Owner is solely responsible for the supervision and care of the therapy dog, including any feeding, exercising, and clean-up while the animal is in the school building or on school property. The school district is not responsible for providing any care, supervision, or assistance for a therapy animal.

**Authorized Areas:** The Owner shall only allow the therapy animal to be in areas in school buildings or on school property that are authorized by the school administrators.

**Insurance:** The Owner must submit a copy of an insurance policy that provides liability coverage for the therapy animal while on school property.

**Exclusion or Removal from School.** A therapy animal may be excluded from school property and buildings if a school administrator determines that:

1. A handler does not have control of the therapy animal;
2. The therapy animal is not house broken;
3. The therapy animal presents a direct and immediate threat to others in the school; or
4. The animal's presence otherwise interferes with the educational process.

The Owner shall be required to remove the therapy animal from school premises immediately upon such a determination.

**Allergic Reactions.** If any student or school employee assigned to a classroom in which a therapy animal is permitted, and suffers an allergic reaction to the therapy animal, the Owner of the animal will be required to remove the animal to a different location designated by an administrator.

**Damages to School Property and Injuries:** The Owner of a therapy animal is solely responsible and liable for any damage to school property or injury to personnel, students, or others caused by the therapy animal.

**Therapy Animals in Training;** This policy shall also be applicable to therapy animals in training that are accompanied by a bona fide trainer.

Policy History:

Adopted on:

Reviewed on:

Revised on:



Meeting Date:	January 11, 2021
Category:	Action Item - Consent - Both Districts
Agenda Item #:	4.2.1
Originated By:	Mike Waterman, Director of Business Services
Others Involved:	Lori Ross

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Consider Approval of Board Meeting Minutes.

**Facts & Discussion:**

1. Minutes of the [December 14, 2020](#) Regular Board Meeting.
2. Minutes of the [December 15, 2020](#) and [December 30, 2020](#) Special Board Meetings.
3. Upon approval, the minutes represent the official actions of the Board of Trustees of School District No. 7.

**Fiscal Impact:**

N/A

**Recommendation:**

It is recommended the Board of Trustees approve as presented, the minutes of the Regular Board Meeting on [12-14-2020](#) and Special Board Meetings on [12-15-2020](#) and [12-30-2020](#).

**Other Alternatives:**

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



Meeting Date:	January 11, 2020
Category:	Action Item - Consent - High School District
Agenda Item #:	4.3.1
Originated By:	Todd Swinehart, Director of Facilities
Others Involved:	

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Consider Approval of High School Bond Projects Update.

**Facts & Discussion:**

1. The attached report has been developed by the Owner's Construction Representative, along with project architects and contractors to reflect the most recent status of the projects.

**Fiscal Impact:**

\$125,000,000 Bond Proceeds

**Recommendation:**

It is recommended the Board of Trustees approve the High School Bond Projects Update.

**Other Alternatives:**

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

**Discussion:****Project: BHS Renovation**

Schedule:

1. January 27, 2020 - Board Approval of the GMP for a sum of \$29,555,890

The Board of Trustees has accepted CTA Architects Engineers for design services along with Langlas and Associates to perform GC/CM services for the renovation efforts at BHS. Construction bids were approved at the January 27, 2020 board meeting with a not to exceed Guaranteed Maximum Price of \$29,555,890. The construction schedule has been accelerated and construction was able to begin in May 2020. As construction continues, students and staff are able to safely occupy the building with very minimal disruptions to their daily schedules.

Overall the project is approximately 43% Complete.

Current construction progress has been highlighted with the attached reports along with a short duration schedule.



## DECEMBER PROGRESS REPORT

PROJECT: Bozeman High School Renovation

TO: Todd Swinehart (TS), Director of Facilities, Bozeman Public Schools

FROM: Nathan Helfrich, Cushing Terrell  
Roger Davis, Langlas and Associates

SUBJECT: Progress Report for December 2020

---

### Progress Update

1. Todd has short throw projectors that he can deliver to Langlas.
2. The announcements at B wing have been resolved.
  - a. Provide one speaker at each end of the hall.
3. B-wing clock/bell is putting out moderate sound (Dan Mills is fine with the sound level as is) – B10 connected December 9<sup>th</sup>.
4. The shop AHU replacement requested for December 18.
  - a. Dan Mills stated that after 3:35 works.
  - b. TS stated that Gallatin College's schedule will need to be confirmed.
5. Langlas is coordinating with the sub at the N-000 vestibule door with the ADA operator that requires pressing the operator and the panic hardware.
  - a. Langlas to confirm when hardware will arrive on site
6. Walk-thru with BSD7/ electrician/ low voltage for auditorium turnover and operations training occurred week of December 14.
7. Anticipate region 4A will be ready to punch the third week of December.
8. There is a gap in the floor at the 4A mechanical mezzanine.
  - a. Cushing Terrell will provide Langlas a floor transition solution per conversation with Todd.
9. Fire alarm testing is underway
10. Apollo wants to propose a new location for the H-wing hot water tank for ease of install. The proposed location is acceptable per Cushing Terrell and BSD7.
11. There is a desire by BSD7 to install a permanent shed for special Olympics.
  - a. Does not need to be mobile
  - b. Langlas will see if they have anything that will work.
12. Connect group has 4 options to resolve cameras at the parking lot.
  - a. The sub and the designer resolved outstanding items week of December 8.
  - b. The sub is testing the primary option to confirm it will function properly.
13. New conduits to the tunnel at the water cooler
  - a. Langlas proposed surface mounted conduits at the face of brick, then wrapping in stainless steel



- b. TS proposed alternate routing through the restrooms to get into the tunnel. Langlas will look into.
  - c. New conduits to the tunnel at the water cooler could be drilled diagonally, so they will not need to be routed through the corridor
- 14. Room numbering
  - a. Langlas is proceeding with the room numbering system that is on the drawings
  - b. Numbers do not need to be skipped for future classroom expansion at BHS, since expansion will be a separate building wing and numbering system
  - c. "C" designations are saved for the future classroom expansion
  - d. Possibility of odd on one side and even at the other discussed for the new classroom wing, but it was determined that the change isn't necessary
- 15. WAP locations
  - a. No WAPs at the learning streets at BHS
  - b. Access Consulting thinks coverage from classrooms will address the learning streets – Cushing Terrell to follow up with Access Consulting to confirm there aren't any concerns with metal studs interfering.
- 16. Coiling door A1.1
  - a. Size is having to decrease a few inches each way due to conflicting radiant heater and other existing items.
  - b. Height reducing 12" due to existing piping/make up of unit. Cushing Terrell reviewed on site with Langlas & BSD7 December 15.
  - c. No specific size requirement that Cushing Terrell is aware of
  - d. The max height is 7'-1" and the max width is 8'-9" (reduction of 3" per side)
  - e. Cushing Terrell will confirm that the 8'-9" still complies with code
  - f. Todd wants to remove the fin heater adjacent to the door. Langlas and Cushing Terrell will confirm if this fin tube heater can be removed.
- 17. Fire walls
  - a. Storefront at 2A fire wall will require the reduction of window sizes at both sides
    - i. A portion of the wall will need to be rated as well
    - ii. Cushing Terrell issued PR 20 December 22.
  - b. Wall adjacent to firewall at 3B will require rating 4' in both directions.
- 18. Bleacher seating
  - a. The submittal shows approximately 200 additional seats
  - b. The added seating was not originally planned for so a code review will be required.
  - c. Cushing Terrell to perform an evaluation of the existing egress and plumbing fixture capacity to determine if accommodating the additional seating is possible.
- 19. Auditorium/ gym seating colors
  - a. Need selection of poly and paint for the auditorium seating
  - b. Black is not an option for the gym seating, only galvanized
  - c. Langlas will forward an email with specifics to Cushing Terrell for review
- 20. RFIs Discussed
  - a. RFI 109 – Panel H only had 2 conductors, but needs 3 phase for equipment that is pulled from it – there is not another location to pull 3 phase from – Langlas is analyzing pricing.
    - i. The sub-contractor had extra cable they will use to perform the work at no cost to the school district.
  - b. RFI 114 - H-Wing mech room storage tank location
    - i. Cushing Terrell doesn't see any issues with the proposed strategy
    - ii. Cushing Terrell and TS will review on site December 15
    - iii. TS approved proposed relocation

## 21. Submittals

- a. Cushing Terrell is working with Shuler Shook to get the auditorium lighting submittal returned
  - i. Lighting submittal was returned.

## 22. CCD's Discussed

- a. CCD 26 Smoke detectors and relocate of remote microphone.
  - i. Believed to have been brought up by Bozeman Fire Dept. for Hawks Nest.
  - ii. Required to have smoke detection.
  - iii. Swapped out some speaker devices with speaker/ strobe and added detection.
  - iv. Had to relocate a microphone from the admin office due to limited space.
  - v. Is Bozeman fire requiring resubmittal of all drawings? 8 hours seems excessive for drafting as does 38 hours to pull wire. Langlas will follow up with a cost breakdown.
  - vi. Adding strobe adds a wire in addition to the audio wire already required.
  - vii. Adding a total of 9 devices – Cushing Terrell will confirm these are required by the AHJ.
  - viii. Cushing Terrell confirmed that the AHJ will require this revision.
- b. CCD 27 Revisions to T Sheets
  - i. Ethernet connectivity to the cameras at the south parking lot.
  - ii. Routing to the closet at the old administration office.
  - iii. Need to break out the credit for the base bid wiring.
  - iv. The cable type or method of getting power to the cameras was not specified – it was left up to the contractor to determine.
  - v. Cushing Terrell, Access Consulting, and Langlas to determine what should have been included in the base bid.
- c. CCD 32 Temporary DP control for central plant.
  - i. The pricing was reduced prior to reviewing.
  - ii. Pricing approved.
- d. CCD 34 Mechanical screen and duct mounting detail.
  - i. Pricing provided for chain link with vinyl slats, which came in significantly less.
  - ii. Todd stated to proceed with the chain link.
- e. CCD 36 Foundation plan & beam size update.
  - i. The concrete wall was stepping down with the ramp.
  - ii. Cleaner connection at storefront to add concrete.
  - iii. The slab and wall are poured so the additional concrete will be doveled in and will have a cold joint.
  - iv. There isn't an interior wall finish to conceal the cold joint.
  - v. Todd agrees that the concrete makes sense.
- f. CCD 37 Ships ladder at F wing boiler room.
  - i. All pieces of mechanical can be removed through a 36" door.
  - ii. Langlas noted that a 36" door would not be additional cost.
  - iii. Todd doesn't see any issues with the 36" door.
- g. CCD 38 Add crickets at region H over-frame.
  - i. Added crickets to tie existing roof into new.
  - ii. Pricing approved.
- h. CCD 46 Call switches
  - i. Replace all the call switches-to be provided by subcontractor rather than by owner.
  - ii. Paul will confirm the quantity and get back to Cushing Terrell.
  - iii. Pricing looks in line.

- iv. Look into what was done at GHS and what is provided in N-wing to determine if call switches are required.
  - v. N-wing has call switches, GHS does not.
  - vi. For consistency throughout BHS, BSD would like to provide call switches.
  - i. CCD 47 – Shop Heaters
    - i. Roger will talk to the subs to determine if this cost is necessary
23. No OAC meeting December 29. The next meeting will be on January 5.

**Construction Progress**

- Construction progress images (attached)
- Building Key Plan (attached)
- Site Phasing Plan (attached)

**Budget Update**

- The construction project remains on budget

**Invoice Status**

- Paid in full to date

**Schedule Update**

- Project Substantially Complete June 2022





Fig 01: Overall view of the site



Fig 02: Overall view from the southeast





Fig 03: Overall view from the south



Fig 04: Overall view from the southwest





Fig 05: Auditorium and Learning Community from the west



Fig 06: Overall view from the northeast





Fig 07: Overall view of the Auditorium and Learning Community



Fig 08: Overall view from the east





Fig 09: Overall view of Learning Community



Fig 10: Learning Community and Auditorium from the south



**BHS Renovation Building Schedule Plan**  
**Summer 2020 - Fall 2020**  
**Updated 12.28.20**

**New Construction**

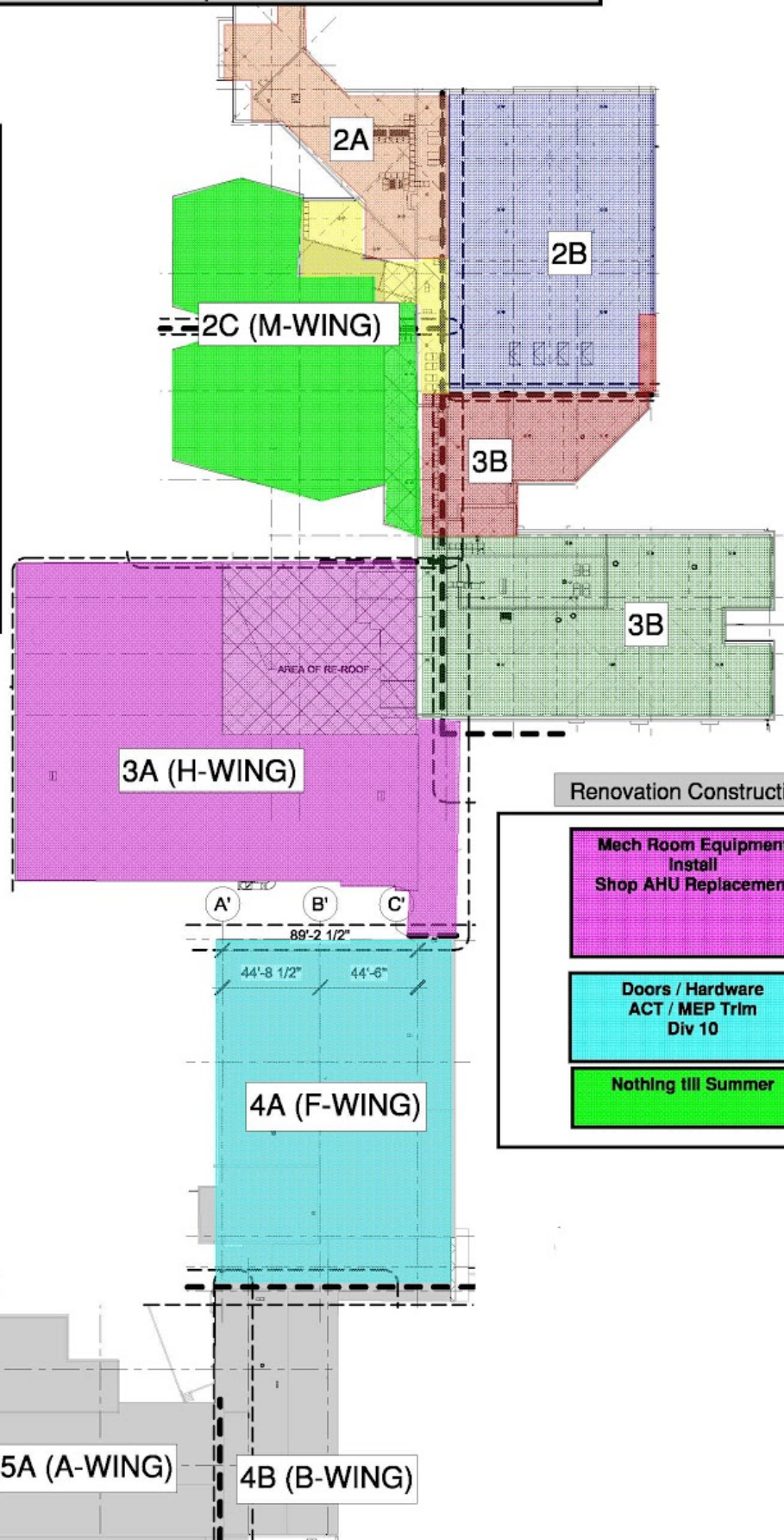
Steel Erection  
 2nd Floor MEP Floor Rough-In  
 Exterior Gypsum  
 Roof Prep  
 2nd Floor Gridline Prep

MEP Rough-In  
 Steel Erection

Steel Erection

Gridline Prep

Roof Membrane Install  
 MEP Underground/Slab  
 Interior Slab Prep/Pour  
 Riser Install

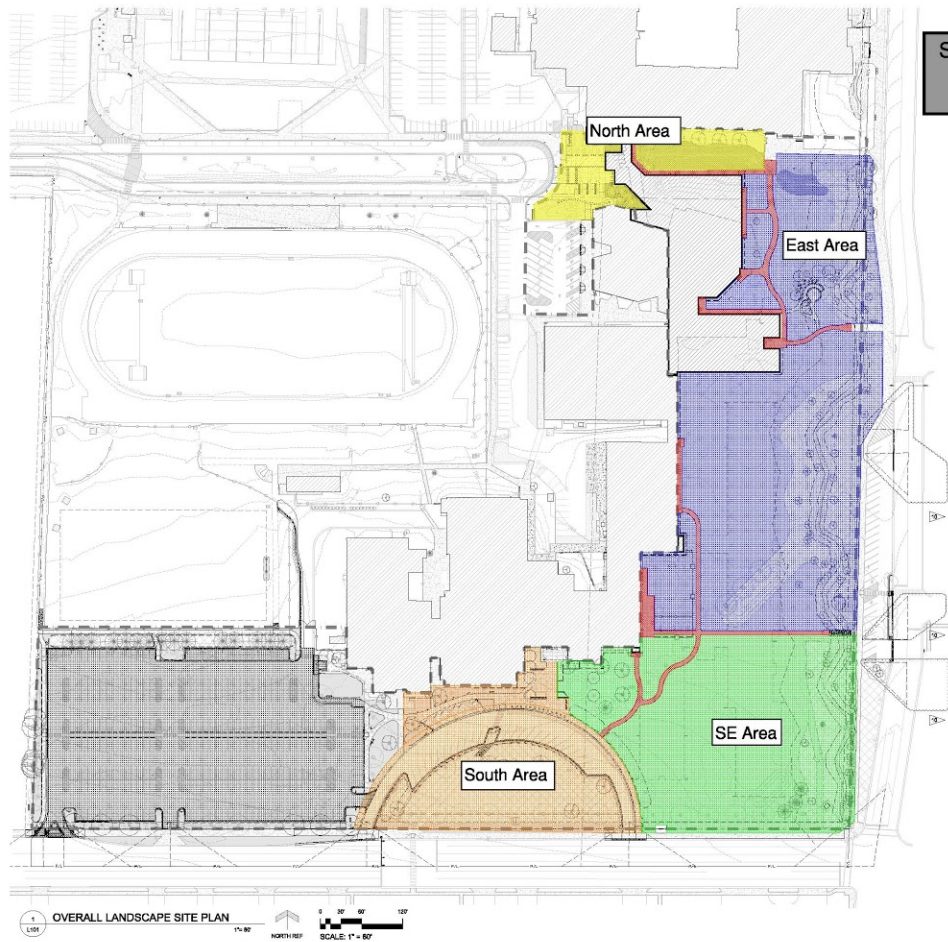


**Renovation Construction**

Mech Room Equipment  
 Install  
 Shop AHU Replacement

Doors / Hardware  
 ACT / MEP Trim  
 Div 10

Nothing till Summer



**Site Exterior Improvements Phasing Plan**  
Summer 2020 - Fall 2020  
Updated 12.28.20

**North Area**  
Swale Prep/Install  
Material Storage  
Final Hardscapes/Landscaping  
to Start 2021

**East Area**  
Material Storage  
Final Hardscapes/Landscaping  
to Start 2021

**SE Area**  
Bridge SWPPP Work  
Material Storage  
Final Hardscapes/Landscaping  
to Start 2021

**South Area**  
Work to Start Summer 2021





# AIA® Document G711™ – 2018

## Architect's Field Report

The observations in this report are made to generally reflect the progress and quality of the Work on the date of this report and are not intended to be exhaustive evaluations of the quality or quantity of the Work.

<b>PROJECT:</b> <i>(name and address)</i>		<b>CONTRACT INFORMATION:</b>	Architect's Project Number: BZN_HIGHRENO Field Report Number: CT-018
Bozeman High School 205 North 11 <sup>th</sup> Ave Bozeman, Montana		Contract For: General Construction Date: 12/1/2016	
<b>OWNER:</b> <i>(name and address)</i>	<b>ARCHITECT:</b> <i>(name and address)</i>	<b>CONTRACTOR:</b> <i>(name and address)</i>	
Bozeman School District 404 W Main Street Bozeman, MT 59715	Cushing Terrell 411 E Main Street Bozeman, MT 59715	Langlas and Associates, Inc 1019 E Main Street #101 Bozeman, MT 59715	
<b>DATE OF SITE VISIT:</b>	<b>TIME:</b>	<b>WEATHER:</b>	<b>TEMP. RANGE:</b>
12/08/2020	2:00 PM	Sunny	45F
<b>WORK IN PROGRESS:</b>		<b>PRESENT AT SITE:</b>	
See Below:		Apollo	

**OBSERVATIONS:** *(Include known deviations from the Contract Documents and the Contractor's most recent construction schedule, and defects and deficiencies observed in the Work.)*

Alex Russell (Cushing Terrell) made a site visit to observe mechanical construction in progress. The following items were observed:

Work in Progress:

1. Pipe insulation has been installed in the H-Wing Boiler Room.
2. VRF pipe insulation with exterior jacketing has been installed for ACCU-5.
3. VRF Fan Coil Unit installation has started in building 3B.

General Observations:

1. Mechanical Workmanship is satisfactory.
2. VRF Fan Coil Units are covered after installation.

**ACTION REQUIRED:** *(Include follow-up items, responsible parties, and due dates.)*

1. None at this time.

**ATTACHMENTS:**

PHOTOS

**REPORT BY:**

-See attached digital signatures page-

**SIGNATURE**

Alex Russell, PE

**PRINTED NAME AND TITLE**

12/11/2020

**DATE**

## Digital Signatures Page

Alex Russell

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CN=Alex Russell, OU=Users,  
OU=Bzmn, DC=clagroup, DC=net  
Date: 2020.12.11 14:31:18-0700'



Figure 01: H-Wing Boiler Room Insulation



Figure 02: H-Wing Boiler Room Insulation





Figure 03: VRF Pipe Insulation complete.



Figure 04: VRF FCU Installation in Building 3B.



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<b>PROJECT:</b> <i>(name and address)</i>	<b>CONTRACT INFORMATION:</b>	Architect's Project Number: BZN_HIGHRENO Field Report Number: CT-019
Bozeman High School 205 North 11 <sup>th</sup> Ave Bozeman, Montana	Contract For: General Construction Date: 12/1/2016	
<b>OWNER:</b> <i>(name and address)</i>	<b>ARCHITECT:</b> <i>(name and address)</i>	<b>CONTRACTOR:</b> <i>(name and address)</i>
Bozeman School District 404 W Main Street Bozeman, MT 59715	Cushing Terrell 411 E Main Street Bozeman, MT 59715	Langlas and Associates, Inc 1019 E Main Street #101 Bozeman, MT 59715

<b>DATE OF SITE VISIT:</b>	<b>TIME:</b>	<b>WEATHER:</b>	<b>TEMP. RANGE:</b>
12/10/2020	11:00-12:30 AM	Clear	40-50 deg. F

<b>WORK IN PROGRESS:</b>	<b>PRESENT AT SITE:</b>
Glulam installation at 3B, roof installation on building 2B, tiered seating install at 2B, mechanical/plumbing installation in 3B, exterior wall framing at 3B, painting in 4A.	Framing sub-contractor, steel sub-contractor, general contractor field staff, Mechanical and plumbing sub-contractors, painting sub-contractor.

**OBSERVATIONS:** *(Include known deviations from the Contract Documents and the Contractor's most recent construction schedule, and defects and deficiencies observed in the Work.)*

Work in Progress (Observed):

1. Glulam installation at 3B.
2. Roof installation on building 2B.
3. Tiered seating install at 2B.
4. Mechanical/plumbing installation in 3B.
5. Exterior wall framing at 3B.
6. Painting in 4A.

Observations:

1. Exterior steel wall framing is under way in building 3B. (Fig. 1-1)
2. Roofing sub-contractor is installing pressure treated lumber on the roof of building 2B. (Fig. 1-2)
3. Building 4A classroom interior storefront installation looks to be complete. Clerestory storefront is nearly complete. A few metal fasteners were observed on the roof of building 4A in front of the new clerestory storefront. (Fig. 2-1)
4. The auditorium tiered seating support structure installation is underway. (Fig. 2-2)
5. Glulam column and beam installation in the new portion of Long Hall is underway. Fig. (3-1)
6. Concrete has been placed for the maintenance lift pit in building 4A.
7. The door frame at the building 4A mechanical room has been installed.
8. Mechanical ductwork and fan coil units are being installed on first floor of building 3B. (Fig. 3-2)
9. Roof drains have been installed on building 2B and 3B.
10. Painters are in process of painting the classrooms in building 4A.
11. The building 3B penthouse concrete slab prep. is complete.

---

Discussions:

Jean Freeman and Kasey Welles discussed the slab prep for the penthouse of building 3B. Also discussed fasteners left on the roof of building 4A under the storefront windows and the building separation roof detail with Josh Henigman.

Upcoming Work (Next 2 Weeks)

1. Install stair, ships ladder, and lift in building 4A.
2. Auditorium concrete pour and finishing.
3. 2B and 3B roofing installation.
4. Structural steel erection in building 2A and 2C.
5. 2A and 2C wall framing and sheathing.
6. 3B wall framing.
7. 4A painting, ACT install, floor base, doors, and finishing.

---

**ACTION REQUIRED:** *(Include follow-up items, responsible parties, and due dates.)*

Langlas to remove unused/loose fasteners from building 4A roof.

---

**ATTACHMENTS:**

PHOTOS

---

**REPORT BY:**

-See attached digital signatures page-

12/14/2020

**SIGNATURE**

**DATE**

Kasey Welles, Project Architect

**PRINTED NAME AND TITLE**



## Digital Signatures Page

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Date: 2020.12.14 13:46:46-0700'



Figure 1-1: Building 3B exterior wall framing



Figure 1-2: Pressure treated lumber at auditorium roof parapet



Figure 2-1:  
Building 4A storefront windows



Figure 2-2: Tiered auditorium seating in building 2B





Figure 3-1: Glulam columns and beams in building 3B



Figure 3-2: Mechanical duct and fan coil units in building 3B



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Bozeman High School 205 North 11 <sup>th</sup> Ave Bozeman, Montana		Contract For: General Construction Date: 12/1/2016		Field Report Number: CT-020
<b>OWNER:</b> <i>(name and address)</i>		<b>ARCHITECT:</b> <i>(name and address)</i>		<b>CONTRACTOR:</b> <i>(name and address)</i>
Bozeman School District 404 W Main Street Bozeman, MT 59715		Cushing Terrell 411 E Main Street Bozeman, MT 59715		Langlas and Associates, Inc 1019 E Main Street #101 Bozeman, MT 59715
<b>DATE OF SITE VISIT:</b>	<b>TIME:</b>	<b>WEATHER:</b>	<b>TEMP. RANGE:</b>	
12/16/2020	1:00-1:30 PM	Cloudy	40-50 deg. F	
<b>WORK IN PROGRESS:</b>		<b>PRESENT AT SITE:</b>		
Second floor building 3B slab prep.		Framing sub-contractor, steel sub-contractor, general contractor field staff, Mechanical and plumbing sub-contractors, painting sub-contractor, concrete sub-contractor		
<b>OBSERVATIONS:</b> <i>(Include known deviations from the Contract Documents and the Contractor's most recent construction schedule, and defects and deficiencies observed in the Work.)</i>				
Work in Progress (Observed):				
1. Installation of wire mesh and rebar on second floor of building 3B				
Observations:				
1. Laying of wire mesh and tying with wire ties. Installation was approximately 50% complete at time of site walk. (Fig. 1-1)				
2. Steel angle pour stops with shear bolts were installed. (Fig. 1-2)				
3. Rebar had been installed around west columns and locations of rebar to the east had been marked, but were not yet installed. (Fig. 2-1 & 2-2)				
4. No deficiencies were observed.				
Discussions:				
None.				
Upcoming Work				
1. Slab pour of second floor 3B slab scheduled for 12/17/2020.				
<b>ACTION REQUIRED:</b> <i>(Include follow-up items, responsible parties, and due dates.)</i>				
None				
<b>ATTACHMENTS:</b>				
PHOTOS				

REPORT BY:

-See attached digital signatures page-

12/18/2020

SIGNATURE

DATE

Kasey Welles, Project Architect

PRINTED NAME AND TITLE



## Digital Signatures Page

Kasey Welles

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Date: 2020.12.18 11:12:06-0700'



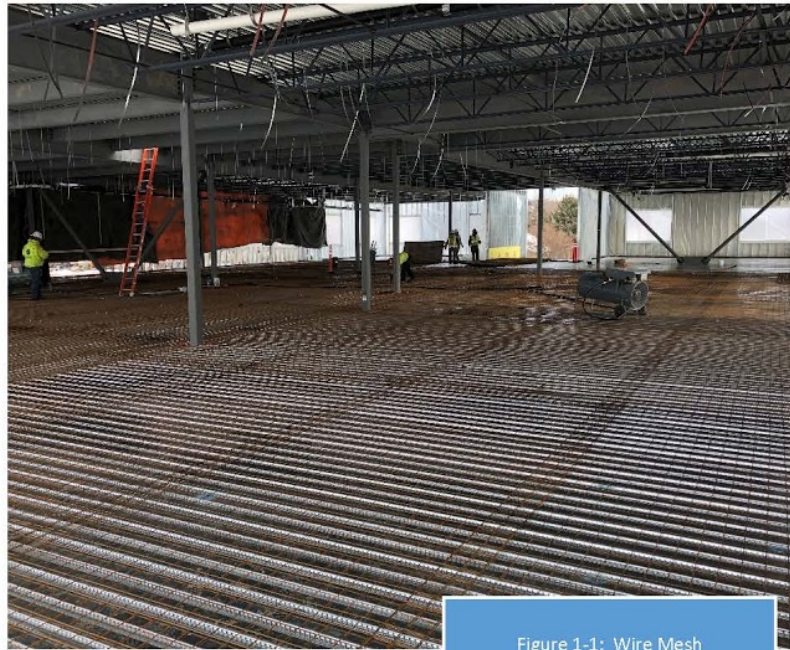
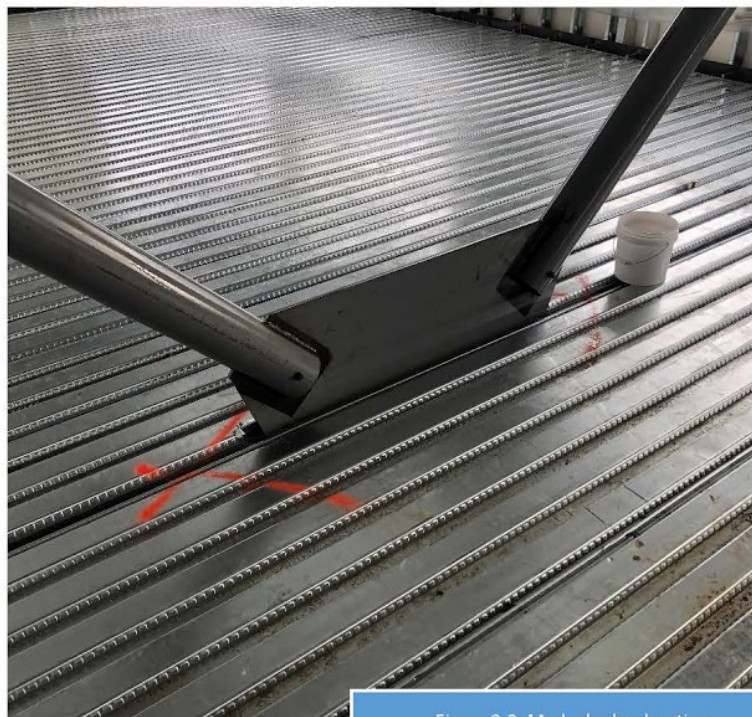


Figure 1-1: Wire Mesh



Figure 1-2: Steel Angle Pour Stops







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<b>PROJECT:</b> <i>(name and address)</i>		<b>CONTRACT INFORMATION:</b>		Architect's Project Number:
Bozeman High School 205 North 11 <sup>th</sup> Ave Bozeman, Montana		Contract For: General Construction Date: 12/1/2016		BZN_HIGHRENO Field Report Number: CT-021
<b>OWNER:</b> <i>(name and address)</i>		<b>ARCHITECT:</b> <i>(name and address)</i>		<b>CONTRACTOR:</b> <i>(name and address)</i>
Bozeman School District 404 W Main Street Bozeman, MT 59715		Cushing Terrell 411 E Main Street Bozeman, MT 59715		Langlas and Associates, Inc 1019 E Main Street #101 Bozeman, MT 59715
<b>DATE OF SITE VISIT:</b>	<b>TIME:</b>	<b>WEATHER:</b>	<b>TEMP. RANGE:</b>	
12/22/2020	12:00 PM	Snow	25F	
<b>WORK IN PROGRESS:</b>		<b>PRESENT AT SITE:</b>		
See Below:		Apollo		

**OBSERVATIONS:** *(Include known deviations from the Contract Documents and the Contractor's most recent construction schedule, and defects and deficiencies observed in the Work.)*

Alex Russell (Cushing Terrell) made a site visit to observe mechanical construction in progress. The following items were observed:

Work in Progress:

1. Ductwork installation in Building 3B is ongoing.
2. Air Handling Units in the woods, metals, and auto shop are being installed.

General Observations:

1. Mechanical Workmanship is satisfactory.
2. VRF Fan Coil Units are covered after installation. A few instances were found where covering had fallen off.

**ACTION REQUIRED:** *(Include follow-up items, responsible parties, and due dates.)*

1. Cover all ductwork and equipment in place.

**ATTACHMENTS:**

PHOTOS

**REPORT BY:**

-See attached digital signatures page-

**SIGNATURE**

Alex Russell, PE

**PRINTED NAME AND TITLE**

12/28/2020

**DATE**

## Digital Signatures Page

Alex Russell

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Date: 2020.12.28 13:45:48-0700'





Figure 01: AHU-4 install in the wood shop



Figure 02: AHU-4



Figure 03: AHU-5 installation in the Auto Shop



Figure 04: Ductwork in Building 3B





Figure 05: Ductwork and FCU install in Building 3B



Figure 06: Cover all ductwork and equipment in place



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## Architect's Field Report

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<b>PROJECT:</b> <i>(name and address)</i>	<b>CONTRACT INFORMATION:</b>	Architect's Project Number: BZN_HIGHRENO Field Report Number: CT-022
Bozeman High School 205 North 11 <sup>th</sup> Ave Bozeman, Montana	Contract For: General Construction Date: 12/1/2016	
<b>OWNER:</b> <i>(name and address)</i>	<b>ARCHITECT:</b> <i>(name and address)</i>	<b>CONTRACTOR:</b> <i>(name and address)</i>
Bozeman School District 404 W Main Street Bozeman, MT 59715	Cushing Terrell 411 E Main Street Bozeman, MT 59715	Langlas and Associates, Inc 1019 E Main Street #101 Bozeman, MT 59715

<b>DATE OF SITE VISIT:</b>	<b>TIME:</b>	<b>WEATHER:</b>	<b>TEMP. RANGE:</b>
12/28/2020	11:00 AM- 12:30 PM	Clear	35-40 deg. F

### WORK IN PROGRESS:

Mechanical installation, plumbing installation, electrical installation, building 3B framing, auditorium tiered seating structure installation, glulam beam and column installation, excavation of temporary ramp in auditorium, steel framing erection, concrete slab on deck pour, roofing of 2A and 3B.

### PRESENT AT SITE:

Framing sub-contractor, steel sub-contractor, general contractor field staff, Mechanical and plumbing sub-contractors, electrical sub-contractor, civil sub-contractor, roofing sub-contractor.

### OBSERVATIONS: *(Include known deviations from the Contract Documents and the Contractor's most recent construction schedule, and defects and deficiencies observed in the Work.)*

Work in Progress (Observed):

1. Electrical work in G-wing.
2. Installation of hot water tank in h-wing boiler room.
3. Installation of air handlers in wood, metal, and auto shops.
4. Installation of parapet framing and sheathing.
5. Excavation of temporary ramp in auditorium.
6. Installation of glulam beams and columns.

Observations:

1. The mechanical sub-contractor was in the process of installing the air handlers in the CTE shops as well as the hot water tank in the H-wing boiler room. (Fig. 1-1)
2. The electrical sub-contractor was installing the new transformer in the G-wing electrical room.
3. Light gauge metal framing was being installed on the first floor of building 3B. (Fig. 1-2)
4. The epdm roof on the north 2/3 of the auditorium has been installed and the roofing sub-contractor was on the roof of building 3B installing parapet framing. (Fig. 2-1)
5. The civil sub-contractor was in the process of excavating the temporary ramp and grading the sloped seating section of the auditorium.
6. Installation of the glulam columns and beams was underway in the 3B portion of long hall. (Fig. 2-2)
7. Steel sub-contractor was in the process of installing the auditorium followspot platform. (Fig. 3-1)
8. The classroom remodel in F-wing is nearly complete. (Fig. 3-2)

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User Notes:

(3B9ADA57)



9. No deficiencies were observed.

Discussions:

None.

Upcoming Work

1. 3B framing and air and moisture barrier installation.
2. 3B interior gypsum board installation.
3. 2B MEP rough in and interior second floor framing.
4. 2A structural steel installation and framing.

**ACTION REQUIRED:** *(Include follow-up items, responsible parties, and due dates.)*

None

**ATTACHMENTS:**

PHOTOS

**REPORT BY:**

-See attached digital signatures page-

12/28/2020

**SIGNATURE**

**DATE**

Kasey Welles, Project Architect

**PRINTED NAME AND TITLE**



## Digital Signatures Page

Kasey Welles

Digitally signed by Kasey Welles  
DN:  
E=KaseyWelles@cushingerrell.com,  
CN=Kasey Welles, OU=Users,  
OU=Bzmin, DC=otagroup, DC=net  
Date: 2020.12.29 10:01:02-0700'



Figure 1-1: Metal Shop Air Handler Installation



Figure 1-2: 3B Interior Metal Framing







Figure 3-1:  
Auditorium Steel Installation

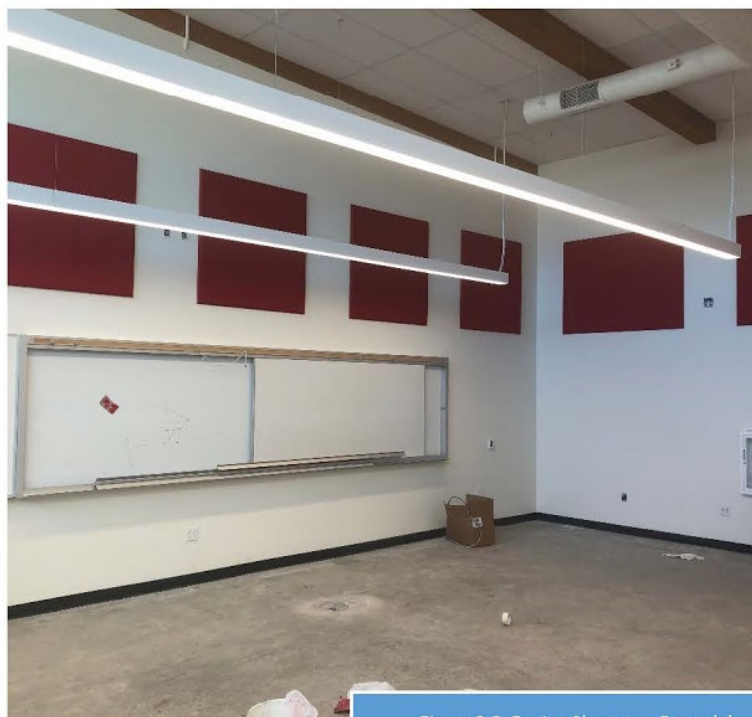


Figure 3-2: F-wing Classroom Remodel







Figure 1: Location of penthouse slab pour

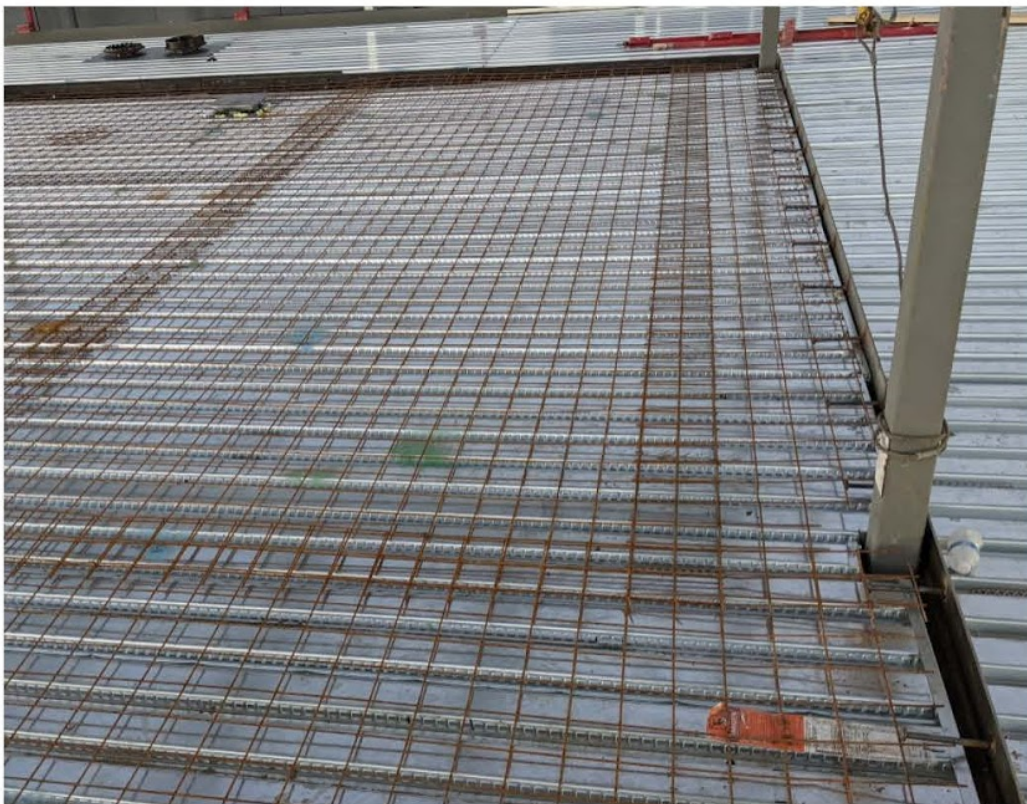


Figure 2: Welded wire reinforcing and slab edge angle





Figure 3: Rebar dowels around slab opening



Figure 4: Rebar dowels around steel column



### Structural Observation Report Form

Observation performed by: Cody Reynolds  
 Project: Bozeman High Renovation Project #: 18151-0102  
 Weather: Cold, Clear Temperature: 40  
 Time on Site: 4:00-4:45 PM Date: 12/16/2020 Page: 1 of 1

Individuals Present During Observation: Cody Reynolds Company: DCI Engineers  
 \_\_\_\_\_ Company: \_\_\_\_\_  
 \_\_\_\_\_ Company: \_\_\_\_\_  
 \_\_\_\_\_ Company: \_\_\_\_\_  
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#### OBSERVED STRUCTURAL ELEMENTS AND THEIR CONNECTIONS

FOUNDATION	WALL	FRAMES	FLOOR	ELEMENT/CONNECTION OBSERVATION LOCATION
<input type="checkbox"/> Footing, Stem Walls	<input type="checkbox"/> Concrete	<input type="checkbox"/> Steel Moment Frame	<input type="checkbox"/> Concrete	Region 3B second floor concrete slab on metal deck.
<input type="checkbox"/> Mat Foundation	<input type="checkbox"/> Masonry	<input type="checkbox"/> Steel Braced Frame	<input checked="" type="checkbox"/> Steel Deck	
<input type="checkbox"/> Caisson, Piles, Grade Beams	<input type="checkbox"/> Wood	<input type="checkbox"/> Concrete Moment Frame	<input type="checkbox"/> Wood	
<input type="checkbox"/> Retaining Foundation	<input type="checkbox"/> Others:	<input type="checkbox"/> Proprietary Wood Shear Wall	<input type="checkbox"/> Others:	
<input type="checkbox"/> Others:		<input type="checkbox"/> Others:		

#### Observations:

Welded wire fabric was placed, and lapped in general conformance with the Construction Documents.  
 Diagonal reinforcing bars were placed around slab penetrations.  
 Closure angles and headed studs were in conformance with the Construction Documents.  
 Handrail embed plates were installed.

#### Deficiencies:

Welded wire fabric reinforcing was not chaired up at the time of the site visit. Contractor informed to add chairs prior/during concrete pour.  
 Headed studs on composite girders were not installed at time of inspection.

#### Action Taken:

Contractor to place additional chairs prior to or during pour.  
 Contractor to install proper number of studs and perform inspection of welds.

Signature: 

Date: 12/16/2020





Image 1:  
Typical chaired  
reinforcement



Image 2:  
Typical slab closure

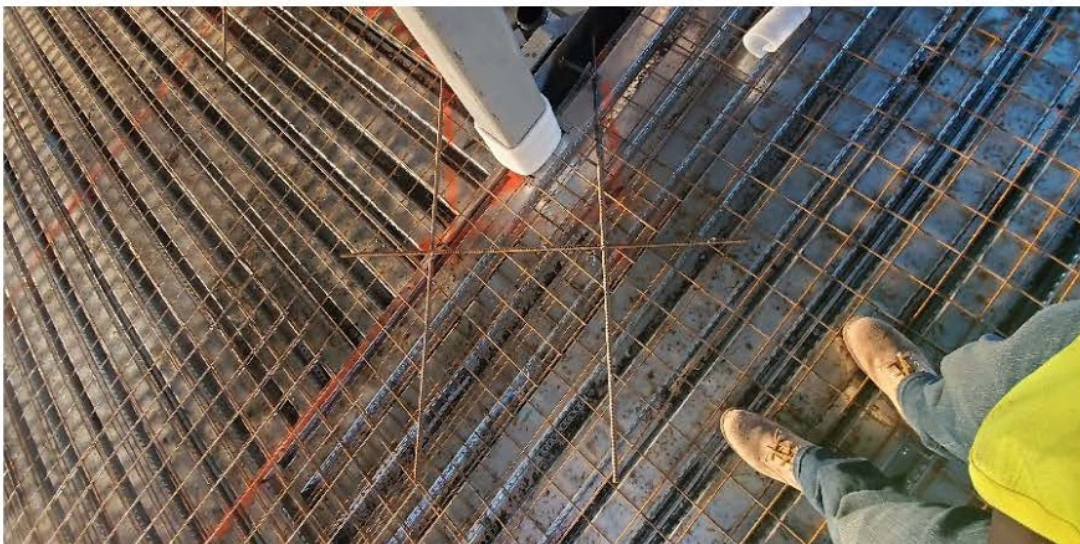


Image 3:  
Typical corner bars at  
penetrations





Image 4:  
Typical handrail attachment embed



Image 5:  
Typical metal deck discontinuous edge



Image 6:  
Steel girder missing headed studs





**Meeting Date:** January 11, 2021

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**Category:** Action Item - Consent - High School District

---

**Agenda Item #:** 4.3.2

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**Originated By:** Mike Waterman, Director of Business Services

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**Others Involved:**

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MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Consider Resolution to Approve and Adopt High School General Fund Budget Amendment.

**Facts & Discussion:**

1. Districts with increasing enrollment may amend their budgets and obtain higher spending authority in the current fiscal year.
2. Bozeman High School's 2020 enrollment count qualifies the District for additional spending authority and state funding.
3. The process for an enrollment-related budget amendment involves three basic steps:
  - a. First, Districts must proclaim the need for the budget amendment and petition OPI for its approval.
  - b. The District must provide public notice of its intent via a newspaper advertisement.
  - c. Finally, the Board must formally resolve to amend its budget, which is the function of this action item.
4. On December 14, 2020, the Board proclaimed the need for the budget amendment and petitioned the Office of Public Instruction for its approval. OPI approval has been received and the required newspaper advertisement was made.

**Fiscal Impact:**

\$382,008 Increase, High School General Fund

**Recommendation:**

It is recommended the Board of Trustees approve and adopt the High School General Fund Budget Amendment. The meeting minutes should reflect approval of the following Resolution:

BUDGET AMENDMENT RESOLUTION  
BOZEMAN HIGH SCHOOL DISTRICT  
GALLATIN COUNTY, MONTANA

At a regular meeting of the Board of Trustees of High School District No. 7, Gallatin County, Montana, held electronically on January 11, 2021 at 5:45pm, the following resolution was introduced:

WHEREAS, the trustees of High School District No. 7, Gallatin County, Montana, have made a determination that as a result of an unanticipated enrollment increase, the district's General Fund budget does not provide sufficient financing to properly maintain and support the district for the entire current school fiscal year; and



WHEREAS, the trustees have determined that an amendment to the High School General Fund budget in the amount of \$382,008 is necessary under the provisions of Section 20-9-161(1), MCA for the purpose of operating and maintaining the District, and

WHEREAS, the anticipated source of financing the budget amendment expenditures shall be additional state assistance and General Fund reserves, and

WHEREAS, the District's final available 2020-21 General Fund budget after this budget amendment will be \$19,417,426.00,

THEREFORE BE IT RESOLVED that the Board of Trustees of High School District No. 7, Gallatin County, Montana, hereby approves an increase to the High School General Fund budget for the fiscal year 2020-21 in the amount of \$382,008 for the purpose identified above, and

BE IT FURTHER RESOLVED that the District's final available 2020-21 General Fund budget after this budget amendment will be \$19,417,426.00.

**Other Alternatives:**

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



**Meeting Date:** January 11, 2020

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**Category:** Action Item - Consent - High School District

---

**Agenda Item #:** 4.3.3

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**Originated By:** Todd Swinehart, Director of Facilities

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**Others Involved:**

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MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Consider Approval of a [Telecommunications Easement](#) at the Bozeman High School Campus.

**Facts & Discussion:**

1. MCA 20-6-602 indicates the trustees of any district shall have the power and the responsibility to hold in trust all real and personal property of the district for the benefit of the schools and children of the district.
2. The proposed easement provides for the continuation of an existing CenturyLink / Lumen communications line that was needed to be relocated in order to accommodate the development of the Bozeman High School Renovation project.

**Superintendent's Recommendation:**

It is recommended the Board of Trustees approve the [telecommunications easement](#) at the Bozeman High School Campus.

**Other Alternatives:**

1. Do not approve.



<b>Meeting Date:</b>	January 11, 2021
<b>Category:</b>	Action Item - Consent - High School District
<b>Agenda Item #:</b>	4.3.4
<b>Originated By:</b>	Casey Bertram, Marilyn King, Interim Co-Superintendents
<b>Others Involved:</b>	Caitlin Skinner, BCA Teacher; Dan Mills, BHS Principal; Erica Schnee, GHS Principal

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Consider approval of Bridger Charter Academy Charter Renewal.

**Facts & Discussion:**

1. In the Spring of 2016, the Bozeman School District made an initial application to create a charter program. This request was approved by the Board of Trustees at the February 22, 2016 Board meeting. The application was forwarded to the Office of Public Instruction using the process outlined in ARM 10-55-604. The application for the creation of a charter program was approved by the Montana Board of Public Education on May 13, 2016.
2. The charter was renewed in the winter of 2018.
3. A presentation was provided to the Board on December 14, 2020, that included the results of staff and community listening sessions.
4. As per the charter renewal process, the Board of Trustees must adopt the application for renewal of the charter program prior to submission to the Board of Public Education.
5. If approved by the Board of Trustees, appropriate board minutes will be added and the application for charter renewal will be forwarded to the Superintendent of Public Instruction. After her review, it may be forwarded to the Board of Public Education for final deliberation and approval. The Board of Public Education may approve the charter renewal for no more than 3 additional years.
6. The Bridger Charter Academy supports
  - a. Strategic Objective 1.06: Prepare all students to be College and Career Ready to engage in a global community, and
  - b. Strategic Objective 3.04: Engage in a collaborative dialogue surrounding topics of educational importance to our community and their impact on the LRSP.

**SUPERINTENDENTS' RECOMMENDATION:**

It is recommended that the charter application be submitted to the Montana Office of Public Instruction.

**OTHER ALTERNATIVES:**

1. Elect to non-renew charter.

**VARIANCES TO STANDARDS: CREATING A CHARTER SCHOOL/PROGRAM**  
**APPLICATION** Renewal Application (three years)

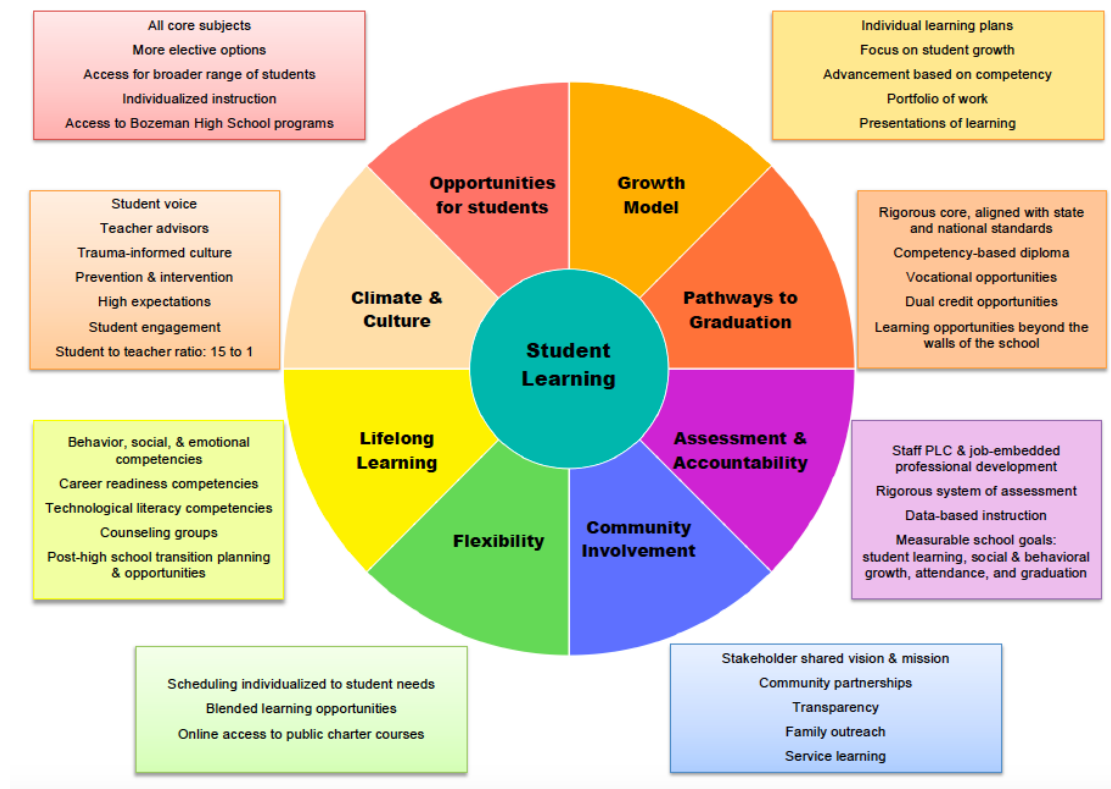
**Purpose:** ARM 10.55.604(4). Following the second year of implementation of a “charter school,” the school district shall provide evidence to the Superintendent of Public Instruction that the methods selected by the district implement, meet, or exceed results that could have been achieved under established standards.

**ARM 10.55.604(11)(c)** The procedure by which a school district may apply to create a charter school/program and by which the BPE may approve, deny, evaluate, and renew a charter school/program shall be identical to that outlined in ARM 10.55.604 (1-10)

**DUE DATE:** First Monday in March (March 1, 2021)

**COUNTY:** Gallatin **DISTRICT:** Bozeman School District **SCHOOL:** Bozeman High School, Gallatin High School, Bridger Charter Academy

- 1. Provide evidence through official minutes of the board of trustees that local school community stakeholders were involved in the consideration and development of the renewal of the charter school/program. Stakeholder groups include trustees, administrators, teachers, classified staff, parents, community members, and students as applicable.**
  - a. Three recent public meetings were held via Google Meet to discuss the current status of the Bridger Charter Academy and renewal of the application.
    - i. November 10, 2020 - for all stakeholders, geared toward current students, staff, and family
    - ii. December 1, 2020 - for all stakeholders, geared toward future students and families
    - iii. December 14, 2020 - for all stakeholders, scheduled regular public Board of Trustees meeting
  - b. Minutes for these meetings are in Appendix A.
- 2. Provide board of trustees’ meeting minutes that show the trustees adopted the application for the renewal of the charter school/program at an official, properly noticed meeting.**
  - a. The BSD7 Board of Trustees held a meeting on January 11, 2021 to adopt the application for renewal of the Bridger Charter Academy.
  - b. Minutes for this meeting are in Appendix B.
- 3. Reflection of the initial implementation of the charter school/program**
  - a. Describe the specific goals, measurable objectives, and rationale that were listed in the initial charter school/program application that demonstrated how the proposed charter school/program was able to meet or exceed the results under the current standards. Include how the variance was workable and educationally sound.
    - i. The graphic below describes the program outcomes outlined in the original charter application.



ii. The following were specific goal areas for implementation that were stipulated in our original charter application:

1. *Competency Based Education*: Bridger will implement a competency based pathway to graduation. A generally accepted definition of a competency 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.
2. *Assessment & Accountability*: In order to ensure learners graduate College and Career ready, Bridger will implement a system of assessment in order to monitor individual learner growth and achievement, evaluate the quality and efficacy of the program, and provide transparency to all stakeholders.
3. *Climate & Culture*: Bridger will create a safe, supportive, engaging and healthy school environment that promotes collegial relationships among students, parents/guardians, and staff.

iii. Variance to standard description: In our initial application we described the implementation of a competency-based approach to credit attainment. Students achieve credit based on competency in a particular curriculum area rather than seat time. Our model has proven effective as we are seeing more students attaining credit and progressing through with a better understanding of the curriculum. However, the implementation of this model did not require any variance to rule.

#### b. How were these goals and objectives met or exceeded?

- i. Progress towards program goals were met by a shared leadership model with the Bridger staff and community. Each fall staff met to identify specific focus areas and develop action plans related to those areas. Staff met multiple times each month to assess implementation. In addition, in Fall 2019, BSD7 implemented the creation of a part-time teacher leader position for the program, which allows for more time dedicated solely to expansion of the charter’s goals and principles.



ii. The following provides a summary of how program goals were met:

1. *Competency Based Education*: Staff implemented this approach in 5 curricular areas and one elective. Students can access this approach in their core classes and one elective area. Other elective areas are taken outside the Bridger program. Bridger is a school within a school model.
2. *Assessment and Accountability*: The Bridger staff and students are accessing the Summit program to help coordinate assessment and provide consistency. Implementation of this program was a significant progress goal set by the staff and accomplished in the Fall of 2017. (The Summit Learning Platform is a free online tool that helps students track progress towards their short and long-term goals, learn content at their own pace and reflect on their learning with mentors. It allows teachers to customize instruction to meet their students' individual needs and interests and supports stronger relationships between teachers and students. The platform is available for free to schools through the Summit Learning Program (now T.L.P Education)
3. *Climate and Culture*: The following steps have been taken to help focus the program and encourage positive culture and climate:
  - a. a comprehensive school counseling program that supports social/emotional, academic, and career planning programs;
  - b. advisory program focused on behavior, social, emotional, and career readiness competencies; note that this advisory program has transitioned into a 1:1 mentoring program for more hands-on care individualized to each student
  - c. trauma-informed prevention and intervention strategies; d. family outreach; and
  - e. small student to teacher ratio (goal of 15:1 - Current ratios are not yet at the anticipated goal for all courses, though they reach the goal in many.).

iii. In terms of variances, we have not yet found a specific variance request necessary for our program based on the goals listed in the initial application. In our more recent reflections and student, staff, and public meetings, we have determined that we are ready to further develop the program through additional goals as soon as normal school conditions return.

1. With the addition of the part-time teacher leader position to the program in the 2019-2020 school year, stakeholders are optimistic that faculty will be able to manage more ambitious program goals moving forward.
2. The program's focus since Spring 2020 necessarily pivoted to more immediate student needs due to COVID-19, and thus our program has spent more time on Climate and Culture and Community Involvement (3.a.i), letting them take precedence over more specific program expansion for the time being.
3. In our meetings this year related to charter renewal, staff and stakeholders agreed upon specific areas for improvement in the near future that will likely require future variance requests. We did not feel ready to implement these goals immediately but will work toward their further development after returning to normal school conditions. The goals we will focus on are the following: Opportunities for Students (more elective offerings), Lifelong Learning (post-high school transition planning and opportunities), and Flexibility (scheduling individualized to student needs, and blended learning opportunities). One of the variance

requests we consider likely in the implementation of these goals is 10.55.708 (1), but we want to develop a clearer set of goals before requesting such a variance of both the Board of Trustees and OPI.

**c. Provide a summary of the evidence of data gathered to demonstrate that the charter school/program meets or exceeds results that could have been achieved under the established standards.**

- i. Enrollment: The Bridger program currently serves approximately 88 students, which includes many 9th and 10th graders. Enrollment has been slightly lower for the 2020-21 school year, which we believe is due to a combination of the Bozeman School District splitting into two high schools (2020-21 school year) as well as the complexities of registration due to that split and COVID-19. We anticipate continued growth as these additional factors fade. The current breakdown by grade level is as follows: 9th:21, 10th:17, 11th:27, and 12th:23, with roughly  $\frac{1}{3}$  of our students zoned for Gallatin High School, and  $\frac{2}{3}$  zoned for Bozeman High School.
- ii. The established standard for credit attainment is based on seat time and passing grades. The Bridger standard is not based on seat time but requires mastery in content prior to credit attainment. An implementation concern was that more students would fall behind in credit attainment as the standard for mastery was higher than just a passing grade. We have not seen a difference in the students falling behind in credit attainment as compared to our non-Bridger students. In fact the majority of Bridger students are on track to attain credit, which is particularly impressive during the complex nature of both blended and remote learning during the Spring 2020 and 2020-2021 school year.
- iii. The established standard for graduation is 8 semesters. As the Bridger standard is not based on seat time, an implementation concern was that some students would believe that the program standards were easier and would sign up to try and get through coursework faster. We continue to see a handful of students finishing coursework and graduating early, but these are relegated to students who have developed individualized plans for faster completion through extensive effort, determination, and strong base skills. Our early graduates are comparable to the number we are seeing in our non-Bridger students. Anecdotally, we have heard from students that the Bridger competency based model is not easier as it requires more self-discipline.
- iv. Regarding school culture and climate, we continue to develop our nurturing and welcoming environment.
  1. In a staff meeting held October 14, 2020, staff agreed that our mentoring program has had a significant positive impact on the student body in terms of their behavioral, social, emotional, and academic success. We also agreed that, while staff had trauma-informed practices training, we would benefit from further trauma and LGBTQ-informed professional development.
  2. Oral surveying of the student population during student community meetings showed mixed feelings about mentoring. While all students appreciated it, those with higher needs or greater anxiety were more likely to show true need for the program.

3. Prior to remote and blended learning accommodations due to COVID-19, attendance remained an issue for some students within the program, though these concerns were mostly isolated to students for whom attendance was also an issue before their transfer into the BCA program. BCA staff sees this as a continued area for growth, likely through accessing more support resources outside the program itself.

**d. What evidence do you anticipate will be collected for the renewal applications' goals / objectives?**

- i. Evidence in the areas of program effectiveness will continue to be collected in the three major goal areas:
  1. Competency-based approach - through further development in conjunction with The Learning Platform and its provided curricular and program supports
  2. Assessment and Accountability with regard to credit attainment and student academic progress, as well as through regular norming of rubric usage within The Learning Platform used in all core BCA courses
  3. Culture and Climate - through continued community meetings, surveys, and other opportunities for direct student and stakeholder input
- ii. We will also begin collecting preliminary data related to our anticipated future goals, for purposes of specifying the direction of our goals and the nature of our variance request(s).
  1. Opportunities for Students - through student and staff surveys, as well as collecting data to back up our anecdotal evidence that Bridger students often struggle with elective credits more than core credits because elective courses are only offered in the traditional setting.
  2. Lifelong Learning - through surveys as well as research from other schools offering transitional training, particularly credit-bearing opportunities; also, discussions/surveys of local community resources
  3. Flexibility - through surveys as well as research from other schools offering transitional training, particularly credit-bearing opportunities; also, discussions/surveys of local community resources

**e. After reflection of the evidence/data gathered on the initial variance, what is the status of your renewal application?**

- i. Continue with current goals and objectives, and make plans for additions to these goals based on the new key rooms for growth determined in most recent meetings: Several meetings have been held with the Bridger community to assess implementation and next steps. We feel that data supports our success with Competency Based Education, Assessment and Accountability, and Climate and Culture. While we want to continue to develop these areas, we also want to improve in the following areas, based on our original framework (3.a.i): Opportunities for Students, Lifelong Learning, and Flexibility.
- ii. Program goals for initial application and this renewal:
  1. Competency Based Education: Bridger will implement a competency based pathway to graduation. A generally accepted definition of a competency 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.

2. **Assessment & Accountability:** In order to ensure learners graduate College and Career ready, Bridger will implement a system of assessment in order to monitor individual learner growth and achievement, evaluate the quality and efficacy of the program, and provide transparency to all stakeholders.
3. **Climate & Culture:** Bridger will create a safe, supportive, engaging and healthy school environment that promotes collegial relationships among students, parents/guardians, and staff.

iii. Tentative program goals for future renewal and/or variance requests:

1. **Opportunities for Students:** Bridger will offer students elective opportunities within the program that meet their interests, future college and career goals, and graduation requirements.
2. **Lifelong Learning:** Bridger will prepare every student for future college and career opportunities through post-high school transition programming, mentoring, and student-appropriate elective and blended learning opportunities.
3. **Flexibility:** Bridger will accommodate individual student scheduling needs and provide blended learning opportunities in order to work for all student needs and interests.

**4. A school district proposing a charter school/program shall, at a minimum, provide evidence that the district will continue to guarantee the following assurances.**

**a. School district governance and control of the charter school**

- i. As evident in agenda and minutes of the public BCA meetings and public meetings of the Board of Trustees (See Appendix A & B) this charter renewal application has been approved by our Board with the expectation that Bridger will be under the governance and control of the Bozeman School District and the locally elected Trustees.

**b. Unrestricted, open student access**

- i. All high school age students who reside in the Bozeman School District, regardless of whether zoned for Gallatin or Bozeman High School, will have access to the program as per district enrollment policy.
- ii. All enrollment is dependent on space available and staffing timelines. Staffing levels are based on student enrollment requests. Final staffing allocation is determined in July for the subsequent school year. There will be enrollment caps and deadlines based on staffing allocation.
- iii. Working in conjunction with Bozeman High School and Gallatin High School, Bridger will provide all related educational services (i.e. special education, 504, ELL) to serve the needs of all students who may be interested in enrolling in Bridger.

**c. Compliance with all health and safety laws**

- i. **Facilities:** For the immediate future, Bridger will be co-located on the campus of Bozeman High School. As such it will be compliant with all state and federal health and safety laws as they relate to school facilities.
- ii. **Services to students:** Bridger will receive support services from Bozeman High School. Any required health or safety needs for students will be provided by the Bozeman School District.

**d. Teacher licensure and endorsement to the same extent as required or provided by state law or accreditation standards.**



- i. All Bridger teachers and support staff are employed by the Bozeman School District. As such they meet appropriate District standards and possess appropriate licensure as required under Montana Accreditation Standards.

**e. Employee collective bargaining to the same extent as required or provided by state law**

- i. As employees of the Bozeman School District, all teachers and support staff are covered by local collective bargaining agreements and all have the opportunity to participate in the development and ratification of these agreements.

**f. A plan for consideration of input by community members and staff as the formation and implementation issues. Consideration of input may be identified by formation of advisory committees involving staff and/or community members, conduct of a properly noticed public meeting for purposes of comment on the formation or operation of the charter school, or any other reasonable means that result in an opportunity for input by staff and community members prior to a decision of significant interest to the public regarding the formation or operation of the charter school.**

- i. Much like the original charter application, the Bozeman School District is committed to consideration of public input on program development and implementation.
  - 1. The program implementation and renewal for this charter was discussed at three publicly noticed meetings (Appendix A) as well as numerous meetings with staff.
  - 2. Program implementation and possible areas for improvement are monitored through staff and student community meetings and surveys.
  - 3. Moving forward, staff will continue to involve community partners in the development and implementation of strategies to meet program goals.

## **APPENDIX A: MEETING MINUTES - PLANNING (NOV 10, DEC 1, DEC 14)**

### **i. PUBLIC MEETING NOVEMBER 10, 2020**

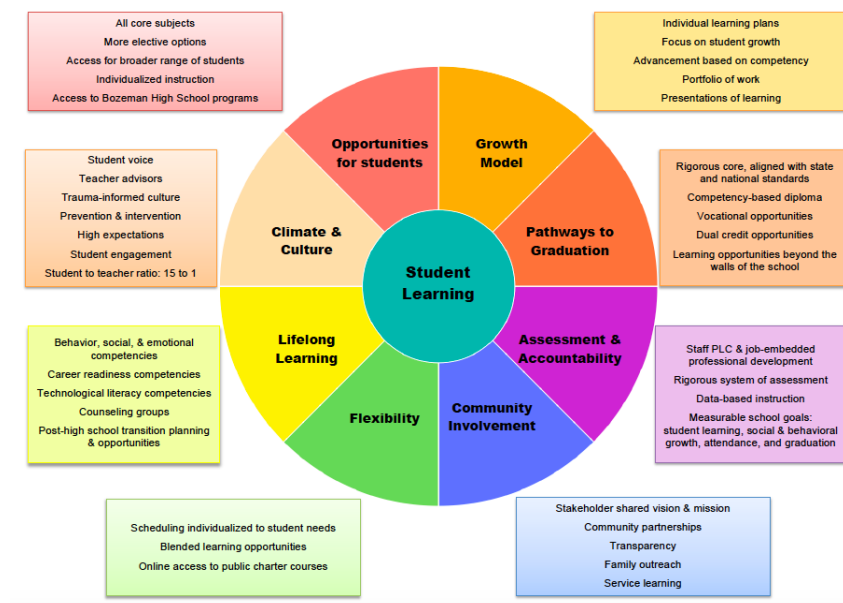
INVITED: Current staff, students, families, all other public

STAFF PRESENT: Caitlin Skinner (BCA teacher leader), Dacia Luedtke (BCA school counselor), Dan Mills (BHS School Principal), Erica Schnee (GHS School Principal)

OTHERS PRESENT: Marilyn King (BSD7 Deputy Superintendent), approx. 5 members of public

- Why did we become a charter?
  - Reasons: Establish ourselves as a lasting, necessary program within the Bozeman School District.
  - Potential for variances to accreditation rules if they impeded on best practices for our students. *We will continue with this step now that the district has invested in a teacher leader position for the program.*
- Bridger Core Beliefs
  - That all students can learn and thrive;
  - That students may need a different approach to attain the academic, social, and emotional skills necessary for their success;
  - That proficiency in rigorous academic standards and cognitive skills is necessary for great success;
  - That learning is an active collaboration between learners, teachers, families, and community;
  - That learning is a lifelong process with intrinsic value and relevant to all life experiences;
  - That we have a responsibility to our community to be the best we can be;

- That students learn best in a respectful, stable, inclusive, and flexible environment;
- That any student who is in trouble or in crisis needs our help and support in continuing to work toward success; and
- That the individual and group are responsible to provide community service for the betterment of all.
- **Bridger Design Goals**
  - Lower student/staff ratio
  - Carefully selected staff members who are highly trained in competency-based education
  - Strong relationships with community and collaborating agencies that provide critical services to young people
  - Competency-based curriculum that measures progress by individual student improvement rather than through comparison to others
  - Educational culture focused on fostering relationships and inclusion
  - Ongoing professional collaboration among staff, focused on continuous improvement and student growth
  - An online platform (Summit) to increase access to and flexibility in our academic programming
- **Bridger Faculty, Classes, and Community**
  - Trauma-informed practices, daily fresh slate
  - Competency-based curriculum tailored to individual needs, skill-levels, and proficiencies
  - Community outreach and activities
  - Holistic teaching: provide safe space, support emotional needs, & develop strong relationships for sake of academic success
- **A Charter Program within a School**
  - Same core purpose: To inspire students to thrive in school and throughout life
  - Same standards, as established by our departments.
  - It just looks different. (Proficiency-Based Education): Mentoring, Focus Areas, Projects
- **Conclusion**
  - We're not a solution to education, and we're not better or worse than traditional Bozeman courses; we're just meeting student needs from a different angle.
- **Long Term Vision**



- **Questions/Comments**

- Need opportunities for more electives and more community involvement.
- Need classes and training that help students prepare for “real world”
- Need continued trauma-informed and LGBTQ training for teachers

## ii. PUBLIC MEETING DECEMBER 1, 2020 - Future students, families, and other public

INVITED: Current staff, interested students, families, all other public

STAFF PRESENT: Caitlin Skinner (BCA teacher leader), Dacia Luedtke (BCA school counselor), Dan Mills (BHS School Principal)

OTHERS PRESENT: Marilyn King (BSD7 Deputy Superintendent), approx. 12 members of public

- BCA might be right for you if...
  - You enjoy working independently on a regular basis with teacher support when needed and/or requested
  - You prefer and/or would benefit from a smaller classroom setting
  - You prefer and/or would benefit from frequent 1-on-1 interaction with teachers
  - You would like to be a part of smaller community within the large high school
  - You have significant social/emotional considerations that can be best supported in the environment described above
  - You would benefit from the competency-based model because they need or want to work at a slower or faster pace
  - You would benefit from relationships with Bridger teachers and staff formed through community activities and the mentoring program
- A School within a School
  - Same core purpose: To inspire students to thrive in school and throughout life
  - Same standards, as established by our departments.
  - It just looks different. (Proficiency-Based Education): Mentoring, Focus Areas, Projects
- To receive credit in a course
  - Complete All Projects
    - Proficient in most standards assessed in each project
    - Able to revise until proficient
  - Complete all Focus Areas
    - 8/10 on every focus area assessment
    - unlimited retakes on assessments (new test each time)
  - “Incomplete” in PowerSchool until these goals are met
- 1:1 Mentoring for every student
  - Focus on the 16 habits of mind in five categories
    - Independence and sustainability
    - Perseverance
    - Mindsets for self and school
    - School readiness
    - Healthy development

- Bridger Faculty, Classes and Community
  - Trauma-informed practices, daily fresh slate
  - Competency-based curriculum tailored to individual needs, skill-levels, and proficiencies
  - Community outreach and activities
  - Holistic teaching: provide safe space, support emotional needs, & develop strong relationships for the sake of academic success
- Current freshmen classes available
  - English I
  - GeoPhysical Science
  - World Geography
  - Algebra 1 or Geometry
  - Health Enhancement
  - Art Foundations
- To register for BCA Classes
  - Indicate “BCA” on your registration sheet next to the course title
  - You must register for at least 2 academic classes in Bridger (Art and Health Enhancement are not considered academic classes)
- Questions/Comments
  - Can I mix and match BCA and non-BCA? *Yes*
  - How does it work with IEPs? *Each is different. We want to make sure it is the right fit so student is getting enough support in every setting. Meet with counselor and teacher leader before registering*
  - Can I join as a sophomore/junior? *Of course. You can come and go within the program based on needs and interests, depending on course availability.*
  - How do I join as a GHS student? *The easiest way is to take all of your classes at BHS. You will still be registered as GHS student for certain purposes, though.*

### **iii. PUBLIC MEETING DECEMBER 14, 2020 - Board of Trustees meeting, all public**

### **APPENDIX B: MEETING MINUTES, APPLICATION ADOPTION (January 11, 2021)**





**Meeting Date:** January 11, 2021

**Category:** Action Item - Consent - Both Districts

**Agenda Item #:** 4.4.1

**Originated By:** Pat Strauss, Director of Human Resources

**Others Involved:** \_\_\_\_\_

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Consider Approval of Personnel Actions.

**Facts:**

As per [MCA 20-3-324 -- Powers and Duties of Trustees --](#) the trustees of each district shall employ or dismiss personnel considered necessary to carry out the various services of the district.

**Fiscal Impact:**

Noted on report

**Recommendation:**

It is recommended the Board of Trustees is requested to employ, dismiss, or accept the resignations of those noted on the Personnel Action Report.

**Other Alternatives:**

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

**Bozeman Public Schools  
Human Resources**

January 11, 2021

**REQUIRES BOARD ACTION**

**Confirmation of Employment (Certified)**

Name	Position	Level/Step	Effective	Salary
Aamot, Mark	MS Teacher, 1.0 FTE, SMS	BA, Step 1	1/4/2021	\$24,498.10
Brummit, Amy	Librarian, 1.0 FTE, SMS	BA(M)+75, Step 5	1/4/2021	\$34,003.25
Hampton, Carly	MS Teacher, 1.0 FTE, SMS	BA, Step 1	11/23/2020	\$28,354.28
McCallum, Madison	MS Teacher, 1.0 FTE, SMS	BA, Step 1	11/23/2020	\$28,354.28

**Confirmation of Employment (Classified)**

Name	Position	Level/Step	Effective	Hourly Rate
McDonald, Abigail	Discretionary Self Contained PARA, .50 FTE, IRVG, 9.25 mos.	D01	12/10/2020	\$13.71
Smith, Stanford	Custodian, .50 FTE, WHIT, 12 mos.	G05	12/9/2020	\$17.91

**Confirmation of Request for Leave of Absence (Certified)**

Name	Position	Reason	Effective Dates
Jakovac, Cheri	Elementary Teacher, 1.0 FTE, MOST	LOA	11/19/20 - 1/22/21
Warn, Elaine	English Teacher, 1.0 FTE, GHS	Intermittent FMLA	10/5/20 - 3/22/21

**Confirmation of Request for Leave of Absence (Classified)**

Name	Position	Reason	Effective Dates
Jackson, Lee Ann	Self Contained PARA, .50 FTE, SMS, 9.25 mos.	LOA (Correction to end date)	8/31/20 - 6/10/21
Powers, Shelle	Elementary PARA, .5375 FTE, EMDI, 9.25 mos.	LOA (Correction to end date)	8/31/20 - 6/10/21

**Confirmation of Resignations/Terminations (Certified)**

Name	Position	Reason	Effective	Years of Service
Lollis, Brennan	SPED Teacher, 1.0 FTE, BA(M)+60, Step 18, \$34,137.08, BHS	Retirement	1/22/2021	14.5

**Confirmation of Resignations/Terminations (Professional)**

Name	Position	Reason	Effective	Years of Service
Granberg, Kari	Assistant to Deputy Superintendent of Curriculum and Technology, 1.0 FTE, Non Unit, \$23.00/hr., ASPT, 12 mos.	Resignation	1/4/2021	2.1

**Confirmation of Resignations/Terminations (Classified)**

Name	Position	Reason	Effective	Years of Service
Hewitt, Jade	Self Contained PARA, .875 FTE, D01, \$13.71/hr., BHS, 9.25 mos.	Resignation	12/22/2020	3.8 mos.

**REPORT OF ADMINISTRATIVE ACTIONS**

**Changes and Revisions in Contracts (Classified)**

Name	From	To	Effective	Reason
Erickson, Katherine	SPED Resource PARA, .5313 FTE, Transportation PARA, .0833 FTE, Discretionary PARA, .2187 FTE, B12, \$15.58/hr., Self Contained PARA, .0313 FTE, D12, \$16.96/hr., HAWT, 9.25 mos.	SPED Resource PARA, .5313 FTE, Transportation PARA, .1149 FTE, Discretionary PARA, .2187 FTE, B12, \$15.58/hr., Self Contained PARA, .0313 FTE, D12, \$16.96/hr., HAWT, 9.25 mos.	1/4/2021	Increase in FTE/Hrs.

**Bozeman Public Schools  
Human Resources**

January 11, 2021

**REPORT OF ADMINISTRATIVE ACTIONS (con't)**

**Changes and Revisions in Contracts (Classified) (con't)**

<b>Name</b>	<b>From</b>	<b>To</b>	<b>Effective</b>	<b>Reason</b>
Gillett, Sarah	Discretionary PARA, .375 FTE, B05, \$13.48/hr., MDLK, 9.25 mos.	Discretionary PARA, .375 FTE, B05, \$13.48/hr., Overflow PARA, .375 FTE, Non Unit, \$12.48/hr., MDLK, 9.25 mos.	1/4/2021	Additional Assignment, Increase in FTE/Hrs.
Grote, Leanne	Transportation PARA, .050 FTE, Discretionary PARA, .50 FTE, B06, \$13.95/hr., MDLK, 9.25 mos.	Transportation PARA, .050 FTE, Discretionary PARA, .50 FTE, B06, \$13.95/hr., Overflow PARA, .325 FTE, Non Unit, \$12.48/hr., MDLK, 9.25 mos.	1/4/2021	Additional Assignment, Increase in FTE/Hrs.

**Stipends - Extracurricular**

<b>Name</b>	<b>Authorized Position</b>	<b>Stipend</b>	<b>Level</b>	<b>Effective</b>
Boling, Augustus	Speech & Debate - Asst. Coach - GHS	\$3,915.00	3	9/28/20 - 2/20/21
Bradbury, Glenn	Club - Engineering/TSA - GHS	\$2,100.00	5	2020-2021
Bridwell, Jourdan	Club - Prom Advisor - BHS/GHS (Longevity)	\$736.32	7	2020-2021
Brown, Pam	Club - Student Council & Class Advisor - BHS (.50)	\$1,050.00	5	2020-2021
Brown, Pam	Club - All Class Advisor - BHS (.50)	\$668.00	6	2020-2021
Cobb, Kerri	Club - SAGA Co Advisor - GHS (.50)	\$668.00	6	2020-2021
Corcoran, Kerry	Club - Art - Head - BHS (.50)	\$1,573.50	4	2020-2021
Curey, Colter	Club - Art - Head - GHS	\$3,147.00	4	2020-2021
Curey, Tanner	Club - DECA/BPA Director - BHS	\$3,147.00	4	2020-2021
Donahoe, Emily	Club - HAWK Talk (Longevity)	\$4,071.60	3	2020-2021
Drahos, Dawn	Club - HOSA - GHS (Longevity)	\$2,184.00	5	2020-2021
Fletcher, Dane	Fall Weight Room Supervisor - GHS	\$2,100.00	5	8/15/20 - 11/23/20
Fletcher, Dane	Winter Weight Room Supervisor - GHS	\$2,100.00	5	11/24/20 - 3/12/21
Ganey, Joel	Soccer - Girls - Head Coach - GHS	\$3,915.00	3	8/13/20 - 11/21/20
Geissler, Jamie	Club - Project X^2 - Co Advisor - GHS (.50)	\$668.00	6	2020-2021
Gilmartin, Siobhan	Swimming - Head Coach - BHS/GHS (Level 3 + \$500)	\$4,415.00	3	11/19/20 - 3/14/21
Gutzman, Dan	Club - Science & Science Olympiad - GHS (Longevity)	\$2,268.00	5	2020-2021
Hanks, Britta	Club - German - GHS (Longevity)	\$1,442.88	6	2020-2021
Harper, Noelle	Club - SAGA Co Advisor - GHS (.50)	\$668.00	6	2020-2021
Hoffman, Patrick	Club - Art - Asst. Coach - BHS (.50) (Longevity)	\$754.84	6	2020-2021
Johnson, Nate	Club - All Class Co Advisor - GHS (.50)	\$668.00	6	2020-2021
Johnson, Nate	Club - Student Council Co Advisor - GHS (.50)	\$1,050.00	5	2020-2021
Knodel, Shannon	Club - HOSA - BHS	\$2,100.00	5	2020-2021
Kreitinger, Leah	Club - National Honor Society - GHS	\$1,336.00	6	2020-2021
Krogstad, Joanna	Club - FCCLA - BHS	\$2,100.00	5	2020-2021
Maxwell, James	Club - National Honor Society - BHS (Longevity)	\$1,389.44	6	2020-2021
McHugh, Joseph	Club - Spanish Co Advisor - GHS (.50) (Longevity)	\$694.72	6	2020-2021

**Bozeman Public Schools  
Human Resources**

January 11, 2021

**REPORT OF ADMINISTRATIVE ACTIONS (con't)**

**Stipends - Extracurricular (con't)**

<b>Name</b>	<b>Authorized Position</b>	<b>Stipend</b>	<b>Level</b>	<b>Effective</b>
McKelvy, Kevin	Club - German - BHS	\$1,336.00	6	2020-2021
McKiernan, Stacie	Club - Hawk/Raptor Theater Company - Head - BHS/GHS (Longevity)	\$3,398.76	4	2020-2021
McKinney, Kori	Winter Cheer - Asst. Coach - BHS (.50) (Longevity)	\$1,636.44	4	11/19/20 - 3/14/21
Mehr, Brad	Club - DECA - GHS (Longevity)	\$3,272.88	4	2020-2021
Moore, Johanna	Club - Aerie Yearbook - BHS	\$3,147.00	4	2020-2021
Motley, Megan	Club - Yearbook - GHS (Longevity)	\$3,272.88	4	2020-2021
Nagel, Jason	Club - MUN - Asst. Coach - BHS (Longevity)	\$1,389.44	6	2020-2021
Newman, Kyle	Club - All Class Co Advisor - GHS (.50)	\$668.00	6	2020-2021
Newman, Kyle	Club - Student Council Co Advisor - GHS (.50)	\$1,050.00	5	2020-2021
Pierre, Dana	Club - Spanish - BHS	\$1,336.00	6	2020-2021
Poeschl, Carl	Club - Engineering/TSA - BHS	\$2,100.00	5	2020-2021
Reynolds, Justin	Basketball - Girls - Asst. Coach - BHS	\$3,915.00	3	11/19/20 - 3/14/21
Rhyner, Lottie	Club - Student Council & Class Advisor - BHS (.50) (Longevity)	\$1,092.00	5	2020-2021
Rhyner, Lottie	Club - All Class Officer Advisor - BHS (.50) (Longevity)	\$694.72	6	2020-2021
Ringer, Bethany	Club - FCCLA - GHS	\$2,100.00	5	2020-2021
Scott, George	Club - Knitting (Longevity)	\$736.32	7	2020-2021
Searles, Fran	Swimming - Asst. Coach - BHS/GHS	\$3,147.00	4	11/19/20 - 3/14/21
Smith, Stacie	Club - Art - Head - BHS (.50) (Longevity)	\$1,636.44	4	2020-2021
Suarez, Katherine	Winter Cheer - Head Coach - GHS (.50) (Longevity)	\$2,863.00	2	11/24/20 - 3/12/21
Wallner-Drake, Amy	Club - MUN - Head - BHS (Longevity)	\$2,184.00	5	2020-2021
Worob, Sukha	Club - Art - Asst. Coach - BHS (.50) (Longevity)	\$694.72	6	2020-2021

**Stipends - Not Extracurricular**

<b>Name</b>	<b>Authorized Position</b>	<b>Stipend</b>	<b>Level</b>	<b>Effective</b>
Abrams, Danielle	Incentive for Substitutes who work 5 or more days for certified from 11/23/20 - 12/04/20	\$240.00		11/23/20 - 12/04/20
Bertram, Casey	Daily Stipend for serving as Co Interim Superintendent (Daily rate in addition to annual salary daily rate)	\$71.00		10/19/20 - TBD
Biggerstaff, Dan	Incentive for Substitutes who work 5 or more days for certified from 11/16/20 - 11/27/20	\$240.00		11/16/20 - 11/27/20
Cram, Nicole	Incentive for Substitutes who work 7 or more days for certified from 10/19/20 - 10/30/20	\$320.00		10/19/20 - 10/30/20
Darbro, Pat	Completion of 2nd Session of Driver's Ed Instruction (452 hrs. of student instruction)	\$1,000.00		2020-2021
Dralle, Barb	Travel Stipend - 3 sites	\$490.00		2020-2021
Drummond, Leslie	Incentive for Substitutes who work 6 or more days for certified from 11/16/20 - 11/27/20	\$280.00		11/16/20 - 11/27/20



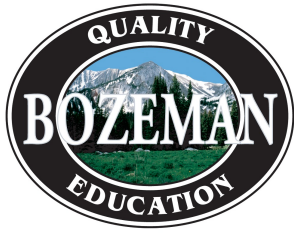
**Bozeman Public Schools  
Human Resources**

January 11, 2021

**REPORT OF ADMINISTRATIVE ACTIONS (con't)**

**Stipends - Not Extracurricular (con't)**

<b>Name</b>	<b>Authorized Position</b>	<b>Stipend</b>	<b>Level</b>	<b>Effective</b>
Evans, Charles	Incentive for Substitutes who work 5 or more days for certified from 11/16/20 - 11/27/20	\$240.00		11/16/20 - 11/27/20
Gaines, Kristi	National Board Certified - Teaching - MDLK	\$2,000.00		2020-2021
King, Marilyn	Daily Stipend for serving as Co Interim Superintendent (Daily rate in addition to annual salary daily rate)	\$71.00		10/19/20 - TBD
Krogstad, Joanna	Substitute Referral for Remington Frick	\$100.00		12/1/2020
Laslovich, Nate	Dean of Students - GHS	\$1,500.00		2020-2021
Maltaverne, Christine	Incentive for Substitutes who work 9 or more days for certified from 11/30/20 - 12/11/20	\$400.00		11/30/20 - 12/11/20
Maltaverne, Christine	Incentive for Substitutes who work 6 or more days for certified from 11/16/20 - 11/27/20	\$280.00		11/16/20 - 11/27/20
McComas, Leonard	Incentive for Substitutes who work 5 or more days for certified from 11/16/20 - 11/27/20	\$240.00		11/16/20 - 11/27/20
McKiernan, Stacie	Travel Stipend - 2 sites	\$325.00		2020-2021
Nash, Steve	Substitute Referral Bonus for Kaely Langton	\$100.00		12/7/2020
Nash, Steve	Substitute Referral Bonus for Finn Vaughankraska	\$100.00		12/7/2020
Neely, Carl	Dean of Students - BHS	\$1,500.00		2020-2021
Nielson, Emma	Incentive for Substitutes who work 6 or more days for certified from 11/16/20 - 11/27/20	\$280.00		11/16/20 - 11/27/20
Schofield, Victoria	Incentive for Substitutes who work 6 or more days for certified from 11/16/20 - 11/27/20	\$280.00		11/16/20 - 11/27/20
Seitz, Laura	Incentive for Substitutes who work 5 or more days for certified from 11/16/20 - 11/27/20	\$240.00		11/16/20 - 11/27/20
Smith, Julie	Custodian Referral Bonus for Stanford Smith	\$100.00		12/9/2020
Stanionis, Crystal	Incentive for Substitutes who work 5 or more days for certified from 11/16/20 - 11/27/20	\$240.00		11/16/20 - 11/27/20



<b>Meeting Date:</b>	January 11, 2021
<b>Category:</b>	Action Item - Consent - Both Districts
<b>Agenda Item #:</b>	4.4.2
<b>Originated By:</b>	Mike Waterman, Director of Business Services
<b>Others Involved:</b>	R.J. Tvedt, Accounting Supervisor Brenda Livingston, District Bookkeeper

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Consider approval of [Financial Reports](#), Warrant Approval (included separately), and [Donations](#).

**Facts & Discussion:**

This monthly update on the fiscal business of the District is designed to provide Trustees and the public with up-to-date and timely information on revenue and expenditures, fiscal operations, and the overall financial position of the Bozeman Public Schools. Included with this report is a breakdown of district invested funds. Any time there is a transfer in these funds, the activity is included as a part of this report.

The Warrant Registers and Bank Reconciliations are available in the Business Office, and have been sent to the Trustees. December 2020 warrants are as follows: Operational warrants were \$4,657,836.10; net Payroll, taxes and deductions were \$6,011,995.67; Total warrants disbursed for December 2020 were \$10,669,831.77.

Investment of District Funds in accordance with State law as of:	<u>Oct 31, 2020</u>	<u>Nov 30, 2020</u>
Gallatin County Investment Pool	\$61,200,669.36	\$59,418,640.74
High School Building Bond Funds (Cetera)	1,301,657.97	400,239.97
Nonexpendable Endowment (D.A. Davidson)	855,667.98	919,942.30
High School Extracurricular Clubs (First Interstate)	454,465.78	448,939.51
Middle School Extracurricular Clubs (First Interstate)	<u>93,605.97</u>	<u>88,746.20</u>
Total District cash and investments	<u>\$ 63,906,067.06</u>	<u>\$61,276,508.72</u>

**Fiscal Impact:**

Refer to attached reports

**Recommendation:**

It is recommended the Board of Trustees approve the Financial Reports, Warrants (included separately), and Donations.

**Other Alternatives:**

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



<b>Meeting Date:</b>	January 11, 2021
<b>Category:</b>	Action Item - Consent - Both Districts
<b>Agenda Item #:</b>	4.4.3
<b>Originated By:</b>	Todd Swinehart, Director of Facilities
<b>Others Involved:</b>	Matt Stark, Facilities Project Manager

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Consider Approval of the 2021 District Wide [Capital Improvements Projects](#).

**Facts & Discussion:**

1. In May 2016, voters approved a six-year building reserve levy of \$1.65M/year in the High School District that expires in 2022.
2. In May 2019, voters approved a six-year building reserve levy of \$2M/year in the Elementary District that expires in 2025.
3. Where the project cost is estimated to be less than \$80,000, Administration proceeds to complete such products in accordance with District procurement policies.
4. Where the project cost is estimated to be \$80,000 or greater, a second approval by the Board is required prior to award of contract or issuance of a purchase order following bidding.
5. In the Fall of 2020 Facilities met with Principals/staff of schools, Willson Auditorium and Support Services to discuss maintenance project requests for potential funding from the Building Reserve Funds in 2021.
6. Field inspection details from the District's updated Facility Condition Inspection (FCI) were reviewed for high-priority deficiencies that should be incorporated into these capital project recommendations. This inspection was recently completed in summer 2018.

Expected proceeds other than Building Reserve funds are shown under the "Other Funds" column, such as grants and donations.

The attached [Capital Project Spreadsheet](#) outlines the funding allocation for all schools. The spreadsheets where projects recommended to be accomplished are highlighted. Also, a Facility Condition Inventory (FCI) code has been assigned to each item as a means of identifying the deficiency category relative to other projects if applicable. This is not an indication that these items were identified on previous District FCI's. The codes are as follows:

- 1 – Code/Life Safety – Immediate threat to life safety or building integrity
- 2 – Damage/Wear out – Worn out, difficult to operate/service
- 3 – Codes and Standards – Systems not in code compliance and not grandfathered
- 4 – Environmental – Failures affecting the indoor environment
- 5 – Energy – Energy conservation
- 6 – Aesthetics

Project priorities are relative with respect to ability to sort them and represent as best as possible, within available funding, the priorities obtained during discussions with school principals or building managers. Also included on the spreadsheet are projects/items identified that will be accomplished by other funds than Building Reserve. These

are shown for completeness so there is an overall picture of which projects/items will be acted upon and which will be deferred.

The spreadsheet also lists a number of projects for which grant funds have been obtained or requested. The District continues to seek alternative funding to supplement the Building Reserve funds to accomplish school improvements.

The recommended projects for 2021 were influenced by facility inspection results, maintenance needs, requested user improvements and available budget.

A portion of building reserve funds has been allocated to offset a portion of the Bozeman High School renovation project as certain portions of this work had been previously identified as deferred maintenance items.

**Fiscal Impact:**

Estimated \$2,568,750 Elementary Building Reserve and \$6,703,750 High School Building Reserve.

**Recommendation:**

It is recommended that the Board of Trustees approve the [2021 Capital Improvement Projects](#) allocation as presented.

**Other Alternatives:**

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





Meeting Date:	January 11, 2021
Category:	Discussion - Policy 1st Reading
Agenda Item #:	5.1.1
Originated By:	Pat Strauss, Director of Human Resources
Others Involved:	MTSBA; Trustee Willett

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Discuss suggested revisions to Policies - #5000 Series.

**Discussion:**

1. The policy revisions were developed by the Montana School Boards Association in collaboration with District Administrators.
2. The policy revisions as written are more succinct and reflect current practice.
3. The policy revisions will appear on the January 25, 2021 Consent Agenda for final consideration and approval.

**Bozeman Public Schools District Board of Trustees**  
**Policy Review and Revision**  
**Summary of Policy Series 5000 – Personnel**

**R** = *Required*

**REC** = *Recommended*

**OP** = *Optional*

Existing Policy	Proposed Policy	Status		Kris Goss Notes	District Comments and Recommendations
5000			Goals	No Longer Needed	<b>Delete</b> PS – Agree with Change
	5002	<u>R</u>	Accommodating Individuals With Disabilities and Section 504 of the Rehabilitation Act of 1973		<b>New</b> PS-Adopt New Policy
5010	5010	<u>R</u>	Equal Employment Opportunity and Non-Discrimination		<b>Revised</b> PS-Adopt Revised Policy
5015	5015	<u>REC</u>	Bullying/Harassment/Intimidation		<b>No Change</b> PS-Agree with Policy
5021	5121		Applicability of Personnel Policies	Renumber combine into 5121	<b>Revised</b> PS-Agree with recommendations
5110	5120		Hiring Process and Criteria	Renumber to 5120	<b>Revised</b> PS-Agree with recommendations
5120	5120		Certification	Combine into 5120 revised	<b>Revised</b> PS-Agree with recommendations
5122	5122	<u>REC</u>	Fingerprints and Criminal Background Investigations	Revisions	<b>Revised</b> PS-Adopt as revised

	5125	<u>REC</u>	Whistle Blowing and Retaliation		<b>New Policy</b> PS-Adopt new policy
5130	5130	<u>REC</u>	Staff Health	Revised	<b>Revised</b> PS-Accept revisions
5140	5140	<u>REC</u>	Classified Employment and Assignment	Revised	<b>Revised</b> PS-Accept revisions
5150			Definition of Classified Personnel	Review for Necessity	<b>Delete</b> PS-Not necessary
5210	5210	<u>REC</u>	Assignments, Reassignments, Transfers	Update Combine with 5211	<b>Revised</b> PS-Accept Revisions
5212			Involuntary Transfer and reassignment	Delete	<b>Delete</b> PS-Accept recommendation
	5213	<u>OP</u>	Vacancies		<b>Revised</b> PS-Accept Revisions
5214		<u>OP</u>	Job Sharing Staff Members	Review for accuracy.	<b>No Change</b>
5215			Supervision of Classified Personnel	Review for necessity. Delete	<b>Delete</b> PS-Not necessary
5220		<u>REC</u>	Prohibition on Aiding Sexual Abuse		<b>No Change</b>
5221		<u>REC</u>	Work Day		<b>No Change</b>
5222	5222	<u>R</u>	Evaluation of Certified and Classified Staff		<b>Revised</b> PS-Accept Revisions

5223	5223	<u>REC</u>	Personal Conduct	Revised	<b>Revised</b> PS-Accept Revisions
5224	5224	<u>REC</u>	Political Activity	Revised	<b>Revised</b> PS-Accept Revisions
5225			Tobacco	Replaced by 8225	<b>Delete</b> PS-Accept recommendation
5226	5226	<u>REC</u>	Drug-Free Workplace	Delete, Combine with 5227	<b>Delete</b> PS-Accept revisions
5227			Assistance Program	Combine with 5226	<b>Revised</b> PS-Accept revisions
	5228	<u>R</u>	Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers	Consider adopting if District has employed bus drivers	<b>Not Accepted</b> PS-No necessary at this time
	5230	<u>OP</u>	Prevention of Disease Transmission		<b>New</b> PS-Adopt Policy
5230	5231	<u>REC</u>	Personnel Records	Renumber	<b>Revised</b> PS-Accept revisions
	5232	<u>REC</u>	Abused and Neglected Child Reporting		<b>New</b> PS-Adopt policy
5240			Resolution of Grievances	Delete	<b>Delete</b>
5250	5250	<u>REC</u>	Termination from Employment/Non-Renewal of Employment	Update. Portions moved to 5500.	<b>Revised</b> PS-Accept Revisions



5251	5251	<u>OP</u>	Resignations (Release from contract)	Update. Combine with current 5253/5252P	<b>Revised</b> PS-Accept Revisions
5252			Resignations	Delete	<b>Delete</b>
5253			Retirement Programs		<b>No Change</b>
	5254	<u>REC</u>	Payment of Employer Contributions and Interest on Previous Service		<b>New</b> PS-Adopt Policy
5255	5255	<u>REC</u>	Disciplinary Action		<b>Revised</b> PS-Accept revisions
5256	5256	<u>REC</u>	Reduction in Force		<b>Revised</b> PS-Accept revisions
5257			Employee Assistance Program	Review for Accuracy	<b>No Change</b>
5309			Probationary Period	Combine with 5140. Delete	<b>Delete combine 5140</b> PS-Accept recommendations
5310			Compensation	Review for necessity.	<b>No Change</b>
5312			Military Credit	Review for accuracy and compliance with CBA	<b>No Change</b>
5314	5314	<u>REC</u>	Substitutes		<b>Revised</b> PS-Accept revisions
5315			Temporary Employees	Review for accuracy.	<b>No Change</b>

5320			FMLA	Renumbered at 5328	<b>Renumber</b> PS-Accept recommendations
5321	5321	<u>REC</u>	Leaves of Absence	Update. Combine 5325 and 5326	<b>Revised</b> PS-Accept recommendations
	5322	<u>REC</u>	Military Leave		<b>New</b> PS-Adopt Policy
5322			Sick Leave Bank	Delete. Combine 5321P	<b>Delete</b> PS-Accept Recommendations
5325			Civic Duty Leave	Delete. Combine 5321P	<b>Delete</b> Accept Recommendations
5324	5325	<u>R</u>	Breastfeeding Workplace	Renumber	<b>Renumber</b> PS-Accept Recommendation
5326			Personal Leave	Delete. Combine 5321	<b>Delete</b> PS-Accept Recommendation
5327			Extended Leave of Absence-Discretionary	Review for accuracy.	<b>No Change</b>
	5328	<u>R</u>	Family Medical Leave	Update. Renumber from 5320.	<b>Revised</b> PS-Accept recommendations
	5329	<u>REC</u>	Long-Term Illness/Temporary Disability Leave		<b>Revised</b> PS-Accept revisions
	5330	<u>REC</u>	Maternity	Adopt	<b>New</b> PS-Adopt Policy

	5331	<u>REC</u>	Insurance Benefits for Employees		No Change
	5333	<u>REC</u>	Holidays		Revised PS-Accept revisions
	5334	<u>REC</u>	Vacations		Revised PS-Accept revisions
	5336	<u>R</u>	Fair Labor Standards Act	Update. Combine from 5321.	Revised PS-Accept recommendations
	5337	<u>REC</u>	Workers. Compensation Benefits		No Change
	5338	<u>REC</u>	Payment of Interest on Employer Contributions for Workers' Compensation Time		New PS-Adopt policy
5340			Professional Development	Review for accuracy	No Change
5342			Incentive Award System	Review for accuracy	No Change
5343			Interview and Moving Expenses	Review for accuracy	No Change
5410			Substitutes	Review and renumber 5314	Delete-Renumber 5314
5420/542 OP	5420	<u>REC</u>	Paraprofessionals		Revised PS-Accept revisions

5430	5430	<u>REC</u>	Volunteers-Chaperones		<b>Revised</b> PS-Accept revisions
5440	5440	<u>REC</u>	Student Teachers/Interns		<b>No Change</b>
5450	5450	<u>REC</u>	Employee Use of Electronic Mail, Internet, Networks and District Equipment		<b>No Change</b>
5460	5460		Electronic Resources and Social Networking		<b>No Change</b>
	5500		Payment of Wages Upon Termination	Combine from 5250	<b>No Change</b>
5510	5510		HIPPA		<b>Revised</b> PS-Accept revisions
5630			Employee Use of Mobile Devices		<b>New</b> PS-Adopt Policy



Board Goal/Personnel

~~The human resources of the District are valuable and significant in creating an effective educational program and learning environment. Schools function most efficiently and successfully when highly-qualified individuals are employed to staff the needs of the District.~~

~~Opportunities for staff development should be provided periodically.~~

~~Supervision is a necessary ongoing function of the District's leadership. The Board seeks to promote an efficient and positive school climate in all educational endeavors, in order that students may work toward their greatest potential and the community will be proud of its investment.~~

~~Nothing contained in the policies or administrative procedures included herein is intended to limit or prevent the legal rights of the Board of Trustees or its agents.~~

## PERSONNEL

5002

*Accommodating Individuals With Disabilities and Section 504 of the Rehabilitation Act of 1973*

*It is the intent of the District to ensure that qualified employees with disabilities under Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate accommodations or other positive actions in assistance.*

*The District will not discriminate against a qualified individual on the basis of disability in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, or other terms, conditions, and privileges of employment.*

*The Superintendent is designated the Section 504 and Americans with Disabilities Act Title II Coordinator and, in that capacity, is directed to:*

- 1. Oversee District compliance efforts, recommend to the Board necessary modifications, and maintain the District's final Title II self-evaluation document and keep it available for public inspection.*
- 2. Make information regarding Title II protection available to any interested party.*
- 3. Coordinating and monitoring the district's compliance with Section 504 and Title II of the ADA, as well as state civil rights requirements regarding discrimination and harassment based on disability.*
- 4. Overseeing prevention efforts to avoid Section 504 and ADA violations by necessary actions, including by not limited to, scheduling Section 504 meetings, implementing and monitoring Section 504 plans of accommodation and providing information to employees and supervisors.*
- 5. Implementing the district's discrimination complaint procedures with respect to allegations of Section 504/ADA violations, discrimination based on disability, and disability harassment; and*

*Investigating complaints alleging violations of Section 504/ADA, discrimination based on disability, and disability harassment.*

*The District's procedure for resolution of complaints alleging violation of this policy is set forth in Policy 1700.*

*Cross Reference: 1700 Uniform Complaint Procedure*

*Legal Reference: Americans with Disabilities Act, 42 U.S.C. §§ 12111, et seq., and 12131, et seq.; 28 C.F.R. Part 35.*

*Policy History:*

*Adopted on:*

*Reviewed on:*

*Revised on:*

## PERSONNEL

5010

Equal Employment Opportunity, Non-Discrimination, and Sex Equity

The District will provide equal employment opportunities to all persons, regardless of their race, color, religion, creed, national origin, genetic information, sex, age, ancestry, marital status, military status, citizenship status, use of lawful products while not at work, physical or mental disability. The District will make reasonable accommodation for an individual with a disability known to the District, if the individual is otherwise qualified for the position, unless the accommodation would impose undue hardship on the District.

Inquiries regarding sexual harassment, sex discrimination, or sexual intimidation should be directed to the District Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both. The Board designates the following individual to serve as the District's Title IX Coordinator:

Title: Mr. Patrick Strauss, Director of Human Resources

Office address: 404 W. Main Street, Bozeman, MT 59715

Email: pat.strauss@bsd7.org

Phone number: (406) 522-6007

Inquiries regarding discrimination on the basis of disability or requests for accommodation should be directed to the District Section 504 Coordinator. The Board designates the following individual to serve as the District's Section 504 Coordinator:

Title: Mr. Chad Berg, Director of Special Education and Student Health

Office address: 404 W. Main Street, Bozeman, MT 59715

Email: chad.berg@bsd7.org

Phone number: (406) 522-6075

Any individual may file a complaint alleging violation of this policy, Policy 5012/5012P – Sexual Harassment, or Policy 5015-Bullying/Harassment/Intimidation/Hazing by following those policies or Policy 1700-Uniform Complaint Procedure.

The District, in compliance with federal regulations, will notify annually all students, parents, staff, and community members of this policy and the designated coordinator to receive inquiries. This annual notification will include the name and location of the coordinator and will be included in all handbooks.

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

All complaints about behavior that may violate this policy shall be promptly investigated.

Retaliation against an employee who has filed a discrimination complaint, testified, or participated in any manner in a discrimination investigation or proceeding is prohibited.

Legal Reference:

Age Discrimination in Employment Act, 29 U.S.C. §§ 621, et seq.  
Americans with Disabilities Act, Title I, 42 U.S.C. §§ 12111, et seq.  
Equal Pay Act, 29 U.S.C. § 206(d)  
Immigration Reform and Control Act, 8 U.S.C. §§ 1324(a), et seq.  
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, et seq.  
Genetic Information Nondiscrimination Act of 2008 (GINA)  
Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000(e), et seq.; 29 C.F.R., Part 1601  
Title IX of the Education Amendments, 20 U.S.C. §§ 1681, et seq.; 34 C.F.R., Part 106  
Montana Constitution, Art. X, § 1 - Educational goals and duties  
§ 49-2-101, et seq, MCA      Human Rights Act  
§ 49-2-303, MCA      Discrimination in Employment  
§ 49-3-102, MCA      What local governmental units affected  
§49-3-201, MCA      Employment of state and local government personnel.

Policy History:

Adopted on:

Reviewed on:

Revised on:



Bullying/Harassment/Intimidation

The Board will strive to provide a positive and productive working environment. Bullying, harassment, or intimidation between employees or by third parties, are strictly prohibited and shall not be tolerated. This includes bullying, harassment, or intimidation via electronic communication devices.

Definitions

- “Third parties” include but are not limited to coaches, school volunteers, parents, school visitors, service contractors, or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-District athletic competitions or other school events.
- “District” includes District facilities, District premises, and non-District property if the employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events, where the employee is engaged in District business.
- “Harassment, intimidation, or bullying” means any act that substantially interferes with an employee’s opportunities or work performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, or anywhere such conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member or an interference with school purposes or an educational function, and that has the effect of:
  - a. Physically harming an employee or damaging an employee’s property;
  - b. Knowingly placing an employee in reasonable fear of physical harm to the employee or damage to the employee’s property; or
  - c. Creating a hostile working environment.

Reporting

All complaints about behavior that may violate this policy shall be promptly investigated. Any employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of harassment, intimidation, or bullying in violation of this policy is encouraged to immediately report his/her concerns to the building principal or the District Administrator, who have overall responsibility for such investigations. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent or District Administrator shall be filed with the Board, via written communication to the Board Chair.

The complainant may be provided a summary of the findings of the investigation and, as appropriate, that remedial action has been taken.

### Responsibilities

The District Administrator shall be responsible for ensuring that notice of this policy is provided to staff and third parties.

When an employee has actual knowledge that behavior is in violation of this policy is sexual harassment, the employee must contact the Title IX Coordinator. The Title IX sexual harassment grievance process will be followed, if applicable, prior to imposing any discipline that cannot be imposed without resolution of the Title IX process.

### Consequences

Staff whose behavior is found to be in violation of this policy will be subject to discipline up to and including termination of employment. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the District Administrator or the Board. Individuals may also be referred to law enforcement officials.

### Retaliation and Reprisal

Retaliation is prohibited against any person who reports or is thought to have reported a violation, files a complaint, or otherwise participates in an investigation or inquiry. Such retaliation shall be considered a serious violation of Board policy, whether or not a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Legal Reference:	10.55.701(3)(g), ARM	Board of Trustees
	10.55.801(1)(d), ARM	School Climate

### Policy History:

Adopted on:

Reviewed on:

Revised on:

## PERSONNEL

5120

### Hiring Procedures

The personnel employed by the District constitute the most important resource for effectively conducting quality education programs which serve the needs and interests of students. Important contributions to a successful education program are made by all staff members.

The goals of the District's employment policy shall include the following:

1. To hire and retain highly competent staff.
2. To provide for strategies and procedures that ensure an equitable and efficient employment process. Such strategies and procedures will address personnel recruitment, screening, and selection of candidates.
3. To base selection of candidates on their job-related competencies and qualifications to fulfill the job responsibilities and without regard to race, color, sex, religion, national origin, age or any other illegal basis for discrimination.
4. To strive for equitable employment where minorities and males or females are under-utilized within the District.

The Superintendent is authorized to develop procedures to accomplish these goals. The Superintendent will inform the Board of changes made to this policy's procedures prior to their implementation.

In the event of a Superintendent vacancy, the Board will devise an appropriate procedure.

### Hiring Process and Criteria

**The Board and Superintendent/administrator will determine the screening and hiring process upon the existence of each vacancy. The District will hire personnel appropriately licensed and endorsed in accordance with state statutes and Board of Public Education rules, consistent with budget and staffing requirements and will comply with Board policy and state law on equal employment opportunities and veterans' preference. All applicants must complete a District application form to be considered for employment.**

**Every applicant must provide the District with written authorization for a fingerprint/criminal background investigation. The Superintendent will keep any conviction record confidential as required by law and District policy. The district will create a determination sheet from the criminal history record. The determination sheet will be kept on file at the District Office. The Criminal History Record will be retained on file at the District Office according to law. Every newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.**

### Certification

The District requires contracted certified staff to hold valid Montana teacher or specialist certificates endorsed for the roles and responsibilities for which they are employed. Failure to meet this requirement shall be just cause for termination of employment. No salary warrants may be issued to a staff member, unless a valid certificate for the role to which the teacher has been assigned has been registered with the county superintendent within sixty (60) calendar days after a term of service

begins. Every teacher and administrator under contract must bring their current, valid certificate to the personnel office at the time of initial employment, as well as at the time of each renewal of certification.

Since the teacher is also required to present his/her certificate to the County Superintendent, the certificate shall be presented to the personnel department after it has been presented to the County Superintendent of Schools.

The personnel office shall register all certificates, noting the class and endorsement, and updating the permanent record card as necessary. In addition, the personnel office will retain a copy of each contracted certificated employee's valid certificate in the employee's personnel file.

### Reference Checks

*The Board authorizes the Superintendent or the Superintendent's designee to inquire of past employers about an applicant's employment on topics including but not limited to: title, role, reason for leaving, work ethic, punctuality, demeanor, collegiality, putting the interests of students first, and suitability for the position in the District. Responses to these inquiries should be documented and considered as part of the screening and hiring process.*

Cross Reference: 5122 Fingerprints and Criminal Background Investigations

Legal Reference: § 20-4-202, MCA Teacher and specialist certification registration  
§ 39-29-102, MCA Point preference or alternative preference in initial hiring for certain applicants – substantially equivalent selection procedure

### Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 4/12/93, 11/9/87, 11/11/91, 2/22/99, 12/13/99, 01/22/07



Applicability of Personnel Policies

Except where expressly provided to the contrary, personnel policies apply uniformly to the employed staff of the District. However, where there is a conflict between terms of a collective bargaining agreement and District policy, the terms of the collective bargaining agreement shall prevail for staff covered by that agreement.

Board policies will govern when a matter is not specifically provided for in an applicable collective bargaining agreement.

**Each personnel position in the District will be directed by a position description that delineates the responsibilities of the employee. The employee will receive the position description with the employment contract. Position descriptions are available upon request. The Board of Trustees will regularly review the position descriptions.**

Legal Reference:	§ 39-31-102, MCA	Chapter not limit on legislative authority
	ARM 10.55.701(d)	Board of Trustees

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on:

Fingerprints and Criminal Background Investigations

It is the policy of the Board that any applicant recommended for employment to a paid position with the District involving regular unsupervised access to students in schools, as determined by the Superintendent, shall submit to a name-based and fingerprint-based criminal background investigation conducted by the appropriate law enforcement agency. Any recommendation for employment or appointment shall be contingent upon results of the fingerprint-based criminal background check, which must be acceptable to the Superintendent or designee, in his/her sole discretion.

Any requirement of an applicant to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If an applicant has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent, who shall decide whether the applicant shall be declared eligible for appointment or employment in a manner consistent with the expectations and standards set by the board.

The following applicants for employment, as a condition for employment, will be required, as a condition of any offer of employment, to authorize, in writing, a name-based and fingerprint criminal background investigation:

- A certified employee seeking full- or part-time employment with the District;
- A non-certified or classified employee seeking full- or part-time employment with the District;
- An employee of a person or firm holding a contract with the District, if the employee is assigned to the District;
- A volunteer assigned to work in the District, who has regular unsupervised access to students; and Substitute teachers.

The re-dissemination or transfer of criminal background reports may be done upon the written request or authorization of the applicant in accordance with the accompanying procedures.

<u>Legal Reference:</u>	<u>§ 44-5-301, MCA</u> <u>Dissemination of public criminal justice information</u> <u>§ 44-5-302, MCA</u> <u>Dissemination of criminal history record information that is not public criminal justice information</u> <u>§ 44-5-303, MCA</u> <u>Dissemination of confidential criminal justice information – procedure for dissemination through court</u> <u>10.55.716, ARM</u> <u>Substitute Teachers</u> <u>Public Law 105-251, Volunteers for Children Act</u> <u>ARM 10.57.201A(6)</u> <u>ARM 10.57.201A(3)</u> <u>ARM 10.57.107</u>
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Cross Reference:      Board Policy 5430, Volunteers

Policy History:      Adopted:      Revised:

Whistleblowing and Retaliation

When district employees know or have reasonable cause to believe that serious instances of wrongful conduct (e.g., mismanagement of district resources, violations of law and/or abuse of authority) have occurred, they should report such wrongful conduct to the Superintendent or Board Chairperson.

For purposes of this policy, the term “wrongful conduct” shall be defined to include:

- theft of district money, property, or resources;
- misuse of authority for personal gain or other non-district purpose;
- fraud;
- violations of applicable federal and state laws and regulations; and/or
- serious violations of district policy, regulation, and/or procedure.

The Board of Trustees will not tolerate any form of reprisal, retaliation or discrimination against:

: Any employee, or applicant for employment, because he/she opposed any practice that he/she reasonably believed to be made unlawful by federal or state laws prohibiting employment discrimination on the basis of sex, sexual orientation, race, color, national origin, age, religion, height, weight, marital status, handicap or disability.

: Any employee, or applicant for employment, because he/she filed a charge, testified, assisted or participated, in any manner, in an investigation, proceeding or hearing under federal or state laws prohibiting employment discrimination on the basis of sex, sexual orientation, race, color, national origin, age, religion, height, weight, marital status, handicap or disability or because he/she reported a suspected violation of such laws according to this policy; or,

: Any employee or applicant because he/she reported, or was about to report, a suspected violation of any federal, state or local law or regulation to a public body (unless the employee knew that the report was false) or because he/she was requested by a public body to participate in an investigation, hearing or inquiry held by that public body or a court.

An employee or applicant for employment who believes that he/she has suffered reprisal, retaliation or discrimination in violation of this policy shall report the incident(s) to the Superintendent or his/her designee. The Board of Trustees guarantees that no employee or applicant for employment who makes such a report will suffer any form of reprisal, retaliation or discrimination for making the report. Individuals are forbidden from preventing or interfering with whistleblowers who make good faith disclosures of misconduct.

The Board or its agents will not discharge, discipline or otherwise penalize any employee because the employee or someone acting on the employee's behalf, reports, verbally or in writing, a violation or suspected violation of any state or federal law or regulation or any town/city ordinance or regulation to a public body, or because an employee is requested by a public body to participate in an investigation, hearing or inquiry held by that public body, or a court action. Further, the Board or its agents will not discharge, discipline or otherwise penalize any employee because the employee, or a person acting on his/her behalf, reports, verbally or in writing, to a public body, as defined in the statutes, concerning unethical practices, mismanagement or abuse of authority by the employer. This section does not apply when an employee knowingly makes a false report.

The District will exercise reasonable efforts to:

- : investigate any complaints of retaliation or interference made by whistle blowers;
- : take immediate steps to stop any alleged retaliation; and  
discipline any person associated with the District found to have retaliated against or interfered with a whistle blower.

The Board of Trustees considers violations of this policy to be a major offense that will result in disciplinary action, up to and including termination, against the offender, regardless of the offender's position within the District.

The Board shall make this policy available to its staff by posting it on its website with its other District policies.

Legal References:      Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e-3(a)  
Age Discrimination in Employment Act, 29 U.S.C. §623 (d)  
Americans with Disabilities Act, 42 U.S.C. §12203(a) and (b)  
Fair Labor Standards Act, 29 U.S.C. §215(a)(3)  
Occupational Safety and Health Act, 29 U.S.C. §6660(c)  
Family and Medical Leave Act, 29 U.S.C. §2615  
National Labor Relations Act, 29 U.S.C. §158(a)

Policy History:

Adopted on:

Reviewed on:

Revised on:

Staff Health

Medical Examinations

~~It shall be the policy of the Bozeman Public Schools, District No. 7, to accord with the Montana Law, Section 39-2-301 M.C.A., which stipulates that "It shall be unlawful for any employer to require any employee or applicant for employment to pay the cost of a medical examination or the cost of furnishing any records of such examination as a condition of employment." A school district is an employer within the meaning of 39-2-301(2) M.C.A.~~

~~School districts as "employers" are deemed responsible for the cost of a "certificate of a licensed physician attesting to" the satisfactory health of their teachers or applicants for their teaching positions as required for certification under 20-4-104(1) M.C.A., or for any other certification of physical or mental wellness as may be deemed appropriate to request or require of any employee(s).~~

~~Where a requirement for medical certification is imposed upon an applicant or employee of the district by state regulation, the district shall not be obligated to pay for such certification.~~

Medical Examinations

*Through its overall safety program and various policies pertaining to school personnel, the Board will promote the safety of employees during working hours and assist them in the maintenance of good health. The Board will encourage all its employees to maintain optimum health through the practice of good health habits.*

*The Board may require physical examinations of its employees, under circumstances defined below. The District will maintain results of physical examinations in medical files separate from the employee's personnel file and will release them only as permitted by law.*

Physical Examinations

*The District participates in a Pre-Placement Physical Program for all custodial and maintenance personnel and other positions deemed inclusive of this policy as determined by specific Board action. Subsequent to a conditional offer of employment in a position for which the District may require participation in a pre-placement physical but before commencement of work, the District may require an applicant to have a medical examination and to meet any other health requirements which may be imposed by the state. The District may condition an offer of employment on the results of such examination, if all employees who received a conditional offer of employment in the applicable job category are subject to such examination. The report shall certify the employee's ability to perform the job-related functions of the position for which the employee is being considered. Such examination shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions.*

*All bus drivers, whether full-time, regular part-time, or temporary part-time, are required by state law to have a satisfactory medical examination before employment.*



## Communicable Diseases

The term “communicable disease” refers to the diseases identified in 37.114.203, ARM, Reportable Diseases, with the exception of common colds and flu.

If a staff member has a communicable disease, the staff member must notify the school nurse or other responsible person designated by the Board of the communicable disease which could be life threatening to an immune-compromised person. The school nurse or other responsible person designated by the Board must determine, after consultation with and on the advice of public health officials, if the immune-compromised person needs appropriate accommodation to protect their health and safety.

An employee with a communicable disease shall not report to work during the period of time in which the employee is infectious. An employee afflicted with a communicable disease capable of being readily transmitted in the school setting (e.g., airborne transmission of tuberculosis) shall be encouraged to report the existence of the illness so that precautions may be taken to protect the health of others. The District reserves the right to require a statement from an employee’s primary care provider, before the employee may return to work.

## Confidentiality

In all instances, District personnel will respect an individual’s right to privacy and treat any medical diagnosis as confidential information. Any information obtained regarding the medical condition or history of any employee will be collected and maintained on separate forms and in separate medical files and will be treated as confidential information. Only those individuals with a legitimate need to know will be provided necessary medical information.

Supervisors and managers may be informed of necessary restrictions on the work or duties of an employee and necessary accommodations. First aid and safety personnel may be informed, when appropriate, if a staff member with a disability might require emergency treatment.

Cross Reference:      5005 Section 504 of the Rehabilitation Act

Legal Reference:      29 U.S.C. § 794, et seq. Section 504 of the Rehabilitation Act  
42 U.S.C. § 12101, et seq. Americans with Disabilities Act  
29 CFR, Part 1630.14(c) Examination of employees  
Title 49, Chapter 2, MCA Illegal Discrimination  
Title 49, Chapter 4, MCA Rights of Persons With Disabilities  
§ 20-10-103(4), MCA School bus driver qualifications  
37.111.825, ARM Health Supervision and Maintenance

## Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 12/14/87

Employee Contracts

Classified Employment and Assignment

*Each classified employee will be employed under a written contract of employment for a specific term with a beginning and ending date, within the meaning of § 39-2-912, MCA, after the employee has satisfied the requisite probationary period of six months or as defined in the Negotiated Agreement or in individual contracts.*

*The objective of a probationary period is to afford time to assess the employee's abilities to perform the required job duties; to assess the employee's conduct on the job; and to determine if the employee should be retained beyond the probationary period. During the probationary period of employment, the employment may be terminated at the will of either the School District or the employee on notice to the other for any reason or no reason. Should the employee satisfy the probationary period, such employee shall have no expectation of continued employment beyond the current contract term.*

*The District reserves the right to change employment conditions affecting an employee's duties, assignment, supervisor, or grade.* Each permanent classified employee shall receive a letter of initial notification of employment signed by the Executive Director of Personnel and thereafter shall receive a Change of Status Form for any changes in employment conditions affecting the employee's hours, assignment, supervisor, hourly rate or grade.

~~Upon the recommendation of the Superintendent, employment of selected classified staff may be in writing for a specific period of time not to exceed one year. Otherwise, the employment of classified staff shall be on an at-will basis commencing from the first day of work, except that a minimum of two weeks' notice shall be given for termination of employment except where dismissal is for cause and except where an employee has probationary status (20-4-201, M.C.A.; 40.55.202(5) A.R.M.).~~

*Each employee, permanent or otherwise, shall be informed by the personnel office as to who his/her supervisor is. The right of assignment, reassignment or transfer shall remain that of the district.*

*The Board will determine salary and wages for classified personnel.*

Certified Employee Contracts

The Board of Trustees shall contract with each certificated staff member. Such contract shall be in conformity with state and federal statutes, the policies and negotiated agreements of the district. The contract shall be binding on the district and on the staff member and may not be abridged or abrogated during its term by either party except by mutual consent or as may be provided elsewhere in Board policy, in negotiated agreements, or state or federal statutes.

Except for District Superintendent, the contracts for certificated staff shall be written for a period not to exceed one year and shall be executed in duplicate by the Chairman of the Trustees and the Clerk of the District, and by the teacher or specialist.

*\*If the employer does not establish a specific probationary period, the probationary period is presumed to be six months*

Legal Reference:      § 39-2-904, MCA      Elements of wrongful discharge – presumptive probationary period  
                                 § 39-2-912, MCA      Exemptions  
                                 §20-4-201 M.C.A.      Employment of Teachers and Specialists by Contract  
                                 §20-4-205(2) M.C.A.      Notification of Tenure Teacher Reelection  
                                 §20-4-206(2) M.C.A.      Notification of Nontenure Teacher Reelection  
                                 §10.55.203(5) A.R.M.      Board of Trustees

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on:    1/25/93

**PERSONNEL**

5150

~~Classified Personnel - Definition of~~

~~The term classified personnel shall be defined for the purpose of this board policy as those non-exempt employees of the Bozeman Public Schools whose positions of employment do not require professional certification under the provisions of Montana School Law, but who are employed for hourly work. Classified positions of employment shall include secretaries, clerks, bookkeepers, typists, classroom instructional/library aides, custodians, maintenance workers, cooks, cafeteria workers, grounds keepers, and any other position that does not require certification or licensure under Montana School Law, and which is otherwise non-exempt in status. When an employee is retained in both a classified and certified position during the course of a year, the provisions of the classified personnel policies shall apply to the employee's performance of duties in the classified employee's position.~~

~~All employees retained in a classified position (classified employee), shall be defined as "classified personnel" for the purpose of these board policies. (Separate negotiated agreements are in effect for Educational Support Team, Custodians, and Food Service Personnel).~~

~~The superintendent is authorized to adopt administrative regulations necessary to carry out the intent of the "Classified Personnel" board policy to provide for an impartial treatment of all employees, consistent with good personnel practices. All rules and regulations, board policies and administrative procedures shall be available to employees in the main office of each building, the library of each building and the Personnel Department.~~

~~For the purposes of this policy, the classified personnel shall be categorized as Educational Support Team, Custodial, Food Service, and Miscellaneous Classified Personnel. The ESP category will include all personnel employed in a secretarial, clerical, accounting, or any other office operational capacity and all categories of teacher/library aides. The Custodial category will include all maintenance and facilities operation personnel. The Food Service category will include all classified personnel employed within the school lunch program except the bookkeeper who will be categorized with the Education Support Team and the van driver who will be categorized with the Custodial group. The Miscellaneous Classified Personnel will include all other employees of the district whose position does not require certification under Montana School Law, including temporary employees, noon aides, cross-walk attendants, and professional positions not requiring certification.~~

~~In addition to the above categories, classified personnel in these areas will be categorized on the basis of the conditions of the employment agreement. These categories are:~~

~~1. Full-time:~~

~~40 hours per week/52 weeks per year.~~

~~2. Seasonal Full-time:~~

~~40 hours per week but less than twelve months.~~

~~3. Permanent Part-time:~~

~~Less than 40-hour week but does normally work 20 hours or more a week and works more than six months in any twelve-month period.~~

~~4. Probationary:~~

~~Either a full-time, seasonal full-time, or permanent part-time employee in his/her first six months of employment by the school district. Other employees may be retained in this category at the discretion of the superintendent.~~

~~5. Temporary (as needed):~~

~~Employed on any basis but duration of employment is indefinite. Generally paid on an hourly rate basis; being "on-call."~~

~~A job or position description shall be developed for all ongoing regular positions filled by a classified employee. Each classified employee shall be evaluated a minimum of one time per year.~~

Policy History

Adopted: 12/08/86

Rev. 01/25/93, 06/11/19



Assignments, Reassignments, Transfers

The Superintendent may assign, reassign, and/or transfer positions and duties of all staff. Teachers will be assigned at the levels and in the subjects for which they are licensed and endorsed, or for which they are enrolled in an internship as defined in ARM 10.55.602 and meet the requirements of ARM 10.55.607. The Superintendent will provide for a system of assignment, reassignment, and transfer of classified staff, including voluntary transfers and promotions. Nothing in this policy prevents reassignment of a staff member during a school year.

Classified and other Non-Certified Work Assignments

Authority and responsibility to assign work, evaluate performance and generally supervise non-certified, non-exempt classified staff shall accrue to the administrator in the District who has the supervisory responsibility for that position. The job description shall be considered by each administrator in assigning work and in evaluating performance, and the job description shall be periodically updated with the cooperative work of the Director of Personnel and the immediate supervisor of each position.

Teaching

*Notice of their teaching assignments relative to grade level, building, classroom or workspace, and subject area will be given to teachers before the beginning of the school year.*

*Provisions governing vacancies, promotions, and voluntary or involuntary transfers may be found in negotiated agreements or employee handbooks.*

~~All teachers shall be given notice of their teaching assignments relative to grade level, building and subject area, for the forthcoming year no later than the end of the school year. Beginning with the 1974-75 school term, all new employees of the District who accepted extracurricular activities as a contract obligation shall understand that "Continued employment will presuppose and necessitate doing both the teaching and the extracurricular assignment, and this combined assignment may be changed only by the consent of the Board."~~

~~When a teacher is re-elected, he/she may be assigned to the same position if circumstances permit. If a transfer is necessary, it will be within the teacher's teaching endorsement.~~

~~In the event that changes in assignments are necessary because of unforeseen circumstances, affected teachers and the Association, shall be given notice.~~

~~Rights of seeking vacancies and/or promotions, voluntary transfers or involuntary transfers may be found under provision of either or both of (a) negotiated agreements or employee handbooks, or (b) other personnel policies specifically adopted by the Board of Trustees. Generally, requests for transfers within teaching areas should be submitted to the Personnel Office in writing by March 1. Final placement of any employee will be made by the Superintendent.~~

~~Assignment and/or reassignment of teachers and all other personnel shall be a management function limited only by specific contractual language in negotiated agreements (10.55.303 ARM).~~

### Extracurricular

~~The Bozeman Public Schools recognize fully that extracurricular activities are both an important part of a child's total educational experience and a major avenue for community involvement in the public school program. As a result, careful selection, employment, and retention of successful, qualified extracurricular sponsors and coaches are of utmost importance.~~

~~Beginning with the 1974/75 school term, all new employees contracted for extra-curricular assignments shall have those assignments made a part of their regular contract. Continued employment in the district will necessitate doing both the teaching and the extracurricular assignments. Should an extracurricular sponsor desire to be released from the extracurricular assignments, he/she may petition for such release. Releases will be granted only according to one of the procedures discussed in the following Administrative Procedures or as provided in the Negotiated Agreement between School District No. 7 and the Bozeman Education Association.~~

~~All extracurricular openings shall be announced by posting the opening within the School District at a minimum.~~

~~The selection of staff to fill extracurricular openings shall be in accordance with policy adopted by the Board of Trustees and the applicable Negotiated Agreement (see Hiring Procedures).~~

~~The Board of Trustees authorizes the administration to recommend for employment non-certified persons to supervise students in non-credit programs and extra-curricular activities provided that:~~

- ~~1. An annual notice to the district's certified employees has failed to fulfill the district's extracurricular needs.~~
- ~~2. Such non-certificated persons are determined by the administration of the district to be knowledgeable and competent in the activity's techniques and, where contact or interscholastic sports are concerned, in first aid and emergency procedures as it relates to extra-curricular participation. These competencies may be acquired through courses provided by universities and colleges, and/or through in-service programs arranged by the school district. Prior experience directly related to the required areas of competency may be used to satisfy this requirement.~~
- ~~3. The rules and regulations of the Montana High School Association do not prescribe that the position be filled by a member of the district's professional staff.~~

### Voluntary Transfer

*The district shall provide an opportunity for a staff member to apply for a transfer to another position if vacant. Factors considered when deliberating transfer requests shall include, but not be limited to:*

- 1. The educational programs, instructional requirements and best interest of the district.*
- 2. The staff member's background and preparation for the position (qualifications, skills and abilities).*
- 3. The availability of other equally or better qualified applicants from within or outside the district.*

*The superintendent shall be responsible for the final decision regarding transfers and work assignments of all staff members.*

Legal Reference:      *Bonner School District No. 14 v. Bonner Education Association, MEA-MFT, NEA, AFT, AFL-CIO*, (2008) 2008 MT  
§ 20-4-402, MCA      Duties of District Superintendent or County High School Principal  
10.55.602, ARM      Definition of Internship  
10.55.607, ARM      Internships

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on:

Involuntary Transfers or Reassignments

~~The right of assignment, reassignment and transfer shall remain that of the district. Written notice of a reassignment or involuntary transfer shall be given the employee.~~

~~Opportunity shall be given for the staff member to discuss the proposed transfer or reassignment with the superintendent or his designee. When the staff member believes that the transfer or reassignment would be unjustified or unfair, he/she may appeal in compliance with established procedures for resolving complaints or grievances, but not to the hindrance of the district effecting the assignment, reassignment or transfer to a comparable type position.~~

~~Current collective bargaining agreements may interpose additional provisions with regard to involuntary transfers or reassignment.~~

Vacancies

When the district determines that a vacancy exists, that vacancy shall be posted ~~in each school building, or, during the summer, outside the Personnel Office~~ **using the district electronic recruitment software.** The current president of the respective bargaining groups, where appropriate, shall be notified of the vacancy.

Vacancies shall not exist until the building principal/department supervisor has reviewed the need for a potential position, completed a ~~"Vacancy Announcement,"~~ job posting requisition and the ~~"Vacancy Announcement"~~ requisition has been reviewed by the ~~Assistant~~ **Deputy** Superintendent(s), Superintendent and/or Personnel **Director of Human Resources.** New positions may not be opened without the specific approval of the Superintendent. Already-existing positions which become vacant must have, in the case of certified staff, the prior approval of the ~~Assistant Superintendent~~ **Director of Human Resources** before such positions will be announced in accordance with the district's Hiring Procedures. Already-existing classified positions must have the prior approval of the Director of Personnel **Human Resources** before the district's Hiring Procedures will be implemented.

Vacancies may be advertised in-district only or they may be advertised in-district and through the MSU Career Services, local public advertising and, where appropriate, if time permits, through a broader regional and/or national basis.

A vacancy may be limited to in-district advertising upon the recommendation of the building principal/department supervisor followed by the review and recommendation of the Personnel Director and final determination by the Superintendent.

Policy History:

Adopted on: 12/14/87

Reviewed on: 12/24/2020

Revised on:



Job-Sharing Staff Members

A job-sharing assignment is the sharing of one full-time or nearly full-time regular position between two persons. The Superintendent shall be responsible for recommending to the Board those positions and persons where job-sharing would best meet the needs of the District.

The Superintendent shall be responsible for establishing job-sharing procedures, including but not limited to duties, salaries, responsibilities and benefits.

Job-sharing requests are generally initiated by one or more current employees. A request should first be discussed with the building principal or program supervisor. The supervisor will study the request and make a recommendation to the Personnel Director and the Superintendent.

The Board delegates to the Superintendent the right to:

1. Determine the number, if any, of job-sharing positions within the District.
2. Require both job-sharers to attend normal training seminars or required meetings at one-half normal compensation, such that the cost to the District is still only the cost for one full-time employee.
3. Change a job-sharing position to a non-job-sharing position.
4. Deny any staff member's request to change a job-sharing position to a non-job-sharing position or vice versa.
5. Require job-sharing staff members to choose to work full time or to terminate employment in the event of the termination or resignation of one of the job-sharing staff members. Another staff member or a new hire may replace a departing job-sharing staff member at the sole discretion of the Superintendent.

Those contingencies that may arise during the course of employment such as, but not limited to, the absence or resignation of one of the job-sharers, the computation of employment benefits, and the responsibilities to participate in staff meetings, meet jointly with parents, attend inservice activities and to serve on committees shall be discussed and set forth in a signed written agreement. This shall be completed by the Personnel Director. The purpose of the written agreement is to prevent potential conflicts and is not intended to discourage job sharing.

Policy History:

Adopted: 12/8/86

Revised: 3/3/03

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## PERSONNEL

### Classified Personnel - Supervision of

~~The general and overall supervision of classified personnel shall be the duty of the superintendent.~~

~~Under the direction of the superintendent, the direct supervision of work and assignments is delegated to appropriate managers. "Manager" is defined as the administrative staff member to whom the classified employee has been assigned for work purposes, most typically a principal.~~

~~The Personnel Department shall provide the superintendent and line managers assistance in record-keeping, classification procedures, position descriptions, hiring, and supervisory or evaluative techniques as requested.~~

Adopted: 12/8/86

Prohibition on Aiding Sexual Abuse

The district prohibits any employee, contractor or agent from assisting a school employee, contractor or agent in obtaining a new job if the individual or district knows or has probable cause to believe that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or a student in violation of the law. This prohibition does not include the routine transmission of administrative and personnel files.

This prohibition does not apply under certain conditions specified by the Every Student Succeeds Act (ESSA) such as:

1. The matter has been reported to law enforcement authorities and it has been officially closed or the school officials have been notified by the prosecutor or police after an investigation that there is insufficient information to establish probable cause, or;
2. The individual has been acquitted or otherwise cleared of the alleged misconduct, or;
3. The case remains open without charges for more than 4 years after the information was reported to a law enforcement agency.

Legal Reference: ESSA section 8038, § 8546  
45-2-302, MCA When accountability exists.

Policy History:

Adopted on: 12/10/18

Reviewed on:

Revised on:

Work Day

Length of Workday - Certified

The length of a work day for a certified employee shall be 7 1/2 hours for a full-time certified employee. The work day is generally exclusive of lunch and extracurricular assignments, but inclusive of preparation time and assigned duties. Other conditions pertaining to certified work day, preparation periods, lunches, etc. are found in the current collective bargaining agreement. Arrival time shall generally be one-half hour before classes begin or as directed by the building principal.

Length of Work Day - Classified

The length of a classified work day is governed by the number of hours for which the employee is assigned. A "full-time" employee shall be considered to be an 8-hour per day/40-hour per week employee. The work day is exclusive of lunch but inclusive of breaks unless otherwise and specifically provided for by the individual contract. The schedule will be established by the supervisor. Normal office hours in the district will be 7:30 a.m. to 4:30 p.m.

Breaks

A daily morning and afternoon rest period of fifteen (15) minutes shall be available to all full time, classified employees. Hourly personnel may take one fifteen (15) minute rest period for each four (4) hours that are worked in a day.

Breaks will normally be taken approximately in mid-morning and mid-afternoon and should be scheduled in accordance with the flow of work and with the approval of the employee's supervisor.

Legal Reference:	29 U.S.C. §§ 201 to 219	Fair Labor Standards Act of 1985
	29 C.F.R. Part 516, <i>et seq.</i>	Records to be kept by employers
	§ 39-3-405, MCA	Overtime compensation
	§ 39-4-107, MCA	State and municipal governments, and school districts
	10.65.103(2), ARM	Program of Approved Pupil Instruction-Related Days
	24.16.1006, ARM	Rest and Meal Periods

Policy History:

Adopted on: 12/8/86  
Reviewed on: 12/23/2020  
Revised on: 4/12/93, 3/3/03

PERSONNEL

R  
5222

Evaluation of Non-Administrative Staff

Classified

It is the intent of the Board of Trustees of School District No. 7 that each classified employee be evaluated annually. The Superintendent will establish procedures to implement the classified employee evaluation process. Forms and procedures for this purpose have been devised and will be periodically reviewed and updated.

It is also the intent of the Board that probationary employees be evaluated in a written fashion not less than once prior to the conclusion of their probationary status. If there are deficiencies noted, probationary employees may be terminated without other notice.

The District's classified employee procedure encourages a narrative in support of exemplary performance and requires a narrative from the evaluator in the instance of deficiencies. It is expected that narratives will be precise, focused and based on prescribed duties and/or the job description, whether they be in the nature of a commendation or a constructive criticism.

Each classified staff member's job performance will be evaluated by the staff member's direct supervisor. The supervisor will provide a copy of the completed evaluation to the staff member and will provide opportunity to discuss the evaluation. The original should be signed by the staff member and placed in the personnel file. If the staff member refuses to sign the evaluation, the supervisor should note the refusal and submit the evaluation to the Superintendent.

Certified

The Board of Trustees of School District No. 7, desiring to improve instruction, has agreed to certain procedures found in full in the current collective bargaining agreement.

Evaluation of Tenure Teachers

~~A formal written evaluation shall be made for all tenure teachers at least every third year of employment.~~

Evaluation of Non-Tenure Teachers

~~At least two formal written evaluations shall be made for all non-tenure teachers each year. Subject to the June 1 notice requirements the trustees may nonrenew the employment of a nontenure teacher at the conclusion of the school fiscal year with or without cause.~~

Failure to Meet Written Recommendations/Dismissal

~~In the event that a teacher fails to meet the written recommendations for improvement, both the teacher and concerned administrators are referred to the current collective bargaining agreement, Article 7.7(b) as well as to applicable state law and the Montana Codes Annotated 20-4-204, 20-4-206 and/or 20-4-207 as is most appropriate. The parties are also referred to other Board policy pertaining to dismissal, termination or non-renewal of teacher services.~~



Cross Reference: 5231-5231P

Personnel Records

Legal Reference: 10.55.701(4)(a)(b), ARM

Board of Trustees

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 2/9/98

Personal Conduct

All employees are expected to maintain high standards of honesty, integrity, professionalism, decorum, and impartiality in the conduct of District business.

*School District employees will abide by all district policies, state and federal laws in the course of their employment. Where applicable, employees will abide by and honor the professional educator code of conduct.*

*All employees shall maintain appropriate employee-student relationship boundaries in all respects, including but not limited to personal, speech, print, and digital communications. Failure to honor the appropriate employee student relationship boundary will result in a report to the Department of Public Health and Human Services and the appropriate law enforcement agency.*

Weapons - 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. *While on school property, employees shall not injure or threaten to injure another person; damage another's property or that of the District; or use, control, possess or transfer any weapon or any item that could be reasonably considered to be a weapon as defined in Policies 3310 and 3311. "School property" means within school buildings, in vehicles used for school purposes, or on grounds leased or owned by the school district.*

Conflict of Interest/Personal Gain In accordance with state law, an employee shall not dispense or utilize any information gained from employment with the District, accept gifts or benefits, or participate in business enterprises or employment that creates a conflict of interest with the faithful and impartial discharge of the employee's District duties. A District employee, before acting in a manner which might impinge on any fiduciary duty, may disclose the nature of the private interest which would create a conflict. Care should be taken to avoid using or avoid the appearance of using official positions and confidential information for personal advantage or gain.

Confidentiality Employees are expected to hold confidential all information deemed not to be for public consumption as determined by state law and Board policy. Employees also will respect the confidentiality of people served in the course of an employee's duties and use information gained in a responsible manner. The Board may discipline, up to and including discharge, any employee who discloses confidential and/or private information learned during the course of the employee's duties or learned as a result of the employee's participation in a closed (executive) session of the Board. Discretion should be used even within the school system's own network of communication and confidential information should only be communicated on a need to know basis.

Public Relations - Employees shall be courteous, considerate and prompt in dealing with and serving the public.

General Conduct - Administration and supervisors may set forth specific rules and regulations governing employees' conduct on the job within a particular building.

Alcohol and Other Drugs - Standards of conduct applicable to employees clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs on school premises or as part of any of its activities. Use of alcohol on school premises or as part of any of its activities involving students is prohibited. If an employee's job performance or behavior provides his/her supervisor reason to believe that he/she may be under the influence of drugs or alcohol and his/her faculties appear to be impaired on the job, or if there is bona fide evidence of drug or alcohol use on the job, the employee will be subject to discipline.

Mode of Dress - Administration and supervisors establish standards of appearance within their own areas.

Personal Visitors - An employee may receive personal visitors provided the visits are kept to a minimum in time and frequency and do not impede the employee or other employees from performing their jobs in an acceptable manner when classes are in session. All visitors in a school building should first report to the school's office.

Telephones/Email - Personal communications shall be made with discretion, and shall be brief so as to maintain district time resources and equipment for the conduct of district business. In no case shall any cost accrue to the district for personal calls.

- Disposition of Lost and Found - Lost and found articles or other property that appears in a district building will be disposed of as public property in accordance with the following instructions:
- a. The supervisor at each building will make a reasonable effort to identify the original owner of the property.
  - b. Failing to identify the original owner, the supervisor at each building will designate a charity to which unclaimed property will be transferred with appropriate memoranda of records to be kept at that site.
  - c. Items of unclaimed clothing may be judiciously recycled to students in need directly in the school(s) by the principal(s).
  - d. No such property, regardless of its source, may be appropriated as the personal property of a school district employee.

Administrators and supervisors may set forth specific rules and regulations governing staff conduct on the job within a particular building.

Cross Reference: Professional Educators of Montana Code of Ethics  
3310 Student Discipline  
3311 Firearms and Weapons  
5232 Abused and Neglected Children

Legal Reference:	§ 20-1-201, MCA	School officers not to act as agents
	Title 2, Chapter 2, Part 1	Standards of Conduct
	§ 39-2-102, MCA	What belongs to employer
	§ 45-8-361, MCA	Possession or allowing possession of a weapon in a school building
	§ 45-5-501, MCA	Definitions
	§ 45-5-502, MCA	Sexual Assault

Policy History: Adopted on: 12/8/86 Reviewed on: Revised on: 2/11/91, 3/3/03, 9/9/13

Political Activity

~~The Bozeman Public Schools recognizes its individual employees full rights of citizenship, including but not limited to, engaging in political activities; in accordance with and subject to 13-35-226 and 2-2-121 M.C.A, as amended.~~

~~An employee of School District No. 7 may seek an elective office provided that the staff member does not campaign on school property during working hours, and provided all other legal requirements are met. The District assumes no obligation beyond making such opportunities available.~~

The Board recognizes its employees' rights of citizenship, including but not limited to engaging in political activities. A District employee may seek an elective office, provided the employee does not campaign on school property during working hours, and provided all other legal requirements are met. The District assumes no obligation beyond making such opportunities available.

In the event the staff member is elected to office, the employee may request a leave of absence without pay in accord with his/her relevant and most current negotiated agreement if so covered, or by written request subject to the approval of the superintendent otherwise. All leaves of absence without pay shall be approved at the discretion of the superintendent or his designee.

The District has in certain instances approved leave with pay for elective office, or appointive office at a state board. Generally this does not exceed fifteen (15) days per annum. Any pay or reimbursement beyond expenses must be reimbursed to the District. All such requests are approved by the superintendent and must be renewed annually.

**No person, in or on District property, may attempt to coerce, command, or require a public employee to support or oppose any political committee, the nomination or election of any person to public office, or the passage of a ballot issue.**

**No District employee may solicit support for or in opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue, while on the job or in or on District property.**

**Nothing in this policy is intended to restrict the right of District employees to express their personal political views.**

~~The District shall grant leave for active military service as prescribed by Montana statute. A leave request shall be submitted with an appropriate copy of orders.~~

Legal Reference:	5 U.S.C. § 7321	Hatch Act
	§ 39-2-104, MCA	Mandatory leave of absence for employees holding public office
	§ 13-35-226, MCA	Unlawful acts of employers and employees
	Title 2, Chapter 2, Part 1	Standards of Conduct

Policy History:      Adopted on: 12/8/86      Reviewed on:    Revised on: 01/10/05

**HUMAN RESOURCES**Tobacco Free Policy

~~In the interest of having healthy employees and positive health role models for students, the Bozeman Public School District maintains tobacco free buildings and grounds. The following stipulations constitute the tobacco policy for the Bozeman Public Schools:~~

- ~~1. All school buildings and grounds are tobacco free. Tobacco includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, and smokeless tobacco.~~
- ~~2. The use of tobacco will not be allowed in school buildings and grounds nor will employees be allowed to use tobacco while on duty in the presence of students.~~
- ~~3. New employees of the District will be hired with the understanding that they will be directed not to use tobacco in school buildings or grounds.~~
- ~~4. Limitations or prohibitions on tobacco use are applicable to all hours.~~

Legal Reference:     ~~§20-1-220, MCA, Use of tobacco product in public building or property~~  
                                  ~~prohibited~~  
                                  ~~§50-40-101, et seq., MCA, Montana Clean Indoor Air Act of 1979~~

Adopted: 7/27/87     Rev. 9/12/88, 2/11/91, 4/12/93, 6/10/96, 4/28/03



Drug-Free Workplace

~~In accordance with the Drug-Free Workplace Act of 1988, School District No. 7 intends that each school and the district as a whole be an environment free of drugs. Specifically, the district through its superintendent notifies its employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in any of the district's work places.~~

~~The district will inform employees about the dangers of drug abuse and about the district's employee assistance programs (reference policy #5257 and procedures #5257P). Further, the district supports all federal and state laws which might be applicable pertaining to drug abuse violations while committing itself to the exercise of appropriate due process and to promoting the appropriate counseling and rehabilitation of those who might have dependencies.~~

~~All employees working directly or indirectly with grants that involve federal monies will be required, as a condition of continued employment within the district, to:~~

- ~~1. Support the district's intent to maintain a drug-free environment.~~
- ~~2. Notify the superintendent or his designee of any drug statute conviction for a violation occurring in the work place no later than five days after such conviction.~~

~~Upon the superintendent or his designee being notified of any criminal conviction for a violation of drug statutes, the superintendent shall take appropriate administrative action~~

All District workplaces are drug- and alcohol-free. All employees are prohibited from:

- Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under the influence of a controlled substance while on District premises or while performing work for the District, including employees possessing a “medical marijuana” card.
- Distributing, consuming, using, possessing, or being under the influence of alcohol while on District premises or while performing work for the District.

For purposes of this policy, a controlled substance is one that is:

- Not legally obtainable;
- Being used in a manner other than as prescribed;
- Legally obtainable but has not been legally obtained; or
- Referenced in federal or state controlled-substance acts.

As a condition of employment, each employee will:

- Abide by the terms of the District policy respecting a drug- and alcohol-free workplace; and
- Notify his or her supervisor of his or her conviction under any criminal drug statute, for a violation occurring on District premises or while performing work for the District.

In order to make employees aware of dangers of drug and alcohol abuse, the District will endeavor to:

- Provide each employee with a copy of the District drug- and alcohol-free workplace policy;
- Post notice of the District drug- and alcohol-free workplace policy in a place where other information for employees is posted;
- Enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs, to provide information to District employees; and
- Inform employees of available drug and alcohol counseling, rehabilitation, reentry, and any employee-assistance programs.

#### District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action; up to and including recommendation for termination of employment. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant, the Superintendent will notify the appropriate state or federal agency from which the District receives contract or grant moneys of an employee's conviction, within ten (10) days after receiving notice of the conviction.

#### Employee Chemical Use and Dependency

*The Bozeman School District recognizes the use of illicit drugs and the unlawful possession and use of alcohol are illegal and harmful. Standards of conduct for staff of the District clearly prohibit the possession, use or distribution of illicit drugs and alcohol on school premises or as a part of any school sponsored activity. The use of mood-altering chemicals, including the abusive use of alcohol, and chemical dependency affect the lives of employees of the District and their families and represent an impairment to one's normal development, well-being and job performance.*

*In acknowledgement that chemical dependency is a treatable health problem, the District sponsors an Employee Assistance Program in an effort to provide staff with a system of support to deal with alcohol and other drug related issues, as well as with personal problems which may pose a threat to their health and well-being. The District's Employee Assistance Program will operate within the existing legal, financial and policy restraints. Necessary disciplinary actions up to and including termination and referral for prosecution will be imposed on staff who violate the District's standards of conduct. Consideration will be given those who are involved in the Employee Assistance Program and/or otherwise show a commitment to addressing their alcohol and/or other drug related issues.*

Legal Reference: 41 U.S.C. §§ 702, 703, 706 Drug-free workplace requirements for  
Federal grant recipients

*Johnson v. Columbia Falls Aluminum Company LLC*, 2009 MT 108N.

Policy History: Adopted on: 4/24/89 Reviewed on: Revised on:

Prevention of Disease Transmission

All District personnel will be advised of routine procedures to follow in handling body fluids. These procedures, developed in consultation with public health and medical personnel, will provide simple and effective precautions against transmission of diseases to persons exposed to the blood or body fluids of another. The procedures will follow standard health and safety practices. No distinction will be made between body fluids from individuals with a known disease or infection and from individuals without symptoms or with an undiagnosed disease.

The District will provide training on procedures on a regular basis. Appropriate supplies will be available to all personnel, including those involved in transportation and custodial services.

Policy History:

Adopted on:

Reviewed on:

Revised on:

## PERSONNEL

5231

### Personnel Records

*The District maintains a complete confidential and permanent personnel record for every current and former employee. The employees' personnel records will be maintained in the District's administrative office, under the Superintendent's direct supervision.* Access to personnel files shall be limited to the Superintendent and those administrators authorized by the Superintendent, to Personnel Office staff members, to the Board's legal counsel, and to the employee, the employee's signed designee, or the employee's legal counsel.

*Employees will be given a copy of their personnel record upon request.* An employee shall have the right, upon request, and during normal business hours, to review the contents of his/her personnel file in the presence of the Personnel Director or other authorized staff member.

*The District may release public information regarding the professional qualifications, degrees, and experience of teachers and the qualifications of paraprofessionals to parents upon request. Access to other information is governed by Policy 4340.*

*Personnel records must be kept for 10 years after separation of employment.*

Processed grievances shall not be a part of an employee's *personnel file*, but shall be kept apart from the personnel file.

Labor-management agreements may result in additional stipulations. The policies set forth here shall not supersede or negate stipulations of contract.

### Personnel Records

~~The Bozeman School District conforms to law, judicial rulings, and federal and state regulations which safeguard both the public's right to know and certain privacy rights.~~

~~Specifically, it is the objective of this policy to establish record keeping practices in accordance with applicable sections of:~~

- ~~a. Article II, Section 9, Constitution of the State of Montana, titled "Right to Know;"~~
- ~~b. Article II, Section 10, Constitution of the State of Montana, titled "Right to Privacy;"~~
- ~~c. Title 2, Chapter 6, Montana Code Annotated, regarding public records and their management;~~
- ~~d. Office of Public Instruction Accreditation Standards and Administrative Regulations;~~
- ~~e. Chapter 1-1300, Montana Operations Manual, Volume I, regarding records management;~~
- ~~f. 1974 Federal Privacy Protection Study Commission.~~

### Payroll and Employee Benefit Records

~~The public shall, upon request and with approval of the superintendent, have access to payroll and employee benefit records for any or all employees of the district. This shall include all compensation and participation in District benefit plans.~~

~~How an individual chooses to allocate compensation shall be a private concern.~~

### Employee Job Applications, Qualifications and Status Information

~~The names of applicants for advertised vacancies may be released to the public upon request unless an applicant requests otherwise at the time of submitting an application. Statistical information that would normally be released to governmental agencies monitoring compliance will be made available upon request.~~

~~Regarding employee records or specific job applications, qualifications and status, the following information shall be privileged (not made public):~~

- ~~1. Past and present performance evaluations, employer criticism and observations~~
- ~~2. Military records~~
- ~~3. Health and medical status~~
- ~~4. I.Q. scores and performance tests~~
- ~~5. Convictions and/or prison records~~
- ~~6. Disabilities (including chemical dependency problems)~~
- ~~7. Family status or problems~~
- ~~8. Discussion of other employees which occur during a performance evaluation~~
- ~~9. Information compiled to explain absence from work or poor work performance~~
- ~~10. Other information most individuals would not willingly disclose publicly.~~

Cross Reference: 4340 Public Access to District Records

Legal Reference:	10.55.701(4), ARM	Board of Trustees
	§ 20-1-212(2), MCA	Destruction of records by school officer.
	§ 2-6-1001, MCA	Definitions

### Policy History:

Adopted on: 12/8/86

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

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

Policy History:

Adopted on:

Reviewed on:

Revised on:

~~Resolution of Staff Complaints/Grievances~~

~~School District No. 7 recognizes the importance of establishing reasonable and effective means for resolving difficulties which may arise among staff, to reduce potential areas of grievances and to establish and maintain recognized two-way channels of communication between supervisory personnel and staff.~~

~~The District intends to expedite the process for all concerned parties. Staff are urged to use the prescribed grievance procedures (negotiated in some instances) whenever they feel that a District action has aggrieved them. The procedures are established to secure a proper and equitable solution to a complaint at the lowest possible supervisory level and to facilitate an orderly procedure within which solutions may be pursued.~~

~~A grievance must be a claim by a staff member based upon alleged violation, misinterpretation or a misapplication of existing language within an appropriate collective bargaining agreement or within existing language of district policies and procedures. A grievance must cite the specific language allegedly violated, misinterpreted or misapplied, and a remedy must be identified that is suitable.~~

~~All documents, communications and records dealing with the processing of a grievance shall be maintained in a separate file and shall not be kept in the personnel file of the aggrieved.~~

~~Adopted: 12/8/86      Rev. 4/12/93~~

Termination or Non-Renewal of Employment/Dismissal from Employment

The termination, non-renewal or dismissal of certified staff and the termination or dismissal of classified staff shall be acted upon by the Board after receiving the recommendation of the Superintendent in conformity with State laws, negotiated agreements and District policies.

~~In accordance with 39-3-205 MCA, the final pay warrant for employees terminated for cause or laid off may be issued on the employee's next regular payday for the pay period that includes the last day the employee worked or to within 15 days from the date of separation, whichever occurs first.~~

~~If an employee is terminated by reason of an allegation of theft of property or funds connected to the employee's work, the District may withhold from the employee's final paycheck an amount sufficient to cover the value of the theft, provided:~~

- ~~1. The employee agrees in writing to the withholding; or~~
- ~~2. The District files a report of the theft with law enforcement within seven (7) business days of separation.~~

~~If no court charges are filed against the employee within thirty (30) days of the filing of the report with law enforcement, wages are due within a thirty-day period.~~

Cross Reference:      5140    Classified Employment and Assignment  
                              5255    Disciplinary Action

Legal Reference:      § 20-3-324(2), MCA    Trustee Powers and Duties  
                              § 20-4-204, MCA      Termination of tenure teacher services  
                              § 20-4-206, MCA      Notification of nontenure teacher reelection – acceptance – termination.  
                              § 20-4-207, MCA      Dismissal of teacher under contract  
                              § 39-2-912, MCA      Exemptions to Wrongful Discharge from Employment Act

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 2/22/99, 2/10/03, 8/10/09

## PERSONNEL

5251

### Resignations

Certified and other contracted personnel will generally be expected to fulfill the terms of their contract unless (1) there are clearly compelling, mitigating circumstances which prevent the certified employees or employees under contract from doing so; and (2) until such time as the Board through public action releases the certified or exempt individual from the terms of his/her contract upon the recommendation of the Superintendent.

Classified employees not under contract are expected to give due written notice that will permit the District to conduct a search for a suitable replacement. Generally speaking the Board of Trustees expects a two-week notice.

**The Board authorizes the Superintendent or designee to accept on its behalf resignations from any District employee. The Superintendent or designee shall provide written acceptance of the resignation, including the date of acceptance, to the employee, setting forth the effective date of the resignation.**

**Once the Superintendent or designee has accepted the resignation, it may not be withdrawn by the employee. The resignation and its acceptance should be reported as information to the Board at the next regular or special meeting.**

All employees should complete and deliver a signed District Employee's Intent to Resign form to the supervisor and subsequently to the Director of Human Resources. Supervisors are responsible to see that employees who intend to leave the service of the District are notified of this obligation. This signed notice on the District form must be given with appropriate notice. An exit interview with the Director of Human Resources may be scheduled upon request from the employee or the Director of Human Resources. The Employee's Intent to Resign form will be provided to the Payroll Office and implemented systematically throughout the District.

~~All resignations are to be in writing in accordance with attached procedures.~~

~~Requests for resignations shall be transmitted to the Board of Trustees as part of the regular monthly personnel report. A resignation properly submitted to the Human Resources Director or the Superintendent may be considered a permanent separation of the employee from employment with the District effective upon receipt, notwithstanding that this resignation will be submitted to the Board of Trustees for acceptance at the next regularly scheduled meeting.~~

### Certified and Contracted Employees

For certified employees, submitting a resignation will not imply automatic acceptance of the resignation if the contract has not been completed. Certified and other contracted employees are expected to complete the term of the contract except for compelling reasons. ~~Only the Board of Trustees can sever the contractual relationship.~~

### Classified Employees

Appropriate notice, generally speaking two weeks, should be provided except for compelling reasons.

If less than two weeks' notice is given, the employee should walk the Employee's Intent to Resign form through the process, arriving at the Human Resources Office within hours of the announcement of intended resignation.

If a classified employee quits without notice or fails to return to work after the summer break, the supervisor of the vacant position needs to complete the Intent to Resign Form, make a notation on the form that no notice was given and forward the form to the Human Resources Office.

If an employee quits without appropriate notice to the District and without compelling reasons, a notation will be made in the employee's personnel file.

#### Release from Contract

~~It is recognized that from time to time it may be necessary for certain employees, including teachers, to request release from their contracts. Release from a classified contract will be accepted and recommended to the Board providing sufficient notice is provided and a resignation is submitted in writing on the appropriate School District form (in triplicate).~~

~~Requests for release from a teaching contract will be recommended to the Board for approval only after the following conditions have been met:~~

- ~~1. The request must be in writing (which shall generally provide reasons).~~
- ~~2. An appropriate replacement is available.~~
- ~~3. There will be no additional cost to the District.~~

~~Only the Board may approve release from a teaching contract, or for that matter the resignation from an extracurricular position accepted at the time of initial employment (after 1974-75).~~

Legal Reference: *Booth v. Argenbright*, 225 Mont. 272, 731 P.2d 1318 (1987)

#### Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 1/25/93 2/22/99, 2/10/03



Resignations

~~Certified and other contracted personnel will generally be expected to fulfill the terms of their contract unless (1) there are clearly compelling, mitigating circumstances which prevent the certified employees or employees under contract from doing so; and (2) until such time as the Board through public action releases the certified or exempt individual from the terms of his/her contract upon the recommendation of the Superintendent.~~

~~Classified employees not under contract are expected to give due written notice that will permit the District to conduct a search for a suitable replacement. Generally speaking the Board of Trustees expects a two-week notice.~~

~~All resignations are to be in writing in accordance with attached procedures.~~

~~Requests for resignations shall be transmitted to the Board of Trustees as part of the regular monthly personnel report. A resignation properly submitted to the Human Resources Director or the Superintendent may be considered a permanent separation of the employee from employment with the District effective upon receipt, not withstanding that this resignation will be submitted to the Board of Trustees for acceptance at the next regularly scheduled meeting.~~

Retirement Programs for Employees

All employees of the Bozeman Public Schools shall participate in the retirement programs under the Federal Social Security Act and either the Teachers’ Retirement System or the Public Employees’ Retirement System according to state retirement regulations.

Certified employees who intend to retire at the end of the current school year should notify the superintendent in writing prior to April 1 of that year.

Those employees intending to retire who are not contractually obligated to complete the school year should notify the superintendent as early as possible and no less than sixty (60) days prior to their retirement date.

The relevant and most current negotiated agreements for all categories of employees shall specify severance stipends and other retirement conditions and benefits.

The Board of Trustees directs the Superintendent to develop procedures by which contributions shall be determined for previously unclaimed prior service.

Legal Reference:	Title 19, Chapter 1	M.C.A.	Social Security
	Title 19, Chapter 3	M.C.A.	Public Employees’ Retirement System
	Title 19, Chapter 4	M.C.A.	Teachers’ Retirement System

Adopted: 12/8/86    Rev. 1/25/93

Payment of Employer Contributions and Interest on Previous Service

A Public Employees' Retirement System (PERS) member may purchase: (1) all or a portion of the member's employment with an employer prior to the time the employer entered into a contract for PERS coverage; and (2) all or a portion of the member's employment for which optional PERS membership was declined (both of which are known as previous service).

The member must file a written application with the PERS Board to purchase all or a portion of the employment for service credit and membership service. The application must include salary information certified by the member's employer or former employer.

The District has the option to pay, or not to pay, the employer's contributions due on previous service and the option to pay, or not to pay, the outstanding interest due on the employer's contributions for the previous service.

It is the policy of this District to pay the employer's contributions due on previous service.

It is also the policy of this District to not pay the outstanding interest due on the employer's contributions for the previous service.

This policy will be applied indiscriminately to all employees and former employees of this District.

If the District opts to not pay the employer's contributions due on previous service and/or the outstanding interest due on the employer's contributions for previous service, then the employee shall pay the amount not paid by the employer in order to receive service credit and membership service for the period of employment.

Legal Reference:      § 19-3-505, MCA      Purchase of previous employment with employer

Policy History:

Adopted on:

Reviewed on:

Revised on:

Disciplinary Action

District employees who fail to fulfill their job responsibilities or to follow reasonable directions of their supervisors, or who conduct themselves on or off the job in ways that affect school operations, may be subject to discipline. Behavior, conduct, or action that may call for disciplinary action or dismissal includes but is not limited to reasonable job-related grounds based on a failure to satisfactorily perform job duties, disruption of the District's operation, or other legitimate reasons.

**Discipline will be reasonably appropriate to the circumstance and will include but not be limited to a supervisor's right to reprimand an employee and the Superintendent or building principal's right to suspend an employee, without pay, or to impose other appropriate disciplinary sanctions. Disciplinary sanctions, including all forms of reprimands, will be documented and placed in the employees personnel file accordance with Policy 5231. In accordance with Montana law, only the Board may terminate an employee or non-renew employment.**

~~Discipline shall be reasonably appropriate to the circumstances, and shall include but not be limited to the supervisor's right to reprimand and the Superintendent's right to reprimand or suspend with or without pay. Dismissal shall be instituted by the Board of Trustees upon the recommendation of the Superintendent. In case of dismissal of certified staff, applicable state statutes shall be followed. Due process as described below shall be afforded any individual being reprimanded, or suspended with or without pay.~~

**The Superintendent or building principal is authorized to immediately suspend a staff member, with pay, in a non-disciplinary manner.**

~~a. In the case of an oral reprimand, the employee shall be entitled to be told the supervisor's reasons for dispensing the oral reprimand and the employee shall be given the opportunity to present their side of the incident. The employee is not entitled to a hearing nor written notice of the meeting or of the charges/accusations leading to the oral reprimand.~~

~~b. Prior to receiving a written reprimand, the employee shall be entitled to a meeting with the supervisor in which the employee has the right to be notified in advance that discipline could result from the meeting and that the employee can bring a representative with them to the meeting. An employee can also submit a written response to the reprimand within ten days of receipt of the reprimand. The response will be attached to the reprimand in the employee's personnel file. Sufficient time to find a representative must be given the employee. Such level of discipline does not require a formal hearing nor written notice of the meeting.~~

~~c. The Superintendent is authorized to suspend a staff member immediately with pay pending investigation of charges. If a supervisor has recommended suspension with pay as the next progressive step to improve employee performance, the employee shall be entitled to a meeting with the Superintendent in which the employee has the right to be notified in advance that discipline could result from the meeting and that the employee can bring a representative with them to the meeting. An employee can also submit a written response to the suspension notification within ten days of receipt of the notification. The response will be attached to the notification in the employee's personnel file. Sufficient time~~

~~to find a representative must be given the employee. Such level of discipline does not require a formal hearing nor written notice of the meeting.~~

~~d. In the case of suspension without pay, due process shall include a hearing with the Superintendent in which the employee has the right to be notified in advance that discipline could result from the meeting and that the employee can bring a representative with them to the meeting. An employee can also submit a written response to the suspension notification within ten days of receipt of the notification. The response will be attached to the suspension notification in the employee's personnel file. Sufficient time to find a representative must be given the employee. The Superintendent may suspend an employee for up to 5 work days without pay.~~

~~e. The suspension of an employee by the Superintendent, with or without pay, shall not impact or affect the employee's seniority pursuant to the employee's Collective Bargaining Agreement with the District.~~

Cross Reference	5250	Termination from Employment/Non-Renewal of Employment
Legal Reference:	§ 20-3-324, MCA	Powers and duties
	§ 20-4-204, MCA	Termination of tenure teacher services
	§ 20-4-207, MCA	Dismissal of teacher under contract
	§ 39-2-903, MCA	Definitions
	§ 45-8-361, MCA	Possession or allowing possession of a weapon in school building – exceptions – penalties – seizure and forfeiture or return authorized – definitions.

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 06/14/93, 09/12/94



Reduction in Force

The Board has exclusive authority to determine the appropriate number of employees. A reduction in employees may occur as a result of but not be limited to changes in the education program, staff realignment, changes in the size or nature of the student population, financial considerations, or other reasons deemed relevant by the Board.

The Board will follow the procedure stated in the current collective bargaining agreement, if applicable, when considering a reduction in force. The reduction in employees will generally be accomplished through normal attrition when possible. The Board may terminate employees, if normal attrition does not meet the required reduction in force.

If no collective bargaining agreement covers the affected employee, the Board will consider needs of the students, employee performance evaluations, staff needs, and other reasons it deems relevant, in determining order of dismissal when it reduces classified staff or discontinues some type of educational service.

~~When the reduction, modification or elimination of programs and/or services necessitates a reduction in staff, the relevant and most current negotiated agreements shall be observed in accomplishing the reduction for each category of employee. The "most current negotiated agreement" is that agreement in force at the time of the administrative decision.~~

~~The number of employees working for the district is determined by the Board. Conditions under which a reduction in force takes place must and will be determined by the Board.~~

Cross Reference: 5250 Termination from Employment, Non-Renewal of Employment

Legal Reference: § 39-2-912, MCA Exceptions

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 06/14/93, 04/28/03

Employee Assistance Program

The Bozeman School District will provide an Employee Assistance Program that is intended to assist employees and their dependents in dealing with the personal problems that pose a threat to their health, well-being and/or possibly their jobs. The EAP may help with a wide range of problems employees face such as substance abuse, emotional problems, or other job-related or personal concerns. The scope of assistance will be limited to (1) initial assessment and referral; (2) up to three short-term counseling sessions with the District's external EAP coordinator; and (3) awareness/education services on the effects of drug/alcohol or other addictions, stress management and/or other areas of personal problems. Subsequent services which may be indicated may be partially covered by applicable provision of health insurance, with the employee being responsible for the cost of any remainder of services provided. Confidential assistance is made available through special arrangements by the District with a confidential external EAP coordinator. The external EAP coordinator will provide the three areas of assistance identified as the scope of this program. The external EAP coordinator will coordinate with the Human Resources Department of the School District. No services, beyond the three listed in this policy as the scope of this program, will be provided to employees except those specifically covered in the District's employee benefit plan for participating employees.

Implementation of this program will not require or result in any special regulations, privileges or exceptions from the standard job performance requirements. The Employee Assistance Program may be complementary to, but is not a substitute for, effective job performance.

Compensation and Pay Plans

Compensation--Basis of Salary

For certified employees the basis for calculating all salary shall be the face contract amount expressed in terms of full-time or a percentage thereof.

For non-exempt classified employees the base of pay is the hour. For 12-month employees only the method for calculating monthly salary will be the hourly rate x 2080 hours divided by 12 (which will be prorated to the percentage of employment). Full-time classified positions are 40 hours per week. All Classified employees shall submit a time sheet and an appropriate authorization shall be issued before the commencement of work and the payment of wages.

Specific compensation levels for various classifications of the Bozeman Classified Employees Association (BCEA) are found in the current collective bargaining agreement. The Superintendent will establish pay rates for other classified employees not covered by a negotiated agreement and for classified and certified substitutes.

Stipends are in addition to base salary.

Classification System for Bozeman Classified Employees Association

The Bozeman Public Schools BCEA Classification System is based on the development of an appropriate job description for each position, an audit of current responsibilities, interviews with employees, their supervisors and administrative personnel, investigation criteria for placement in similar positions in other organizations, and research of salaries in comparable positions in the Gallatin valley, and appropriate comparable organizations statewide.

The pay and benefit programs for BCEA positions within the Bozeman Public Schools were initially established on a competitive base developed by Management Associates through extensive consultation. The Board of Trustees directed the Superintendent to develop a “criteria performance test” (yardstick). This test matches responsibility, human relations aspects, energy, integrity and confidentiality, education and skills, fiscal responsibility, working environment and job market variables as major factors affecting job classification. It is the intent of the Board of Trustees that the District conform to this uniform format for classifying positions in order to allow systematic application of graded criteria as developed in the “criteria performance test.”

At the time a search for a vacancy commences, the job description for the position will be revised and reclassified if needed. Reclassification shall follow the procedure established by the Superintendent. Requests for reclassification of grade or length of contract shall be initiated by the supervisor of the position. Employees within this unit may request grade changes in accordance with the negotiated agreement. Requests shall be reviewed by a committee of at least three individuals, including the Superintendent, Assistant Superintendent and Director of Human Resources, and a bargaining unit officer.

### Educational Service Experience

1. The Superintendent or his/her designee (~~Assistant~~ **Deputy** Superintendent(s) or Human Resources Director) will determine the applicable experience to be advertised for any vacancy.
2. Teachers shall accrue one full additional year of educational service on the salary schedule for each year in which they completed a minimum of 135 days of service. Part-time teachers will be given a full year of experienced credit for each full year of contract served (full year defined as a minimum of 135 days), irrespective of the part-time nature of the contract.
3. Participants in the Teacher Career Development Program will be granted a full year's experience on the salary schedule if the planned educational program contains teaching experience such as a graduate teaching assistantship. Teachers participating in the Teacher Career Development Program are in paid status even though it is in absentia.  
  
Teachers participating in this program accrue a full year's credit on the seniority list.
4. Teachers on Leave Without Pay status will not accrue experience on the salary schedule nor will they accrue service for purposes of computing seniority.

Legal Reference:	39-3-104 M.C.A.	Equal Pay for Women for Equivalent Service
	39-3-404 M.C.A.	Minimum Wage

Adopted: 12/8/86    Rev. 7/12/93, 1/24/00, 10-25-04

Military Credit

New teachers will be allowed one-year credit on the salary schedule, for one or more years of military service where active service interrupts employment in the District.

Adopted: 12/8/86



Substitutes

*The Superintendent or designee will regularly approve a list of acceptable substitutes that meet the guidelines as prescribed in this policy. Appearance on the substitute list does not guarantee employment.*

*The Board authorizes the use of substitute teachers that appear on the list to replace teachers who are temporarily absent. The principal or Human Resource Department shall arrange for the substitute to work for the absent teacher. Under no condition is a teacher to select or arrange for their own substitute. A substitute teacher may be employed to carry on a teacher's duties not to exceed 35 consecutive teaching days.*

*If the absence of the regular, licensed or authorized teacher continues for more than 35 consecutive teaching days, the District shall place a licensed teacher under contract or seek an emergency authorization of employment in accordance with Administrative Rules of Montana 10.57.107.*

*The Human Resources Director annually establishes a daily rate of pay for substitute teachers. No fringe benefits are given to substitute teachers.*

*Substitutes for classified positions will be paid by the hour. When a classified employee is called upon to substitute for a teacher, the teacher sub rate shall apply unless the classified rate of pay is higher.*

*All substitute teachers will be required to undergo fingerprint and background checks in accordance with all applicable laws and policies.*

Pay Plan - Substitutes

Certified

~~The Board authorizes the administration to establish a substitute rate of pay. It shall be consistent among all schools within the Bozeman Public Schools.~~

Classified

~~The Board authorizes the administration to use a uniform substitute rate of pay for classified positions with the stipulation that the rate shall not be greater than the probationary entry level for the specific job classification.~~

Legal Reference: 10.55.716, ARM Substitute teachers

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 04/28/03

Pay Plan -- Temporary Employees

Pay for temporary employees shall be determined by the Human Resources Office in accordance with the classified pay plan of the district.

Pay shall not generally be greater than the probationary level of an appropriate grade of the classified pay plan. Exceptions can be made by the Superintendent based on the needs of the District.

Adopted: 12/8/86      Rev: 10-25-04

Leaves of AbsenceSick and Bereavement Leave

Certified employees will be granted sick leave according to terms of their collective bargaining agreement.

Classified employees will be granted sick leave benefits in accordance with § 2-18-618, MCA. For classified staff, “sick leave” is defined as a leave of absence, with pay, for a sickness suffered by an employee or an employee’s immediate family. Sick leave may be used by an employee when they are unable to perform job duties because of:

- *A physical or mental illness, injury, or disability;*
- *Maternity or pregnancy-related disability or treatment, including prenatal care, birth, or medical care for the employee or the employee’s child;*
- *Parental leave for a permanent employee as provided in § 2-18-606, MCA;*
- *Quarantine resulting from exposure to a contagious disease;*
- *Examination or treatment by a licensed health care provider;*
- *Short-term attendance, in an agency’s discretion, to care for a person (who is not the employee or a member of the employee’s immediate family) until other care can reasonably be obtained;*
- *Necessary care for a spouse, child or parent with a serious health condition, as defined in the Family and Medical Leave Act of 1993; or*
- *Death or funeral attendance of an immediate family member or, at an agency’s discretion, another person when Bereavement leave is not available as defined in the CBA.*

Nothing in this policy guarantees approval of the granting of such leave in any instance. The District will judge each request in accordance with this policy and governing collective bargaining agreements.

It is understood that seniority will accumulate while a teacher or employee is utilizing sick leave credits. Seniority will not accumulate, unless an employee is in a paid status. Abuse of sick leave is cause for disciplinary action up to and including termination of employment.

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

~~Further, it is the objective of this policy to assure that the District assures compliance with current maternity leave requirements as specified by the 1978 amendment to the Civil Rights Act of 1964 banning pregnancy discrimination. Sick leave will be available for pregnancy, miscarriage, childbirth, and recovery therefrom.~~

Personal and Emergency Leave

*Teachers will be granted personal and emergency leave according to terms of the current collective bargaining agreement. Upon recommendation of the Superintendent, and in*

accordance with law and District policy, classified staff may be granted personal leave pursuant to the following conditions:

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

#### Civic Duty Leave

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

An employee who is summoned to jury duty or subpoenaed to serve as a witness may elect to receive regular salary or to take annual leave during jury time. An employee who elects not to take annual leave, however, must remit to the District all juror and witness fees and allowances (except for expenses and mileage). The District may request the court to excuse an employee from jury duty, when an employee is needed for proper operation of the school.

Legal Reference:	42 U.S.C §2000e	Equal Employment Opportunities
	§ 2-18-601(15), MCA	Definitions
	§ 2-18-618, MCA	Sick leave
	§ 2-18-619, MCA	Jury Duty – Service as Witness
	§ 39-2-104, MCA	Mandatory Leave of Absence for employees
		Holding public office employers
	§ 49-2-311, MCA	Reinstatement to job following
		pregnancy- related leave of absence

#### Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on:

Military Leave

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Montana Military Service Employment Rights, the Superintendent shall grant military leave to employees for voluntary or involuntary service in the uniformed services of the United States, upon receipt of the required notice. Benefits shall be maintained for these employees as required by law and/or collective bargaining agreements. A service member who returns to the District for work following a period of active duty must be reinstated to the same or similar position and at the same rate of pay unless otherwise provided by law.

Time spent in active military service shall be counted in the same manner as regular employment for purposes of seniority or District service unless otherwise provided in a collective bargaining agreement.

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

All requests for military leave will be submitted to the Superintendent or designee, in writing, accompanied by copies of the proper documentation showing the necessity for the military leave request.

When possible, all requests for military leave will be submitted at least one (1) full month in advance of the date military service is to begin.

Persons returning from military leave are asked to give the Superintendent notice of intent to return, in writing, as least one (1) full month in advance of the return date.

The District shall post notice of the rights, benefits, and obligations of the District and employees in the customary place for notices.

Legal Reference:      38 U.S.C. §§ 4301-4334

§10-1-1004, MCA

§10-1-1005, MCA

§10-1-1006, MCA

§10-1-1007, MCA

§10-1-1009, MCA

The Uniformed Services Employment and Reemployment Act of 1994

Rights under federal law

Prohibition against employment discrimination

Entitlement to leave of absence

Right to return to employment without loss of benefits – exceptions – definition

Paid military leave for public employees

Policy History:

Adopted on:

Reviewed on:

Revised on:



## PERSONNEL

5325

Breastfeeding Workplace

Recognizing that breastfeeding is a normal part of daily life for mothers and infants and that Montana law authorizes mothers to breastfeed their infants where mothers and children are authorized to be, the District will support women who want to continue breastfeeding after returning from maternity leave.

The District shall provide reasonable unpaid break time each day to an employee who needs to express milk for the employee's child, if breaks are currently allowed. If breaks are not currently allowed, the District shall consider each case and make accommodations as possible. The District is not required to provide break time if to do so would unduly disrupt the District's operations. Supervisors are encouraged to consider flexible schedules when accommodating employees' needs.

The District will make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a toilet stall, where an employee can express the employee's breast milk. The available space will include the provision for lighting and electricity for the pump apparatus. If possible, supervisors will ensure that employees are aware of these workplace accommodations prior to maternity leave.

Legal Reference:	§ 39-2-215, MCA	Public employer policy on support of women and breastfeeding – unlawful discrimination
	§ 39-2-216, MCA	Private Place for nursing mothers
	§ 39-2-217, MCA	Break time for nursing mothers

Policy History:

Adopted on: 04/09/12

Reviewed on:

Revised on:

Leaves of Absence (Discretionary)

A Leave of Absence shall be defined as leave without pay or insurance benefits except that an employee on approved Leave of Absence without pay may elect to continue group benefits provided all costs are absorbed by the employee and are paid on a monthly basis in advance.

An employee who has worked in the Bozeman Public Schools for a minimum period of five consecutive years and who has been elected or contracted for the ensuing year is eligible to apply for a formal Leave of Absence.

A Leave of Absence may be granted to eligible employees for such reasons as disability leave (extended personal or family illness), parental leave (for the purpose of caring for a newborn child or a newly adopted child), exchange teaching, study in residence, extended travel, fulfillment of duties in an elected political office and military or alternative service such as Peace or Vista Corps, or for other purposes recommended by the Superintendent and approved by the Board of Trustees.

Employees on extended leaves shall generally be entitled to return to the same position which they held immediately before commencement of leave or to positions of comparable responsibility and remuneration; and carry-over without any loss of sick leave or years of service up to the time of the employee's approved leave, except that the employee shall not accrue sick leave, annual vacation leave nor additional service time toward seniority during any unpaid leave of absence.

A parental leave may be requested and may be approved upon completion of normal maternity leave benefits in the case of the mother and may be requested in the case of the father immediately upon childbirth. The length of a parental leave of absence shall be for the remaining balance of a semester or the balance of a full year (to June 30), or for a period of one regular school year in the event of a certified employee.

Individuals on Leave Without Pay status will not accrue experience on the salary schedule nor will they accrue service for purposes of computing salary.

The Superintendent may waive particular requirements enumerated above (3rd paragraph) in individual cases where discretionary leaves are requested, and may recommend approval of such leaves to the Board. Such recommendations will be on the basis of individual needs and shall not constitute a precedent under any collective bargaining agreement.

Extended and/or General Leave Requests (Discretionary)

The Board of Trustees reserves to itself final approval of all discretionary extended leave requests, whether with or without pay. This shall include those leaves under the Voluntary Career Development Plan, as well as discretionary leaves without pay.

The administration is directed to bring such leave requests to the Board for its approval as part of the regular personnel report.

Collective bargaining agreements or governing master agreements reached with the District's four units may stipulate additional requirements, and these have the force of Board policy.

Adopted: 12/8/86

## PERSONNEL

5328

page 1 of 2

Family Medical Leave

In accordance with provisions of the Family Medical Leave Act of 1993 (FMLA), a leave of absence of up to twelve (12) weeks during a twelve-(12)-month period may be granted to an eligible employee for the following reasons: 1) birth of a child; 2) placement of a child for adoption or foster care; 3) a serious health condition which makes the employee unable to perform functions of the job; 4) to care for the employee's spouse, child, or parent with a serious health condition; 5) because of a qualifying exigency (as the Secretary shall, by regulation, determine) arising out of the fact that the spouse or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

Servicemember Family Leave

Subject to Section 103 of the FMLA of 1993, as amended, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to a total of twenty-six (26) workweeks of leave during a twelve-(12)-month period to care for the servicemember. The leave described in this paragraph shall only be available during a single twelve-(12)-month period.

Eligibility

*An employee is eligible to take FMLA leave, if the employee has been employed for at least twelve (12) months and has worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) months immediately prior to the date leave is requested, and there have been at least fifty (50) District employees within seventy-five (75) miles for each working day during twenty (20) or more workweeks in the current or preceding calendar year.*

*The Board has determined that the twelve-(12)-month period during which an employee may take FMLA leave is twelve (12) months backward from the date of FMLA leave.*

Coordination of Paid Leave

*Employees will be required to use appropriate paid leave while on FMLA leave. Workers' compensation absences will not be designated FMLA leave.*

Medical Certification

The Superintendent has discretion to require medical certification to determine initial or continued eligibility under FMLA as well as fitness for duty.

Legal Reference:	29 U.S.C §2601, <i>et seq.</i> - Family and Medical Leave Act of 1993
	29 C.F.R. Part 825, Family and Medical Leave Regulation
	§§2-18-601, <i>et seq.</i> , MCA Leave Time
	§§49-2-301, <i>et seq.</i> , MCA Prohibited Discriminatory Practices
	Section 585 – National Defense Authorization Act for FY 2008,
	Public Law [110-181]

Policy History:

Adopted on:

Reviewed on:

Revised on:

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~~Long-Term Illness/Temporary Disability Leave/Maternity Leave~~

~~Employees may use sick leave for long-term illness or temporary disability, and, upon the expiration of sick leave, the Board may grant eligible employees leave without pay if requested. Medical certification of the long-term illness or temporary disability may be required, at the Board's discretion.~~

~~Leave without pay arising out of any long-term illness or temporary disability shall commence only after sick leave has been exhausted. The duration of leaves, extensions, and other benefits for privileges such as health and long-term illness, shall apply under the same conditions as other long-term illness or temporary disability leaves.~~

~~It is the policy of the Bozeman Public Schools to enable its contracted employees to use sick leave for long-term illness or temporary disability, and upon the expiration of sick leave to grant otherwise eligible employees leave without pay if requested.~~

~~Medical certification of the long-term illness or temporary disability may be required at the Board's discretion.~~

~~Long-term illness or temporary disability shall be construed to include pregnancy, miscarriage, childbirth and recovery therefrom. Maternity leave includes only continuous absence immediately prior to delivery, absence for delivery, and absence for post-delivery recovery, or continuous absence immediately prior to and in the aftermath of miscarriage or other pregnancy-related complications. Such leave shall not exceed six weeks unless prescribed by a physician.~~

~~Leave without pay arising out of any long-term illness or temporary disability, including pregnancy, miscarriage, childbirth and recovery therefrom shall commence only after sick leave has been exhausted. The duration of leaves, extensions, and other benefits for privileges such as health and long-term illness or temporary disability plans in the event of maternity leave, shall apply under the same conditions as other long-term illness or temporary disability leaves.~~

~~The Superintendent shall devise procedures within the intent of Title VII of the 1964 Civil Rights Act as amended in 1978 by the Pregnancy Discrimination Act, and within the scope of applicable law and court rulings in the state of Montana.~~

~~The Superintendent shall devise procedures within the intent of Title VII of the 1964 Civil Rights Act as amended in 1978 by the Pregnancy Discrimination Act, and within the scope of applicable law and court rulings in the state of Montana.~~

Legal Reference:	49-2-310 M.C.A.	Maternity Leave
	49-2-311 M.C.A.	Reinstatement to Job Following Pregnancy-- Related to Leave of Absence

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on:

Maternity and Paternity Leave

The School District's maternity leave policy covers employees who are not eligible for FMLA leave at Policy 5328. Maternity leave includes only continuous absence immediately prior to adoption, delivery, absence for delivery, and absence for post-delivery recovery, or continuous absence immediately prior to and in the aftermath of miscarriage or other pregnancy-related complications.

The School District shall not refuse to grant an employee a reasonable leave of absence for pregnancy or require that an employee take a mandatory maternity leave for an unreasonable length of time. The School District has determined that maternity leave shall not exceed 12 weeks unless mandated otherwise by the employee's physician.

The School District shall not deny to the employee who is disabled as a result of pregnancy any compensation to which the employee is entitled as a result of the accumulation of disability or leave benefits accrued pursuant to plans maintained by the employer, provided that the employer may require disability as a result of pregnancy to be verified by medical certification that the employee is not able to perform employment duties.

An employee who has signified her intent to return at the end of her maternity leave of absence shall be reinstated to her original job or an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits, and other service credits.

The School District will review requests for Paternity Leave in accordance with any applicable policy or collective bargaining agreement provision governing use of leave for family purposes.

<u>Legal Reference:</u>	§ 49-2-310, MCA	<u>Maternity leave – unlawful acts of employer</u>
	§ 49-2-311, MCA	<u>Reinstatement to job following pregnancy-related leave of absence</u>
	<u>Admin. R. Mont. 24.9.1201—1207</u>	<u>Maternity Leave</u>

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



Insurance Benefits for Employees

It is the policy of the Bozeman Public Schools that newly contracted employees will be eligible for insurance benefits offered by the District for the particular bargaining unit to which the employee belongs, with the exceptions noted below:

1. Classified employees who are less than half time (that is, who are regularly scheduled to work less than 20 hours per week) will not be eligible for group health, dental and life insurance, and will not be considered to be a member of the defined employee insurance benefit groups.
2. Any permanent employee who works half time or more is eligible for group health and/or dental insurance irrespective of the unit to which the employee belongs. All medical and dental insurance premiums shall be prorated in the amount of the face contract in terms of full time equivalency times the District's maximum contribution as prescribed by the master contract for the unit. Life insurance benefits shall accord with the master contract of the particular unit.
3. An employee who does not work during the summer, but who has been contracted during the previous academic year, shall be eligible at his/her election to continue group health, dental and life insurance coverage during the summer months. For certified personnel, the District will pay the district's portion of the premium during the summer if the certified staff member has been renewed for the following year. A classified employee who has completed a six month probationary period by June 30 is eligible to receive the District portion of health premiums for the months of July and August in the same proration as existed during the academic year.
4. An employee who has not completed the required number of days must pay the total premium (employee and employer portion) for June, July and August by the last day of school. This payment is made to the district's Benefit Specialist.

Employees are responsible for selecting their benefits and ensuring that the premiums are paid in regards to these elections. Benefit elections are made dependent on the number of hours worked per week, as follows:

1. Employees working 20-29 hours per week:  
Benefits will be automatically waived, unless they elect coverage within 31 days from their eligibility start date or before the deadline of an open enrollment period.
2. All employees who work 30 hours or more per week:  
Employee will automatically be enrolled in the least expensive, employee only health plan option unless the health plan is waived or another plan is selected within 31 days from their eligibility start date or before the deadline of an open enrollment period.

If the number of hours worked are not sufficient to cover the full cost of the premium, the employee is responsible to self-pay the difference to the Benefits Specialist within 15 days of payday.

Anniversary dates of the health and dental insurance policies for the District shall be September 1 through August 31.

Legal Reference: 2-18-702 MCA Group Insurance for Public Employees and Officers  
2-18-703 MCA Contributions

Policy History Adopted: 12/8/86 Rev. 6/24/91; 1/25/93; 8/8/94, 8/10/15

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Holidays

Holidays for certified staff are dictated in part by the school calendar. Temporary employees will not receive holiday pay. Part-time employees will receive holiday pay on a prorated basis.

The holidays required for classified staff, by § 20-1-305, MCA, are:

1. Independence Day
2. Labor Day
3. Thanksgiving Day
4. Christmas Day
5. New Year's Day
6. Memorial Day
7. State and national election days when the school building is used as a polling place and conduct of school would interfere with the election process

*When an employee, as defined above, is required to work any of these holidays, another day shall be granted in lieu of such holiday, unless the employee elects to be paid for the holiday in addition to the employee's regular pay for all time worked on the holiday.*

*When one of the above holidays falls on Sunday, the following Monday will not be a holiday. When one of the above holidays falls on Saturday, the preceding Friday will not be a holiday.*

*When a holiday occurs during a period in which vacation is being taken by an employee, the holiday will not be charged against the employee's annual leave.*

Legal Reference:     § 20-1-305, MCA     School holidays  
                          37 A.G. Op. 150 (1978)

Policy History:

Adopted on:

Reviewed on:

Revised on:

Vacations

Classified employees, Director of Business Services/District Clerks, and Superintendents will accrue annual vacation leave benefits in accordance with §§ 2-18-611, 2-18-612, 2-18-614 through 2-18-617 and 2-18-621, MCA. Nothing in this policy guarantees approval for granting specific days as annual vacation leave in any instance. The District will judge each request for vacation in accordance with staffing needs.

Employees are not entitled to any vacation leave with pay until they have been continuously employed for a period of six (6) calendar months.

~~The policy of the Board of Trustees, Bozeman School District No. 7, is to conform with all applicable statutes. Much of this leave policy is derived from policy 3-0305, Montana Administrative Manual, “Personnel Policies and Procedures.” Excess vacation time is not forfeited if taken within 90 calendar days from the last day of the fiscal year in which the excess was accrued.~~

Legal Reference:	§ 2-18-611, MCA	Annual vacation leave
	§ 2-18-612, MCA	Rate earned
	§ 2-18-617, MCA	Accumulation of leave – cash for unused – transfer

Policy History:

Adopted on: 12/8/86  
Reviewed on:  
Revised on: 1/25/93, 6/8/98

## PERSONNEL

5336

Page 1 of 2

Fair Labor Standards ActCompensatory Time and Overtime for Classified Employees

Non-exempt classified employees who work more than forty (40) hours in a given workweek may receive overtime pay of one and one-half (1½) times the normal hourly rate, unless the District and the employee agree to the provision of compensation time at a rate of one and one-half (1½) times all hours worked in excess of forty (40) hours in any workweek. The Superintendent must approve any overtime work of a classified employee.

Under Montana law and the Federal Fair Labor Standards Act, a classified employee may not volunteer to work without pay in an assignment similar to the employee's regular work.

A non-exempt employee who works overtime without authorization may be subject to disciplinary action.

Blended Time

Classified Employees working two or more jobs for the District at different rates of pay shall be paid overtime at a weighted average of the differing wages. This shall be determined by dividing the total regular remuneration for all hours worked by the number of hours worked in that week to arrive at the weighted average. One half that rate is then multiplied times the number of hours worked over 40 to arrive at the overtime compensation due.

Example: Employee works one job at 30 hrs./week at 10.00/hr. The same employee works a different job at 20 hrs./week at \$12.00/hr. (Same district). The employee would get \$300.00 per week for the 30 hr/week job (\$10.00X30) and \$240.00 per week for the 20 hr./week job (\$12.00X20). A total of \$540.00 (regular remuneration). Divide \$540.00 by 50(total hours worked) = \$10.8/hr (weighted average). One-half that rate (\$10.80/2 = \$5.40) is multiplied by 10 (number of hours over 40). \$54.00 is the amount of overtime compensation due the employee based on the "blended time".

Record-Keeping Requirements Under the Fair Labor Standards Act1. Records required for ALL employees:

- A. Name in full (same name as used for Social Security);
- B. Employee's home address, including zip code;
- C. Date of birth if under the age of nineteen (19);
- D. Sex (may be indicated with Male/Female, M/F, Mr./Mrs./Miss/Ms.);
- E. Time of day and day of week on which the employee's workweek begins;
- F. Basis on which wages are paid (such as \$5/hour, \$200/week, etc.);
- G. Any payment made which is not counted as part of the "regular rate";
- H. Total wages paid each pay period.
- I. Occupation

2. Additional records required for non-exempt employees:

- A. Regular hourly rate of pay during any week when overtime is worked;
- B. Hours worked in any workday (consecutive twenty-four-(24)-hour period);
- C. Hours worked in any workweek (or work period in case of 207[k]);
- D. Total daily or weekly straight-time earnings (including payment for hours in excess of forty (40) per week but excluding premium pay for overtime);
- E. Total overtime premium pay for a workweek;
- F. Date of payment and the pay period covered;
- G. Total deductions from or additions to wages each pay period;
- H. Itemization of dates, amounts, and reason for the deduction or addition, maintained on an individual basis for each employee;
- I. Number of hours of compensatory time earned each pay period;
- J. Number of hours of compensatory time used each pay period;
- K. Number of hours of compensatory time compensated in cash, the total amount paid, and the dates of such payments;
- L. The collective bargaining agreements which discuss compensatory time, or written understandings with individual non-union employees.

Legal Reference:

29 U.S.C § 201, *et seq.*

24.9.805, ARM

Title 39, Chapter 3, Part 4

24.16.2501—2581, ARM

Fair Labor Standards Act

Employment Records

Minimum Wage and Overtime Compensation

Overtime Compensation

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 10/8/07



Workers' Compensation Benefits

All employees of the District are covered by workers' compensation benefits. In the event of an industrial accident, an employee should:

1. Attend to first aid and/or medical treatment during an emergency;
2. Correct or report as needing correction a hazardous situation as soon as possible after an emergency situation is stabilized;
3. Report the injury or disabling condition, whether actual or possible, to the immediate supervisor, within forty-eight (48) hours, on the Employer's First Report of Occupational Injury or Disease; and
4. Call or visit the administrative office after medical treatment, if needed, to complete the necessary report of accident and injury on an Occupational Injury or Disease form.

The administrator will notify the immediate supervisor of the report and will include the immediate supervisor as necessary in completing the required report.

An employee who is injured in an industrial accident may be eligible for workers' compensation benefits. By law, employee use of sick leave must be coordinated with receipt of workers' compensation benefits, on a case-by-case basis, in consultation with the Workers' Compensation Division, Department of Labor and Industry.

The District will not automatically and simply defer to a report of industrial accident but will investigate as it deems appropriate to determine: (1) whether continuing hazardous conditions exist which need to be eliminated; and (2) whether in fact an accident attributable to the District working environment occurred as reported. The District may require the employee to authorize the employee's physician to release pertinent medical information to the District or to a physician of the District's choice, should an actual claim be filed against the Workers' Compensation Division, which could result in additional fees being levied against the District.

An employee who elects to receive Workers' Compensation benefits shall, upon commencement of the benefits, be considered in a Leave Without Pay status, and shall no longer be eligible for District group insurance benefits except to the extent provided for all employees on Leave Without Pay status, i.e. that all premiums are due in advance on a monthly basis for the duration of the Leave Without Pay. The District will discontinue its contributions for group insurance (health, dental, life) on behalf of any employee on a Leave Without Pay status at the end of the month in which Leave Without Pay commences.

Legal Reference: §§ 39-71-101, *et seq.*, MCA Workers' Compensation Act

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 6/14/93

Payment of Interest on Employer Contributions for Workers' Compensation Time

An employee absent because of an employment-related injury entitling the employee to workers' compensation payments may, upon the employee's return to service, contribute to the retirement system an amount equal to the contributions that would have been made by the employee to the system on the basis of the employee's compensation at the commencement of the employee's absence plus regular interest accruing from one (1) year from the date after the employee returns to service to the date the employee contributes for the period of absence.

The District has the option to pay, or not pay, the interest on the employer's contribution for the period of absence based on the salary as calculated. If the employer elects not to pay the interest costs, this amount must be paid by the employee.

It is the policy of this District to not pay the interest costs associated with the employer's contribution.

Cross Reference:      5254F                      Employer Payment Policy Form

Legal Reference:      §§ 19-3-504, MCA      Absence due to illness or injury.

Policy History:

Adopted on:

Reviewed on:

Revised on:

**PERSONNEL**

**5340**

Certified Staff Professional Development

The Bozeman Public Schools recognizes that additional training and study as well as occasional other professionally-related activities are necessary for the continued growth and ability of district employees.

**PROFESSIONAL DEVELOPMENT DAYS:**

In compliance with the State Board of Public Education Accreditation Standard 10.55.714, **PROFESSIONAL DEVELOPMENT:**

"The district shall provide as part of a continuous program for the improvement of instruction, a minimum of three (3) days of professional development annually for each certified employee in the district. A day of professional development is defined as six (6) hours of actual contact time."

Each year by June 1st, the Board shall cause the district to develop a plan for employee professional development that includes the following elements:

1. Goals and objectives that state the appropriate professional needs of teachers, administrators and other professional personnel in accordance with the District's Five-year Comprehensive Education plan.
2. Activities that meet the goals and objectives of the District's Long Range Strategic plan.
3. Methods of evaluation that measure the effectiveness of each activity.

The Board of Trustees shall establish a Professional Development Committee in accordance with state accreditation standards to consider and recommend the Professional Development plan for Board adoption. This committee shall include, but not be limited to, teachers, administrators, and board members. The majority of the committee members will be teachers and half the number of teachers plus one will be appointed by the Association. The committee will generally meet one hour each month throughout the school year, but may meet more frequently as a majority of the committee determines. Committee members will be provided a minimum of one day of compensation at the per diem rate and/or one release day a year for planning. Committee members will also be given time following each meeting to provide information at the subsequent faculty meeting.

The plan shall be adopted and evaluated by the Board, and shall be on file in the office of the Superintendent. It shall be available to employees and patrons of the Bozeman Public Schools.

**RELEASE TIME FOR PROFESSIONAL DEVELOPMENT:**

The Board of Trustees recognizes that the professional personnel of the school district will occasionally want to attend professionally-related activities such as conventions, committee meetings, workshops, seminars, institutes, visitations and other activities that are related to the education profession in a general sense. Attached procedures will serve as a guideline to the requests and approval of released time for such attendance.

**CONSULTATION BY CERTIFIED EMPLOYEES:**

Occasionally professional staff ask for leave in order to consult outside the district. On a limited basis this type of professional activity may be permitted. A professional who is absent a few times during the year for this purpose may be contributing to the profession and to the district. On the other hand, if a teacher were absent from his/her classroom duties many times during the year, the loss of instruction for our students would not be offset by the other benefits. The guidelines to be used relative to these requests are:

1. A professional staff member may use his/her personal days as per the District-BEA contract.

2. Such an individual may use professional leave for consulting work if approved by the building principal subject to review and final approval by the Assistant Superintendent. The principal's decision should consider such factors as:
  - a. The total number of absences of the employee for all purposes during the year.
  - b. The professional value of the consulting services to be provided by the employees.
  - c. Maintenance of program effectiveness in the employee's absence.
  - d. Availability of competent substitutes.
  - e. Arrangements for substitute pay (see No. 3 below).
3. The beneficiary of the staff member's consultation service will reimburse the school district for the cost of the substitute's pay. These arrangements are the responsibility of the consulting professional and must be arranged with the business office.
4. Where a certified employee has vacation or a variable schedule, days used for consultation shall be the sole concern of the employee provided of course that the employee's calendar or vacation has been approved by his/her supervisor.

#### SALARY SCHEDULE ADVANCEMENT:

Professional employees shall advance on the district's salary schedule as agreed in the relevant and most current negotiated agreement.

Unless otherwise specified, courses and in-service programs conducted or sponsored by the district shall not be accepted for advancement on the district's salary schedule; nor shall in-service activities during school hours as an integral part of the employee's employment be considered for advancement on the salary schedule.

District professional employees who wish to secure credit toward salary advancement shall submit a Course Approval Form and description of the course(s) to the personnel office in advance of registration.

Legal Reference: 10.55.205(1) A.R.M. Supervisory & Administration Time  
20-1-304 M.C.A. Pupil-Instruction-Related Day

Adopted: 12/8/86 Rev. 1/27/03

## PERSONNEL

5342

### Incentive Award System

#### Philosophy

Often front-line employees who have a personal day-to-day involvement with the operation of the school district can more readily determine cost saving measures than can managers with broad areas of responsibility. The district desires and needs to conserve resources and cut operational costs wherever possible. Employees who are able to make suggestions which effect significant savings to the district should receive some personal benefit for their ideas.

#### Incentive Awards

Employees who make suggestions for cost saving measures may receive an incentive award of 10% of the demonstrated first year savings to the school district with \$50 being the minimum and \$1000 being the maximum award. The funds for each award are to be expended from the budget category where the savings occurs.

#### Eligible Persons

All employees of the school district except administrative staff are eligible to participate in the incentive award program.

#### Criteria

The following criteria shall apply in determining the appropriateness of an incentive award:

1. In order for a savings idea to be considered for an incentive award, the savings to the district (using conservative estimates) must be at least \$500.
2. The savings idea must be feasible and practical to implement.
3. The savings idea must be approved and implemented by the district, and at least beginning to demonstrate the savings before the incentive award can be approved and paid.
4. The savings idea may involve an improved procedure, a reduction in equipment or materials cost, a change in the efficient use of staff, or other such costs in the district budget. Ideas which involve staff changes must pertain to position changes or reallocation as opposed to personalities or individual persons.
5. The savings idea must be an individual employee's innovative suggestion that is not part of an administratively lead or concerted planning or improvement effort.
6. The savings idea must be beyond the scope of what a conscientious and prudent employee would normally do in fulfillment of his/her job responsibilities without an incentive program.
7. If more than one employee suggests a specific savings idea, the first person to submit the idea will be the only one eligible for consideration for the incentive award. In unusual circumstances where it is apparent that more than one person has developed and used an idea independently, the superintendent may propose splitting an award between employees.
8. To be considered for an incentive award, an employee must submit the idea in writing to the Superintendent's office. Sufficient detail must be provided to clearly define the idea.
9. After appropriate research and consultation with staff, the Superintendent may recommend incentive awards for approval by the Board of Trustees.



10. The Board of Trustees reserves the right to disqualify any savings idea that it deems is inconsistent with the intent and purposes of this incentive award system.

Adopted: 12/8/86

Interviewing/Moving Expenses

The Bozeman Public School District recognizes that both administrative candidates seeking employment with the District and newly-hired administrators who reside outside the Bozeman area will incur expenses relative to seeking a position with the District and/or relocating in Bozeman.

I. Interviewing Expenses

In general the District shall pay none of the expenses incurred by candidates invited to Bozeman by the District for the purpose of being interviewed for classified, teaching, non-administrative, and professional vacancies.

In general, the District shall pay the reasonable expenses incurred by candidates invited to Bozeman by the District for the purpose of being interviewed for administrative vacancies. The superintendent is authorized to develop procedures for determining reasonable reimbursement amounts. Expenses which shall be paid include meal and lodging expenses, transportation costs (either by the most direct economy air route or by personal automobile at the minimum reimbursement scheduled for District employees, whichever is less), and other reasonable expenses while in Bozeman (e.g. airport limousine, etc.). The reimbursement schedule of allowable expenses shall not exceed that prescribed for District employees.

Prior to departure to Bozeman, the superintendent and each administrative candidate shall establish the length of time and the expenses that shall be considered reasonable in the individual's situation.

In certain instances the superintendent may make exceptions to the general policy:

- A. An administrative candidate who is offered the position for which he/she interviewed, but who declines the employment offer, will not be reimbursed for any of his/her expenses.
- B. The superintendent may decide under special circumstances to pay all or part of a teacher or other candidate's expenses. Such a decision would be made only in rare instances and shall be decided in advance of any interview by the superintendent on a case-by-case basis.

II. Moving Expenses

In general the District shall pay none of the expenses incurred by newly-hired classified, teaching or other non-administrative employees as a part of their move to the Bozeman area.

In general the District shall pay the actual costs of a rental truck (i.e. U-Haul, Ryder, etc.) from their point of hire to the Bozeman area for newly-employed administrative employees.

In certain instances the superintendent may make exceptions to the general policies:

- A. A superintendent-elect may negotiate with the Board of Trustees for different conditions of moving as a part of his/her employment agreement.
- B. The superintendent may decide under special circumstances to pay a larger portion of the moving expenses of a newly-hired administrator, up to but not exceeding full and actual costs. Such a decision would be made only in rare instances and shall be decided by the superintendent on a case by case basis.

Substitutes – Employment

Certified

~~The Bozeman Public Schools authorizes the employment of a qualified substitute in the absence of a regularly employed staff member. Employment of substitutes will be authorized only where applications are on file, fingerprint-based background checks have been administered, and payroll authorization forms are complete. The district will not engage substitutes for its administrators without the specific approval of the superintendent. In addition the district may engage a person on substitute status in lieu of a regularly-contracted staff member when:~~

- ~~1. Enrollment uncertainties exist at the beginning of a school year; and~~
- ~~2. Resignations of regular staff do not allow sufficient time for the district to employ an immediate replacement.~~

~~On either of the latter two occasions, the district shall employ a contracted staff person within a reasonable time, but in no case shall this exceed 30 work days.~~

~~The superintendent shall be responsible for establishing procedures by which teachers within the district request substitutes and by which substitute teachers shall be employed, assigned and compensated. In every instance, however, the principal or other supervisor shall be a full partner in any such procedure.~~

~~The district does not require a certificate to be in force for short term substitutes although education and/or a combination of education and practical experience in the area(s) of the teaching responsibility are generally expected. Any substitute who has served for thirty-five (35) full consecutive working days in the same assignment shall, from the 35<sup>th</sup> day of service until the 90<sup>th</sup> day of service, be placed under temporary long term sub-agreement and paid a daily rate according to the base rate of pay from the salary schedule of certificated staff.~~

~~Temporary, certified or licensed employees whose duties extend beyond ninety (90) consecutive days will be placed on contract according to educational attainment and experience (except that no more than three (3) years of prior experience shall be awarded unless the substitute teacher has been employed within the district in a certified position within the preceding three years). A temporarily assigned (less than 90 days) intermittent teacher on filling in for another teacher on temporary leave will not be eligible for insurance benefits or severance benefits. This contract will not be retroactive to the beginning of service.~~

~~Any substitute who serves beyond thirty-five (35) consecutive days in the same position requires an active and valid certificate in the state of Montana.~~

Classified

~~The district authorizes the employment of a classified substitute in the absence of a classified staff member when a program will be adversely affected by the regular staff member's absence and when a substitute can perform the duties. The superintendent shall establish procedures, relating to the use of substitute classified staff.~~

General

~~All substitutes are intermittent, on-call employees only. Deductions for social security and, in the case of teachers, for the Teachers Retirement System are made from wages earned. Substitute employees will be paid on or about the 14th of the month following any work in the month preceding. Advances are not possible. Intermittent employees are not eligible to participate in the district's health, dental, life or other group insurances.~~

~~A.R.M.10.55.716 Substitute Teachers~~

~~Article 1.2 Bozeman Education Association Collective Bargaining Agreement~~

~~Adopted: 12/8/86    Rev.: 01/26/09~~

Paraprofessionals

Paraprofessionals, as defined in the appropriate job descriptions, are under the supervision of a principal and a teacher to whom the principal may have delegated responsibility for close direction. The nature of the work accomplished by paraprofessionals will encompass a variety of tasks that may be inclusive of "limited instructional duties."

Paraprofessionals are employed by the District mainly to assist the teacher. A paraprofessional is an extension of the teacher, who legally has the direct control and supervision of the classroom or playground and responsibility for control and the welfare of the students.

It is the responsibility of each principal and teacher to provide adequate training for a paraprofessional. This training should take into account the unique situations in which a paraprofessional works and should be designed to cover the general contingencies that might be expected to pertain to that situation. During the first thirty (30) days of employment, the supervising teacher or administrator shall continue to assess the skills and ability of the paraprofessional to assist in reading, writing, and mathematics instruction.

The Superintendent shall develop and implement procedures for an annual evaluation of paraprofessionals. Evaluation results shall be a factor in future employment decisions.

If the school receives Title I funds, the District shall notify parents of students attending the school annually that they may request the District to provide information regarding the professional qualifications of their child's paraprofessionals, if applicable.

Aides (Classroom, Library, Study Hall, etc.)

~~Aides, as stipulated in the respective job descriptions and in Section 12.2 of the Negotiated Agreement with teachers, are under the supervision of a principal, and a teacher to whom the principal may have delegated responsibility for close direction. Also by job description, the nature of the work accomplished by aides will encompass a variety of tasks that may be inclusive of "limited instructional duties."~~

~~Section 20-3-324 (2) M.C.A. does give the trustees of each district the power and duty to "employ and dismiss . . . teachers aides . . . and any other personnel deemed necessary to carry out the various services of the district."~~

~~Aides are employed by the Bozeman Public Schools mainly to assist the teacher. The aide is an extension of the teacher who legally has the direct control and supervision of the classroom or playground and responsibility for control and the welfare of the students.~~

~~It is the responsibility of each principal and teacher to assure adequate training for an aide. This training should take into account the unique situations in which an aide works, and should be designed to cover the general contingencies that might be expected to pertain to that situation.~~

Legal Reference: 20 U.S.C. § 6319 Qualifications for teachers and paraprofessionals

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 12/30/2020



The District recognizes the valuable contributions made to the total school program by members of the community who act as volunteers. By law, a volunteer is an individual who:

1. Has not entered into an express or implied compensation agreement with the District;
2. Is excluded from the definition of “employee” under appropriate state and federal statutes;
3. May be paid expenses, reasonable benefits, and/or nominal fees in some situations; and
4. Is not employed by the District in the same or similar capacity for which he/she is volunteering.

District employees who work with volunteers shall clearly explain duties for supervising children in school, on the playground, and on field trips. An appropriate degree of training and/or supervision of each volunteer shall be administered commensurate with the responsibility undertaken.

**Volunteers who have unsupervised access to children are subject to the District's policy mandating background checks.**

The superintendent shall develop and implement procedures for the utilization of volunteers within the District.

Volunteers who are formally acting on behalf of and are assisting in school projects shall be covered by the District's liability insurance. This does not alleviate a volunteer, as is the case with an employee, from exercising appropriate judgment and responsibility in the discharge of all duties in accordance with the policies of the Board of Trustees of School District No. 7, Bozeman Public Schools.

### **Chaperones**

**The Superintendent may direct that appropriate screening processes be implemented to assure that adult chaperones are suitable and acceptable for accompanying students on field trips or excursions.**

**When serving as a chaperone for the District, the parent(s)/guardian(s) or other adult volunteers, including employees of the District, assigned to chaperone, shall not use tobacco products in the presence of students, nor shall they consume any alcoholic beverages or use any illicit drug during the duration of their assignment as a chaperone, including during the hours following the end of the day's activities for students. The chaperone shall not encourage or allow students to participate in any activity that is in violation of District policy during the field trip or excursion, including during the hours following the end of the day's activities. Chaperones shall be given a copy of these rules and sign a letter of understanding verifying they are aware of and agree to these District rules before being allowed to accompany students on any field trip or excursion.**

**Any chaperone found to have violated these rules shall not be used again as a chaperone for any District-sponsored field trips or excursions and may be excluded from using District-sponsored transportation for the remainder of the field trip or excursion and be responsible for their own transportation back home. Employees found to have violated these rules may be subject to disciplinary action.**

Cross Reference: 5122 Fingerprints and Criminal Background Investigation  
5430F Volunteer/Chaperone Letter of Understanding

Policy History: Adopted on: 12/8/86 Reviewed on: Revised on:

Student Teachers/Interns

The District recognizes its obligation to assist in the development of members of the teaching profession. The District shall make an effort to cooperate with accredited institutions of higher learning in the education of student teachers and other professionals in training (such as interns) by providing a reasonable number of classroom and other real-life situations each year.

The District and the respective training institutions shall enter into mutually satisfactory agreements whereby the rules, regulations, and guidelines of the practical experiences shall be established.

The Superintendent shall coordinate all requests from cooperating institutions for placement with building principals so that excessive concentrations of student teachers and interns shall be avoided. As a general rule:

1. A student teacher shall be assigned to a teacher or other professional who has agreed to cooperate and who has no less than three (3) years of experience in the profession;
2. A supervising professional shall be assigned no more than one (1) student teacher/intern per school year;
3. The supervising professional shall remain responsible for the class;
4. The student teacher shall assume the same conditions of employment as a regular teacher with regard to meeting the health examination requirements, length of school day, supervision of co-curricular activities, staff meetings, and in-service training; and
5. The student teacher shall be subject to the District policy regarding background checks, if the student teacher has unsupervised access to children.

Cross Reference: 5122 Fingerprints and Criminal Background Investigations

Legal Reference: § 20-4-101(2) and (3), MCA System and definitions of teacher and specialist certification – student teacher exception

Policy History:

Adopted on: 12/8/86

Reviewed on:

Revised on: 04/28/03

Employee use of Electronic Mail, Internet, Networks, and District Equipment

E-mail is an electronic message that is transmitted between two (2) or more computers or electronic terminals, whether or not the message is converted to hard-copy format after receipt, and whether or not the message is viewed upon transmission or stored for later retrieval. E-mail includes all electronic messages that are transmitted through a local, regional, or global computer network.

The District e-mail and Internet systems are intended to be used for educational purposes only, and employees have no expectation of privacy. Employees have no expectation of privacy in district owned technology equipment, including but not limited to district-owned desktops, laptops, memory storage devices, and cell phones.

Users of District e-mail and Internet systems are responsible for their appropriate use. All illegal and improper uses of the e-mail and Internet system, including but not limited to network etiquette violations including mail that degrades or demeans other individuals, pornography, obscenity, harassment, solicitation, gambling, and violating copyright or intellectual property rights, are prohibited. Abuse of the e-mail or Internet systems through personal use, or use in violation of the law or District policies, will result in disciplinary action, up to and including termination of employment.

All e-mail/Internet records are considered District records and should be transmitted only to individuals who have a need to receive them. If the sender of an e-mail or Internet message does not intend for the e-mail or Internet message to be forwarded, the sender should clearly mark the message "Do Not Forward."

In order to keep District e-mail and Internet systems secure, users shall not leave the terminal "signed on" when unattended and may not leave their password available in an obvious place near the terminal or share their password with anyone except the system administrator. The District reserves the right to bypass individual passwords at any time and to monitor the use of such systems by employees.

Additionally, District records and e-mail/Internet records are subject to disclosure to law enforcement or government officials or to other third parties through subpoena or other process.

Consequently, the District retains the right to access stored records in cases where there is reasonable cause to expect wrongdoing or misuse of the system and to review, store, and disclose all information sent over the District e-mail systems for any legally permissible reason, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation, and to access District information in the employee's absence. Employee e-mail/Internet messages may not necessarily reflect the views of the District.

All District employees should be aware that e-mail messages can be retrieved, even if they have been deleted, and that statements made in e-mail communications can form the basis of various legal claims against the individual author or the District.

All e-mail/Internet records are considered District records and should be transmitted only to individuals who have a need to receive them. E-mail sent or received by the District or the District's employees may be considered a public record subject to public disclosure or inspection. All District e-mail and Internet communications may be monitored.

Internet Filtering

All Bozeman School District #7 computers shall have filtering in place while connected to the district computer network. Internet filtering is provided for all computers owned by the district.

Bozeman School District #7 staff shall not allow students to use any computer connected to the district network without Internet filtering in place. This includes any computer, laptop or desktop, whether in the district's libraries, media centers, classrooms, laboratories or offices where students are, for any reason, allowed to use a computer, or any other such device, with Internet access.

Staff members violating this policy are subject to disciplinary action up to and including discharge.

Cross Reference:       5460   Electronic Resources and Social Networking  
                              8351F   Summer Laptop Checkout Form

Policy History:

Adopted on: 4/23/12

Reviewed on:

Revised on:

Electronic Resources and Social Networking

Bozeman School District #7 recognizes that an effective public education system develops students who are globally aware, civically engaged, and capable of managing their lives and careers. The District also believes that students need to be proficient users of information, media, and technology to succeed in a digital world.

Public school employees are held to a high standard of behavior. The Montana Department of Education Professional Educators of Montana Code of Ethics requires District staff to maintain a professional relationship with each student, both in and outside the classroom. The District encourages all staff to read and become familiar with the Code of Ethics.

Therefore, Bozeman School District #7 will use electronic resources as a powerful and compelling means for students to learn core subjects and applied skills in relevant and rigorous ways. It is the District’s goal to provide students with rich and ample opportunities to use technology for important purposes in schools just as individuals in workplaces and other real-life settings. The District’s technology will enable educators and students to communicate, learn, share, collaborate and create, to think and solve problems, to manage their work and to take ownership of their lives.

An employee’s use of any social media network and an employee’s postings, displays, or communications on any social media network must comply with all state and federal laws and any applicable District policies. Staff are reminded that the same relationship, exchange, interaction, information, or behavior that would be unacceptable in a non-technological medium, is unacceptable when done through the use of technology. In fact, due to the vastly increased potential audience digital dissemination presents, extra caution must be exercised by staff to ensure they do not cross the line of acceptability.

The Board directs the Superintendent or his/her designee to create strong electronic educational systems that support innovative teaching and learning, to provide appropriate staff development opportunities and to develop procedures to support this policy.

Cross Reference:	5015	Bullying/Harassment/Intimidation
	5223	Personal Conduct
	5255	Disciplinary Action
	<i>Professional Educators of Montana Code of Ethics</i>	

Policy History:

Adopted on: 4/23/12  
Reviewed on:  
Revised on:

Payment of Wages Upon Termination

When a District employee separates from employment, wages owed will be paid on the next regular pay day for the pay period in which the employee left employment or within fifteen (15) days, whichever occurs first.

In the case of an employee discharged for allegations of theft connected to the employee's work, the District may withhold the value of the theft, provided:

- The employee agrees in writing to the withholding; or
- The District files a report of the theft with law enforcement within seven (7) business days of separation.

If no charges are filed within thirty (30) days of the filing of a report with law enforcement, wages are due within a thirty-(30)-day period.

Legal Reference:      § 39-3-205, MCA      Payment of wages when employee separated from employment prior to  
payday – exceptions

Policy History:

Adopted on:

Reviewed on:

Revised on:



HIPAA

Note:

*(1) Any school district offering a group “health care plan” for its employees is affected by HIPAA. School districts offering health plans that are self-insured will be entirely responsible for compliance with HIPAA, despite a third party administrator managing the plan. School districts may also be subject to HIPAA as a “health care provider” by either having a school-based health center or a school nurse. School-based health centers staffed and serviced by a hospital or local health department are responsible for complying with HIPAA if there is a sharing of records containing health information. For those districts providing the services of a school nurse, HIPAA regulations issued in 2000 commented that an “educational institution that employs a school nurse is subject to [the] regulations as a health care provider if the school nurse or the school engaged in a HIPAA transaction.” This transaction occurs when a school nurse submits a claim electronically.*

*(2) Any personally identifiable health information contained in an “education record” under FERPA is subject to FERPA, not HIPAA.*

Background

Health Insurance Portability and Accountability Act of 1996 (HIPAA)

The District’s group health plan is a Covered Entity under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and its implementing regulations, the Standards for the Privacy of Individually Identifiable Information. In order to comply with HIPAA and its related regulations, the District has implemented the following HIPAA Privacy Policy:

The HIPAA Privacy Rule

HIPAA required the federal government to adopt national standards for *electronic health care transactions*. At the same time, Congress recognized that advances in electronic technology could erode the privacy of health information and determined there was a need for national privacy standards. As a result, HIPAA included provisions that mandated the adoption of federal privacy standards for individually identifiable health information.

The standards found in the Privacy Rule are designed to protect and guard against the misuse of individually identifiable health information, with particular concern regarding employers using an employee’s (or dependent’s) health information from the group health plan to make adverse employment-related decisions. The Privacy Rule states that verbal, written, or electronic information that can be used to connect a person’s name or identity with medical, treatment, or health history information is Protected Health Information (PHI) under the HIPAA Privacy Rule.

Under the HIPAA Privacy Rule:

1. Individuals have a right to access and copy their health record to the extent allowed by HIPAA.
2. Individuals have the right to request an amendment to their health record. The plan may deny an individual’s request under certain circumstances specified in the HIPAA Privacy Rule.

3. Individuals have the right to an accounting of disclosures of their health record for reasons other than treatment, payment, or healthcare operations.
4. PHI, including health, medical, and claims records, can be used and disclosed without authorization for specific, limited purposes (treatment, payment, or operations of the group health plan). A valid authorization from the individual must be provided for use or disclosure for other than those purposes.
5. Safeguards are required to protect the privacy of health information.
6. Covered entities are required to issue a notice of privacy practices to their enrollees.
7. Violators are held accountable with civil and criminal penalties for improper use or disclosure of PHI.

## Compliance

The Superintendent or designee has been designated Privacy Officer. The Privacy Officer will oversee all ongoing activities related to the development, implementation, maintenance of, and adherence to the District's policies and procedures covering the privacy of and access to patient health information in compliance with HIPAA, other applicable federal and state laws, and the District's privacy practices.

As required for a Covered Entity under HIPAA, the plan has developed these internal privacy policies and procedures to assure that PHI is protected and that access to and use and disclosure of PHI are restricted in a manner consistent with HIPAA's privacy protections. The policies and procedures recognize routine and recurring disclosures for treatment, payment, and healthcare operations and include physical, electronic, and procedural safeguards to protect PHI. The procedures include safeguards for sending PHI via mail or fax, receiving PHI for plan purposes, and workstation safeguards and procedures for securing and retaining PHI received by the plan. Plan participants are entitled to receive a copy of the plan's policies and procedures upon request.

Designating a limited number of privacy contacts allows the District to control who is receiving PHI from the contract claims payor for plan operations purposes. The contract claims payor will provide only the minimum PHI necessary for the stated purpose and, as required under the Privacy Rule, will provide PHI only to individuals with a legitimate need to know for plan operations purposes.

The District has distributed a notice of privacy practices to plan participants. The notice informs plan participants of their rights and the District's privacy practices related to the use and disclosure of PHI. A copy of this notice follows as 5510F or may be obtained by contacting the Privacy Officer.

The District has reviewed how PHI is used and disclosed by the plan and has limited disclosure of that information to employees who have a legitimate need to know or possess the PHI for healthcare operations and functions. The District will make reasonable efforts to use de-identified information whenever possible in the operations of the plan and will only use the minimum PHI necessary for the stated purpose.

Some of the District's employees need access to PHI in order to properly perform the functions of their jobs. The District has identified these employees and has given them training in the important aspects of the HIPAA Privacy Rule, the privacy policy, and procedures. New employees who will have access to PHI will receive training on the HIPAA Privacy Rule and related policies and procedures as soon as reasonably possible after they are employed. Employees who improperly use or disclose PHI or misuse their access to that information may be subject to discipline, as deemed appropriate.

In the event the group health plan must disclose PHI in the course of performing necessary plan operations functions or as required by law or a governmental agency, the District has developed a system to record those disclosures and requests for disclosures. An individual may request a list of disclosures of his or her PHI made by the plan for other than treatment or claims payment purposes. All requests for an accounting of PHI disclosures must be made in writing, and the plan may impose fees for the cost of production of this information. Requests will be responded to within sixty (60) days. If the plan is not able to provide the requested information within sixty (60) days, a written notice of delay will be sent to the requesting individual, with the reasons for the delay and an estimated time for response.

In order to comply with the new privacy regulations, the plan has implemented compliant communication procedures. Except for its use in legitimate healthcare operations, written permission will be required in order for the District to disclose PHI to or discuss it with a third party.

The HIPAA Privacy Rule prohibits the District from disclosing medical information without the patient's written permission other than for treatment, payment, or healthcare operations purposes.

An authorization signed by the patient and designating specified individuals to whom the District may disclose specified medical information must be on file, before the plan can discuss a patient's medical information with a third party (such as a spouse, parent, group health plan representative, or other individual).

The District has taken the following steps to ensure PHI is safeguarded:

- : The District has implemented policies and procedures to designate who has and who does not have authorized access to PHI.
- : Documents containing PHI are kept in a restricted/locked area.
- : Computer files with PHI are password protected and have firewalls making unauthorized access difficult.
- : Copies of PHI will be destroyed when information is no longer needed, unless it is required by law to be retained for a specified period of time.
- : The District will act promptly to take reasonable measures to mitigate any harmful effects known to the group health plan, due to a use or disclosure of PHI in violation of the plan's policies, procedures, or requirements of the HIPAA Privacy Rule.
- : The District will appropriately discipline employees who violate the District's group health plan's policies, procedures, or the HIPAA Privacy Rule, up to and including termination of employment if warranted by the circumstances.

The District has received signed assurances from the plan's business associates that they understand the HIPAA Privacy Rule, applicable regulations, and the Privacy Policy and will safeguard PHI just as the plan would.

The contract claims payor and certain other entities outside the group health plan require access on occasion to PHI, if they are business associates of the group health plan and in that role need to use, exchange, or disclose PHI from the group health plan. The plan requires these entities to sign an agreement stating they understand HIPAA's privacy requirements and will abide by those rules just as the group health plan does, to protect the PHI to which they have access. For example the plan engages a certified public accountant to audit the plan annually and to make sure payments are made in compliance with the Plan Document. In order for the CPA to complete an audit, the auditor reviews a sample of the claims for accuracy.

The District will ensure health information will not be used in making employment and compensation decisions. The HIPAA Privacy Rule and other applicable laws expressly prohibit an employer from making adverse employment decisions (demotions, terminations, etc.) based on health information received from the group health plan. To the extent possible, the District has separated the plan operations functions from the employment functions and has safeguards in place to prevent PHI from the plan from going to or being used by an employee's supervisor, manager, or superior to make employment-related decisions.

### Complaints

If an employee believes their privacy rights have been violated, they may file a written complaint with the Privacy Officer. No retaliation will occur against the employee for filing a complaint. The contact information for the Privacy Officer is:

Superintendent or Privacy Officer  
Bozeman Public Schools  
Willson School, 404 West Main  
PO Box 520  
Bozeman, MT 59715

Legal Reference: 45 C.F.R. Parts 160, 162, 164

### Policy History:

Adopted on: 10-11-04

Reviewed on:

Revised on:

PERSONNEL

5630

Employee Use of Mobile Devices

The Board recognizes that the use of mobile devices may be appropriate to help ensure the safety and security of District property, students, staff, and others while on District property or engaged in District-sponsored activities.

District-owned mobile devices will be used for authorized District business purposes. Unauthorized personal use of such equipment is prohibited except in emergency situations.

Use of mobile devices in violation of Board policies, administrative regulations, and/or state/federal laws will result in discipline up to and including termination of employment.

District employees are prohibited from using mobile devices while driving or otherwise operating District-owned motor vehicles, or while driving or otherwise operating personally-owned vehicles for school district purposes.

Emergency Use

Staff are encouraged to use any available mobile device in the event of an emergency that threatens the safety of students, staff, or other individuals.

Use of Personal Mobile Devices

Employees are prohibited from using their personal mobile devices during the instructional period for non-instructional purposes. When necessary, employees may use their personal mobile devices only during non-instructional time. In no event shall an employee's use of a mobile device interfere with the employee's job obligations and responsibilities. If such use is determined to have interfered with an employee's obligations and responsibilities, the employee may be disciplined in accordance with the terms of the collective bargaining agreement and Board policies.

Policy History:

Adopted on:

Reviewed on:

Revised on:



**Meeting Date:** January 11, 2021

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**Category:** Discussion - Policy Changes

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**Agenda Item #:** 5.1.2

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**Originated By:** Mike Waterman, Director of Business Services

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**Others Involved:**

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MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Discuss Universal Policy Update.

**Facts:**

1. The District's organization chart continues to evolve over time.
2. Policies referencing specific titles or individuals can inadvertently become obsolete when organizational chart changes or staff turnover occurs.
3. To address these ongoing changes, administration recommends the Board charge administration with replacing specific titles with "Superintendent or designee" in all Board policies, as appropriate.
4. This request will appear on the January 25, 2021 Consent Agenda for final consideration and approval.





Meeting Date:	January 11, 2021
Category:	Discussion - Policy 1st Reading
Agenda Item #:	5.1.3
Originated By:	Casey Bertram, Marilyn King, Interim Co-Supts
Others Involved:	MTSBA; Executive Cabinet

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Discuss proposed new emergency Policy - #1905, Face Coverings as Personal Protective Equipment.

**Discussion:**

1. The policy was developed in conjunction with the Montana School Boards Association.
2. The metrics/matrix, developed by the Covid Advisory Task Force, is based, in part, on the use of face coverings as a safety measure in our district.
3. As written, "This policy applies during the COVID19 state of emergency declared by the Board of Trustees or other local, state or federal agency, official, or legislative body."
4. The policy also provides guidance on disciplinary action related to failure or refusal to wear a mask or harassment related to protective face coverings.
5. This request will appear on the January 25, 2021 Consent Agenda for final consideration and approval.

*Face Coverings as Personal Protective Equipment*

*This policy applies during the COVID19 state of emergency declared by the Board of Trustees or other local, state or federal agency, official, or legislative body. This policy is adopted, implemented, and enforced in accordance with the supervisory authority vested with the Board of Trustees in accordance with Article 10, section 8 of the Montana Constitution. The Board of Trustees authorizes the Superintendent to develop and implement procedures to enforce this policy.*

*The School District requires all staff, volunteers, visitors, and school-aged students to wear a face covering while present in any school building, regardless of vaccination status. The School District also requires all staff, volunteers, visitors, and school-aged students to wear a face covering while present at any outdoor school activity with fifty (50) or more people where physical distancing is not possible or is not observed. Face covering means disposable or reusable masks that cover the nose and mouth. The School District will provide masks to students, volunteers, and staff, if needed. If a student or staff wears a reusable mask, the School District expects that the masks be washed on a regular basis to ensure maximum protection.*

*Students, staff, volunteers, and visitors are not required to wear a mask or face shield under this provision when:*

- 1. consuming food or drink;*
- 2. engaged in strenuous physical activity;*
- 3. communicating with someone who is hearing impaired;*
- 4. identifying themselves;*
- 5. receiving medical attention; or*
- 6. precluded from safely using a face covering due to a medical or developmental condition. The superintendent, building principal, or their designee shall request documentation from a care provider when considering an exception to this provision for medical or developmental reasons. The School District will comply with all applicable disability and discrimination laws when implementing this provision.*

*When students and members of the public are not present, staff may remove their masks if they are at their individual workstation and six feet of distance is strictly maintained between individuals. If students are working in small groups, the students must be wearing masks.*

*All points of entry to any school building or facility open to the public shall have a clearly visible sign posted stating the mask requirement.*

*Allegations of harassment of any person wearing a mask or those with recognized exemptions to the face covering requirement will be promptly investigated in accordance with District policy. Failure or refusal to wear a mask by a staff member or student not subject to an exception noted above may result in redirection or discipline in accordance with District policy and codes of conduct, as applicable.*

*Legal Reference:*      *Article X, section 8*                      *Montana Constitution*  
                                 *Section 20-3-324, MCA*                      *Powers and Duties*

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



Meeting Date:	January 11, 2021
Category:	Discussion - Legislative Update
Agenda Item #:	5.2
Originated By:	Casey Bertram, Marilyn King, Interim Co-Supts
Others Involved:	Mike Waterman, Director of Business Services

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**  
Legislative Update

**Discussion:**  
Casey Bertram, Marilyn King and Mike Waterman will provide Trustees with updates and lead discussion on Montana and Congressional legislation that may affect the operation of the District.

This item supports the following LRSP Strategic Objective:

Goal Area #3: Community Engagement and External Relations

3.06 During the 2021 Legislative Session, Bozeman Public Schools will continue to advocate for policies, procedures and resources needed to meet the high quality educational goals important to the community.



Meeting Date:	January 11, 2021
Category:	Action Item - Singular - High School
Agenda Item #:	6.2.1
Originated By:	Marilyn King and Casey Bertram, Interim Co-Superintendents
Others Involved:	High School Principals

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

Consider Interim Co-Superintendent recommendation for high school instructional model.

**Facts:**

1. PK-12 schools started 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.
2. At the 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."*
3. The Covid Advisory Task Force created [metrics/matrix](#) that were discussed and embraced by the Board of Trustees on December 30, 2020.

**Discussion:**

To be presented at Board meeting January 11, 2021

**Fiscal Impact:**

None known

**Recommendation:**

Interim Co-Superintendents will wait for COVID metrics and matrix data for the week of January 4 prior to formalizing high school instructional model recommendation to be presented at the Board meeting on January 11, 2021.

**Other Alternatives:**

1. Do not approve instructional model recommendation for high school and select another instructional model



Meeting Date:	January 11, 2021
Category:	Action Item - Singular - Elementary
Agenda Item #:	6.3.1
Originated By:	Marilyn King and Casey Bertram, Interim Co-Superintendents
Others Involved:	Elementary and Middle School Principals

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**  
Consider Interim Co-Superintendent recommendation for PK-5 and middle school instructional models.

**Facts:**

1. PK-12 schools started 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.
2. PK-5 schools moved to 5 days of in-person instruction on November 2, 2020.
3. The move to 5 days of in-person instruction in the middle schools was postponed by Board action on November 16, 2020.
4. The Covid Advisory Task Force created [metrics/matrix](#) that were discussed and embraced by the Board of Trustees on December 30, 2020.

**Discussion:**  
To be presented at Board meeting January 11, 2021

**Fiscal Impact:**  
None known

**Recommendation:**  
Interim Co-Superintendents will wait for COVID metrics and matrix data for the week of January 4 prior to formalizing PK-5 and middle school instructional model recommendations to be presented at the Board meeting on January 11, 2021.

**Other Alternatives:**

1. Do not approve instructional model recommendation for PK-5 and select another instructional model.
2. Do not approve instructional model recommendation for middle school and select another instructional model.





Meeting Date:	January 11, 2021
Category:	Reports
Agenda Item #:	7.1
Originated By:	Marilyn King and Casey Bertram, Interim Co-Superintendents
Others Involved:	Executive Cabinet

MOTION	SECOND	AYES	NAYS	ABSTAIN

**Topic:**

The 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.

**Long Range Strategic Plan**

This discussion supports the Long Range Strategic Plan strategic objectives.



**Meeting Date:** January 11, 2021

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**Category:** Reports

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**Agenda Item #:** 7.2

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**Originated By:** Trustees

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**Others Involved:**

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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.



# Bozeman School District 7

404 West Main

Bozeman, Montana 59715

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## 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.

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

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**EXECUTIVE CABINET****POSITION**

Bob Connors .....	Superintendent
Marilyn King .....	Deputy Superintendent Instruction
Casey Bertram .....	Deputy Superintendent Curriculum & Technology
Chad Berg .....	Director of Special Education and Student Health
Pat Strauss .....	Director of Human Resources
Todd Swinehart .....	Director of Facilities
Mike Waterman .....	Director of Business Services

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Public comment can be submitted electronically to [trustees@bsd7.org](mailto: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

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## 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

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## 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 School District #7

## BOARD REOCCURRING CALENDAR



### JULY

- Approve Bus Routes
- LRSP Annual Report
- Learning Materials Review Committee
- Preliminary Budget Review
- Set Health and Dental Insurance Price Tags
- Supplemental Book Adoption-One Book-One Bozeman and Bozeman Schools Foundation

### AUGUST

- Opening School Activities
- Approve Final Budgets (on 2nd Monday)

### SEPTEMBER

- One Book-One Bozeman Participation
- LRSP Implementation Framework and Reporting
- Approval to Enroll Students with Exceptional Circumstances

### OCTOBER

- Attend Montana School Boards Association Annual Meeting
- Budget Development Calendar

### NOVEMBER

- LRSP: Annual Facilities Master Plan Review
- Preliminary Enrollment and Projection Reports

### DECEMBER

- High School New Course Proposals
- Hold Board/Employee Holiday Celebration
- Annual Facilities Master Plan Adoption/Capital Projects

### JANUARY

- CAFR and Audit Report for prior year
- Consider MSHA Resolutions
- Building Reserve Allocation/Capital Projects
- Evaluate the Superintendent

### FEBRUARY

- Call for Annual School Elections
- School District Calendar Approval

### MARCH

- National Merit Awards
- Hold Budget Review Meetings
- Finalize Ballot Language
- Notice of Permissive Levy Increase
- Professional Development Plan Approval
- Board Resolution for Screen Free Week
- Out of State Field Trips and Travel
- Preliminary Budget Discussion

### APRIL

- National School Boards' Association Annual Conference
- Hold Budget Review Meetings
- Teacher Appreciation Week
- District Technology Plan Approval
- RIF Notification

### MAY

- Approve or Non-renewal of Teachers
- Hold Trustee Election (first Tuesday following first Monday)
- Reorganize the Board and Recognize Outgoing Members
- Request County Conduct Ensuing Year Elections
- Consider MSBA Resolutions
- Administrator Compensation Policy
- Federal Grant Applications
- Appointment of Bozeman Public Schools Foundation Directors

### JUNE

- Recognize Retiring Staff
- Financial Approvals and Fund Balance Assignment and Commitments

### MONTH VARIES

- Approve Employee Contracts
- Consider Policy Changes
- LRSP Mega Issues Dialogues
- Approve Curriculum Adoptions
- Approve Instructional Material Purchases
- Approve Memorandum of Understanding for Services
- Board Luncheon LRSP Reports

### BOARD OF TRUSTEES

- Sandra Wilson, Chair
- Greg Neil, Vice Chair
- Kevin Black
- Douglas Fischer
- Gary Lusin
- Tanya Reinhardt
- Wendy Tage
- Andy Willett



## Bozeman Public Schools Upcoming Board Meetings

January 11	Monday	Regular Board Meeting	5:45 PM
*January 25	Monday	Special Board Meeting	5:45 PM
February 8	Monday	Regular Board Meeting	5:45 PM
*February 22	Monday	Special Board Meeting	5:45 PM
March 8	Monday	Regular Board Meeting	5:45 PM
*March 29	Monday	Special Board Meeting	5:45 PM
April 12	Monday	Regular Board Meeting	5:45 PM
*April 26	Monday	Special Board Meeting	5:45 PM
May 10	Monday	Regular Board Meeting	5:45 PM
*May 24	Monday	Special Board Meeting	5:45 PM
June 14	Monday	Regular Board Meeting	5:45 PM
*June 28	Monday	Special Board Meeting	5:45 PM

\*The second meeting of every month is considered a “special board meeting” and will take place at the discretion of the Board Chair and Vice Chair if the agenda warrants holding a meeting.



# Bozeman Public Schools Calendar 2020-2021

## PIR Dates & Conferences - No School

August 26-28, 31	K-12 PIR Day
September 1-4	K-12 PIR Day
September 28	K-12 PIR Day
October 15-16	Flex K-12 PIR Day
January 18	K-12 PIR Day
January 25-26	9-12 PIR Day
April 8-9	K-5 P/T Conferences
April 8	K-8 PIR Day
April 9	K-12 PIR Day
May 28	K-8 PIR Day
June 11	K-12 PIR Day

## Holidays & School Closures- No School

September 7	Labor Day
November 25-27	Thanksgiving
December 21-January 1	Winter Break
January 18	Martin Luther King Jr.
February 15	President's Day
March 15-19	Spring Break
May 31	Memorial Day

## Important Dates

September 8	School Begins K-12
June 6	HS Graduation!
June 10	Last Day of School Students released at 12:45pm

## Grading Periods

K-5:	January 22 June 10
6-8:	Midterm 1: October 9 Trimester 1: November 20 Midterm 2: January 15 Trimester 2: March 5 Midterm 3: April 23 Trimester 3: June 10
9-12:	Period 1 - October 9 Period 2 - November 20 1st Semester - January 22  Period 1 - March 5 Period 2 - April 23 2nd Semester - June 10

JULY • 2020						
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JANUARY • 2021						
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AUGUST • 2020						
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FEBRUARY • 2021						
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SEPTEMBER • 2020						
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MARCH • 2021						
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OCTOBER • 2020						
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APRIL • 2021						
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NOVEMBER • 2020						
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MAY • 2021						
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DECEMBER • 2020						
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JUNE • 2021						
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27	28	29	30			

Revised: 10/28/2020

Please note that our individual schools might have additional important dates related to other school functions.  
Please check with your local school for these dates and events.

[Double Click to Return to Agenda](#)