

PHILIPSBURG SCHOOL DISTRICT
8000 SERIES
NONINSTRUCTIONAL OPERATIONS

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1 **Philipsburg School District**

2
3 **NONINSTRUCTIONAL OPERATIONS**

4
5 Transportation

6
7 The District may provide transportation to and from school for a student who:

- 8
- 9 1. Resides three (3) or more miles, over the shortest practical route, from the nearest
- 10 operating public elementary or public high school;
- 11
- 12 2. Is a student with a disability, whose IEP identifies transportation as a related service; or
- 13
- 14 3. Has another compelling and legally sufficient reason to receive transportation services.
- 15

16 The District may elect to reimburse the parent or guardian of a student for individually
17 transporting any eligible student.

18
19 The District may provide transportation by school bus or other vehicle or through individual
20 transportation such as paying the parent or guardian for individually transporting the student. The
21 Board may pay board and room reimbursements, provide supervised correspondence study, or
22 provide supervised home study. The Board may authorize children attending an approved private
23 school to ride a school bus, provided that space is available and a fee to cover the per-seat cost
24 for such transportation is collected. The District may transport and charge for an ineligible public
25 school student, provided the parent or guardian pays a proportionate share of transportation
26 services. Fees collected for transportation of ineligible students shall be deposited in the
27 transportation fund. Transportation issues that cannot be resolved by the trustees may be
28 appealed to the county transportation committee.

29
30 Homeless students shall be transported in accordance with the McKinney Homeless Assistance
31 Act and state law. The District shall cooperate with child protective agencies in the
32 transportation of children in foster care in accordance with ESSA.

33
34 In-Town Busing

35
36 In-town busing is defined as the busing of students within three (3) miles of their school. In-
37 town busing is a privilege the District can discontinue at any time. The Superintendent will
38 establish guidelines under which a student may request in-town busing.

39		
40		
41	Legal Reference:	§ 20-10-101, MCA
42		§ 20-10-121, MCA
43		Definitions
44		Duty of trustees to provide transportation –
45		types of transportation – bus riding time
46		limitation
		§ 20-10-122, MCA
		Discretionary provision of transportation
		and payment for this transportation

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2
3
4 § 20-10-123, MCA Provision of transportation for nonpublic
5 school children
6 10.7.101, et seq., ARM Pupil Transportation
7 10.64.101-700, et seq., ARM Transportation
8 No Child Left Behind Act of 2001 (P.L. 107-110)
9

10 Policy History:
11 Adopted on:
12 Reviewed on:
13 Revised on:

1 **Philipsburg School District**

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3 **NONINSTRUCTIONAL OPERATIONS**

4
5 Bus Routes and Schedules

6
7 The Superintendent's designee is responsible for scheduling bus transportation, including
8 determination of routes and bus stops. Such routes are subject to approval of the county
9 transportation committee. The purpose of bus scheduling and routing is to achieve maximum
10 service with a minimum fleet of buses consistent with providing safe and reasonably equal
11 service to all bus students.

12
13 In order to operate the transportation system as safely and efficiently as possible, the following
14 factors shall be considered in establishing bus routes:

- 15
- 16 1. A school bus route shall be established with due consideration of the sum total of local
17 conditions affecting the safety, economic soundness, and convenience of its operation,
18 including road conditions, condition of bridges and culverts, hazardous crossings,
19 presence of railroad tracks and arterial highways, extreme weather conditions and
20 variations, length of route, number of families and children to be serviced, availability of
21 turnaround points, capacity of bus, and related factors.
 - 22
23 2. The District may extend a bus route across another transportation service area, if it is
24 necessary in order to provide transportation to students in the District's own
25 transportation service area. A district may not transport students from outside its
26 transportation service area.
 - 27
28 3. No school child attending an elementary school shall be required to ride the school bus
29 under average road conditions more than one (1) hour without consent of the child's
30 parent or guardian.
 - 31
32 4. School bus drivers are encouraged to make recommendations in regard to establishing or
33 changing routes.
 - 34
35 5. Parents should be referred to the Superintendent for any request of change in routes,
36 stops, or schedules.

37
38 The Board reserves the right to change, alter, add, or delete any route at any time such changes
39 are deemed in the best interest of the District, subject to approval by the county transportation
40 committee.

41
42 Bus Stops

43
44 Buses should stop only at designated places approved by school authorities. Exceptions should
45 be made only in cases of emergency and inclement weather conditions.

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4 Bus stops shall be chosen with safety in mind. Points shall be selected where motorists
5 approaching from either direction will have a clear view of the bus for a distance of at least three
6 hundred (300) to five hundred (500) feet.
7

8 School loading and unloading zones are to be established and marked to provide safe and orderly
9 loading and unloading of students. The principal of each building is responsible for the conduct
10 of students waiting in loading zones.
11

12 Delay in Schedule

13
14 The driver is to notify the administration of a delay in schedule. The administration will notify
15 parents on routes and radio stations, if necessary.
16

17 Responsibilities - Students

18
19 Students must realize that safety is based on group conduct. Talk should be in conversational
20 tones at all times. There should be no shouting or loud talking which may distract the bus driver.
21 There should be no shouting at passersby. Students should instantly obey any command or
22 suggestions from the driver and/or his/her assistants.
23

24 Responsibilities - Parents

25
26 The interest and assistance of each parent is a valued asset to the transportation program.
27 Parents' efforts toward making each bus trip a safe and pleasant experience are requested and
28 appreciated. The following suggestions are only three of the many ways parents can assist:
29

- 30 1. Ensure that students are at the bus stop in sufficient time to efficiently meet the bus.
- 31 2. Properly prepare children for weather conditions.
- 32 3. Encourage school bus safety at home. Caution children regarding safe behavior and
33 conduct while riding the school bus.
34

35 Safety

36
37 The Superintendent will develop written rules establishing procedures for bus safety and
38 emergency exit drills and for student conduct while riding buses.
39

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

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The bus driver is responsible for the use of the warning and stop signaling systems and the consequent protection of his/her passengers. Failure to use the system constitutes negligence on the part of the driver.

Inclement Weather

The Board recognizes the unpredictability and resulting dangers associated with weather in Montana. In the interest of safety and operational efficiency, the Superintendent is empowered to make decisions as to emergency operation of buses, cancellation of bus routes, and closing of school, in accordance with his or her best judgment. The Board may develop guidelines in cooperation with the Superintendent to assist the Superintendent in making such decisions.

Legal Reference:	§ 20-10-106, MCA	Determination of mileage distances
	§ 20-10-121, MCA	Duty of trustees to provide transportation – types of transportation – bus riding time limitation
	§ 20-10-132, MCA	Duties of county transportation committee

Policy History:

Adopted on:
Reviewed on:
Revised on:

1 **Philipsburg School District**

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3 **NONINSTRUCTIONAL OPERATIONS**

8111

4
5 Transportation of Students With Disabilities

6
7 Transportation shall be provided as a related service, when a student with a disability requires
8 special transportation in order to benefit from special education or to have access to an
9 appropriate education placement. Transportation is defined as:

- 10
- 11 (a) Travel to and from school and between schools;
- 12
- 13 (b) Travel in and around school buildings or to those activities that are a regular part of the
- 14 student’s instructional program;
- 15
- 16 (c) Specialized equipment (such as special or adapted buses, lifts, and ramps) if required to
- 17 provide special transportation for a student with disabilities.
- 18

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

27
28 Mode of Transportation

29
30 One of the District’s education buses will be the preferred mode of transportation. Exceptions
31 may be made in situations where buses are prohibited from entering certain subdivisions due to
32 inadequate turning space, or when distance from school may seriously impact bus scheduling. In
33 such situations, other arrangements, such as an individual transportation contract, may be
34 arranged with parents. Such voluntary agreement will stipulate in writing the terms of
35 reimbursement.

36
37
38 Cross Reference: 3300 Corrective Actions and Punishment

39
40 Legal Reference: 10.16.3820, ARM Transportation for Special Education Students with
41 Disabilities

42
43 Policy History:

44 Adopted on:

45 Reviewed on:

46 Revised on:

1 **Philipsburg School District**

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3 **NONINSTRUCTIONAL OPERATIONS**

8121

4
5 District-Owned Vehicles

6
7 The District owns and maintains certain vehicles. These are for use by properly authorized
8 personnel of the District for District business purposes.

9
10 Any driver who receives a citation for a driving violation while operating a District vehicle shall
11 personally pay all fines levied. All citations received while the driver is a District employee,
12 whether operating a District vehicle or not, must be reported and may result in disciplinary action
13 up to and including termination.

14
15 Bus and Vehicle Maintenance, District

16
17 Buses used in the District's transportation program shall be in safe and legal operating condition.
18 All buses shall be inspected by the Department of Justice, Montana Highway Patrol, before the
19 beginning of each semester. The Superintendent will establish a specific list of tasks bus drivers
20 will perform on a daily basis. All other District vehicles shall be maintained following
21 established programs developed by the Superintendent.

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25 Policy History:

26 Adopted on:

27 Reviewed on:

28 Revised on:

1 **Philipsburg School District**

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3 **NONINSTRUCTIONAL OPERATIONS**

8123

4
5 Driver Training and Responsibility

6
7 Bus drivers shall observe all state statutes and administrative rules governing traffic safety and
8 school bus operation. At the beginning of each school year, the District will provide each driver
9 with a copy of the District’s written rules for bus drivers and for student conduct on buses.

10
11 Each bus driver will meet the qualifications established by the Superintendent of Public
12 Instruction, including possession of a valid Montana commercial driver’s license (with school
13 bus “S” and passenger “P” endorsements), receive ten (10) hours of in-service annually, and
14 Department of Transportation-approved physician’s certification that he or she is medically
15 qualified for employment as a bus driver. The bus driver shall secure a valid standard first aid
16 certificate from an authorized instructor, within two (2) months after being employed, and
17 maintain a valid first aid certificate throughout employment as a bus driver. The bus driver must
18 have five (5) years driving experience.

19
20 A school bus driver is prohibited from operating a school bus while using a cellular phone,
21 including hands free cellular phone devices, except:

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

26
27 A teacher, coach, or other certified staff member assigned to accompany students on a bus will
28 have primary responsibility for behavior of students in his or her charge. The bus driver has final
29 authority and responsibility for the bus. The Superintendent will establish written procedures for
30 bus drivers.

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33
34 Legal Reference: § 20-10-103, MCA School bus driver qualifications
35 10.7.111, ARM Qualification of Bus Drivers
36 10.64.201, ARM Drivers
37 § 50-46-205, MCA Limitations of Medical Marijuana Act
38

39 Policy History:

40 Adopted on:

41 Reviewed on:

42 Revised on:

1 **Philipsburg School District**

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3 **NONINSTRUCTIONAL OPERATIONS**

8124

4
5 Student Conduct on Buses

6
7 The Superintendent will establish written rules of conduct for students riding school buses. Such
8 rules will be reviewed annually by the Superintendent and revised if necessary. At the beginning
9 of each school year, a copy of the rules of conduct for students riding buses will be provided to
10 students, and the classroom teacher and bus driver will review the rules with the students. A
11 copy of the rules will be posted in each bus and will be available upon request at the District
12 office and in each building principal's office.

13
14 The bus driver is responsible for enforcing the rules and will work closely with a parent and
15 building principal to modify a student's behavior. Rules shall include consistent consequences
16 for student misbehavior. A recommendation for permanent termination of bus privileges,
17 accompanied by a written record of the incident(s) that led to the recommendation, shall be
18 referred to the Superintendent for final determination. The student's parent or guardian may
19 appeal a termination to the Board. No further appeal shall be allowed.

20
21
22
23 Cross Reference: 3310 Student Discipline
24 8111 Transportation of Students with Disabilities

25
26 Legal Reference: § 20-4-302, MCA Discipline and punishment of pupils – definition of
27 corporal punishment – penalty – defense
28 § 20-5-201, MCA Duties and sanctions

29
30 Policy History:

31 Adopted on:

32 Reviewed on:

33 Revised on:

5 Activity Trips

7 The use of school buses is strictly limited to school activities. Buses may not be loaned or leased
8 to non-school groups, unless permission is specifically granted by the Board. Buses will be
9 operated by a qualified bus driver on all activity runs, and only authorized activity participants,
10 professional staff, and chaperones assigned by the administration may ride the bus.

12 A duplicate copy of the passenger list will be made for all activity trips. One (1) copy will
13 remain with the professional staff member in charge on the bus, and one (1) copy will be given
14 to the Activities Director before the bus departs.

18 Policy History:

19 Adopted on:

20 Reviewed on:

21 Revised on:

2
3 **NONINSTRUCTIONAL OPERATIONS**

4
5 Food Services

6
7 The District supports the philosophy of the National School Lunch Program and will provide
8 wholesome, appetizing, and nutritious meals for children in District schools. The Board may
9 authorize a portion of federal funds received in lieu of taxes to be used to provide free meals for
10 federally connected indigent students.

11
12 Because of the potential liability of the District, the food services program will not accept
13 donations of food without approval of the Board. Should the Board approve a food donation, the
14 Superintendent will establish inspection and handling procedures for the food and determine that
15 provisions of all state and local laws have been met before selling the food as part of school
16 meals.

17
18 Commodities

19
20 The District will use food commodities made available under the Federal Food Commodity
21 Program for school meals.

22
23 Free and Reduced-Price Food Services

24
25 The District will provide free and reduced-price meals to students, according to the terms of the
26 National School Lunch Program and the laws, rules, and regulations of the state. The District
27 will inform parents of the eligibility standards for free or reduced-price meals. Identity of
28 students receiving free or reduced-price meals will be confidential, in accordance with National
29 School Lunch Program guidelines. A parent has the right to appeal to a designated hearing
30 official any decision with respect to his or her application for free or reduced-price food services.

31
32 The Board may establish programs whereby meals may be provided in the District in accordance
33 with National School Lunch Program guidelines.

34
35 The amount charged for such meals shall be sufficient to cover all costs of the meals, including
36 preparation labor and food, handling, utility, and equipment depreciation costs.

37		
38	Legal Reference:	§ 20-10-204, MCA Duties of trustees
39		§ 20-10-205, MCA Allocation of federal funds to school food services
40		fund for federally connected, indigent pupils
41		§ 20-10-207, MCA School food services fund
42		

43 Policy History:

44 Adopted on:

45 Reviewed on:

46 Revised on:

1 **Philipsburg School District**

2

3 **NONINSTRUCTIONAL OPERATIONS**

8205

4

5 Meal Charges

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7

8 The Philipsburg School District has eliminated the risk for unpaid meal charges by participating
9 in the Community Eligibility Provisions (CEP) program, which is a meal service option for
10 schools and school districts operating the school meal programs in high-poverty communities.
11 CEP allows the school to provide breakfast and lunch at no cost to all enrolled children without
12 the need to collect applications or establish individual eligibility for a four-year period, thereby
13 increasing access to school meals and eliminating unpaid meal charges.

14

15 Legal References: 2 C.F.R. § 200.426

16 7 C.F.R. Part 210

17 7 C.F.R. § 245.5

18

19

20

21 Policy History:

22 Adopted on:

23 Reviewed on:

24 Revised on:

25

1 **Philipsburg School District**

2
3 **NON-INSTRUCTIONAL OPERATIONS**

8225

4
5 Tobacco Free Policy

6
7 The District maintains tobacco-free buildings and grounds. Tobacco includes but is not limited to
8 cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine and any other tobacco
9 innovation.

10
11 Use of tobacco products in a public school building or on public school property is prohibited,
12 unless used in a classroom or on other school property as part of a lecture, demonstration, or
13 educational forum sanctioned by a school administrator or faculty member, concerning the risks
14 associated with using tobacco products or in connection with Native American cultural activities.
15

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

- 17
- 18 • Public land, fixtures, buildings, or other property owned or occupied by an institution for
- 19 the teaching of minor children, that is established and maintained under the laws of the
- 20 state of Montana at public expense; and
- 21
- 22 • Includes playgrounds, school steps, parking lots, administration buildings, athletic
- 23 facilities, gymnasiums, locker rooms, and school vehicles.
- 24
- 25

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

31	Legal Reference:	§ 20-1-220, MCA	Use of tobacco product in public school
32			building or on public school property
33			prohibited
34		§§ 50-40-101, et seq., MCA	Montana Clean Indoor Air Act of 1979
35		ARM 37.111.825	Health Supervision and Maintenance

36
37 Policy History:

38 Adopted on:

39 Reviewed on:

40 Revised on:

1 **Philipsburg School District**

2
3 **NONINSTRUCTIONAL OPERATIONS**

8301

4
5 District Safety

6
7 For purposes of this policy, “*disaster means the occurrence or imminent threat of damage,*
8 *injury, or loss of life or property*”.

9
10 The Board recognizes that safety and health standards should be incorporated into all aspects of
11 the operation of the District. Rules for safety and prevention of accidents will be posted in
12 compliance with the Montana Safety Culture Act and the Montana Safety Act. Injuries and
13 accidents will be reported to the District office.

14
15 The Board has identified the following local hazards that exists within the boundaries of its
16 school district: Fire, Earthquake, Avalanche, High Winds, Tornadoes, Intruders, Firearms and
17 Wildlife.

18
19 The Superintendent shall design and incorporate drills in its school safety or emergency
20 operations plan to address the above stated hazards. The trustees shall certify to the office of
21 public instruction that a school safety or emergency operations plan has been adopted. This plan
22 and procedures will be discussed and distributed to each teacher at the beginning of each school
23 year. There will be at least eight (8) disaster drills a year in a school. Drills must be held at
24 different hours of the day or evening to avoid distinction between drills and actual disasters. A
25 record will be kept of all fire drills.

26
27 The Board shall review the school safety or emergency operations plan periodically and update
28 the plan as determined necessary by the trustees based on changing circumstances pertaining to
29 school safety. Once the Board has made the certification to OPI, it may transfer funds pursuant
30 to Section 20-1-401, MCA to make improvements to school safety and security.

31
32 The Superintendent will develop safety and health standards which comply with the Montana
33 Safety Culture Act.

34	35 Legal Reference:	§ 20-1-401, MCA	Disaster drills to be conducted
36			regularly – districts to identify
37			disaster risks and adopt school safety
38			plan
39		§ 20-1-402, MCA	Number of disaster drills required –
40			time of drills to vary
41		§§ 39-71-1501, et seq., MCA	Montana Safety Culture Act

42 Policy History:

43 Adopted on:

44 Reviewed on:

45 Revised on:

1 **Philipsburg School District**

2
3 **NONINSTRUCTIONAL OPERATIONS**

8320

4
5 Property Damage

6
7 The District will maintain a comprehensive insurance program which will provide adequate
8 coverage, as determined by the Board, in the event of loss or damage to school buildings and/or
9 equipment, including motor vehicles. The comprehensive insurance program will maximize the
10 District's protection and coverage while minimizing costs for insurance. This program may
11 include alternatives for sharing the risk between the District and an insurance carrier and through
12 self-insurance plans.

13
14 Privately Owned Property

15
16 The District will not assume responsibility for maintenance, repair, or replacement of any
17 privately owned property brought to a school or to a District function, unless the use or presence
18 of such property has been specifically requested in writing by the administration.

19
20
21
22 Legal Reference: § 20-6-608, MCA Authority and duty of trustees to insure district
23 property

24
25 Policy History:

26 Adopted on:

27 Reviewed on:

28 Revised on:

1 **Philipsburg School District**

2

3 **NONINSTRUCTIONAL OPERATIONS**

8410

4

5 Operation and Maintenance of District Facilities

6

7 The District seeks to maintain and operate facilities in a safe and healthful condition. The
8 facilities manager, in cooperation with principals, fire chief, and county sanitarian, will
9 periodically inspect plant and facilities. The facilities manager will develop a program to
10 maintain the District physical plant by way of a continuous program of repair, maintenance, and
11 reconditioning. Budget recommendations will be made each year to meet these needs and any
12 such needs arising from an emergency.

13

14 The facilities manager will formulate and implement energy conservation measures. Principals
15 and staff are encouraged to exercise other cost-saving procedures in order to conserve District
16 resources in their buildings.

17

18

19

20 Legal Reference: 10.55.908, ARM School Facilities

21

22 Policy History:

23 Adopted on:

24 Reviewed on:

25 Revised on:

1 **Philipsburg School District**

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3 **NONINSTRUCTIONAL OPERATIONS**

8420

4

5 District-Wide Asbestos Program

6

7 It is the intent of the District that the Asbestos Hazard Emergency Response Act (AHERA) and
8 all of its amendments and changes be complied with by all District employees, vendors, and
9 contractors.

10

11

12

13 Legal Reference: 15 USC § 2641 Congressional findings and purpose

14

15 Policy History:

16 Adopted on:

17 Reviewed on:

18 Revised on:

1 **Philipsburg School District**

2
3 **NONINSTRUCTIONAL OPERATIONS**

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4
5 Records Management

6
7 The District will retain, in a manner consistent with applicable law and the state’s *Rules for*
8 *Disposition of Local Government Records*, such records as are required by law or regulations to
9 be created and/or maintained, and such other records as are related to students, school personnel,
10 and the operations of the schools.

11
12 For the purpose of this policy, “records” are all documentary materials, regardless of media or
13 characteristics, made or received and maintained by the school unit in transaction of its business.
14 Records include email and other digital communications sent and received.

15
16 Records may be created, received, and stored in multiple formats, including but not limited to
17 print, microfiche, audio and videotapes, and various digital forms (on hard drives, computer
18 disks and CDs, servers, flash drives, etc.).

19
20 The Superintendent will be responsible for developing and implementing a records management
21 program for the cataloging, maintenance, storage, retrieval, and disposition of school records.
22 The Superintendent will also be responsible for developing guidelines to assist school employees
23 in understanding the kinds of information that must be saved and those which can be disposed of
24 or deleted. The Superintendent may delegate records-management responsibilities to other
25 school personnel at his/her discretion to facilitate implementation of this policy.

26
27 *Litigation Holds for Electronic Stored Information (ESI)*

28
29 The District will have an ESI Team. The ESI Team is a designated group of individuals who
30 implement and monitor litigation holds, a directive not to destroy ESI that might be relevant to a
31 pending or imminent legal proceeding. The ESI Team will include a designated school
32 administrator, an attorney, and a member from the Technology Department. In the case of a
33 litigation hold, the ESI Team shall direct employees and the Technology Department, as
34 necessary, to suspend the normal retention procedure for all related records.

35
36 *Inspections of ESI*

37
38 Any requests for ESI records should be made in writing and will be reviewed by the
39 Superintendent or designee, in consultation with an attorney if needed, and released in
40 accordance with Montana public records law.

41
42 *Delegated Authority*

43
44 The Board delegates to the Superintendent or designees the right to implement and enforce
45 additional procedures or directives relating to ESI retention consistent with this policy, as
46 needed.

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Cross Reference:

3600 Student Records
5231 Personnel Records
5450 Employee Electronic Mail

Legal Reference:

Montana Secretary of State (Rules for Disposition of Local
Government Records)
Federal Rules of Civil Procedure (FRCP)
§ 2-6-403, MCA Duties and responsibilities
§ 20-1-212, MCA Destruction of records by school officer
§ 20-7-101(2), MCA Standards of accreditation
§ 20-9-215, MCA Destruction of certain financial records
24.9.805 (4), ARM Employment Records

Policy History:

Adopted on:
Reviewed on:
Revised on:

1 **Philipsburg School District**

2
3 **NONINSTRUCTIONAL OPERATIONS**

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4
5 Automated External Defibrillators (AED)

6
7 The Board recognizes that from time to time emergencies may arise that justify the use of an
8 Automated External Defibrillator (AED). The Board has purchased one or more of these units
9 for use by qualified personnel. The Board approves the use of AED units, subject to the
10 following conditions:

- 11
- 12 1. Establish a program for the use of an AED that includes a written plan that must specify:
 - 13 • Where the AED will be placed;
 - 14 • The individuals who are authorized to operate the AED;
 - 15 • How AED use will be coordinated with an emergency medical service providing
16 services in the area where the AED is located;
 - 17 • The medical supervision that will be provided;
 - 18 • The maintenance that will be performed on the AED;
 - 19 • Records that will be kept by the program;
 - 20 • Reports that will be made of AED use;
 - 21 • The name, location, and telephone number of a Medical Supervisor designated to
22 provide medical supervision of the AED program; and
 - 23 • Other matters as specified by the Department of Public Health and Human
24 Services;
 - 25 2. Adhere to the written plan required by subsection (1);
 - 26 3. Ensure that before using the AED, an individual authorized to operate the AED receives
27 appropriate training approved by the DPHHS in cardiopulmonary resuscitation and the
28 proper use of an AED;
 - 29 4. Maintain, test, and operate the AED according to the manufacturer's guidelines and
30 maintain written records of all maintenance and testing performed on the AED;
 - 31 5. Ensure that the physician or other individual designated by the physician to supervise the
32 AED program supervises the AED program to ensure compliance with the written plan,
33 this part, and rules adopted by the District and reviews each case in which the AED is
34 used;
 - 35 6. Each time an AED is used for an individual in cardiac arrest, require that an emergency
36 medical service is summoned to provide assistance as soon as possible and that the AED
37 use is reported to the supervising physician or the person designated by the physician and
38 to the District as required by the written plan;
 - 39 7. Before allowing any use of an AED, provide the following to all licensed emergency
40 services and any public safety answering point or emergency dispatch center providing
41 services to the area where the AED is located:
 - 42 a. A copy of the plan prepared pursuant to this section; and
 - 43 b. Written notice, in a format prescribed by the DPHHS rules, stating:
 - 44 i. That an AED program has been established by the District;
 - 45 ii. Where the AED is located; and
- 46

- iii. How the use of the AED is to be coordinated with the local emergency medical service system.

Liability Limitations

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability for a personal injury that results from that care or treatment.

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability as a result of any act or failure to act in providing or arranging further medical treatment for the individual upon whom the AED was used, unless the individual using the AED or the person providing CPR, as applicable, acts with gross negligence or with willful or wanton disregard for the care of the person upon whom the AED is or may be used.

The following individuals or entities are immune from civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence, if applicable provisions of this part have been met by the individual or entity:

- a. A person providing medical oversight of the AED program, as designated in the plan;
- b. The entity responsible for the AED program, as designated in the plan;
- c. An individual providing training to others on the use of an AED.

Legal Reference:	Title 37, Chapter 104, subchapter 6, ARM – Automated External Defibrillators (AED)
	§50-6-501, MCA Definitions
	§50-6-502, MCA AED program – requirements for AED use
	§50-6-503, MCA Rulemaking
	§50-6-505, MCA Liability limitations

Policy History:

- Adopted on:
- Reviewed on:
- Revised on:

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4
5
6 Non-Lethal CS Gel

7
8 The Board authorizes the storage and use of non-lethal CS gel on District property in accordance
9 with the terms of this policy and Section 45-8-361, MCA.

10
11 Staff members are authorized under this policy to use non-lethal CS gel in a manner consistent
12 with the District-approved training on effective use of non-lethal CS gel. Unauthorized use or
13 misuse of non-lethal CS gel by a student, staff member or any other individual on District
14 property may result in discipline, loss of access to school property, and referral to law
15 enforcement.

16
17 Non-lethal CS gel will be stored in locations on District property and in a manner selected by the
18 administration in consultation with the school safety consultant or school resource officer. The
19 administration will provide an annual report to the Board on the regular review of non-lethal CS
20 gel units present on District property. Only non-lethal CS gel units purchased by the District are
21 authorized to be present on District property.

22
23 Staff members may volunteer for training on use of non-lethal CS gel placed in District
24 buildings. The administration will select volunteers for training in consultation with the school
25 safety consultant or school resource officer. Only those staff members who have been selected
26 for and successfully completed training are authorized to use non-lethal CS gel on District
27 property. Students are not authorized to use non-lethal CS gel on District property. Staff
28 members are not compensated for volunteering for training or use of non-lethal CS gel. Training
29 on effective use will be renewed for authorized staff members every 12 months.

30
31 The administration will confirm that the storage and use of non-lethal CS gel is consistent the
32 District's workers' compensation and general liability insurance policies on an annual basis.

33
34 Legal Reference Section 45-8-361, MCA
35 Section 20-5-202, MCA
36 Section 20-4-302, MCA

37
38 Policy History:

39 Adopted on:

40 Reviewed on:

41

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4
5 Contracts with Third Parties Affecting Student Records

6
7 The Board recognizes the value of digital educational software and services with respect to
8 management of student records as well as providing educational resources. The District also
9 recognizes the necessity of ensuring that student information is protected and not used for
10 commercial marketing purposes.

11
12 The Board may enter into a contract with a third party provider of digital educational software or
13 services:

- 14
15 - For the digital storage, management, and retrieval of student records (including through
16 cloud-based services); or
17 - Authorizes a third-party digital software provider to access, store, and use student records in
18 accordance with the provisions any such resulting contract.

19
20 “Student records” include the student record maintained by the District in accordance with the
21 Family Educational Rights and Privacy Act (“FERPA”) and board policy and any information
22 acquired directly from the student through the use of instructional software or applications
23 assigned to the student by a teacher or other District employee.

24
25 District personnel may utilize digital educational software or services in accordance with this
26 policy. Personnel are not authorized to use third party digital educational software or services
27 for which the District has not entered into a contract pursuant to this policy.

28
29 All contracts entered into by the Board under this policy shall provide for the following at a
30 minimum:

- 31
32 1. All student records are and continue to be the property and under the control of the District;
33 2. A description of the means by which students may retain possession and control of their own
34 student-generated content if applicable, including the options through which a student may
35 transfer his or her own generated content to a personal account;
36 3. The third party is prohibited from using any information from a student record for any
37 purpose other than what is specifically authorized by the contract;
38 4. A description of the procedures through which a parent/guardian or adult student may review
39 personally identifiable information in the student’s record and correct erroneous information;
40 5. A description of the actions the third party shall take to ensure the security and confidentiality
41 of student records, including the designation and training of responsible individuals;
42 6. A description of the procedures for notifying the parent/guardian or adult student in the event
43 of an unauthorized disclosure of the student’s records;
44 7. Certification and a description of how certification will be verified that the third party shall
45 not retain or access the student records upon completion of the terms of the contract;

