

1 **Cascade School District**

2
3 **STUDENTS**

4
5 Entrance, Placement, and Transfer

6
7 Entrance, Date, and Age

8
9 The trustees will enroll a child in kindergarten or in first grade whose fifth (5th) or sixth (6th)
10 birthday occurs on or before the tenth (10th) day of September of the school year in which the
11 child is to enroll but is not yet 19 years of age. Parents may request a waiver of the age
12 requirement. All waivers are granted in the sole discretion of the District. A child who meets
13 the requirement of being six (6) years old, but who has not completed a kindergarten program,
14 will be tested and placed at the discretion of the administration. The District requires proof of
15 identity and an immunization record for every child to be admitted to District schools. The
16 trustees may at their discretion assign and admit a child to a school in the district who is under 6
17 years of age or an adult who is 19 years of age or older if there are exceptional circumstances
18 that merit waiving the age provision.

19
20 School Entrance

- 21
22 1. The District requires that a student’s parents, legal guardian, or legal custodian present
23 proof of identity of the child¹ to the school within forty (40) days of enrollment, as well
24 as proof of residence in the District. Students who are not residents of the District may
25 apply for admission pursuant to Policy 3141.
26
27 2. To be admitted to District schools, in accordance with the Montana Immunization Law, a
28 child must have been immunized against varicella, diphtheria, pertussis, tetanus,
29 poliomyelitis, rubella, mumps, and measles in the manner and with immunizing agents
30 approved by the department. Immunizations may not be required if a child qualifies for
31 conditional attendance or an exemption is filed as provided by Montana law.
32
33 3. The above requirements are not to serve as barriers to immediate enrollment of students
34 designated as homeless or foster children as required by the Every Student Succeeds Act
35 (ESSA) and the McKinney-Vento Act as amended by ESSA. The District shall work
36 with the local child welfare agency, the school last attended, or other relevant agencies to
37 obtain necessary enrollment documentation **and ensure a student receives education**
38 **services in the best interests of the child. The Superintendent or designee shall serve**
39 **as point of contact with all applicable agencies to review records, facilitate services**
40 **and resolve disputes.**

41
42 Placement

43
44 The District goal is to place students at levels and in settings that will increase the probability of
45 student success. Developmental testing, together with other relevant criteria, including but not
46 limited to health, maturity, emotional stability, and developmental disabilities, may be

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

considered in the placement of all students. Final disposition of all placement decisions rests with the principal, subject to review by the Superintendent or the Board.

Transfer

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

Elementary Grades (K-8): A student transferring into the District will be admitted and placed subject to observation by appropriate teachers and a building principal during a probation period of two (2) weeks. Thereafter, should doubt arise as to initial grade and level placement of a student, school personnel will conduct an educational assessment to determine appropriate grade and level placement.

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

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

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

Legal Reference:	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-403, MCA	Immunization required – release and acceptance of immunization records
	§ 20-5-404, MCA	Conditional attendance
	§ 20-5-405, MCA	Medical or religious exemption
	§ 20-5-406, MCA	Immunization record
	§ 44-2-511, MCA	School enrollment procedure
	10.16.3122, ARM	Local Educational Agency Responsibility For Students with Disabilities
	10.55.601, et seq., ARM	Accreditation Standards: Procedures

Policy History:

Adopted on:

Reviewed on:

Revised on:

2
3 STUDENTS

4
5 Education of Homeless Children

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

11
12 Should a child become homeless over the course of the school year, the child must be able to remain at
13 the school of origin, or be eligible to attend another school in the district.

14
15 The Superintendent will review and revise as necessary rules or procedures that may be barriers to
16 enrollment of homeless children and youths. In reviewing and revising such procedures, the
17 Superintendent will consider issues of transportation, immunization, residence, birth certificates, school
18 records, and other documentation.

19
20 Homeless students will have access to services comparable those offered to other students, including but
21 not limited to:

- 22
23 1. Transportation services;
24 2. Educational services for which a student meets eligibility criteria (e.g., Title I);
25 3. Educational programs for children with disabilities and limited English proficiency;
26 4. Programs in vocational and technical education;
27 5. Programs for gifted and talented students; and
28 6. School nutrition program.

29
30 The Superintendent will give special attention to ensuring the enrollment and attendance of homeless
31 children and youths not currently attending school. The Superintendent will appoint a liaison for
32 homeless children. A “homeless individual” is defined as provided in the McKinney Homeless
33 Assistance Act.

34
35 **Anyone having a concern or complaint regarding placement or education of a homeless child will**
36 **first present it orally and informally to the District homeless liaison. To further ensure that the**
37 **District is removing barriers to the educational access and success of children and youths who are**
38 **homeless, and to ensure that Title 1 funding is expended in an appropriate manner, the District has**
39 **adopted the dispute resolution form at 3125F.**

40
41 Cross Reference: 1700 Uniform Complaint Procedure
42 3125F McKinney-Vento Homeless Educational Assistance Dispute Resolution
43 Legal Reference: 42 U.S.C. §§42 U.S.C. § 11301 *et seq* 11431, *et seq.*
44 McKinney Homeless Assistance Act
45 § 20-5-101, MCA Admittance of child to school

46
47 Policy History:

48 Adopted on:

49 Reviewed on:

50 Revised on:

2
3 STUDENTS

4 Sexual Harassment, Sexual Intimidation and Sexual Misconduct

5
6
7 **Sexual harassment, sexual intimidation, and sexual misconduct are forms of discrimination**
8 **and are prohibited.** An employee, District agent, or student engages in sexual harassment,
9 **sexual intimidation, and sexual misconduct** whenever that individual makes unwelcome
10 advances, requests sexual favors, or engages in other verbal, non-verbal, **electronic or physical**
11 **contact or** conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

12
13 1. Denies, **deprives**, or limits the provision of educational aid, benefits, services,
14 opportunities, or treatment, or that makes such conduct a condition of a student’s
15 academic status; or

16
17 2. Has the purpose or effect of:

- 18
19 a. Substantially interfering with a student’s educational environment;
20
21 b. Creating an intimidating, hostile, or offensive educational environment;
22
23 c. **Denying, depriving, or limiting the provision** of educational aid, benefits,
24 services, opportunities, or treatment; or
25
26 d. Making submission to or rejection of such unwelcome conduct the basis for
27 academic decisions affecting a student.
28

29 **Sexual harassment, sexual intimidation and sexual misconduct prohibited by this policy**
30 **includes verbal, electronic, or physical contact or conduct.** The terms “intimidating,”
31 “hostile,” **“misconduct,”** and “offensive” include conduct that has the effect of humiliation,
32 embarrassment, or discomfort. Examples of **sexual harassment, sexual intimidation, and**
33 **sexual misconduct** include but are not limited to unwelcome or forceful physical touching,
34 crude jokes or pictures, discussions of sexual experiences, **pressure or requests for sexual**
35 **activity or favors**, intimidation by words, actions, insults, or name calling, teasing related to
36 sexual characteristics, and spreading rumors related to a person’s alleged sexual activities. **The**
37 **District will evaluate sexual harassment, sexual intimidation, and sexual misconduct in**
38 **light of all circumstances.**

39
40 Students who believe that they may have been sexually harassed, intimidated, **or been subjected**
41 **to sexual misconduct** should consult a counselor, teacher, Title IX coordinator, or administrator,
42 who will assist them in the complaint process. Supervisors or teachers who knowingly condone

1 or fail to report or assist a student to take action to remediate such behavior of sexual harassment,
2 **intimidation, or misconduct** may themselves be subject to discipline. **The District will report**
3 **any suspected child abuse or neglect to proper authorities in accordance with District**
4 **Policy 5232. The District is authorized to report any violation of this policy to law**
5 **enforcement that is suspected to be a violation of state or federal criminal laws.**

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7 3225
8 page 2 of 2
9

10 Any District employee who is determined, after an investigation, to have engaged in sexual
11 harassment, **intimidation or misconduct** will be subject to disciplinary action up to and
12 including discharge. Any student of the District who is determined, after an investigation, to
13 have engaged in sexual harassment, **intimidation or misconduct** will be subject to disciplinary
14 action, including but not limited to suspension and expulsion consistent with the District's
15 discipline policy.

16
17 ~~The District will make every effort to ensure that employees or students accused of sexual~~
18 ~~harassment or intimidation are given an appropriate opportunity to defend themselves~~
19 ~~against such accusations.~~

20
21 To the greatest extent possible, the District will treat complaints in a confidential manner. The
22 District realizes that limited disclosure may be necessary in order to complete a thorough
23 investigation. Retaliation against persons who file a complaint is a violation of law prohibiting
24 discrimination and will lead to disciplinary action against an offender.

25
26 Any individual seeking further information should consult the Superintendent for the name of the
27 current Title IX Coordinator for the District. The Superintendent will ensure that student and
28 employee handbooks include the name, address, and telephone number of an individual
29 responsible for coordinating District compliance efforts.

30
31 An individual with a complaint alleging a violation of this policy should follow the Uniform
32 Complaint Procedure.

33
34 Any person who knowingly makes a false accusation regarding sexual harassment, **intimidation**
35 **or misconduct** likewise will be subject to disciplinary action up to and including discharge with
36 regard to employees or suspension and expulsion with regard to students.

37
38 Cross Reference: 1700 Uniform Complaint Procedure
39 **5232 Abused and Neglected Child Reporting**

40
41 Legal References: Art. X, Sec. 1, Montana Constitution – Educational goals and duties
42 §§ 49-3-101, et seq., MCA Montana Human Rights Act
43 Title IX of the Educational Amendments, 20 U.S.C. § 1681, et seq.
44 34 CFR Part 106 Nondiscrimination on the basis of sex in
45 education programs or activities receiving
46 Federal financial assistance

1	10.55.701(1)(f), ARM	Board of Trustees
2	10.55.719, ARM	Student Protection Procedures
3	10.55.801(1)(a), ARM	School Climate

4
5 Policy History:
6 Adopted on:
7 Reviewed on:
8 Revised on:

6 Visitors to Schools

8 The District welcomes visits by parents and citizens to all District buildings. All visitors shall
9 report to the principal's office [school building office] on entering any District building **and**

10 **comply with any other applicable school safety and security policy, procedure or protocol.**

11 **School visitors shall not interfere with school operations or delivery of educational services**

12 **to students.** Conferences with teachers should be held outside school hours or during the
13 teacher's conference or preparation time.

18 Policy History:

19 Adopted on:

20 Reviewed on:

21 Revised on:

4
5 Visitor and Spectator Conduct and Sportsmanship for Athletic and Co-Curricular Events

6
7 Any person, including an adult, who behaves in an unsportsmanlike or inappropriate
8 manner during a visit to the school or a school event may be ejected from the event and/or
9 denied permission to access school buildings or property or school events as determined by
10 the Board of Trustees. Examples of unsportsmanlike or inappropriate conduct include but
11 are not limited to:

- 12
- 13 • Using vulgar or obscene language or gestures;
- 14 • Possessing or being under the influence of any alcoholic beverage or illegal substance;
- 15 • Possessing a weapon;
- 16 • Fighting or otherwise striking or threatening another person;
- 17 • Failing to obey instructions of a security officer or District employee; and
- 18 • Engaging in any illegal or disruptive activity.
- 19 • Other violations of District Policy.
- 20

21 The Superintendent is authorized to temporarily restrict access to school buildings or
22 property and recommend to the Board of Trustees denial of ~~seek to deny~~ future admission to
23 any person by delivering or mailing a notice by certified mail with return receipt requested,
24 containing:

- 25
- 26 1. Date, time, and place of a Board hearing;
- 27
- 28 2. Description of the unsportsmanlike conduct; and
- 29
- 30 3. Proposed time period admission to school buildings or property or school events will be
- 31 denied.
- 32

33 Cross Reference:	4301	Visitors to School
34		
35 Legal Reference:	§ 20-1-206, MCA	Disturbance of school – penalty
36	§ 20-4-303, MCA	Abuse of teachers
37	§ 45-8-101, MCA	Disorderly conduct
38		

39 Policy History

40 Adopted on:

41 Reviewed on:

42 Revised on:

1 **Cascade School District**

2
3 **COMMUNITY RELATIONS**

4340
page 1 of 2

4
5 Public Access to District Records

6
7 Within limits of an individual’s right of privacy, the public will be afforded full access to
8 information concerning administration and operations of the District. Public access to District
9 records shall be afforded according to appropriate administrative procedures.

10
11 “District records” include any writing, printing, Photostatting, photographing, etc. (including
12 electronic mail), which has been made or received by the District in connection with the
13 transaction of official business and presented for informative value or as evidence of a
14 transaction, and all other records required by law to be filed with the District. “District records”
15 do not include personal notes and memoranda of staff which remain in the sole possession of the
16 maker and which are not generally accessible or revealed to other persons.

17
18 The Superintendent will serve as the public records coordinator, with responsibility and authority
19 for ensuring compliance with the display, indexing, availability, inspection, and copying
20 requirements of state law and this policy. As coordinator, the Superintendent will authorize the
21 inspection and copying of District records only in accordance with the criteria set forth in this
22 policy.

23
24 In accordance with Title 2, Chapter 6, MCA, the District will make available for public
25 inspection and copying all District records or portions of records, except those containing the
26 following information:

- 27
- 28 1. Personal information in any file maintained for students. Information in student records
29 will be disclosed only in accordance with requirements of the Family Educational Rights
30 and Privacy Act of 1974 and adopted District policy.
 - 31
32 2. Personal information in files maintained for staff, to the extent that disclosure will violate
33 their right to privacy.
 - 34
35 3. Test questions, scoring keys, or other examination data used to administer academic tests.
 - 36
37 4. The contents of real estate appraisals made for or by the District relative to the
38 acquisition of property, until the project is abandoned or until such time as all of the
39 property has been acquired, but in no event will disclosure be denied for more than three
40 (3) years after appraisal.
 - 41
42 5. Preliminary drafts, notes, recommendations, and intra-District memoranda in which
43 opinions are expressed or policies formulated or recommended, except a specific record
44 shall not be exempt when publicly cited by the District in connection with any District
45 action.
- 46
47

- 1
- 2
- 3
- 4 6. Records relevant to a controversy to which the District is a party, but which would not be
- 5 available to another party under the rules of pretrial discovery, for cases pending
- 6 resolution.
- 7
- 8 7. Records or portions of records, the disclosure of which would violate personal rights of
- 9 privacy.
- 10
- 11 8. Records or portions of records, the disclosure of which would violate governmental
- 12 interests.
- 13
- 14 **9. Records or information relating to individual or public safety or the security of**
- 15 **public schools if release of the information jeopardizes the safety of facility**
- 16 **personnel, the public, students in a public school.**
- 17

18 If the District denies any request, in whole or in part, for inspection and copying of records, the
19 District will provide the requesting party with reasons for denial.

20

21 If the record requested for inspection and/or copying contains both information exempted from
22 disclosure and non-exempt information, the District shall, to the extent practicable, produce the
23 record with the exempt portion deleted and shall provide written explanation for the deletion.

24

25 The District will not provide access to lists of individuals, which the requesting party intends to
26 use for commercial purposes or which the District reasonably believes will be used for
27 commercial purposes if such access is provided. However, the District may provide mailing lists
28 of graduating students to representatives of the U.S. armed forces and the National Guard for
29 purpose of recruitment.

30

31 The coordinator is authorized to seek an injunction to prevent disclosure of records otherwise
32 suitable for disclosure, when it is determined reasonable cause exists to believe disclosure would
33 not be in the public interest and would substantially or irreparably damage any person or would
34 substantially or irreparably damage vital governmental functions.

35

36

37

38 Legal Reference: Title 20, Ch. 6, MCA School districts
39 **§ 2-6-1001, MCA, et seq. Public Records**

40

41 Policy History:

42 Adopted on: 02/2000
43 Reviewed on: 11/12/13
44 Revised on:

4
5 Relations With Law Enforcement and Child Protective Agencies

6
7 The staff is primarily responsible for maintaining proper order and conduct in the schools. Staff
8 shall be responsible for holding students accountable for infractions of school rules, which may
9 include minor violations of the law, occurring during school hours or at school activities. When
10 there is substantial threat to the health and safety of students or others, such as in the case of
11 bomb threats, mass demonstrations with threat of violence, individual threats of substantial
12 bodily harm, trafficking in prohibited drugs, or the scheduling of events where large crowds may
13 be difficult to handle, the law enforcement agency shall be called upon for assistance.
14 Information regarding major violations of the law shall be communicated to the appropriate law
15 enforcement agency.

16
17 The District will strive to develop and maintain cooperative working relationships with the law
18 enforcement agencies. Procedures for cooperation between law enforcement, child protective,
19 and school authorities will be established. Such procedures will be made available to affected
20 staff and will be periodically revised.

21
22 County Interdisciplinary Child Information and School Safety Team

23
24 The District will participate in the Cascade County interdisciplinary child information and
25 school safety team established by Section 52-2-211, MCA. This team consists of county-
26 level representatives of the youth court, the county attorney, the department of public
27 health and human services, the county superintendent of schools, the sheriff, the chief of
28 any police force, the superintendents of public school districts in the County, and the
29 department of corrections.

30
31 The purpose of the team is “to facilitate the exchange and sharing of information that one
32 or more team members may be able to use in serving a child in the course of their
33 professions and occupations, including but not limited to abused or neglected children,
34 delinquent youth, and youth in need of intervention, and of information relating to issues of
35 school safety.”

36
37 The Superintendent is authorized to request information from the interdisciplinary child
38 information and school safety team regarding students in the School District. The
39 Superintendent shall utilize this authority on a regular basis to ensure the safety and
40 security of the District.

41
42 Cross Reference: 4313 Disruption of School Operations

43
44 Legal Reference: § 20-1-206, MCA Disturbance of school – penalty
45 § 52-2-211, MCA County Interdisciplinary Child Information and
46 School Safety Team

- 1
- 2 Policy History:
- 3 Adopted on:
- 4 Reviewed on:
- 5 Revised on:

3
4 PERSONNEL

6 Sexual Harassment, Sexual Intimidation and Sexual Misconduct in the Workplace

7
8 The District will strive to provide employees a work environment free of unwelcome sexual
9 advances, requests for sexual favors, and other verbal or physical conduct or communications
10 constituting sexual harassment, **or misconduct**, as defined and otherwise prohibited by state and
11 federal law.

12
13 The District prohibits its employees from engaging in any conduct of a sexual nature when:

- 14 • Submission to such conduct is made either explicitly or implicitly a term or condition of
- 15 an individual’s employment;
- 16 • Submission to or rejection of such conduct by an individual is used as a basis for
- 17 employment decisions affecting that individual; or
- 18 • Such conduct has the purpose or effect of substantially interfering with the individual’s
- 19 work performance or creating an intimidating, hostile, or offensive work environment.
- 20 • **Such conduct deprives the individual of their rights to equal employment under**
- 21 **District policy and state or federal law.**

22
23
24 Sexual harassment, **sexual intimidation and sexual misconduct** prohibited by this policy
25 includes verbal, **electronic**, or physical **contact or** conduct. The terms “intimidating,” “hostile,”
26 **“misconduct,”** or “offensive” include but are not limited to conduct that has the effect of
27 **deprivation of rights**, humiliation, embarrassment, or discomfort. **Examples of sexual**
28 **harassment, sexual intimidation, and sexual misconduct include but are not limited to**
29 **unwelcome or forceful physical touching, crude jokes or pictures, discussions of sexual**
30 **experiences, pressure or requests for sexual activity or favors, intimidation by words,**
31 **actions, insults, or name calling, teasing related to sexual characteristics, and spreading**
32 **rumors related to a person’s alleged sexual activities.** The District will evaluate sexual
33 harassment, **sexual intimidation, and sexual misconduct** in light of all circumstances.

34
35 A violation of this policy may result in disciplinary action, up to and including termination of
36 employment. **The District is authorized to report any violation of this policy to law**
37 **enforcement that is suspected to be a violation of state or federal criminal laws.**

38
39 Employees who believe they may have been sexually harassed intimidated, **or been subjected to**
40 **sexual misconduct** should contact the Title IX Coordinator or an administrator, who will assist
41 them in filing a complaint. An individual with a complaint alleging a violation of this policy
42 shall follow the Uniform Complaint Procedure.

43
44 Any person who knowingly makes false accusation regarding sexual harassment **intimidation or**
45 **misconduct** will likewise be subject to disciplinary action, up to and including termination of
46 employment.

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Cross Reference: 1700 Uniform Complaint Procedure

Legal Reference: Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000(e), 29 C.F.R. § 1604.11
Title IX of the Education Amendments, 20 U.S.C. §§ 1681,
Montana Constitution, Art. X, § 1 - Educational goals and duties
§ 49-2-101, MCA Human Rights Act
Harris v. Fork Lift Systems, 114 S.Ct. 367 (1993)

Policy History:

Adopted on:
Reviewed on:
Revised on:

1 **Cascade School District**

2
3 **PERSONNEL**

5223

4
5 Personal Conduct

6
7 School District employees will abide by all district policies, state and federal laws in the course
8 of their employment. Where applicable, employees will abide by and honor the professional
9 educator code of conduct.

10
11 All employees are expected to maintain high standards of honesty, integrity, professionalism,
12 decorum, and impartiality in the conduct of District business. All employees shall maintain
13 appropriate employee-student relationship boundaries in all respects, including personal, speech,
14 print, and digital communications.

15
16 **While on school property, employees shall not injure or threaten to injure another person;**
17 **damage another’s property or that of the District except when acting in self-defense or the**
18 **defense of another. While on school property, employees shall not use, control, possess or**
19 **transfer any weapon or any item that could be reasonably considered to be a weapon as**
20 **defined in Policies 3310 and 3311. “School property” means within school buildings, in**
21 **vehicles used for school purposes, or on grounds leased or owned by the school district.**

22
23 In accordance with state law, an employee shall not dispense or utilize any information gained
24 from employment with the District, accept gifts or benefits, or participate in business enterprises
25 or employment that creates a conflict of interest with the faithful and impartial discharge of the
26 employee’s District duties. A District employee, before acting in a manner which might impinge
27 on any fiduciary duty, may disclose the nature of the private interest which would create a
28 conflict. Care should be taken to avoid using or avoid the appearance of using official positions
29 and confidential information for personal advantage or gain.

30
31 Further, employees are expected to hold confidential all information deemed not to be for public
32 consumption as determined by state law and Board policy. Employees also will respect the
33 confidentiality of people served in the course of an employee’s duties and use information gained
34 in a responsible manner. The Board may discipline, up to and including discharge, any
35 employee who discloses confidential and/or private information learned during the course of the
36 employee’s duties or learned as a result of the employee’s participation in a closed (executive)
37 session of the Board. Discretion should be used even within the school system’s own network of
38 communication and confidential information should only be communicated on a need to know
39 basis.

40
41 Administrators and supervisors may set forth specific rules and regulations governing staff
42 conduct on the job within a particular building.

43
44 Cross Reference: Professional Educators of Montana Code of Ethics
45 Policy 3310 – Student Discipline
46 Policy 3311 – Firearms and Weapons

1
2 Legal Reference: § 20-1-201, MCA School officers not to act as agents
3 Title 2, Chapter 2, Part 1 Standards of Conduct
4 § 39-2-102, MCA What belongs to employer
5 § 45-8-361, MCA Possession or allowing possession of
6 a weapon in a school building
7 § 204-302, MCA Discipline And Punishment Of Pupils --
8 Definition Of Corporal Punishment --
9 Penalty -- Defense
10
11
12

13 Policy History:
14 Adopted on:
15 Reviewed on:
16 Revised on:

1 **Cascade School District**

2
3 **PERSONNEL**

5256

4
5 Reduction in Force

6
7 The Board has exclusive authority to determine the appropriate number of employees. A
8 reduction in ~~certified~~ employees may occur as a result of but not be limited to changes in the
9 education program, staff realignment, changes in the size or nature of the student population,
10 financial considerations, or other reasons deemed relevant by the Board.

11
12 The Board will follow the procedure stated in the current collective bargaining agreement, if
13 applicable, when considering a reduction in force. The reduction in ~~certified~~ employees, ~~other~~
14 ~~than administrators~~, will generally be accomplished through normal attrition when possible.
15 The Board may terminate ~~certified~~ employees, if normal attrition does not meet the required
16 reduction in force.

17
18 If no collective bargaining agreement covers the affected employee, the Board will consider
19 needs of the students, employee performance evaluations, staff needs, and other reasons it
20 deems relevant, in determining order of dismissal when it reduces ~~classified~~ staff or discontinues
21 some type of educational service.

22
23
24 Cross Reference: 5250 Termination from Employment, Non-Renewal of Employment

25
26
27 Legal Reference: § 39-2-912, MCA Exceptions

28
29 Policy History:

30 Adopted on:

31 Reviewed on:

32 Revised on:

1 **Cascade School District**

2
3 **NON-INSTRUCTIONAL OPERATIONS**

8225

4
5 Tobacco Free Policy

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

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

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

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

25
26
27 Violation of the policy by students and staff will be subject to actions outlined in District
28 discipline policies.

29	30	31
32	Legal Reference: § 20-1-220, MCA	Use of tobacco product in public school building or on public school property prohibited
33		
34		
35	§ 50-40-104(4)(e), MCA	Smoking in enclosed public places prohibited – notice to public - place where prohibition inapplicable
36		
37		
38	ARM 37.111.825(5)	Health Supervision and Maintenance
39	42 U.S.C. 1996, 1996a	American Indian Religious Freedom Act
40		

41 Policy History:

42 Adopted on:

43 Reviewed on:

44 Revised on:

4
5 Service Animal Allowance Procedure

6
7 **The School District will honor requests for service animals by students or staff in**
8 **accordance with the applicable Section 504 or Special Education policy adopted by the**
9 **Board of Trustees.** The following procedures have been developed which will help guide the

10 administration when a request for the use of a service animal has been presented by an individual
11 with a disability.

12
13 *Inquiries:* The administration shall not ask about the nature or extent of a person's disability, but
14 may make two inquiries to determine whether an animal qualifies as a service animal. The
15 administration may ask if the animal is required because of a disability and what work or task the
16 animal has been trained to perform. The administration shall not require documentation, such as
17 proof that the animal has been certified, trained, or licensed as a service animal. Generally, the
18 administration may not make these inquiries about a service animal when it is readily apparent
19 that an animal is trained to do work or perform tasks for an individual with a disability (*e.g.*, the
20 dog is observed guiding an individual who is blind or has low vision, pulling a person's
21 wheelchair, or providing assistance with stability or balance to an individual with an observable
22 mobility disability).

23
24 *Exclusions:* The administration may ask the individual to remove the service animal from the
25 premises if the animal is out of control and the handler does not take effective action to control
26 it, or if the animal is not housebroken. If the administration properly excludes the service
27 animal, it shall give the individual the opportunity to participate in the service, program, or
28 activity without having the service animal on the premises.

29
30 *Surcharges:* The administration shall not ask or require the individual to pay a surcharge, even if
31 people who are accompanied by pets are required to pay fees, or to comply with other
32 requirements generally not applicable to people without pets. If the District normally charges
33 individuals for the damage they cause, the individual may be charged for damage caused by his
34 or her service animal.

35
36 *Miniature horses assessment factors:* In determining whether reasonable modifications can be
37 made to allow a miniature horse into a specific facility, the District shall consider:

- 38
39
- 40 • The type, size, and weight of the miniature horse
 - 41 • Whether the miniature horse is housebroken, and
 - 42 • Whether the miniature horse's presence in a specific facility compromises legitimate
43 safety requirements that are necessary for safe operation.

44 Policy History:
45 Promulgated on:
46 Reviewed on:

4
5 Service Animals

6 For the purposes of this policy, state law defines a service animal as a dog or any other animal
7 that is individually trained to do work or perform tasks for the benefit of an individual with a
8 disability. Federal law definition of a disability includes a physical, sensory, psychiatric,
9 intellectual, or other mental disability.

10
11 The District shall permit the use of a miniature horse by an individual with a disability,
12 according to the assessments factors as outlined in Policy 8425P, if the miniature horse has been
13 individually trained to do work or perform tasks for the benefit of the individual with a disability.

14
15 The School District will permit the use of service animals by an individual with a disability
16 according to state and federal regulations. **The School District will honor requests for service**
17 **animals in accordance with the applicable Section 504 or Special Education policy adopted**
18 **by the Board of Trustees.** The work or tasks performed by a service animal must be directly
19 related to the handler's disability.

20
21 Examples of work or tasks **performed by the service animal to accommodate an identified**
22 **disability** include, but are not limited to, assisting individuals who are blind or have low vision
23 with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the
24 presence of people or sounds, providing nonviolent protection or rescue work, pulling a
25 wheelchair, assisting an individual during a seizure, alerting individuals to the presence of
26 allergens, retrieving items such as medicine or the telephone, providing physical support and
27 assistance with balance and stability to individuals with mobility disabilities, and helping persons
28 with psychiatric and neurological disabilities by preventing or interrupting impulsive or
29 destructive behaviors.

30
31 The crime deterrent effects of an animal's presence and the provision of emotional support, well-
32 being, comfort, or companionship do not constitute work or tasks for the purposes of this
33 definition.

34
35 The District may ask an individual with a disability to remove a service animal from the
36 premises if:

- 37 • The animal is out of control and the animal's handler does not take effective action to
38 control it; or
- 39 • The animal is not housebroken

40
41 The District is not responsible for the care or supervision of the service animal.

42
43 Individuals with disabilities shall be permitted to be accompanied by their service animals in all
44 areas of the District's facilities where members of the public, participants in services, programs
45 or activities, or invitees, as relevant, are allowed to go.

1 Cross Reference: Policy 8425P Procedure for allowance of service animals
2 ~~Policy 8425F~~ ~~Service Animals in District Facilities Form~~
3 Policy 2161 Special Education
4 Policy 2162 Section 504 of the Rehabilitation Act of 1973
5 Policy
6 Legal Reference: 28 CFR 35.136 Service Animals
7 28 CFR 35.104 Definitions
8 49-4-203(2), MCA Definitions
9 Policy History:
10 Adopted on:
11 Reviewed on:
12 Revised on: