

# Appendix A: Policy Revisions and Updates

Cascade School District

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THE BOARD OF TRUSTEES

1400

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## Board Meetings

Meetings of the Board ~~and/or committees of the Board~~ must occur at a duly called and legally conducted meeting. "Meeting" is defined as the convening of a quorum of the constituent membership of the Board, whether in person or by means of electronic equipment, to hear, discuss, or act upon a matter over which the Board has supervision, control, jurisdiction, or advisory power.

## Regular Meetings

Unless otherwise specified, all meetings will take place in the \_\_\_\_\_. Regular meetings shall take place at \_\_\_\_\_ p.m. on the \_\_\_\_\_ of each month, or at other times and places determined by a majority vote. Except for an unforeseen emergency, meetings must be held in school buildings or, upon the unanimous vote of the trustees, in a publicly accessible building located within the District. If regular meetings are scheduled at places other than as stated above or are adjourned to times other than the regular meeting time, notice of the meeting shall be made in the same manner as provided for special meetings. The trustees may meet outside the boundaries of the District for collaboration or cooperation on educational issues with other school boards, educational agencies, or cooperatives. Adequate notice of the meeting, as well as an agenda, must be provided to the public in advance. Decision making may only occur at a properly noticed meeting held within the District's boundaries. When a meeting date falls on a school holiday, the meeting may take place the next business day.

## Emergency Meetings

In the event of an emergency involving possible personal injury or property damage, the Board may meet immediately and take official action without prior notification.

## Budget Meetings

Between July 1 and August 10 of each year, the Clerk shall publish a notice stating the date, time, and place trustees will meet for the purpose of considering and adopting a final budget for the District, stating that the meeting of the trustees may be continued from day to day until final adoption of a District budget and that any taxpayer in the District may appear at the meeting and be heard for or against any part of the budget. This notice shall be published in the \_\_\_\_\_.

On the date and at the time and place stated in the published notice (on or before August 20), trustees shall meet to consider all budget information and any attachments required by law. The meeting may continue from day to day; however, the Board must adopt a final budget not later than August 25.

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## Special Meetings

Special meetings may be called by the Chairperson or by any two (2) trustees. A written notice of a special

meeting, stating the purpose of the meeting, shall be delivered to every trustee not less than forty-eight (48) hours before the time of the meeting, except that the forty-eight-(48)-hour notice is waived in an unforeseen emergency as stated in § 20-3-322(5), MCA. Such written notice shall be posted conspicuously within the District in a manner that will receive public attention. Written notice also shall be sent not less than twenty-four (24) hours prior to the meeting, to each newspaper and radio or television station that has filed a written request for such notices. **Business transacted at a special meeting will be limited to that stated in the notice of the meeting.**

### Closed Sessions

Under Montana law, the Board may meet in closed sessions to consider matters of individual privacy. Before closing a meeting, the presiding officer must determine that the demands of individual privacy exceed the merits of public disclosure and so state publicly before going into closed session. The Board also may go into closed session to discuss a strategy to be followed with respect to litigation, when an open meeting would have a detrimental effect on the litigating position of the District. This exception does not apply if the litigation involves only public bodies or associations as parties. Before closing a meeting for litigation purposes, the District may wish to consult legal counsel on the appropriateness of this action. No formal action shall take place during any closed session.

Legal References: § 2-3-103, MCA	Public participation – governor to ensure guidelines adopted
§ 2-3-104, MCA	Requirements for compliance with notice provisions
§ 2-3-105, MCA	Supplemental notice by radio or television
§ 2-3-201, MCA	Legislative intent – liberal construction
§ 2-3-202, MCA	Meeting defined
§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
§ 20-3-322, MCA	Meeting and quorum
§ 20-9-115, MCA	Notice of final budget meeting
§ 20-9-131, MCA	Final budget meeting
10.55.701, ARM	Board of Trustees

### Policy History:

Adopted on:

Reviewed on:

Revised on:

Gifted Program

To the extent possible with available resources, all gifted and talented students will have the opportunity to participate in appropriate educational programs. “Gifted and talented students” are students of outstanding abilities, who are capable of high performance and who require differentiated educational programs beyond those normally offered in public schools, in order to fully achieve their potential **contribution to self and society.**

~~The Board authorizes the Superintendent to provide a gifted and talented program which includes:~~

- ~~1. Expansion of academic attainments and intellectual skills;~~
- ~~2. Stimulation of intellectual curiosity, independence, and responsibility;~~
- ~~3. Development of positive attitudes toward self and others; and~~
- ~~4. Development of originality and creativity.~~

**The District shall:**

- **Provide educational services to gifted and talented students that are commensurate to their needs, and foster a positive self-image.**
- **Comply with all federal and state laws and regulations regarding addressing gifted education.**
- **Provide structured support and assistance to teachers in identifying and meeting the diverse student needs of gifted and talented students, and shall provide a framework for considering a full range of alternatives for addressing student needs.**

The Superintendent will establish procedures consistent with state guidelines for nominating, assessing, and selecting children of demonstrated achievement, or potential ability in terms of general intellectual ability and academic aptitude.

Legal References:      §§ 20-7-901 - 904, MCA      Gifted and Talented Children  
                                 10.55.804, ARM                      Gifted and Talented

Enrollment and Attendance Records

Average Number Belonging

Average Number Belonging (ANB) is the enrollment measure used for the State Foundation Program calculations as defined in § 20-9-311, MCA. The ANB of one year is based on the attendance records of the preceding year. Funding for districts is based on ANB, which is based on “aggregate hours” per year and must be accurate. “Aggregate hours” means the hours of pupil instruction for which a school course or program is offered or for which a pupil is enrolled.

For a child to be counted for ANB purposes:

- a) The child must meet the definition of pupil as found in § 20-1-101(11), MCA;
- b) Attending 180 to 359 aggregate hours = One-quarter time enrollment
- c) Attending 360 to 539 aggregate hours = One-half time enrollment
- d) Attending 540 to 719 aggregate hours = Three-quarter time enrollment
- e) Attending 720 aggregate hours or more = Full-time enrollment

~~Enrollment in a program for fewer than 180 aggregate hours of pupil instruction per school year may not be included for ANB purposes, unless the pupil has demonstrated proficiency in the content ordinarily covered by the instruction as determined by the school board using district assessments.~~ **A school district may include in its calculation of ANB a pupil who is enrolled in a program providing fewer than the required aggregate hours of pupil instruction required under subsection 20-9-311(4)(a) or (4)(b) if the pupil had demonstrated proficiency in the content ordinarily covered by the instruction as determined by the school board using district assessments.** The ANB must be converted to an hourly equivalent based on the hours of instruction ordinarily provided for the content over which the student has demonstrated proficiency. 20-9-311(4)(d).

Homebound Students

Students who are receiving instructional services, who were in the education program and, due to medical reasons certified by a medical doctor, are unable to be present for pupil instruction, may be counted as enrolled for ANB purposes, if the student:

- Is enrolled and is currently receiving organized and supervised pupil instruction;
- Is in a home or facility which does not offer a regular educational program; and

- Has instructional costs during the absence, which are financed by the District’s general fund.

If a homebound student does not meet the criteria set forth above, the District may request a variance through

the Office of Public Instruction, for consideration of the student in the enrollment count for ANB purposes beyond the tenth (10<sup>th</sup>) day of absence.

Attendance Accounting

Days present and absent for every student are to be recorded in each building, for the purpose of informing parents of a student's attendance record.

On the first (1<sup>st</sup>) Monday in October and the first (1<sup>st</sup>) Monday in February, the number of all enrolled students (whether present or absent) by grade level and class will be recorded on the forms provided by the District. Special education children who are enrolled in special programs sixteen (16) hours or more a week will be listed separately. The Director of Special Education should be contacted to verify this count. Monthly student counts of enrolled children by grade and classroom will be provided by the office.

Legal Reference:	10.20.102, ARM	Calculation of Average Number Belonging (ANB)
	§ 20-1-101, MCA	Definitions
	§ 20-9-311, MCA	Calculation of average number belonging (ANB) – three-year averaging

Procedure History:

Promulgated on:

Reviewed on:

Revised on:

Visitors to Schools

The District welcomes visits by parents and citizens to all District buildings. All visitors shall report to the principal's office [school building office] on entering any District building. Conferences with teachers should be held outside school hours or during the teacher's conference or preparation time.

Cross Reference: 4313 Disruption of School Operations

Policy History:

Adopted on:

Reviewed on:

Revised on:

Interrogation and Investigations Conducted by School Officials

The administration has the authority and duty to conduct investigations and to question students pertaining to infractions of school rules, whether or not the alleged conduct is a violation of criminal law. The administration shall determine when the necessity exists that law enforcement officers be asked to conduct an investigation of alleged criminal behavior which jeopardizes the safety of other people or school property or which interferes with the operation of the schools.

In instances when the administration has reasonable suspicion that a violation of district policy or the student code of conduct has been violated, the administrator will investigate. The administrator will notify the suspected rule violator(s) or potential witness(es) to the infraction. The suspected student shall be advised orally or in writing of the nature of the alleged offense and of the evidence against the student. Circumstances may arise where it would be advisable to have another adult present during questioning of students.

School Resource Officer

\_\_\_\_\_ School District contracts with the \_\_\_\_\_ Police Department to provide School Resource Officers (SROs) to maintain a safe and secure environment conducive to learning. Whenever possible all interactions between students and law enforcement at schools with SROs assigned shall be coordinated through the SROs as specified within the duties of the contract.

Duties:

1. Abide by school board policies and shall consult with and coordinate activities through the school principal but shall remain fully responsive to the chain of command of the law enforcement agency in all matters relating to employment and supervision.
2. Develop expertise in presenting various subjects; particularly in meeting federal and state mandates in drug abuse prevention education and shall provide these presentations at the request of school personnel in accordance with the established curriculum.
3. Encourage individual and small group discussions about law enforcement related matters with students, faculty and parents.
4. Attend meetings of parent and faculty groups to solicit their support and understanding of the School Resource Officer Program and to promote awareness of law enforcement functions.
5. Be familiar with all community agencies that offer assistance to youths and their families such as mental health clinics, drug treatment centers, etc.
6. Confer with the administration to develop plans and strategies to prevent and/or minimize dangerous situations on or near the campus or involving students at school related activities.
7. Coordinate with the administration when conducting an investigation into alleged violations of District policy that also could be a violation of the criminal code during school hours, on school property or students travelling to or from school.

8. Advise the administration before requesting additional enforcement assistance on campus and undertake all additional responsibilities at the administration's direction.
9. In order to assure the peaceful operation of school-related programs, SROs will whenever possible, participate in or attend school functions.
10. Reaffirm their roles as law enforcement officers by wearing their uniforms, unless doing so would be inappropriate for scheduled school activities. The uniform will also be worn at events where it will enhance the image of officers and their ability to perform their duties.
11. Coordinate with the administration and be responsible for law enforcement and security activity at extra-curricular events as determined by the principal.
15. File reports as required by the school district and/or law enforcement agency.

### Investigations by Law Enforcement

When a student becomes involved with law enforcement officers due to events outside of the school environment and officers other than a SRO must interact with a student, the officer(s) is requested to confer with the student when he/she is being investigated for conduct not under the jurisdiction of the school. If this cannot be arranged, the SRO is the first person of contact for law enforcement. If for any reason the SRO is not available to respond to a request, the following steps shall be taken to cooperate with the authorities.

- a. The officer shall contact the school principal and present proper identification in all occasions upon his/her arrival on school premises.
- b. Parents or guardians shall be notified by the law enforcement officer, school principal or assistant principal as soon as possible. The law enforcement officer, principal or assistant principal shall make every effort to inform parents or guardians of the intent of the law enforcement officers except when that notification may compromise the student's safety.
- c. The student's parent or guardian should be present, if practicable, during any interrogation on school premises.

### Cooperation with Law Enforcement

Although cooperation with law enforcement officers will be maintained, it is the preference of the District that it will not normally be necessary for law enforcement officers to initiate, and conduct any investigation and interrogation on the school premises, during school hours, pertaining to criminal activities unrelated to the operation of the school. It is preferred that only in demonstrated emergencies, when law enforcement officers find it necessary, will they conduct such an investigation during school hours. These circumstances might be limited to those in which delay might result in danger to any person, flight of a person reasonably suspected of a crime from the jurisdiction or local authorities, destruction of evidence, or continued criminal behavior.

No school official, however, should ever place him/herself in the position of interfering with a law enforcement official in the performance of his or her duties as an officer of the law. If the law enforcement officials are not recognized and/or are lacking a warrant or court order, the building principal shall require proper identification of such officials and the reason(s) for the visit to the school. If the principal is not satisfied, he/she shall attempt to notify the Superintendent and the officer's superior, documenting such action.



In all cases, the officers shall be requested to obtain prior approval of the principal or other designated person before beginning such an investigation on school premises. The administrator shall document the circumstances of such investigations as soon as practical. Alleged behavior related to the school environment brought to the Principal's attention by law enforcement officers shall be dealt with under the provisions of the two previous sections.

### Taking a Student into Custody

School officials shall not release students to law enforcement authorities voluntarily unless the student has been placed under arrest or unless the parent or guardians and the student agree to the release. When students are removed from school for any reason by law enforcement authorities, every reasonable effort will be made to notify the student's parents or guardians immediately. Such effort shall be documented. Whenever an attempt to remove a student from school occurs without an arrest warrant, court order, or without acquiescence of the parent or guardian, or the student, the administrator shall immediately notify a superior of the law enforcement officers involved to make objection to the removal of the student and shall attempt to notify the parent or guardian of the student. The Superintendent's office shall be notified immediately of any removal of a student from school by law enforcement officers under any circumstances.

When it is necessary to take a student into custody on school premises and time permits, the law enforcement officer shall be requested to notify the principal and relate the circumstances necessitating such action. When possible, the principal shall have the student summoned to the principal's office where the student may be taken into custody. In all situations of interrogations, arrest or service of subpoenas of a student by law enforcement officers on school premises, all practicable steps shall be taken to ensure a minimum of embarrassment or invasion of privacy of the student and disruption to the school environment.

### Disturbance of School Environment

Law enforcement officers may be requested to assist in controlling disturbances of the school environment which the Principal or other school administrator has found to be unmanageable by school personnel and which disturbances have the potential of causing harm to students, other persons, or school property. Staff members may also notify law enforcement officials.

Such potential of possible disturbance includes members of the public who have exhibited undesirable or illegal conduct on school premises or at a school event held on school property, and who have been requested to leave by an administrator or staff member, but have failed or refused to do so.

Legal Reference:	§ 20-1-206, MCA	Disturbance of school - penalty
	§ 20-5-201, MCA	Duties and sanctions
	§ 45-8-101, MCA	Disorderly conduct

### Policy History:

Adopted on:

Reviewed on:

Revised on:



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City

State

Zip

I have been convicted of, or am under pending indictment for, the following crimes [include the dates, location/jurisdiction, circumstances and outcome]:

I have not been convicted of, nor am I under pending indictment for, any crimes.

Your signature below acknowledges this entity has informed you of your privacy rights for fingerprint-based background check requests used by the entity for non-criminal justice purposes.

I have been provided with a copy of this form. I have read and understood the foregoing and my certification is true and correct to the best of my knowledge and belief.

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Date

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Signature of Applicant

Abused and Neglected Child Reporting

A District employee who has reasonable cause to suspect, **as a result of information they receive in their professional or official capacity, that a child is abused or neglected by anyone regardless of whether the person suspected of causing the abuse or neglect is a parent or other person responsible for the child's welfare, they shall report the matter promptly to the department of public health and human services.** ~~that a student may be an abused or neglected child shall report such a case to the Montana Department of Public Health and Human Services and notify the Superintendent or principal that a report has been made.~~ An employee does not discharge the obligation to personally report by notifying the Superintendent or principal.

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

When a District employee makes a report, the DPHHS may share information with that individual or others as stated in 41-3-201(5). Individuals who receive information pursuant to the above named subsection (5) shall maintain the confidentiality of the information as required in 41-3-205.

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

Policy History:

Adopted on:

Reviewed on:

Revised on:

# Cascade School District

## PERSONNEL

5322

### Military Leave

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Montana Military Service Employment Rights, the Superintendent shall grant military leave to employees for voluntary or involuntary service in the uniformed services of the United States, upon receipt of the required notice. ~~An employee who is a member of the organized militia of Montana or who is a member of the organized or unorganized reserve corps or military forces of the United States and who has been an employee for a period of at least 6 months must be given leave of absence with pay accruing at a rate of 120 hours in a calendar year, or academic year if applicable, for performing military service. Military leave may not be charged against the employee's annual vacation leave. Unused military leave must be carried over to the next calendar year, or academic year if applicable, but may not exceed a total of 240 hours in any calendar or academic year.~~ **Benefits shall be maintained for these employees as required by law and/or collective bargaining agreements.** A service member who returns to the District for work following a period of active duty must be reinstated to the same or similar position and at the same rate of pay unless otherwise provided by law.

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

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

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

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

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

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

Legal Reference:	38 U.S.C. §§ 4301-4334	The Uniformed Services Employment and Reemployment Act of 1994
	§10-1-1004, MCA	Rights under federal law
	§10-1-1005, MCA	Prohibition against employment discrimination
	§10-1-1006, MCA	Entitlement to leave of absence
	§10-1-1007, MCA	Right to return to employment without loss of benefits – exceptions – definition
	§10-1-1009, MCA	Paid military leave for public employees

### Policy History:

Adopted on:

Reviewed on:

Revised on:

Driver Training and Responsibility

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

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

**School bus drivers must hold a valid Montana school bus certificate in order for a district to receive state reimbursement for that driver's bus routes. Qualifications for bus drivers are prescribed by 20-10.103, MCA, and by the board of Public Education in Arm 10.64.201. The first aid certificate required by ARM 10.64.201 must include certification in CPR, be signed by a certified instructor, and be received after an initial in-person training of at least four hours with annual renewals.**

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

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

**A driver may not operate a school bus without a valid, current certificate.**

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

Legal Reference:	§ 20-10-103, MCA	School bus driver qualifications
	10.7.111, ARM	<del>Qualification of Bus Drivers</del> <b><u>Bus Drivers Certification Requirement for Reimbursement</u></b>
	10.64.201, ARM	<del>Drivers</del> <b><u>School Bus Driver Qualifications</u></b>
	<del>§ 50-46-205, MCA</del>	<del>Limitations of Medical Marijuana Act</del>
	National Highway Traffic Safety Administration	

