

PHILIPSBURG SCHOOL DISTRICT

3000 SERIES STUDENTS

TABLE OF CONTENTS

3110	Entrance, Placement, and Transfer
3120	Compulsory Attendance
3122	Attendance Policy
3125	Education of Homeless Children
3127	Education of Children in Foster Care
3130	Children of Military Families
3141	Discretionary Nonresident Student Attendance Policy
3150	Part-Time Attendance
3200	Student Rights and Responsibilities
3210	Equal Education, Nondiscrimination and Sex Equity
3221	Student Publications
3225	Bullying/Harassment/Intimidation/Hazing
3231	Searches and Seizure
3235	Video Surveillance
3300	Suspension and Expulsion
3310	Student Discipline
3410	Student Health/Physical Screenings/Examinations
3415	Management of Sports Related Concussions
3416	Administering Medicines to Students
3520	Student Fees, Fines, and Charges
3600	Student Records
3606	Transfer of Student Records
3608	Receipt of Confidential Records
3612	District-Provided Access to Electronic Information, Services, and Networks
3630	Cell Phones and Other Electronic Equipment

1 **Philipsburg School District**

2
3 **STUDENTS**

3110
page 1 of 2

4
5 Entrance, Placement, and Transfer

6
7 Age

8
9 The trustees will enroll a child in kindergarten or first grade whose fifth (5th) birthday occurs on
10 or before the tenth (10th) day of September of the school year in which the child is to enter
11 school. Parents may request a waiver of the age requirement. All waivers are granted in the sole
12 discretion of the Board. No pupil may be enrolled in the District if that pupil has reached his or
13 her 19th birthday on or before September 10th in the school year in which the child registers to
14 enter school. A waiver of the age limitation must be reviewed and approved by the Board.
15

16 School Entrance

- 17
- 18 1. The District requires that a student’s parents, legal guardian, or legal custodian present
19 proof of identity of the child to the school within forty (40) days of enrollment, as well as
20 proof of residence in the District. Students who are not residents of the District may
21 apply for admission pursuant to Policy 3141. Homeless students, students in foster care,
22 and students of military families shall be admitted pursuant to state and federal law, and
23 Board Policy.
24
 - 25 2. To be admitted to District schools, in accordance with the Montana Immunization Law, a
26 child must have been immunized against varicella, diphtheria, pertussis, tetanus,
27 poliomyelitis, rubella, mumps, and measles in the manner and with immunizing agents
28 approved by the department. Immunizations may not be required if a child qualifies for
29 conditional attendance or an exemption is filed as provided by Montana law.
30

31 Placement

32
33 The District goal is to place students at levels and in settings that will increase the probability of
34 student success. Developmental testing, together with other relevant criteria, including but not
35 limited to health, maturity, emotional stability, and developmental disabilities, may be
36 considered in the placement of all students. Final disposition of all placement decisions rests
37 with the principal, subject to review by the Superintendent or the Board.
38

39 Transfer

40
41 Elementary students shall be placed at their current grade level on a probationary basis for a
42 period of two (2) weeks. Thereafter, should doubt arise as to initial grade and level placement of
43 a student, school personnel will conduct an educational assessment to determine appropriate
44 grade and level placement.
45

46 High school students shall be placed according to the number of credits earned in their previous

1
2
3
4
5 accredited school districts, subject to Montana Accreditation Rules and Standards and local
6 alternate procedures for earning credit.

7
8 Cross Reference: Board Policy 3125
9 Board Policy 3127
10 Board Policy 3130

11
12 Legal Reference: § 20-5-101, MCA Admittance of child to school
13 § 20-5-403, MCA Immunization required – release and
14 acceptance of immunization records
15 § 20-5-404, MCA Conditional attendance
16 § 20-5-405, MCA Medical or religious exemption
17 § 20-5-406, MCA Immunization record
18 § 44-2-511, MCA School enrollment procedure
19 10.55.601, et seq., ARM Accreditation Standards: Procedures
20

21 Policy History:

22 Adopted on:

23 Reviewed on:

24 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3120

4
5 Compulsory Attendance

6
7 To reach the goal of maximum educational benefits for every child requires a regular continuity of
8 instruction, classroom participation, learning experiences, and study. Regular interaction of students with
9 one another in classrooms and their participation in instructional activities under the tutelage of competent
10 teachers are vital to the entire process of education. This established principle of education underlies and
11 gives purpose to the requirement of compulsory schooling in every state in the nation. A student’s regular
12 attendance also reflects dependability and is a significant component of a student’s permanent record.
13

14 Parents or legal guardians or legal custodians are responsible for seeing that their children who are age
15 seven (7) or older before the first day of school attend school until the later of the following dates:
16

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

19
20 The provisions above do not apply in the following cases:

- 21 (a) The child has been excused under one of the conditions specified in [20-5-102](#).
- 22 (b) The child is absent because of illness, bereavement, or other reason prescribed by the policies of
23 the trustees.
- 24 (c) The child has been suspended or expelled under the provisions of [20-5-202](#).

25
26 Compulsory attendance stated above will not apply when children:

- 27
- 28 1. Are provided with supervised correspondence or home study; or
- 29 2. Are excused because of a determination by a district judge that attendance is not in the best
30 interests of the child; or
- 31 3. Are enrolled in a non-public or home school; or
- 32 4. Are enrolled in a school in another district or state; or
- 33 5. Are excused by the Board on a determination that attendance after age of sixteen (16) is not in the
34 best interests of the child and the school.

35

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

46 Policy History:

47 Adopted on:

48 Reviewed on:

49 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3122

4
5 Attendance Policy

6
7 To reach the goal of maximum educational benefits for each child requires a regular continuity
8 of instruction, classroom participation, learning experiences, and study. Regular interaction of
9 students with one another in the classroom and their participation in instructional activities under
10 the tutelage of competent teachers are vital to the entire process of education. This established
11 principle of education underlies and gives purpose to the requirement of compulsory schooling in
12 every state in the nation. The good things schools have to offer can only be presented to students
13 in attendance.

14
15 A student's regular school attendance also reflects dependability and is a significant component
16 on a student's permanent record. Future employers are as much concerned about punctuality and
17 dependability as they are about academic record. School success, scholarship, and job
18 opportunity are greatly affected by a good attendance record.

19
20 Attendance procedures for can be found in the current student handbooks.

21
22
23
24 Policy History:

25 Adopted on:

26 Reviewed on:

27 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3125

4
5 Education of Homeless Children

6
7 Every child of a homeless individual and every homeless child are entitled to equal access to the
8 same free, appropriate public education as provided to other students. In addition, homeless
9 students will have access to services comparable to those offered to other students. A “homeless
10 individual” is defined as provided in the McKinney Homeless Assistance Act. The District must
11 assign and admit a child who is homeless to a District school regardless of residence and
12 irrespective of whether the homeless child is able to produce records normally required for
13 enrollment. The District cannot require an out-of-District attendance agreement and tuition for a
14 homeless child.

15
16 The Superintendent/designee will review and revise as necessary rules or procedures that may be
17 barriers to enrollment of homeless children and youths. In reviewing and revising such
18 procedures, the Superintendent will consider issues of transportation, immunization, residence,
19 birth certificates, school records and other documentation.

20
21 The Superintendent/designee will give special attention to ensuring the enrollment and
22 attendance of homeless children and youths not currently attending school. The Superintendent
23 will appoint a liaison for homeless children.

24
25 Anyone having a concern or complaint regarding placement or education of a homeless child
26 will first present it orally and informally to the District homeless liaison. Thereafter, a written
27 complaint must be filed in accordance with the District Uniform Complaint Protocol.

28
29
30
31
32
33
34
35 Cross Reference: 1700 Uniform Complaint Protocol
36 Administrative Procedures

37
38
39 Legal Reference: 42 U.S.C. § 11431, et seq. McKinney Homeless Assistance Act
40 § 20-5-101, MCA Admittance of child to school

41
42
43 Policy History:

44 Adopted on:

45 Revised on:

46

1 **Philipsburg School District**

2
3 **STUDENTS**

3127

4
5 Education of Children in Foster Care

6
7 Children in foster care are entitled to educational stability and the opportunity to achieve at the
8 same high levels as their peers. “Foster care” means 24-hour substitute care for children placed
9 away from their parents or guardians and for whom the child welfare agency has placement and
10 care responsibility. This includes, but is not limited to, placements in foster family homes, foster
11 homes of relatives, group homes, emergency shelters, residential facilities, child care institutions,
12 and pre-adoptive homes.

13
14 The District agrees to cooperate with child protective agencies to ensure that children in foster
15 care remain in their school of origin unless it is not in their best interests. If it is determined to
16 be in the child’s best interest to not remain in his or her school of origin, the District shall enroll
17 a child in foster care in a school determined to be in the child’s best interest without delay
18 regardless of whether that student can produce records normally required for enrollment. The
19 new school in which a child in foster care is enroll shall immediately contact the school of origin
20 to obtain the child’s records.

21
22 The Superintendent or designee shall identify a Point of Contact (POC) to coordinate the
23 District’s provision of services to children in foster care.

24
25
26
27
28
29 Legal References: 20 U.S.C. 6311 Title I (as amended by Every Student Succeeds Act)

30
31
32
33
34 Cross References:

35
36 Policy History:

37 Adopted on:

38 Revised on:

39
40

1 **Philipsburg School District**

2
3 **STUDENTS**

3130
page 1 of 2

4
5 Children of Military Families

6
7 It is the intention of the District to remove barriers to educational success imposed on children of
8 military families transitioning to and from school because of frequent moves and/ deployment of
9 a parent on active duty in the regular Armed Forces, National Guard, or Reserves.

10
11 ***Educational Records and Enrollment***

12 In the event that official education records cannot be released prior to the transfer of a child of a
13 military family to another school district, the District shall prepare and furnish to the parent a
14 complete set of unofficial educational records, including but not limited to records encompassing
15 all material maintained in the student’s permanent and cumulative files (general identifying data,
16 records of attendance and academic work completed, records of achievement and results of
17 evaluative tests, health data, disciplinary status) and special education records. The District shall
18 process and furnish the official educational records to the school in which the child of a military
19 family has transferred within 10 days.

20
21 In the event that a child of a military family seeks to enroll in the District, the District shall enroll
22 and appropriately place the student as quickly as possible based upon information in the
23 unofficial educational records pending receipt of the official records.

24
25 ***Tuition***

26 The District shall not charge tuition in relation to a child of a military family transferring into the
27 District who has been placed in the care of a noncustodial parent or other person through a
28 special power of attorney.

29
30 ***Placement***

31 The District will initially honor the placement of a child of a military family transferring into the
32 District in the educational courses and educational programs based on the child’s enrollment in
33 the previous school or educational assessments of the previous school provided the courses and
34 programs are offered and space is available. Course placement includes, but is not limited to,
35 honors, international baccalaureate, advanced placement, vocational, technical, and career
36 pathways courses. Educational programs include, but are not limited to, gifted and talented
37 programs. If appropriate, the District may perform subsequent evaluations to ensure the child
38 continues to be appropriately placed.

39
40 The Superintendent may waive course or program prerequisites or other preconditions for a child
41 of a military family’s placement in any courses or programs.

42
43 ***Extracurricular Activities***

44 The District shall facilitate the opportunity for a child of a military family transferring into the
45 District to participate in extracurricular activities, regardless of application deadlines, provided
46 that the child is otherwise qualified.

1 ***Children of Military Families with Disabilities***

2 The District shall initially provide comparable services to a child of a military family transferring
3 into the District who is receiving special education and related services pursuant to an individual
4 education program under Individuals with Disabilities Education Act. The District shall make
5 appropriate accommodations and modifications to address the educational needs of children of
6 military families transferring into the District who qualify for services under Section 504 of the
7 Rehabilitation Act, subject to any existing Section 504 plan. If appropriate, the District may
8 perform subsequent evaluations to ensure the child continues to be appropriately placed.
9

10	Legal References:	§ 20-1-230, MCA	Interstate Compact on Educational
11			Opportunity for Military Children
12			
13	Cross Reference:	2161	Special Education and Accommodations
14		2162	Section 504 Procedural Safeguards
15		2413	Credit Transfer/Assessment for Placement
16		3130	Entrance, Placement and Transfer
17		3123	Attendance
18		3141	Discretionary Nonresident Student
19			Attendance
20		3606	Transfer of Student Records
21			
22			

23 Policy History:

24 Adopted on:

25 Revised on:

26

1 **Philipsburg School District**

2

3 **STUDENTS**

3200

4

5 Student Rights and Responsibilities

6

7 The District recognizes fully that all students are entitled to enjoy the rights protected under
8 federal and state constitutions and law for persons of their age and maturity in a school setting.

9 The District expects students to exercise these rights reasonably and to avoid violating the rights
10 of others. The District may impose disciplinary measures whenever students violate the rights of
11 others or violate District policies or rules.

12

13

14

15 Cross Reference: 3231 Searches and Seizure

16 3310 Student Discipline

17

18 Legal Reference: § 20-4-302, MCA Discipline and punishment of pupils – definition of
19 corporal punishment – penalty – defense

20 § 20-5-201, MCA Duties and sanctions

21 *Tinker v. Des Moines Ind. Sch. Dist.*, 89 S.Ct. 733 (1969)

22

23 Policy History:

24 Adopted on:

25 Reviewed on:

26 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3210

4
5 Equal Educational Opportunity

6
7 Equal educational and extracurricular opportunities shall be available for all students without
8 regard to race, color, national origin, sex, religious beliefs, physical and mental handicap or
9 disability, or actual or potential marital or parental status. The District will not knowingly enter
10 into agreements with any entity or any individual that discriminates against students on the basis
11 of sex or any other protected status. Any student may file a discrimination grievance by using the
12 Title IX and Section 504 Grievance Procedures for claims relating to sex or disability
13 discrimination or the Uniform Grievance Procedure for all other claims.
14

15 No student shall, on the basis of sex, be denied equal access to programs, activities, services or
16 benefits or be limited in the exercise of any right, privilege, advantage or denied equal access to
17 educational and extracurricular programs and activities. Any student may file a sex equity
18 complaint by using the District’s Title IX Grievance Procedures.
19

20 Inquiries regarding discrimination of any kind should be directed to the building administrator or
21 District’s Title IX Coordinator, who shall provide information and, if necessary, direct the
22 individual to the appropriate grievance procedures. Inquiries regarding sex discrimination may
23 also be directed to the District’s Title IX Coordinator. The District will annually publish notice
24 of these rights to students and parents.

25		
26	Legal References:	
27	§ 49-2-307, MCA	Discrimination in education
28	§ 49-3-201, MCA et seq	Governmental Code of Fair Practices
29	20 USC § 1681 et seq	Title IX
30	42 USC § 12111 et seq.	Americans with Disabilities Act
31	29 USC § 791 et seq.	Rehabilitation Act of 1973
32	28 CFR 35.107	Nondiscrimination on the Basis of
33		Disability in State and Local
34	34 CFR 104.7	Government Services
35		Nondiscrimination on the Basis of
36		Handicap in Programs or Activities
37		Receiving Federal Financial
38	10.55.701, ARM	Assistance
39		Board of Trustees

40
41
42 Policy History:

43 Adopted on:

44 Reviewed on:

45 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3221

4
5 Publications and Distribution or Posting of Materials

6
7 ***School Sponsored Publications***

8 School-sponsored publications and productions are part of the curriculum and are not a public
9 forum for general student use. School authorities may edit or delete material that is inconsistent
10 with the District's educational mission. All student media shall comply with the ethics and rules
11 of responsible journalism. Text that is libelous, obscene, invades the privacy of others, conflicts
12 with the basic educational mission of the school, is socially inappropriate or inappropriate due to
13 the maturity level of the students, or is materially disruptive to the educational process will not
14 be tolerated. The author's name will accompany personal opinions published/produced and will
15 be provided within the same media.

16
17 ***Non-School Sponsored Publications***

18 Distribution in school of written material that is obscene, libelous, invades the privacy of others,
19 will cause substantial disruption of the proper and orderly operation and discipline of the school
20 or school activities, or advocates conduct otherwise inconsistent with shared values of a civilized
21 social order is prohibited. Distribution in school includes distribution on school property or at
22 school-related activities. Students who distribute such material or who write or publish such
23 material for distribution engage in gross disobedience and misconduct and will be disciplined in
24 accordance with Board policy.

25
26 ***Distribution and Posting of Materials***

27 Except as provided above, the District allows distribution of materials of parent and student
28 organizations sponsored by the District or other governmental agencies. The District also may
29 allow distribution of materials that provide information that supplements or supports the
30 District's curriculum or educational objectives. The Superintendent/designee must approve all
31 materials before they may be distributed by any organization or person. To facilitate the
32 distribution of materials with information about student activities, each building may maintain a
33 centrally located bulletin board for the posting of materials, and/or maintain a table available to
34 students for placing approved materials.

35
36
37
38 Cross Reference: 3310 Student Discipline

39
40 Legal Reference: § 20-5-201, MCA Duties and Sanctions

41
42
43
44 Policy History:

45 Adopted on:

46 Reviewed on:

47 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3225

4
5 Bullying, Harassment, Intimidation, and Hazing

6
7 The Board will strive to provide a positive and productive learning and working environment.
8 Bullying, harassment, intimidation or hazing, by students, staff or third parties is strictly
9 prohibited and shall not be tolerated.

10
11 Bullying is any harassment, intimidation, hazing or threatening, insulting or demeaning gesture
12 or physical contact, including any intentional written, verbal or electronic communication or
13 threat directed against a student that is persistent, severe or repeated and that:

- 14
15 • Causes a student physical harm, damages a student’s property or places a student in
16 reasonable fear of harm to the student or the student’s property;
17 • Creates a hostile environment by interfering with or denying a student’s access to an
18 educational opportunity or benefit; or
19 • Substantially and materially disrupts the orderly operation of a school.

20
21 Bullying also includes acts of hazing associated with athletics or school-sponsored organizations
22 or groups. Hazing includes, but is not limited to, any act that recklessly or intentionally
23 endangers the mental or physical health or safety of a student for the purpose of initiation or as a
24 condition or precondition of attaining membership in or affiliation with any District-sponsored
25 activity or grade-level attainment.

26
27 Harassment, intimidation and bullying can take many forms - verbal, written, electronic, visual,
28 physical and psychological - and is often, but not always, associated with race, ethnicity,
29 religion, gender, sexual orientation, socioeconomic status or physical differences.

30
31 No person, including a district employee or agent, or student, shall bully, harass, haze or
32 intimidate another based on the provisions of applicable local, state and federal laws and
33 regulations that prohibit discrimination or any other reason. It is the policy of the board to
34 comply with all nondiscrimination laws.

35
36 Complaints of bullying, harassment, intimidation and hazing will be handled as described below
37 and as set forth in the applicable grievance procedure. The District shall use reasonable measures
38 to inform staff members and students that the District will not tolerate bullying, harassment or
39 intimidation, by including appropriate language in school handbooks.

40
41 ***Sexual Harassment Prohibited***

42 Sexual harassment of students is prohibited. Any person, including a district employee or agent,
43 or student, engages in sexual harassment whenever he or she makes sexual advances, requests
44 sexual favors and engages in other verbal or physical conduct of a sexual or sex-based nature,
45 imposed on the basis of sex, that:

- 46 • Denies or limits the provision of educational aid, benefits, services or treatment; or that

- 1 makes such conduct a condition of a student's academic status; or
2 • Has the purpose or effect of:
3 ○ Substantially interfering with a student's educational environment;
4 ○ Creating an intimidating, hostile or offensive educational environment;
5 ○ Depriving a student of educational aid, benefits, services or treatment; or
6 ○ Making submission to or rejection of such conduct the basis for academic
7 decisions affecting a student.
8

9 The terms "intimidating," "hostile" and "offensive" include conduct that has the effect of
10 humiliation, embarrassment or discomfort. Examples of sexual harassment include, but are not
11 limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to
12 sexual characteristics and spreading rumors related to a person's alleged sexual activities. Sexual
13 harassment includes actual or attempted sexual contact with a minor or student and sexual
14 violence, which are physical sexual acts perpetrated against a person's will or where a person is
15 incapable of giving consent due to the use of drugs or alcohol or intellectual or other disability.
16 Sexually violent acts could include rape, sexual assault, sexual battery, sexual coercion, sexual
17 abuse, sexual exploitation, indecent exposure, or any actual or attempted violation of Montana
18 criminal laws.
19

20 ***Reporting***

21 Students, who believe they are victims of bullying, harassment or intimidation, regardless of the
22 reason, or have witnessed bullying, harassment or intimidation, regardless of the reason, are
23 encouraged to discuss the matter with their teacher, counselor, bus driver, coach, principal or any
24 responsible adult who is not involved in the alleged bullying, harassment or intimidation.
25 Students who believe they are victims of sexual harassment or harassment based upon a
26 disability or have witnessed sexual harassment or harassment based upon a disability are
27 encouraged to report the matter to the Title IX Coordinator/Section 504 Coordinator or Principal.
28 Students may choose to report to a person of the student's same sex if alleging a violation of Title
29 IX. Complaints will be kept confidential to the extent possible given the need to investigate.
30

31 Any adult school employee, adult volunteer, district contractor or agent who witnesses,
32 overhears or receives a report, formal or informal, written or oral, of bullying, harassment or
33 intimidation shall report it in accordance with procedures developed under this policy.
34

35 Complaints alleging sex discrimination or harassment shall be addressed through the District's
36 Title IX Grievance Procedures. Complaints alleging disability discrimination or harassment shall
37 be addressed through the District's Section 504 Grievance Procedures. All other complaints
38 alleging bullying, discrimination or harassment shall be addressed through the District's Uniform
39 Grievance Protocol.
40

41 The Title IX Coordinator, Section 504 Coordinator and/or administrator are responsible for
42 taking the following actions in conformance with the applicable grievance procedure:

- 43 • Taking prompt action to investigate/report complaints of harassment, intimidation and
44 bullying.
- 45 • Promptly notifying the alleged victims and alleged perpetrators and their parents/guardians
46 regarding the outcome; and

- Taking disciplinary action as appropriate and any other actions appropriate to address the harassment, intimidation and bullying.

In the event that a staff member or administrator knows or reasonably believes that the alleged behavior constitutes criminal activity or child abuse or neglect, the staff member or administrator shall report such activity to law enforcement and/or the Department of Public Health and Human Services. Nothing herein prohibits other individuals from reporting complaints to law enforcement. If it is determined that the alleged harassment, intimidation or bullying did not occur at school or school-related activity or does not materially or substantially disrupt the orderly operation of the District, an administrator shall refer the matter, as appropriate, to other persons or entities with appropriate jurisdiction, including but not limited to law enforcement or the Department of Public Health and Human Services.

Consequences

Any District employee who is determined, after an investigation, to have engaged in bullying, harassment and intimidation of a student, regardless of the reason, will be subject to disciplinary action up to and including discharge. Any student who is determined, after an investigation, to have engaged in bullying, harassment and intimidation, regardless of the reason, will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the District's discipline policy. Any person making a knowingly false accusation regarding bullying, harassment and intimidation, regardless of the reason, will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

Retaliation and reprisal against any person who reports an act of harassment, intimidation or bullying or participates in an investigation under this policy is prohibited. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature and circumstances of the act, in accordance with district policy.

Cross References:	1700	Uniform Grievance Protocol Title IX/504 Grievance Procedure
Legal References:	§ 20-5-207, MCA § 49-2-307, MCA § 49-3-201, MCA et seq 20 U.S.C § 1681 et seq 10.55.701, ARM 10.55.719, ARM 10.55.801, ARM	Bully-Free Montana Act Discrimination in education Governmental Code of Fair Practices Title IX Board of Trustees Student Protection Procedures School Climate

Policy History:

Adopted on:

Reviewed on:

Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3231

Page 1 of 2

4
5 Searches and Seizure

6
7 The District has a responsibility for the health and safety of its students during the school day, at
8 all extra-curricular activities and events, and all activities conducted on school premises. Use of
9 and / or possession of drugs, alcohol, tobacco and tobacco innovations, controlled substances,
10 medications (including over-the-counter medications without permission), and any other illegal
11 drug, and/or drug paraphernalia on school property or at a school sponsored event pose a serious
12 risk to health and safety to students, employees and visitors. Possession and use of weapons on
13 school grounds poses an additional risk to the health and safety of students, employees and
14 visitors.

15
16 To protect students, employees, and visitors from these risks, it is necessary to conduct searches
17 of persons and property under certain, limited circumstances. Such searches are necessary to:
18 deter the presence and possession of prohibited substances and items; deter drug and alcohol
19 abuse among the student population; to educate students as to the serious physical, mental and
20 emotional harm caused by drug and alcohol abuse; to prevent injury, illness and harm as result of
21 drug, alcohol abuse and/or weapons; to help identify student drug use and assist parents in
22 pursuing evaluation and appropriate counseling; and to maintain a safe environment free of
23 weapons, alcohol and drug use.

24
25 Searches may be carried out to recover stolen property, to detect illegal substances or weapons,
26 or to mitigate or eliminate risks to and disruption of a safe and healthy educational environment.
27 In keeping with these goals, the Board authorizes school authorities to conduct reasonable
28 searches of school property and equipment, as well as of students and their personal effects, to
29 maintain health, safety, and security in the schools.

30
31 The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified
32 at its inception, and (2) reasonably related in scope to the circumstances which justified the
33 interference in the first place.

34
35 School authorities are authorized to utilize any reasonable means of conducting searches,
36 including but not limited to the following:

- 37
38 1. A “pat down” of the exterior of the student’s clothing;
39 2. A search of the student’s clothing, including pockets;
40 3. A search of any container or object used by, belonging to, or otherwise in the
41 possession or control of a student; and/or
42 4. Devices or tools such as breath-test instruments, saliva test strips, etc.

43
44 The “pat down” or “search” of a student, if conducted, will be conducted by a school official or
45 employee of the same gender as the student being searched.

46

1 The types of property that may be searched by school officials include but are not limited to
2 lockers, desks, purses, backpacks, vehicles parked on school property, cellular phones or other
3 electronic communication devices.
4

5 ***Students and Their Personal Effects***

6 School authorities may search a student, the student's property, or District property under the
7 student's control, when there is reasonable suspicion that the search will produce evidence the
8 student has violated or is violating either the law, Board policy, administrative regulation or the
9 District's student conduct rules. Reasonable suspicion shall be based on the specific and
10 objective facts that the search will produce evidence related to the alleged violation.
11

12 Immediately following a search, a written report shall be made by the school authority who
13 conducted the search. The report shall be submitted to the Principal and forwarded to the
14 Superintendent. The parent of the student shall be notified of the search as soon as possible.
15

16 ***Vehicles Parked on School Property***

17 Parking on District property is a privilege for all students. Students may not use, transport, carry,
18 or possess alcohol, illegal drugs or any weapons in their vehicles on school property. While on
19 school property, vehicles may be inspected at any time when staff has reasonable suspicion to
20 believe the vehicle contains, illegal drugs, drug paraphernalia, or weapons. District staff may
21 inspect vehicles parked on school property at any time by staff for the presence of alcohol, illegal
22 drugs, drug paraphernalia, or weapons. District staff may search a vehicle parked on school
23 property only with the consent of the student or parent when the staff member has reasonable
24 suspicion to believe the vehicle contains alcohol, illegal drugs, drug paraphernalia, or weapons.
25 If the student or parent refuses consent to the search, the student will lose the privilege of parking
26 on school property.
27

28 In any case of reasonable suspicion or where the student or parent will not consent to a search of
29 the vehicle parked on school property, the District is authorized to contact law enforcement to
30 conduct a search of the interior of the student's vehicle. Notice provisions for students will be
31 contained in the student handbook annually and students shall annually consent to these
32 procedures.
33

34 In addition, by exercising the privilege of parking in the school parking lots, the student
35 acknowledges that the student does not have any expectation of privacy in the odors emanating
36 from the student's vehicle which may alert a human or a canine to the presence of alcohol, illegal
37 drugs, drug paraphernalia or weapons.
38

39 ***School Property***

40 School property, including, but not limited to, desks and lockers, is owned and controlled by the
41 District and may be searched by school authorities at any time. School authorities are authorized
42 to conduct area-wide, general administrative inspections of school property without notice to or
43 consent of the student and without reasonable suspicion. Contractors using trained dogs may be
44 employed by the district to assist in this process.
45
46
47

1 ***Seizure of Property***

2 If a search produces evidence that the student has violated or is violating either the law or the
3 District's policies or rules, such evidence may be seized and impounded by school authorities,
4 and disciplinary action may be taken. When appropriate, such evidence may be transferred to
5 law enforcement authorities

6
7 Cross References: 3310 Student Discipline

8
9 Legal Reference: Redding v. Safford Unified School District, 504 F.3d 828 (9th Cir.
10 2007)
11 Terry v. Ohio, 392 U.S. 1, 20 (1968)
12 B.C. v. Plumas, 192 F.3d 1260 (9th Cir. 1999)

13
14
15 Policy History:

16 Adopted on:

17 Reviewed on:

18 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3235

4
5 Video Surveillance

6
7 The Board recognizes the need to provide a safe learning environment for students and staff and
8 to protect District property and equipment. Therefore, video surveillance cameras may be used as
9 a security measure on any District property.

10
11 Video cameras will also be used to ensure that students' behavior on school property is
12 consistent with the established safety and conduct rules. If unacceptable behavior is recorded,
13 timely and appropriate corrective action will occur. The Superintendent is responsible for the
14 implementation of safety and security measures at each building and the proper use of video
15 surveillance monitoring systems. No staff member may use video surveillance without
16 permission of the Superintendent.

17
18 Signs shall be posted at various locations to inform students, staff and the public that video
19 surveillance cameras are in use. The video surveillance will not include audio recordings unless
20 specific notice is given as required by law.

21
22 Cross Reference: 3600 Student Records

23
24 Policy History:

25 Adopted on:

26 Reviewed on:

27 Revised on:

4
5
6 Suspension and Expulsion - Corrective Actions and Punishment

7
8 ***Suspension***

9 Before suspension, the student shall be provided oral or written notice of the charges. If the
10 student denies the charges, the student shall be given an explanation of the evidence and an
11 opportunity to present his or her version. Prior notice and hearing as stated above is not required
12 and the student can be immediately suspended when the student's presence poses a continuing
13 danger to persons or property or an ongoing threat of disruption to the educational process. In
14 such cases, the necessary notice and hearing shall follow as soon as practicable.

15
16 Any suspension shall be reported as soon as possible to the student's parents. A written notice of
17 the suspension shall contain a statement of the reasons for the suspension and a notice to the
18 parents of their right to review the suspension. Upon request of the parents, the Superintendent
19 shall convene a meeting to review the suspension. At the meeting, the student's parents may
20 appear and discuss the suspension with the Superintendent. The Superintendent shall decide
21 whether the suspension is appropriate. The decision of the Superintendent is final and may not be
22 appealed to the Board.

23
24 The term of a suspension may vary depending upon the circumstances. A student may be
25 suspended for an initial term not to exceed ten (10) school days. Upon a finding by a school
26 administrator that the immediate return to school by a pupil would be detrimental to the health,
27 welfare, or safety of others or would be disruptive of the educational process, a pupil may be
28 suspended for one additional period not to exceed (ten) 10 school days if the pupil is granted an
29 informal hearing with the school administrator prior to the additional suspension and if the
30 decision to impose the additional suspension does not violate the Individuals With Disabilities
31 Education Act.

32
33 ***Expulsion***

34 Expulsion is any removal of a student for more than twenty (20) school days without the
35 provision of educational services. Only the Board may expel a student from school. After the
36 administration has investigated the alleged misconduct and made the decision to recommend an
37 expulsion of the student to the Board, the administration shall send notice to the student and the
38 parent of the following:

- 39
40
- 41 • The intent to recommend an expulsion;
 - 42 • The specific charges against the student;
 - 43 • What rule or regulation was broken;
 - 44 • The nature of the evidence supporting the charges;
 - 45 • The date, time and place where the hearing will be held;
 - 46 • A copy of the procedure that will be followed by the Board; and
 - 47 • A reminder of the rights the student and parents have, including the right to counsel, the
48 right to cross examine witnesses, and the right to present witnesses.

1 The hearing may be rescheduled by the parent by submitting a request showing good cause to the
2 Superintendent at least 3 school days prior to the scheduled date of the hearing. The
3 Superintendent shall determine if the request shows good cause.

4
5 Students with rights under the Individuals with Disabilities Education Act or Section 504 of the
6 Rehabilitation Act may be expelled under certain circumstances, and the District must follow all
7 procedural requirements of those Acts, including holding a manifestation determination meeting,
8 prior to moving forward with an expulsion.

9
10
11
12
13
14
15
16
17
18

19 Legal References:	§ 20-4-302, MCA	Discipline and punishment of pupils
	§ 20-4-402, MCA	Duties of district superintendent
	§ 20-5-201, MCA	Duties of pupils – sanctions
	§ 20-5-202, MCA	Suspension and expulsion
	20 U.S.C. § 1415(k)	IDEA
	10.55.701, ARM	Board of Trustees

25
26
27
28

29 Policy History:

30 Adopted on:

31 Reviewed on:

32 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3310
page 1 of 2

4
5 Student Discipline

6 The Board grants authority to a teacher or principal to hold a student to strict accountability for
7 disorderly conduct in school, on the way to or from school, or during intermission or recess.

8
9 Disciplinary action may be taken against any student guilty of gross disobedience or misconduct,
10 including but not limited to instances set forth below:

- 11
- 12 • Using, possessing, distributing, purchasing or selling tobacco products, vapor products,
13 or alternative nicotine products (tobacco includes but is not limited to cigarettes, e-
14 cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco or any other tobacco or
15 nicotine innovation);
- 16 • Using, possessing, distributing, purchasing, or selling alcoholic beverages, including
17 powdered alcohol. Students who may be under the influence of alcohol will not be
18 permitted to attend school functions and will be treated as though they had alcohol in
19 their possession.
- 20 • Using, possessing, distributing, purchasing or selling illegal drugs or controlled
21 substances (includes medical marijuana), look-alike drugs, drug paraphernalia and any
22 such substances that contain chemicals which produce the same effect of illegal
23 substances. Students who may be under the influence of such substances will not be
24 permitted to attend school functions and will be treated as though they had drugs in their
25 possession;
- 26 • Using, possessing, controlling, or transferring a weapon in violation of the “Possession of
27 a Weapon in a School Building” section of this policy.
- 28 • Using, possessing, controlling, or transferring any object that reasonably could be
29 considered or used as a weapon.
- 30 • Disobeying directives from staff members or school officials or disobeying rules and
31 regulations governing student conduct.
- 32 • Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable
33 conduct toward anyone or urging other students to engage in such conduct, including
34 gang or gang activity.
- 35 • Causing or attempting to cause damage to, or stealing or attempting to steal, school
36 property or another person’s property.
- 37 • Engaging in any activity that constitutes an interference with school purposes or an
38 educational function or any other disruptive activity.
- 39 • Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic
40 and habitual truants.
- 41 • Hazing or bullying.
- 42 • Forging any signature or making any false entry or attempting to authorize any document
43 used or intended to be used in connection with the operation of a school.
- 44 • Gambling for money.

45
46 These grounds stated above for disciplinary action apply whenever a student’s conduct is

1 reasonably related to school or school activities, including but not limited to the circumstances
2 set forth below:

- 3
- 4 • On, or within sight of, school grounds before, during, or after school hours or at any other
5 time when school is being used by a school group.
- 6 • Off school grounds at a school-sponsored activity or event or any activity or event that
7 bears a reasonable relationship to school.
- 8 • Travel to and from school or a school activity, function, or event.
- 9 • Anywhere conduct may reasonably be considered to be a threat or an attempted
10 intimidation of a staff member or an interference with school purposes or an educational
11 function.
- 12

13 ***Disciplinary Measures***

14 Disciplinary measures include but are not limited to:

- 15 • Expulsion
- 16 • Suspension
- 17 • Detention, including Saturday school
- 18 • Loss of student privileges
- 19 • Loss of bus privileges
- 20 • Notification to juvenile authorities and/or police
- 21 • Restitution for damages to school property
- 22

23 No District employee or person engaged by the District may inflict or cause to be inflicted
24 corporal punishment on a student. Corporal punishment does not include reasonable force
25 District personnel are permitted to use as needed to maintain safety for other students, school
26 personnel, or other persons or for the purpose of self-defense.

27 ***Gun-Free Schools***

28
29 The Board will expel any student who uses, possesses, controls or transfers a firearm for a
30 definite period of time of at least one (1) calendar year. The Board authorizes the Superintendent,
31 upon written notification to the Board Chair, to modify the discipline on a case-by-case basis. A
32 building administrator will notify the criminal justice or juvenile delinquency system of any
33 student who brings a firearm to school.

34 ***Possession of a Weapon in a School Building***

35
36 The District will refer to law enforcement for immediate prosecution any person who possesses,
37 carries or stores a weapon in a school building, except as provided below, and the District may
38 take disciplinary action as well in the case of a student. In addition, the District will refer for
39 possible prosecution a parent or guardian of any minor violating this policy on grounds of
40 allowing a minor to possess, carry or store a weapon in a school building.

41
42 For the purposes of this section only, “school building” means all buildings owned or leased by a
43 local school district that are used for instruction or for student activities; “weapon” means any
44 type of firearm, any type of knife, a sword, a straight razor, a
45 throwing star, nun-chucks, brass or metal knuckles, or any other article or instrument possessed
46 with the purpose to commit a criminal offense.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry, or store a weapon in a school building must request permission of the Board at a regular meeting. The Board has sole discretion in deciding whether to allow a person to possess, carry or store a weapon in a school building.

This policy does not apply to law enforcement officers acting in their official capacity.

Cross Reference: 3300 Suspension and Expulsion
 3226 Bullying, Harassment
 5015 Bullying, Harassment

Legal Reference: § 16-11-302(1)(7), MCA Definitions
 § 20-4-302, MCA Discipline and punishment of pupils –
 definition of corporal punishment – penalty
 – defense
 § 20-5-202, MCA Suspension and expulsion
 § 45-8-361, MCA Possession or allowing possession of
 weapon in school building – exceptions –
 penalties – seizure and forfeiture or return
 authorized – definitions
 § 45-5-637, MCA Possession or consumption of tobacco
 products, alternative nicotine products, or
 vapor products by persons under 18 years of
 age is prohibited – unlawful attempt to
 purchase - penalties
 20 U.S.C. § 7961, et seq. Gun Free Schools Act of 1994
 29 U.S.C. § 701 Rehabilitation Act of 1973

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

1 **Philipsburg School District**

2
3 **STUDENTS**

4
5 Student Health/Physical Screenings/Examinations

6
7 The Board may arrange each year for health services to be provided to all students. Such services
8 may include but not be limited to:

- 9
- 10 1. Development of procedures at each building for isolation and temporary care of students
- 11 who become ill during the school day;
- 12 2. Consulting services of a qualified specialist for staff, students, and parents;
- 13 3. Vision and hearing screening;
- 14 4. Scoliosis screening;
- 15 5. Immunization as provided by the Department of Public Health and Human Services.

16
17 Parents will receive written notice of any screening result which indicates a condition that might
18 interfere or tend to interfere with a student’s progress.

19
20 The District will not conduct physical examinations of a student without parental consent to do
21 so or by court order, unless the health or safety of the student or others is in question. Further,
22 parents will be notified of the specific or approximate dates during the school year when
23 screening administered by the District is conducted which is not necessary to protect the
24 immediate health and safety of the student or other students.

25
26 Parents or eligible students will be given the opportunity to opt out of the above-described
27 screening.

28
29 Students who wish to participate in certain extracurricular activities may be required to submit to
30 a physical examination to verify their ability to participate in the activity.

31
32 All parents will be notified of requirements of the District’s policy on physical examinations and
33 screening of students, at least annually at the beginning of the school year and within a
34 reasonable period of time after any substantive change in the policy.

35
36 Legal Reference: § 20-3-324(20), MCA Powers and duties
37 20 U.S.C. 1232h(b) General Provisions Concerning Education

38
39 Policy History:

40 Adopted on:

41 Reviewed on:

42 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3415

4
5 Management of Sports Related Concussions

6
7 The District recognizes that concussions and head injuries are commonly reported injuries in
8 children and adolescents who participate in sports and other recreational activities. The Board
9 acknowledges the risk of catastrophic injuries or death is significant when a concussion or head
10 injury is not properly evaluated and managed. Therefore, all competitive youth athletic activities
11 in the District will be identified by the administration.

12 Consistent with guidelines provided by the U.S. Department of Health and Human Services,
13 Centers for Disease Control and Prevention, the National Federation of High School (NFHS) and
14 the Montana High School Association (MHSA), the District will utilize procedures developed by
15 the MHSA and other pertinent information to inform and educate coaches, athletic trainers,
16 officials, youth athletes, and their parents and/or guardians of the nature and risk of concussions
17 or head injuries, including the dangers associated with continuing to play after a concussion or
18 head injury.

19 Annually, the District will distribute a head injury and concussion information and sign-off sheet
20 to all parents and guardians of student-athletes in competitive sport activities prior to the student-
21 athlete's initial practice or competition.

22 All coaches, athletic trainers, officials, including volunteers participating in organized youth
23 athletic activities, shall complete the training program at least once each school year as required
24 in the District procedure. Additionally, all coaches, athletic trainers, officials, including
25 volunteers participating in organized youth athletic activities will comply with all procedures for
26 the management of head injuries and concussions.

27
28 Legal Reference: Dylan Stiegers Youth Athlete Protection Act

29
30
31 Policy History:

32 Adopted on:

33 Reviewed on:

34 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3416
page 1 of 4

4
5 Administering Medicines to Students

6
7 “Medication” means prescribed drugs and medical devices that are controlled by the U.S. Food and
8 Drug Administration and are ordered by a healthcare provider. It includes over-the-counter
9 medications prescribed through a standing order by the school physician or prescribed by the
10 student’s healthcare provider.

11
12 A building principal or other administrator may authorize, in writing, any school employee:

13
14 To assist in self-administration of any drug that may lawfully be sold over the counter
15 without a prescription to a student in compliance with the written instructions and with the
16 written consent of a student’s parent or guardian; and

17
18 To assist in self-administration of a prescription drug to a student in compliance with written
19 instructions of a medical practitioner and with the written consent of a student’s parent or
20 guardian.

21
22 Except in an emergency situation, only a qualified healthcare professional may administer a drug or a
23 prescription drug to a student under this policy. Diagnosis and treatment of illness and the
24 prescribing of drugs are never the responsibility of a school employee and should not be practiced by
25 any school personnel.

26
27 Administering Medication

28
29 The Board will permit administration of medication to students in schools in its jurisdiction. A
30 school nurse (who has successfully completed specific training in administration of medication),
31 pursuant to written authorization of a physician or dentist and that of a parent, an individual who has
32 executed a caretaker relative educational authorization affidavit, or guardian, may administer
33 medication to any student in the school or may delegate this task pursuant to Montana law.

34
35 Emergency Administration of Medication

36
37 In case of an anaphylactic reaction or risk of such reaction, a school nurse or delegate may administer
38 emergency oral or injectable medication to any student in need thereof on school grounds, in a school
39 building, or at a school function, according to a standing order of a chief medical advisor or a
40 student’s private physician.

41
42 In the absence of a school nurse, an administrator or designated staff member exempt from the nurse
43 license requirement under § 37-8-103(1)(c), MCA, who has completed training in administration of
44 medication, may give emergency medication to students orally or by injection.

45
46 The Board requires that there must be on record a medically diagnosed allergic condition that would
47 require prompt treatment to protect a student from serious harm or death.
48

1
2
3
4 A building administrator or school nurse will enter any medication to be administered in an
5 emergency on an individual student medication record and will file it in a student's cumulative health
6 folder.

7 8 Self-Administration of Medication

9
10 The District will permit students who are able to self-administer specific medication to do so
11 provided that:

- 12
13 • A physician or dentist provides a written order for self-administration of said medication;
14 • Written authorization for self-administration of medication from a student's parent, an
15 individual who has executed a caretaker relative educational authorization affidavit, or
16 guardian is on file; and
17 • A principal and appropriate teachers are informed that a student is self-administering
18 prescribed medication.

19
20 A building principal or school administrator may authorize, in writing, any employee to assist with
21 self-administration of medications, provided that only the following may be employed:

- 22
23 • Making oral suggestions, prompting, reminding, gesturing, or providing a written guide for
24 self-administering medications;
25 • Handing to a student a prefilled, labeled medication holder or a labeled unit dose container,
26 syringe, or original marked and labeled container from a pharmacy;
27 • Opening the lid of a container for a student;
28 • Guiding the hand of a student to self-administer a medication;
29 • Holding and assisting a student in drinking fluid to assist in the swallowing of oral
30 medications; and
31 • Assisting with removal of a medication from a container for a student with a physical
32 disability that prevents independence in the act.

33 34 Self-Administration or Possession of Asthma, Severe Allergy, or Anaphylaxis Medication

35
36 Students with allergies or asthma may be authorized by the building principal or Superintendent, in
37 consultation with medical personnel, to possess and self-administer emergency medication during the
38 school day, during field trips, school-sponsored events, or while on a school bus. The student shall
39 be authorized to possess and self-administer medication if the following conditions have been met:

- 40
41 • A written and signed authorization from the parents, an individual who has executed a
42 caretaker relative educational authorization affidavit, or guardians for self-administration of
43 medication, acknowledging that the District or its employees are not liable for injury that
44 results from the student self-administering the medication.
45 • The student must have the prior written approval of his/her primary healthcare provider. The
46 written notice from the student's primary care provider must specify the name and purpose of
47 the medication, the prescribed dosage, frequency with which it may be administered, and the
48 circumstances that may warrant its use.

- Documentation that the student has demonstrated to the healthcare practitioner and the school nurse, if available, the skill level necessary to use and administer the medication.
- Documentation of a doctor-formulated written treatment plan for managing asthma, severe allergies, or anaphylaxis episodes of the student and for medication use by the student during school hours.

Authorization granted to a student to possess and self-administer medication shall be valid for the current school year only and must be renewed annually.

A student's authorization to possess and self-administer medication may be limited or revoked by the building principal or other administrative personnel.

If provided by the parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian, and in accordance with documentation provided by the student's doctor, backup medication must be kept at a student's school in a predetermined location or locations to which the student has access in the event of an asthma, severe allergy, or anaphylaxis emergency.

Immediately after using epinephrine during school hours, a student shall report to the school nurse or other adult at the school who shall provide follow up care, including making a 9-1-1 emergency call.

Administration of Glucagons

School employees may voluntarily agree to administer glucagons to a student pursuant to § 20-5-412, MCA, only under the following conditions: (1) the employee has filed the necessary designation and acceptance documentation with the District, as required by § 20-5-412(2), MCA, and (2) the employee has filed the necessary written documentation of training with the District, as required by § 20-5-412(4), MCA.

Handling and Storage of Medications

The Board requires that all medications, including those approved for keeping by students for self-medication, be first delivered by a parent, an individual who has executed a caretaker relative educational authorization affidavit, or other responsible adult to a nurse or employee assisting with self-administration of medication. A nurse or assistant:

- Must examine any new medication to ensure it is properly labeled with dates, name of student, medication name, dosage, and physician's name;
- Must develop a medication administration plan, if administration is necessary for a student, before any medication is given by school personnel;
- Must record on the student's individual medication record the date a medication is delivered and the amount of medication received;
- Must store medication requiring refrigeration at 36° to 46° F;
- Must store prescribed medicinal preparations in a securely locked storage compartment; and
- Must store controlled substances in a separate compartment, secured and locked at all times.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

The District will permit only a forty-five-(45)-school-day supply of a medication for a student to be stored at a school; and all medications, prescription and nonprescription, will be stored in their original containers.

The District will limit access to all stored medication to those persons authorized to administer medications or to assist in the self-administration of medications. The District requires every school to maintain a current list of those persons authorized by delegation from a licensed nurse to administer medications.

The District may maintain a stock supply of auto-injectable epinephrine to be administered by a school nurse or other authorized personnel to any student or nonstudent as needed for actual or perceived anaphylaxis. If the district intends to obtain an order for emergency use of epinephrine in a school setting or at related activities, the district shall adhere to the requirements stated in 20-5-420, Section 2, MCA.

Disposal of Medication

The District requires school personnel either to return to a parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian or, with permission of the parent, an individual who has executed a caretaker relative educational authorization affidavit, or guardian, to destroy any unused, discontinued, or obsolete medication. A school nurse, in the presence of a witness, will destroy any medicine not repossessed by a parent or guardian within a seven-(7)-day period of notification by school authorities.

Legal Reference:	§ 20-5-412, MCA	Definition – parent-designated adult administration of glucagons – training
	§ 20-5-420, MCA	Self-administration or possession of asthma, severe allergy, or anaphylaxis medication
	ARM 24.159.1604	Tasks Which May Be Routinely Assigned to an Unlicensed Person in Any Setting When a Nurse-Patient Relationship Exists
	§ 37-8-103(1)(c), MCA	Exemptions – limitations on authority conferred

Policy History:

Adopted on:
Reviewed on:
Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3520

4
5 Student Fees, Fines, and Charges

6
7 Within the concept of free public education, the District will provide an educational program for students
8 as free of costs as possible.

9
10 The Board may charge a student a reasonable fee for any course or activity not reasonably related to a
11 recognized academic and educational goal of the District or for any course or activity taking place outside
12 normal school functions. The Board may waive fees in cases of financial hardship.

13
14 The Board delegates authority to the Superintendent to establish appropriate fees and procedures
15 governing collection of fees and asks the Superintendent to make annual reports to the Board regarding
16 fee schedules. The Board also may require fees for actual cost of breakage and for excessive supplies
17 used in commercial, industrial arts, music, domestic science, science, or agriculture courses.

18
19 The District holds a student responsible for the cost of replacing materials or property that are lost or
20 damaged because of negligence. A building administrator will notify a student and parent regarding the
21 nature of violation or damage, how restitution may be made, and how an appeal may be instituted. The
22 District may withhold a student's grades or diploma until restitution is made. The District may not refuse
23 to transfer files because a student owes fines or fees. A school district may withhold the grades, diploma,
24 or transcripts of a pupil who is responsible for the cost of school materials or the loss or damage of school
25 property until the pupil or the pupil's parent or guardian satisfies the obligation.

26
27 A school district that decides to withhold a pupil's grades, diploma, or transcripts from the pupil and the
28 pupil's parent or guardian shall:

- 29 (i) upon receiving notice that the pupil has transferred to another school district in the state,
30 notify the pupil's parent or guardian in writing that the school district to which the pupil has
31 transferred will be requested to withhold the pupil's grades, diploma, or transcripts until any
32 obligation has been satisfied;
- 33 (ii) forward appropriate grades or transcripts to the school to which the pupil has transferred;
- 34 (iii) at the same time, notify the school district of any financial obligation of the pupil and
35 request the withholding of the pupil's grades, diploma, or transcripts until any obligations are met;
- 36 (iv) when the pupil or the pupil's parent or guardian satisfies the obligation, inform the school
37 district to which the pupil has transferred;

38
39 A student or parent may appeal the imposition of a charge for damages to the Superintendent and to the
40 Board.

41
42

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

47
48 Policy History:

49 Adopted on:

50 Reviewed on:

51 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3608

4
5 Receipt of Confidential Records

6
7 Pursuant to Montana law, the District may receive case records of the Department of Public
8 Health and Human Services and its local affiliate, the county welfare department, the county
9 attorney, and the court concerning actions taken and all records concerning reports of child abuse
10 and neglect. The District will keep these records confidential as required by law and will not
11 include them in a student's permanent file.

12
13 The Board authorizes the individuals listed below to receive information with respect to a
14 District student who is a client of the Department of Public Health and Human Services:

- 15
16 • Counselor
17 • Nurse
18 • Special Education Teacher
19 • School Psychologist
20 • Administration

21
22 When the District receives information pursuant to law, the Superintendent will prevent
23 unauthorized dissemination of that information.

24
25
26
27 Cross Reference: 3600 - 3600P Student Records

28
29 Legal Reference: § 41-3-205, MCA Confidentiality – disclosure exceptions

30
31 Policy History:

32 Adopted on:

33 Reviewed on:

34 Revised on:

1 **Philipsburg School District**

2
3
4 **STUDENTS**

5
6 District-Provided Access to Electronic Information, Services, and Networks

7
8 General

9
10 The District makes Internet access and interconnected computer systems available to District
11 students and faculty. The District provides electronic networks, including access to the Internet,
12 as part its instructional program and to promote educational excellence by facilitating resource
13 sharing, innovation, and communication.

14
15 The District expects all students to take responsibility for appropriate and lawful use of this
16 access, including good behavior on-line. The District may withdraw student access to its
17 network and to the Internet when any misuse occurs. District teachers and other staff will make
18 reasonable efforts to supervise use of network and Internet access; however, student cooperation
19 is vital in exercising and promoting responsible use of this access.

20
21 Curriculum

22
23 Use of District electronic networks will be consistent with the curriculum adopted by the
24 District, as well as with varied instructional needs, learning styles, abilities, and developmental
25 levels of students, and will comply with selection criteria for instructional materials and library
26 materials. Staff members may use the Internet throughout the curriculum, consistent with the
27 District's educational goals.

28
29 Acceptable Uses

- 30
31 1. Educational Purposes Only. All use of the District's electronic network must be: (1) in
32 support of education and/or research, and in furtherance of the District's stated
33 educational goals; or (2) for a legitimate school business purpose. Use is a privilege, not
34 a right. Students and staff members have no expectation of privacy in any materials that
35 are stored, transmitted, or received via the District's electronic network or District
36 computers. The District reserves the right to monitor, inspect, copy, review, and store, at
37 any time and without prior notice, any and all usage of the computer network and Internet
38 access and any and all information transmitted or received in connection with such usage.
39
40 2. Unacceptable Uses of Network. The following are considered unacceptable uses and
41 constitute a violation of this policy:
42
43 A. Uses that violate the law or encourage others to violate the law, including but not
44 limited to transmitting offensive or harassing messages; offering for sale or use
45 any substance the possession or use of which is prohibited by the District's
46 student discipline policy; viewing, transmitting, or downloading pornographic
47 materials or materials that encourage others to violate the law; intruding into the
48 networks or computers of others; and downloading or transmitting confidential,
49 trade secret information, or copyrighted materials.
50
51

- 1 B. Uses that cause harm to others or damage to their property, including but not
2 limited to engaging in defamation (harming another's reputation by lies);
3 employing another's password or some other user identifier that misleads message
4 recipients into believing that someone other than you is communicating, or
5 otherwise using his/her access to the network or the Internet; uploading a worm,
6 virus, other harmful form of programming or vandalism; participating in
7 "hacking" activities or any form of unauthorized access to other computers,
8 networks, or other information.
9
- 10 C. Uses that jeopardize the security of student access and of the computer network or
11 other networks on the Internet.
12
- 13 D. Uses that are commercial transactions. Students and other users may not sell or
14 buy anything over the Internet. Students and others should not give information
15 to others, including credit card numbers and social security numbers.
16

17 Warranties/Indemnification

18

19 The District makes no warranties of any kind, express or implied, in connection with its
20 provision of access to and use of its computer networks and the Internet provided under this
21 policy. The District is not responsible for any information that may be lost, damaged, or
22 unavailable when using the network or for any information that is retrieved or transmitted via the
23 Internet. The District will not be responsible for any unauthorized charges or fees resulting from
24 access to the Internet. Any user is fully responsible to the District and will indemnify and hold
25 the District, its trustees, administrators, teachers, and staff harmless from any and all loss, costs,
26 claims, or damages resulting from such user's access to its computer network and the Internet,
27 including but not limited to any fees or charges incurred through purchase of goods or services
28 by a user. The District expects a user or, if a user is a minor, a user's parents or legal guardian to
29 cooperate with the District in the event of its initiating an investigation of a user's use of access
30 to its computer network and the Internet.
31

32 Violations

33

34 If a student violates this policy, the District will deny the student access or will withdraw access
35 and may subject the student to additional disciplinary action. An administrator or building
36 principal will make all decisions regarding whether or not a user has violated this policy and any
37 related rules or regulations and may deny, revoke, or suspend access at any time, with that
38 decision being final.
39

40 Policy History:

41 Adopted on:

42 Reviewed on:

43 Revised on:

1 **Philipsburg School District**

2
3 **STUDENTS**

3630

4
5 Cell Phones and Other Electronic Equipment

6
7 Student possession and use of cellular phones, pagers, and other electronic signaling devices on
8 school grounds, at school-sponsored activities and while under the supervision and control of
9 School District employees is a privilege. School authorities reserve the right to restrict the use of
10 such devices during the school day.

11
12 Students may use cellular phones, pagers or other electronic signaling devices on campus only
13 before school, during lunch and after the school day ends, unless a school official has
14 specifically authorized the use of the device. These devices must be kept out of sight and turned
15 off during the instructional day (including time out of classroom on a hall pass). School officials,
16 including classroom teachers, may confiscate such devices when used inappropriately.
17 Confiscated devices will only be returned to the parent. Repeat unauthorized use of such devices
18 will result in progressive disciplinary action.

19
20 At no time will any student operate a cell phone or other electronic device with video/camera
21 capability in locker room, bathroom or other location where such operation may violate the
22 privacy right of another student.

23
24 Policy History:

25 Adopted on:

26 Reviewed on:

27 Revised on: