

POTOMAC ELEMENTARY

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**1000 SERIES
THE BOARD OF TRUSTEES**

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POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1000 - R

BOARD OF TRUSTEES

Revised on:

Legal Status, Operation and Organization

The legal name of this District is Potomac Elementary School District No. 11, Missoula County, State of Montana. The District is classified as a class three (3) district and is operated according to the laws and administrative rules pertaining to a class three (3) district.

The Board of Trustees of Potomac Elementary School District No. 11 is the governmental entity established by the state of Montana and constitutionally charged of the supervision and control of all aspects of the District’s operations.

To achieve its primary goal of providing each child with a basic system of free quality education as required by Montana Law, the Board shall exercise the full authority granted to it by the laws of the state. Its legal powers, duties, and responsibilities are derived from the Montana Constitution and state statutes and administrative rules.

Policies of the Board define and frame the manner via which the District conducts its official business. The policies of the District are modified/updated from time to time to reflect the operation of the District.

All handbooks approved by the Board are regarded as and given the same significance as District policy.

Legal Reference:	§ 20-3-323, MCA	District policy and record of acts
	§ 20-3-324, MCA	Powers and duties
	§ 20-6-101, MCA	Definition of elementary and high school districts
	§ 20-6-201, MCA	Elementary district classification
	§ 20-9-309, MCA	Basic system of free quality education
		Administrative Rules of Montana
	Article X, Section 8,	MT Constitution

POTOMAC ELEMENTARY

Adopted on: 10/11/10
Reviewed on: 02/13/12

1105 - R

BOARD OF TRUSTEES

Revised on:

Membership and Terms of Office

The District is governed by a Board of Trustees consisting of five (5) members. The powers and duties of the Board include the broad authority to adopt and enforce all policies necessary for the management, operations and governance of the District. Except as otherwise provided by law, trustees shall hold office for terms of three (3) years, or until their successors are elected and qualified. Terms of trustees shall be staggered as provided by law.

All trustees shall participate on an equal basis with other members in all business transactions pertaining to the school maintained by the District. ~~Official action by Board members 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.~~

~~Board members, as individuals, have no authority over school affairs, except as provided by law or as authorized by the Board.~~

Legal References:	§ 20-3-301, MCA	Election and term of office
	§ 20-3-302, MCA	Legislative intent to elect less than majority of trustees
	§ 20-3-305, MCA	Candidate qualification and nomination
	§ 20-3-306, MCA	Conduct of election
	§ 20-3-307, MCA	Qualification and oath
	§ 20-3-341, MCA	Number of trustee positions in elementary districts – transition
	§ 20-3-344, MCA	Nomination of candidates by petition in first-class elementary district
	§ 20-3-361, MCA	Joint board of trustees organization and voting membership

POTOMAC ELEMENTARY

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Reviewed on:

Revised on:

1110

BOARD OF TRUSTEES

Taking Office

A newly elected trustee shall take office as soon as election results have been certified and the newly elected trustee has taken and subscribed to an oath to faithfully and impartially discharge the duties of the office to the best of his/her ability.

A newly appointed trustee shall take office, after the trustee has taken and subscribed to an oath to faithfully and impartially discharge the duties of the office to the best of his/her ability.

The person shall qualify by taking an oath of office administered by the county superintendent, the superintendent’s designee, or any officer provided for in 1-6-101, MCA or 2-16-116, MCA. Such oath must be filed with the county superintendent not more than fifteen (15) days after the receipt of the certificate of election or the appointment.

Cross Reference: Policy 1113 Vacancies

Legal References: **§ 1-6-101, MCA** **Officers who may administer oaths**
§ 2-16-116, MCA **Power to administer oaths**
§ 20-1-202, MCA Oath of office
§ 20-3-307, MCA Qualification and oath

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

Revised on:

1111

BOARD OF TRUSTEES

Elections

Elections conducted by the District are nonpartisan and are governed by ~~general~~ **applicable** election laws **as found in Titles 13 & 20** of the state of Montana **Code Annotated**. The ballot at such elections may include candidates for trustee positions, various public policy propositions, and advisor questions.

Board elections shall take place on the first (1st) Tuesday after the first (1st) Monday in May of each year. Any person who is a qualified voter of the District is legally qualified to become a trustee. ~~Any 5th class qualified electors may nominate as many trustee candidates as there are trustee positions subject to election at the ensuing election. The name of each person nominated for candidacy shall be submitted to the District Clerk not less than forty (40) days before the regular school election day. If different terms are to be filled, the term for which each candidate is nominated also shall be indicated. Any person seeking to become a write-in candidate in a mail ballot election or for a trustee position in a school board election shall file a declaration of intent no later than 5:00 p.m. on the twenty-sixth (26th) day before the election. If the number of candidates filing for vacant positions or filing a declaration of intent to be a write-in candidate is equal to or less than the number of positions to be elected, the trustees may give notice no later than twenty-five (25) days before the election that a trustee election will not take place.~~ **A declaration of intent to be a candidate must be submitted to the District Clerk at least forty (40) days before the regular school election day. If different terms are to be filled, the term for the position for which the candidate is filing must also be indicated. Any person seeking to become a write-in candidate for a trustee position shall file a declaration of intent no later than 5:00 p.m. on the day before the ballot certification deadline in 20-20-401. If the number of candidates filing for vacant positions or filing a declaration of intent to be a write-in candidate is equal to or less than the number of positions to be elected, the trustees may give notice no later than thirty (30) days before the election that a trustee election will not take place. If a trustee election is not held, the trustees shall declare the candidates elected by acclamation and shall issue a "certificate of election" to each candidate.**

A candidate intending to withdraw from the election shall send a statement of withdrawal to the clerk of the district containing all information necessary to identify the candidate and the office for which the candidate was nominated. The statement of withdrawal must be acknowledged by the clerk of the district. A candidate may not withdraw less than thirty-eight (38) days before the school election.

~~Except in the event of an unforeseen emergency occurring on the date scheduled for the election, a proposition requesting additional funding pursuant to § 20-9-353, MCA, may be submitted to electors only once each calendar year, on the regular school election day.~~

1 **In the event of an unforeseen emergency occurring on the date scheduled for the funding**
2 **election, the district will be allowed to reschedule the election for a different day of the**
3 **calendar year.**

4
5 In years when the Legislature meets in regular session or in a special session that affects school
6 funding, the trustees may order the election on a date other than the regular school election day
7 in order for the electors to consider a proposition requesting additional funding under § 20-9-
8 353, MCA.
9

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11
12 1111
13 Page 2 of 2
14

15	Legal Reference:	§ 13-10-211, MCA	Declaration of intent for write-in candidates
16		§ 20-3-304, MCA	Annual election
17		§ 20-3-305, MCA	Candidate qualification, nomination and withdrawal
18		§ 20-3-313, MCA	Election by acclamation – notice
19		§ 20-3-322, MCA	Meetings and quorum
20		§ 20-3-322(5), MCA	Meetings and quorum (unforeseen emergency 21 definition)
22		§ 20-3-324(4), MCA	Powers and duties
23		§ 20-3-344, MCA	Nomination of candidates by petition in first-class 24 elementary district
25		§ 20-9-353, MCA	Additional financing for general fund – election for 26 authorization to impose
27		§ 20-20-105, MCA	Regular school election day and special school 28 elections – limitation – exception
29		§ 20-20-204, MCA	Election Notice
30		§ 20-20-301, MCA	Qualifications of elector

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

Revised on:

1112

BOARD OF TRUSTEES

Resignation

The resignation of a trustee, ~~for whatever reason,~~ must be submitted in writing to the Clerk. A resignation is effective seventy-two (72) hours after its submission unless withdrawn during that period by the trustee through written notification of withdrawal made to the Clerk.

~~The Board will ratify the resignation at its next regularly scheduled meeting and will proceed to fill the vacancy as provided by statute and Board policy.~~

Trustees retiring from the Board may be recognized for their service to the District by presentation of a service plaque or other appropriate activities.

Legal Reference: § 2-16-502, MCA Resignations
 § 20-3-308, MCA Vacancy of trustee position

POTOMAC ELEMENTARY

Adopted on: 10/11/10

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Revised on:

1113

BOARD OF TRUSTEES

Vacancies

A trustee position becomes vacant before the expiration of a term, when any of the following occurs:

- 1. Death of the trustee;
- 2. Resignation, in writing, filed with the Clerk;
- 3. Trustee moves out of the nominating district, establishing residence elsewhere;
- 4. Trustee is no longer a registered elector of the District under the provisions of § 20-20-301, MCA;
- 5. Trustee is absent from the District for sixty (60) consecutive days;
- 6. Trustee fails to attend three (3) consecutive meetings of the trustees without good excuse;
- 7. Trustee has been removed under the provisions of § 20-3-310, MCA; or
- 9. A trustee position also shall be vacant when an elected candidate fails to qualify.

When a trustee vacancy occurs, the remaining trustees shall declare such position vacant and fill such vacancy by appointment. The Board will receive applications from any qualified persons seeking to fill the position after suitable public notice. The Board will appoint one (1) candidate to fill the position.

Should the Board fail to fill a vacancy within sixty (60) days from the creation of a vacancy, the county superintendent shall appoint, in writing, a competent person to fill such vacancy. An appointee shall qualify by completing and filing an oath of office with the county superintendent within fifteen (15) days after receiving notice of the appointment and shall serve until the next regularly scheduled school election and a successor has qualified.

Cross Reference: 1240 Duties of Individual Trustees
1112 Resignations

Legal References: § 20-3-308, MCA Vacancy of trustee position
§ 20-3-309, MCA Filling vacated trustee position – appointee qualification and term of office

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1120

BOARD OF TRUSTEES

Revised on:

Annual Organization Meeting

After issuance of election certificates to newly elected trustees ~~in May, and on or before the third (3rd) Saturday in May,~~ **but no later than 15 days after the election,** the Board shall elect from among its members a Chairperson and a Vice Chairperson to serve ~~one (1) year terms~~ **until the next annual organizational meeting.** If a Board member is unable to continue to serve as an officer, a replacement shall be elected ~~immediately~~ **at the earliest opportunity to serve the remainder of the term.** In the absence of both the Chairperson and the Vice Chairperson, the Board shall elect a Chairperson *pro tempore*, who shall perform the functions of the Chairperson during the latter's absence. The Clerk shall act as Board secretary.

The normal order of business shall be modified for the annual organizational meeting by considering the following matters after the approval of the minutes of the previous meeting:

1. Welcome and introduction of newly elected Board members by the current Chairperson
2. Swearing in of newly elected trustees
3. Call for nominations for Chairperson to serve during the ensuing year
4. Election of a Chairperson
5. Assumption of office by the new Chairperson
6. Call for nominations for Vice Chairperson to serve during the ensuing year
7. Election of a Vice Chairperson
8. Appointment of a Clerk

Policies ~~and by-laws~~ remain in effect until and unless changed by the Board.

Legal References:	§ 20-3-321, MCA	Organization and officers
	§ 20-3-322(a), MCA	Meetings and quorum
	§ 1-5-416(1)(b), MCA	Powers and duties of Notary Public

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1130

BOARD OF TRUSTEES

Revised on:

Committees

Generally, trustees will function as a whole and will not form committees of the Board. Nevertheless the Board may create Board committees as deemed necessary or useful. All committees created by the Board shall comply with the open meeting laws and all other laws applicable to school board meetings.

~~Standing~~ committees of the Board may be created and their purposes defined by a majority of the Board. The Board Chairperson shall appoint trustees to serve on such committees. Trustees serving on committees shall be limited to fewer than one-half (1/2) of the Board.

~~In determining whether any meeting within the school system should be held in compliance with the Open Meeting Act, the following factors, although not exhaustive or dispositive in nature, should be considered:~~

- ~~1. Frequency of the meetings being held;~~
- ~~2. Whether the committee is deliberating or simply gathering facts;~~
- ~~3. Whether the deliberations concern matter of policy rather than merely ministerial or administrative functions;~~
- ~~4. Whether the committee members have executive authority and experience; and~~
- ~~5. Results of the meeting.~~

Legal Reference: § 2-3-203, MCA Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
Bryan v. Yellowstone (2002), 2002 MT 264
Crofts v. Associated Press (2004), 2004 MT 120

POTOMAC ELEMENTARY

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Reviewed on:

Revised on: 03/12/12

1210

BOARD OF TRUSTEES

Qualifications, Terms, and Duties of Board Officers

The Board officers are the Chairperson and Vice Chairperson. These officers are elected at the annual organizational meeting.

Chairperson

~~The Board elects a Chairperson from its members for a one (1) year term.~~ The Chairperson may be any trustee of the board. The duties of the Chairperson include the following:

- Preside at all meetings and conduct meetings in the manner prescribed by the Board’s policies;
- Make all Board committee appointments;
- Sign all papers and documents as required by law and as authorized by action of the Board;
- Close Board meetings as authorized by Montana law; and
- Act as spokesperson for the Board.

The Chairperson is permitted to participate in all Board meetings in a manner equal to all other Board members, including the right to participate in debate and to vote. The Chairperson may not make a motion, but may second motions.

Vice Chairperson

The Vice Chairperson shall preside at all Board meetings in the absence of the Chairperson and shall perform all the duties of the Chairperson during the Chairperson’s absence or unavailability. The Vice Chairperson shall work closely with the Chairperson and shall assume whatever duties the Chairperson may delegate.

Cross Reference: Policy 1120 Annual Organizational Meeting

Legal References:	§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
	§ 20-3-321(2), MCA	Organization and officers

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1230

BOARD OF TRUSTEES

Revised on:

Clerk

The Clerk of the Board shall attend all meetings of the Board, unless excused by the Chairperson, and shall keep an accurate ~~journal~~ **and permanent record** of all proceedings. The Clerk shall have custody of the records, books, and documents of the Board. In the absence or inability of the Clerk to attend a Board meeting, the trustees will have one (1) of their members or a District employee act as clerk for the meeting, and said person will supply the Clerk with a certified copy of the proceedings.

The Clerk will keep accurate and detailed accounts of all receipts and disbursements made by the District. The Clerk shall draw and countersign all warrants for expenditures that have been approved by the Board.

The Clerk will make the preparations legally required for the notice and conduct of all District elections.

The Clerk shall prepare and submit to the Board a financial report of receipts and disbursements of all school funds on an annual basis, unless the Board requests such reports on a more frequent basis. **The Clerk shall perform all functions pertaining to the preparation of school elections.** The Clerk shall perform other duties as prescribed by state law or as directed by the Board and the Superintendent.

Legal references:	§ 20-3-321, MCA	Organization and officers
	§ 20-3-325, MCA	Clerk of district
	§ 20-4-201, MCA	Employment of teachers and specialists by contract
	§ 20-9-133, MCA	Adoption and expenditure limitations of final budget
	§ 20-9-165, MCA	Budget amendment limitation, preparation, and adoption procedures
	§ 20-9-221, MCA	Procedure for issuance of warrants
	§ 20-20-401(2), MCA	Trustees' election duties – ballot certification

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

Revised on:

1240 - R

BOARD OF TRUSTEES

Duties of Individual Trustees

The authority of individual trustees is limited to participating in actions taken by the Board as a whole when legally in session. Trustees shall not assume responsibilities of administrators or other staff members. The Board or staff shall not be bound by an action taken or statement made by an individual trustee, except when such statement or action is pursuant to specific instructions and official action taken by the Board.

Each trustee shall review the agenda and attendant materials in advance of a meeting and shall be prepared to participate in discussion and decision making for each agenda item. Each trustee shall visit every school at least once per year to examine its management, conditions, and needs.

All trustees are obligated to attend Board meetings regularly. Whenever possible, a trustee shall give advance notice to the Chairperson or Principal, of the trustee's inability to attend a Board meeting. A majority of the Board may excuse a trustee's absence from a meeting if requested to do so. ~~The Board shall declare a position vacant after three (3) consecutive unexcused absences from regular Board meetings, or when a trustee has been absent from the District for sixty (60) consecutive days.~~

Board members, as individuals, have no authority over school affairs, except as provided by law or as authorized by the Board.

Cross Reference: 1113 Vacancies

Legal References:	§ 20-3-301, MCA	Election and term of office
	§ 20-3-308, MCA	Vacancy of trustee position
	§ 20-3-324(22), MCA	Powers and duties
	§ 20-3-332, MCA	Personal immunity and liability of trustees

POTOMAC ELEMENTARY

Adopted on: 03/12/12, 8/13/12

Reviewed on:

1310 - R

BOARD OF TRUSTEES

Revised on:

District Policy and Procedures

Adoption and Amendment of Policies

Proposed new policies and proposed changes to existing policies shall be presented in writing for reading and discussion at a regular or special Board meeting. Interested parties may submit views, present data or arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement by a person, relative to a proposed policy or amendment, should be directed to the District Clerk prior to the ~~second (2nd) reading~~ **[final reading]**. The final vote for adoption shall take place not earlier than at the ~~second (2nd)~~ **[final]** reading of the particular policy. **[New or revised policies that are required, or have required language changes based on State or Federal law, or are required changes by administrative rule, may be adopted after the first (1st) reading if sufficient notice has been given through the board agenda.]**

All new or amended policies shall become effective on adoption, unless a specific effective date is stated in the motion for adoption.

Policies, as adopted or amended, shall be made a part of the minutes of the meeting at which action was taken and also shall be included in the District’s policy manual. The board shall review new and updated policies of the District quarterly.

Policy Manuals

The District Clerk shall develop and maintain a current policy manual which includes all policies of the District. Staff, students, and other residents, shall have ready access to District policies. ~~All policy manuals distributed to anyone shall remain the property of the District and shall be subject to recall at any time.~~

Suspension of Policies

Under circumstances that require waiver of a policy, the policy may be suspended by a majority vote of the trustees present. To suspend a policy, however, all trustees must have received written notice of the meeting, which includes the proposal to suspend a policy and an explanation of the purpose of such proposed suspension.

Administrative Procedures

The Principal shall develop such administrative procedures as are necessary to ensure consistent implementation of policies adopted by the Board.

When a written procedure is developed, the Principal shall submit it to the Board as an information item. Such procedures usually need not be approved by the Board, although the Board may revise them when it appears they are not consistent with Board intentions as expressed in its policies.

1 Legal References: § 20-3-323, MCA District policy and record of acts
2 10.55.701, ARM Board of Trustees
3
4

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1332

BOARD OF TRUSTEES

Revised on:

Authorization of Signatures

For the conduct of the business of the District, the Board may grant authority to specific staff to sign certain documents on behalf of the District. The Chairperson and Clerk are authorized to use a facsimile signature plate or stamp. The use and security of a signature stamp for use by the Chairperson and Clerk shall be controlled in accordance with §20-9-221(2), MCA.

Warrants: The Chairperson and Clerk are authorized to sign all District warrants by facsimile signature on behalf of the Board.

Claim Forms: Staff employed by the District are authorized to present claims against or for the District for payment at the next board meeting, the payment of which will depend upon Board approval.

Checks: The Principal is designated as the custodian of each school building extracurricular fund account. The school secretary is designated as the custodian of all District petty cash accounts.

Contracts for Goods and Services and Leases: The Administrator is authorized to sign, on behalf of the Board, contracts, leases, and/or contracts for goods and services for amounts under **\$25,000.00** without prior approval of the Board. The types of goods and services contracted for must be preapproved by the Board.

Personnel Contracts: The Board Chairperson and Clerk are authorized to sign personnel contracts and agreements of employment on behalf of the Board, by facsimile signature.

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

Revised on: 10/09/12

1400 - R

BOARD OF TRUSTEES

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 school. Regular meetings shall take place **at 7:00 p.m.** on the second (2nd) Monday 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 *Missoulian*.

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

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4 meeting may continue from day to day; however, the Board must adopt a final budget not later
5 than August 25.

6
7 Special Meetings
8

9 Special meetings may be called by the Chairperson or by any two (2) trustees. A written notice
10 of a special meeting, stating the purpose of the meeting, shall be delivered to every trustee not
11 less than forty-eight (48) hours before the time of the meeting, except that the forty-eight-(48)-
12 hour notice is waived in an unforeseen emergency as stated in § 20-3-322(5), MCA. Such written
13 notice shall be posted conspicuously within the District in a manner that will receive public
14 attention. Written notice also shall be sent not less than twenty-four (24) hours prior to the
15 meeting, to each newspaper and radio or television station that has filed a written request for
16 such notices. **Business transacted at a special meeting will be limited to that stated in the
17 notice of the meeting.**
18

19 Closed Sessions
20

21 Under Montana law, the Board may meet in closed sessions to consider matters of individual
22 privacy. Before closing a meeting, the presiding officer must determine that the demands of
23 individual privacy exceed the merits of public disclosure and so state publicly before going into
24 closed session. The Board also may go into closed session to discuss a strategy to be followed
25 with respect to litigation, when an open meeting would have a detrimental effect on the litigating
26 position of the District. This exception does not apply if the litigation involves only public bodies
27 or associations as parties. Before closing a meeting for litigation purposes, the District may wish
28 to consult legal counsel on the appropriateness of this action. No formal action shall take place
29 during any closed session.
30

31	Legal References:	§ 2-3-103, MCA	Public participation – governor to ensure guidelines adopted
32			
33		§ 2-3-104, MCA	Requirements for compliance with notice provisions
34		§ 2-3-105, MCA	Supplemental notice by radio or television
35		§ 2-3-201, MCA	Legislative intent – liberal construction
36		§ 2-3-202, MCA	Meeting defined
37		§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
38			
39		§ 20-3-322, MCA	Meeting and quorum
40		§ 20-9-115, MCA	Notice of final budget meeting
41		§ 20-9-131, MCA	Final budget meeting
42		10.55.701, ARM	Board of Trustees
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POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1401

BOARD OF TRUSTEES

Revised on: 03/2/12

Records Available to Public

All District records, except those restricted by state and federal law, shall be available to citizens for inspection at the Clerk’s office.

An individual wishing public information that is in electronic format or other non-print media must submit a detailed description, to the Principal, of the information requested. The District will provide the public information as required under § 2-6-110, MCA.

In accordance with § 20-9-213(1), MCA, the record of the accounting of school funds shall be open to public inspection at any meeting of the trustees. A fee may be charged for any copies requested. Copies will be available within a reasonable amount of time following a request.

A written copy of the Unofficial Board Minutes shall be available to the general public within 5 working days of a board meeting. A written copy of Board minutes shall be available to the general public within five (5) working days following approval of the minutes by the Board. If requested, one (1) free copy of minutes shall be provided to local media within five (5) working days following approval by the Board.

Fees will be charged as follows:

- a) Copy of Board minutes - 15¢ per page
- b) Copy of other materials - 25¢ per page
- c) Time spent researching a copy project will be charged at the employee’s hourly rate of pay.

Legal References:	§ 2-6-102, MCA	<u>Citizens entitled to inspect and copy public writings</u>
	§ 2-6-110, MCA	Electronic Information and non-print records
	§ 20-3-323, MCA	District policy and record of acts
	§ 20-9-213, MCA	Duties of trustees

POTOMAC ELEMENTARY

Adopted on: 10/11/12

Reviewed on:

1402

BOARD OF TRUSTEES

Revised on:

School Board Use of Electronic Mail

Use of electronic mail (e-mail) by members of the Board will conform to the same standards of judgment, propriety, and ethics as other forms of school board-related communication. Board members will comply with the following guidelines when using e-mail in the conduct of Board responsibilities:

1. The Board will not use e-mail as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings.
2. Board members will be aware that e-mail and e-mail attachments received or prepared for use in Board business or containing information relating to Board business may be regarded as public records, which may be inspected by any person upon request, unless otherwise made confidential by law.
3. Board members will avoid reference to confidential information about employees, students, or other matters in e-mail communications, because of the risk of improper disclosure. Board members will comply with the same standards as school employees, with regard to confidential information.

Cross Reference: 1400 Board Meetings
 1401 Records Available to Public

Legal Reference: § 2-3-103, MCA Public participation – governor to ensure guidelines adopted
 § 2-3-201, MCA Legislative intent – liberal construction
 § 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

POTOMAC ELEMENTARY

Adopted on: 10/11/10
Reviewed on: 09/10/2012
Revised on: 10/09/12

1420 - R

BOARD OF TRUSTEES

School Board Meeting Procedure

Agenda

The agenda for any Board meeting shall be prepared by the ~~Clerk~~ **Principal in consultation with the Board Chairperson and Clerk. Items submitted by Board members to be placed on the agenda must have prior approval of the Board Chairperson.** Citizens may also suggest inclusions on the agenda. Such suggestions must be received by the ~~Clerk~~ **Principal** at least one week before the Board meeting, unless of immediate importance. Individuals who wish to be placed on the Board agenda must also notify the ~~Clerk~~ **Principal**, in writing, of the request. The request must include the reason for the appearance. If the reason for the appearance is a complaint against any District employee, the individual filing the complaint must demonstrate that the Uniform Complaint Procedure has been followed. Citizens wishing to make brief comments about school programs or procedures or items on the agenda need not request placement on the agenda, and may ask for recognition by the Chairperson at the appropriate time.

The agenda also must include a “public comment” portion to allow members of the general public to comment on any public matter under the jurisdiction of the District which is not specifically listed on the agenda, except that no member of the public will be allowed to comment on contested cases, other adjudicative proceedings, or personnel matters. The Board Chairperson may place reasonable time limits on any “public comment” period to maintain and ensure effective and efficient operations of the Board. The Board shall not take any action on any matter discussed, unless the matter is specifically noticed on the agenda, and the public has been allowed opportunity to comment.

With consent of a majority of members present, the order of business at any meeting may be changed. Copies of the agenda for the current Board meeting, minutes of the previous Board meeting, and relevant supplementary information will be prepared and distributed to each trustee at least twenty-four (24) hours in advance of a Board meeting and will be available to any interested citizen at the Superintendent’s office twenty-four (24) hours before a Board meeting. An agenda for other types of Board meetings will be prepared, if circumstances require an agenda.

Consent Agenda

To expedite business at its meetings, the Board approves the use of a consent agenda, which includes those items considered to be routine in nature. Any item that appears on the consent agenda may be removed by a member of the Board. Any Board member who wishes to remove an item from the consent agenda must give advance notice in a timely manner to the Superintendent. Remaining items will be voted on by a single motion. The approved motion will be recorded in the minutes, including a listing of all items appearing on the consent agenda.

1
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3 Minutes
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5 Appropriate minutes of all meetings required to be open must be kept and must be available for
6 inspection by the public. If an audio recording of a meeting is made and designated as official, the
7 recording constitutes the office record of the meeting. If an official recording is made, a written
8 record of the meeting must also be made and must also include:
9

- 10 • Date, time, and place of the meeting;
11 • Presiding officer;
12 • Board members recorded as absent or present;
13 • Summary of discussion on all matters discussed (including those matters discussed during the
14 “public comment” section), proposed, deliberated, or decided, and a record of any votes
15 taken;
16 • Detailed statement of all expenditures;
17 • Purpose of recessing to closed session; and
18 • Time of adjournment.
19

20 When issues are discussed that may require a detailed record, the Board may direct the Clerk to
21 record the discussion verbatim. Any verbatim record may be destroyed after the minutes have been
22 approved, pursuant to § 20-1-212, MCA.
23

24 If the minutes are recorded and designated as the official record, a log or time stamp for each main
25 agenda item is required for the purpose of providing assistance to the public in accessing that portion
26 of the meeting.
27

28 Unofficial minutes shall be delivered to Board members in advance of the next regularly scheduled
29 meeting of the Board. Minutes need not be read publicly, provided that Board members have had an
30 opportunity to review them before adoption. A file of permanent minutes of Board meetings shall be
31 maintained in the office of the Clerk, to be made available for inspection upon request. A written
32 copy shall be made available within five (5) working days following approval by the Board.
33

34 Quorum
35

36 No business shall be transacted at any meeting of the Board unless a quorum of its members is
37 present. A majority of the full membership of the Board shall constitute a quorum, whether the
38 individuals are present physically or electronically. A majority of the quorum may pass a resolution,
39 except as provided in § 20-4-203(1), MCA, and § 20-4-401(4), MCA.
40

41 Electronic Participation
42

43 The Board may allow members to participate in meetings by telephone or other electronic means.
44 Board members may not simply vote electronically but must be connected with the meeting
45 throughout the discussion of business. If a Board member electronically joins the meeting after an
46 item of business has been opened, the remotely located member shall not participate until the next
47 item of business is opened.
48

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4 If the Board allows a member to participate electronically, the member will be considered present
5 and will have his or her actual physical presence excused. The member shall be counted present for
6 purposes of convening a quorum. The Clerk will document it in the minutes, when members
7 participate in the meeting electronically.
8

9 Any Board member wishing to participate in a meeting electronically will notify the Chairperson and
10 Clerk as early as possible. The Clerk will arrange for the meeting to take place in a location with the
11 appropriate equipment so that Board members participating in the meeting electronically may
12 interact, and the public may observe or hear the comments made. The Clerk will take measures to
13 verify the identity of any remotely located participants.
14

15 Meeting Conduct and Order of Business
16

17 General rules of parliamentary procedure are used for every Board meeting. *Robert's Rules of Order*
18 may be used as a guide at any meeting. The order of business shall be reflected on the agenda. The
19 use of proxy votes shall not be permitted. Voting rights are reserved to those trustees in attendance.
20 Voting shall be by acclamation or show of hands.
21

22 Rescind a Motion
23

24 A motion to rescind (cancel previous action) may be made anytime by any trustee. A motion to
25 rescind must be properly noticed on the Board's agenda for the meeting. It is in order any time prior
26 to accomplishment of the underlying action addressed by the motion.
27

28 Cross Reference: 1441 Audience Participation
29

30 Legal References: § 2-3-103, MCA Public participation - governor to ensure guidelines
31 adopted
32 § 2-3-202, MCA Meeting defined
33 § 2-3-212, MCA Minutes of meetings – public inspection
34 § 20-1-212, MCA Destruction of records by school officer
35 § 20-3-322, MCA Meetings and quorum
36 § 20-3-323, MCA District policy and record of acts
37 *Jones and Nash v. Missoula Co., 2006 MT2, 330 Mont 2005*
38
39

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1420F

BOARD OF TRUSTEES

Revised on:

Notice Regarding Public Comment

MTSBA recommends that you attach the following notice to your agendas for your regular Board meetings and/or have the Board Chairperson read it aloud at the beginning of the Board meeting, until the public becomes educated about the process:

Montana law requires school districts and other public agencies to include on the agenda for public meetings an item allowing public comment on any ***public matter not otherwise specifically listed on the agenda*** that is within the jurisdiction of the agency. As has also been the practice of the District, and in accordance with Montana law, if any member desires to speak to an item that is ***specifically listed/identified on the agenda***, you will be allowed to do so when the item comes up for discussion and action. The public comment portion of the agenda is not the time designated to hear items that are specifically listed/identified on the agenda.

For those individuals who desire to address the Board during the “public comment” portion of the meeting, if you haven’t already done so, please sign your name to the sheet located with the clerk and indicate the general topic on which you will be commenting. The Board Chairperson will call individuals to speak in the order listed on the sheet provided. The Board would like to remind everyone in attendance that to avoid violations of individual rights of privacy, a member of the public wishing to address the Board during this time will not be allowed to make comments about any student, staff member, or member of the general public during his/her designated time to speak. In addition the Board will not hear comments on contested cases or other adjudicative proceedings.

Depending on the number of persons who wish to address the Board, the Board Chairperson may place reasonable time limits on comments, in order to maintain and ensure effective and efficient operations of the Board.

By law the District cannot take any action on any matter discussed during the “public comment” portion of the meeting, until such time as the matter is specifically noticed on the agenda, and the public has been allowed the opportunity to comment.

POTOMAC ELEMENTARY

Adopted on:
Reviewed on:
Revised on:

1425

BOARD OF TRUSTEES

Abstentions From Voting

Section 20-3-323(2), MCA, requires the minutes of each Board meeting to include the voting records of each trustee present. As a general rule trustees should vote on all issues, unless casting a vote would be a violation of law. Under Montana law, instances in which it would be unlawful or inappropriate for a trustee to cast a vote on a particular issue include but are not necessarily limited to the following:

- 6. When hiring a relative of a trustee;
- 7. When casting a vote would directly or substantially affect, to its economic benefit, a business or other undertaking in which the trustee either has a substantial financial interest or in which the trustee is engaged as counsel, consultant, representative, or agent;
- 8. When casting a vote would directly and substantially affect a business or other undertaking to its economic detriment, where a trustee has a substantial personal interest in a competing firm or undertaking;
- 9. When casting a vote would cause a trustee to have a pecuniary interest, either directly or indirectly, in a contract made by the trustee (while acting in the trustee’s official capacity) or by the Board, and;
- 10. When casting a vote would put the trustee in the position of an agent or solicitor in the sale or supply of goods or services to the District.

In addition, a trustee shall be allowed to abstain from voting to avoid the appearance of impropriety or the appearance of a perceived conflict. If a trustee abstains from voting, the abstention should be recorded in the minutes and may include an explanation of the reasons for the abstention. The Board discourages abstentions, unless the reasons are substantiated as provided herein.

Legal References:	§ 2-2-105, MCA	Ethical requirements for public officers and public employees
	§ 2-2-121, MCA	Rules of conduct for public officers and public employees
	§ 2-2-302, MCA	Appointment of relative to office of trust or emolument unlawful – exceptions – publication of notice
	§ 20-1-201, MCA	School officers not to act as agents
	§ 20-3-323, MCA	District policy and record of acts
	§ 20-9-204, MCA	Conflicts of interests, letting contracts, and calling for bids

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1441 - R

BOARD OF TRUSTEES

Revised on:

Audience Participation

The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. The Board also recognizes the statutory and constitutional rights of the public to participate in governmental operations. To allow fair and orderly expression of public comments, the Board will permit public participation through oral or written comments during the “public comment” section of the Board agenda and prior to a final decision on a matter of significant interest to the public. The Chairperson may control such comment to ensure an orderly progression of the meeting.

Individuals wishing to be heard by the Chairperson shall first be recognized by the Chairperson. Individuals, after identifying themselves, will proceed to make comments as briefly as the subject permits. The Chairperson may interrupt or terminate an individual’s statement when appropriate, including when statements are out of order, too lengthy, personally directed, abusive, obscene, or irrelevant. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings. **It is important for all participants to remember that Board meetings are held in public but are not public meetings. Members of the public shall be recognized and allowed input during the meeting, at the discretion of the Chairperson.**

Cross Reference: 1420 School Board Meeting Procedure

Legal Reference: Article II, Section 8, Montana Constitution – Right of participation
Article II, Section 10, Montana Constitution – Right of privacy
§§ 2-3-101, et seq., MCA Notice and Opportunity to Be Heard

POTOMAC ELEMENTARY

Adopted on: 10/11/2010

Reviewed on:

1511

BOARD OF TRUSTEES

Revised on:

Code of Ethics for School Board Members

AS A MEMBER OF MY LOCAL BOARD OF TRUSTEES, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION, AND TO THAT END I WILL:

Attend all regularly scheduled Board meetings insofar as possible and become informed concerning the issues to be considered at those meetings;

Recognize that I should endeavor to make policy decisions only after full discussion at public Board meetings;

Make all decisions based on available facts and my independent judgment and refuse to surrender that judgment to individuals or special interest groups;

Encourage the free expression of opinion by all Board members and seek systematic communications between the Board and students, staff, and all elements of the community;

Work with other Board members to establish effective Board policies and to delegate authority for the Principal;

Recognize and respect the responsibilities that properly are delegated to the Principal;

Communicate to the Principal expression of public reaction to Board policies, school programs, or staff;

Inform myself about current educational issues, by individual study and through participation in programs providing needed information, such as those sponsored by the Montana and National School Boards Associations;

Support the employment of those persons best qualified to serve as school staff and insist on regular and impartial evaluation of staff;

Avoid being placed in a position of conflict of interest and refrain from using my Board position for personal or partisan gain;

Avoid compromising the Board or Principal by inappropriate individual action or comments and respect the confidentiality of information that is privileged under applicable law;

Remember always that my first and greatest concern must be the educational welfare of students attending public schools.

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

Revised on:

1512

BOARD OF TRUSTEES

Page 1 of 3

Conflict of Interest

A trustee may not:

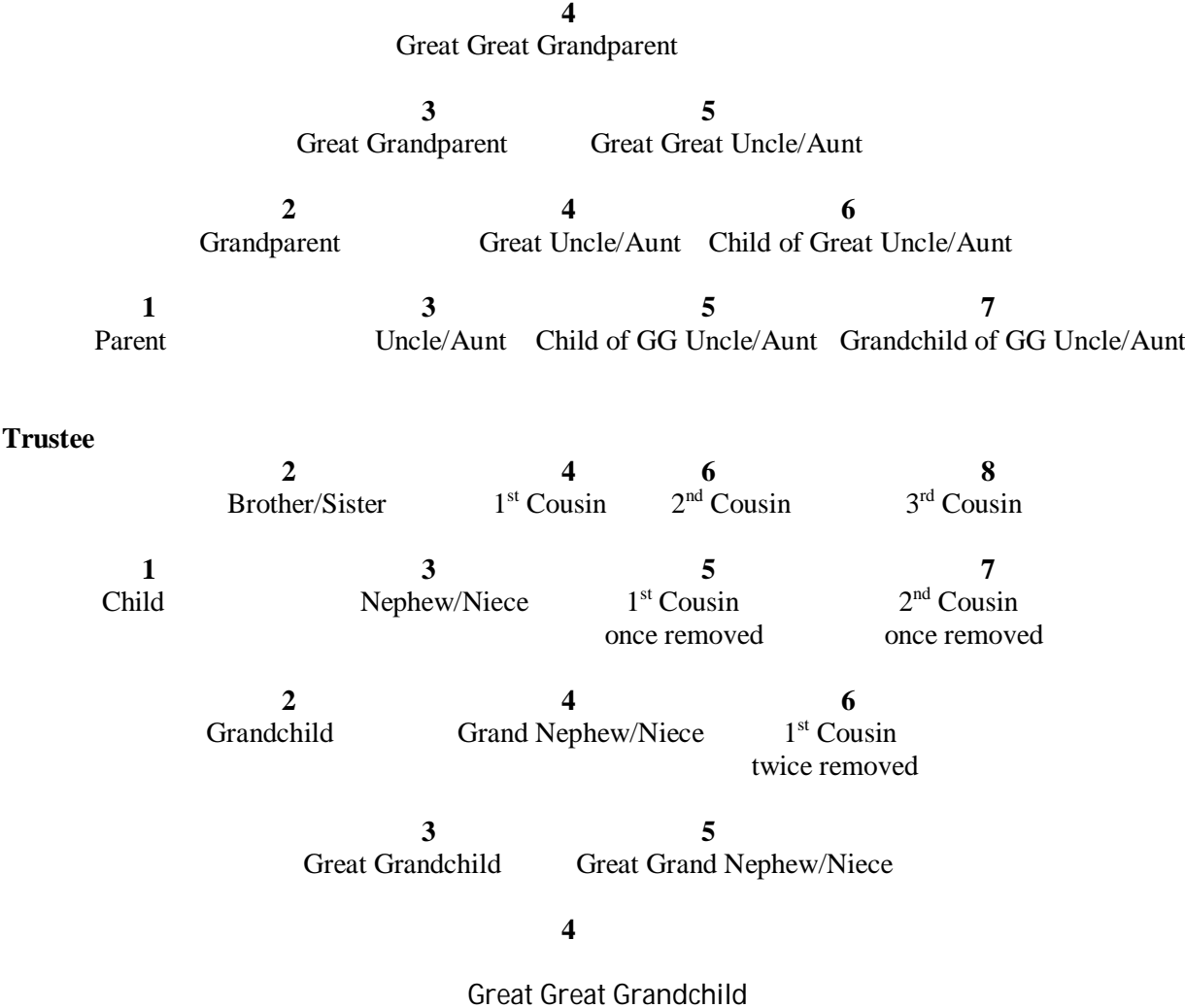
1. Engage in a substantial financial transaction for the trustee’s private business purpose, with a person whom the trustee inspects or supervises in the course of official duties.
2. Perform an official act directly and substantially affecting, to its economic benefit, a business or other undertaking in which the trustee either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent.
3. Act as an agent or solicitor in the sale or supply of goods or services to a district.
4. Have a pecuniary interest, directly or indirectly, in any contract made by the Board, when the trustee has more than a ten percent (10%) interest in the corporation. A contract does not include: 1) merchandise sold to the highest bidder at public auctions; 2) investments or deposits in financial institutions that are in the business of loaning or receiving money, when such investments or deposits are made on a rotating or ratable basis among financial institutions in the community or when there is only one (1) financial institution in the community; or 3) contracts for professional services other than salaried services or for maintenance or repair services or supplies when the services or supplies are not reasonably available from other sources, if the interest of any Board member and a determination of such lack of availability are entered in the minutes of the Board meeting at which the contract is considered.
5. Be employed in any capacity by the District, with the exception of officiating at athletic competitions under the auspices of the Montana Officials Association.
6. Appoint to a position of trust or emolument any person related or connected by consanguinity within the fourth (4th) degree or by affinity within the second (2nd) degree.
 - a. This prohibition does not apply to the issuance of an employment contract to a person as a substitute teacher who is not employed as a substitute teacher for more than thirty (30) consecutive school days.
 - b. This prohibition does not apply to the renewal of an employment contract of a person related to a Board member, who was initially hired before the Board member assumed the trustee position.
 - c. This prohibition does not apply if trustees comply with the following requirements: 1) All trustees, except the trustee related to the person to be employed or appointed, vote to employ the related person; 2) the trustee related to

the person to be employed abstains from voting; and 3) the trustees give fifteen (15) days written notice of the time and place of their intended action in a newspaper of general circulation in the county where the school is located.

Degrees of Affinity

Affinity is the legal relationship arising as the result of marriage. Relationship by affinity terminates upon the death of one of the spouses or other dissolution of marriage, except when the marriage has resulted in issue still living.

Degrees of Consanguinity



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Degrees of Affinity

			3
			Great Grandparent-in-law
		2	
		Grandparent-in-law	
	1		3
	Father/Mother-in-law		Uncle/Aunt-in-law
Trustee	1	2	
	Spouse	Brother/Sister-in-law	
	1		3
	Step Child		Nephew/Niece-in-law
		2	
		Step Grandchild	
			3
			Step Great Grandchild

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1513 - R

BOARD OF TRUSTEES

Revised on:

Management Rights

The Board retains the right to operate and manage its affairs in such areas as but not limited to:

1. Direct employees;
2. Employ, dismiss, promote, transfer, assign, and retain employees;
3. Relieve employees from duties because of lack of work or funds under conditions where continuation of such work would be inefficient and nonproductive;
4. Maintain the efficiency of District operations;
5. Determine the methods, means, job classifications, and personnel by which District operations are to be conducted;
6. Take whatever actions may be necessary to carry out the missions of the District in situations of emergency;
7. Establish the methods and processes by which work is performed.

The Board reserves all other rights, statutory and inherent, as provided by state law.

The Board also reserves the right to delegate authority to the Administrator for the ongoing direction of all District programs. The successful operation of this District requires a close, effective working relationship between the Board and Administration. The relationship must be one of trust, good will, and candor. As the legally designated body, the Board retains final authority within the District. The Administrator is the Board’s professional advisor to whom the Board delegates executive responsibility.

Legal Reference: § 20-3-324, MCA Powers and duties
 § 39-31-303, MCA Management rights of public employers
Bonner School District No. 14 v. Bonner Education Association,
MEA-MFT, NEA, AFT, AFL-CIO, (2008), 2008 MT 9

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1520

BOARD OF TRUSTEES

Revised on:

Board/Staff Communications

Every reasonable means of communication is encouraged throughout the education community. Nevertheless, an organization must maintain some order and structure to promote efficient and effective communications.

Staff Communications to the Board

All official communications or reports to the Board, from supervisors, teachers, or other staff members, shall be submitted through the Principal. This procedure shall not deny any staff member the right to appeal to the Board from administrative decisions, provided that the Principal shall have been notified of the forthcoming appeal and that it is processed according to the applicable procedures for complaints and grievances.

Board Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Principal. The Principal will employ all such media as are appropriate to keep staff fully informed of Board concerns and actions.

Visits to Schools

In accordance with Montana statutes, each trustee shall visit every school of the District at least once each school fiscal year to examine its condition and needs. As a courtesy, individual Board members interested in visiting schools should make arrangements for visitations through the principals of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as “inspections” or visits for supervisory or administrative purposes.

Social Interaction

Staff and Board members share a keen interest in schools and education. When they meet at social affairs and other functions, informal discussion about such matters as educational trends, issues, and innovations and general District problems can be anticipated. **Discussions of personalities or staff grievances are not appropriate.**

Legal Reference: § 20-3-324(22), MCA Powers and duties

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1521 - R

BOARD OF TRUSTEES

Revised on:

Board-Principal Relationship

The Board- Principal relationship is based on mutual respect for their complementary roles. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and the Principal.

The Board hires, evaluates, and seeks the recommendations of the Principal as the District chief executive officer. The Board adopts policies necessary to provide the general direction for the District and to encourage achievement of District goals. The Principal develops plans, programs, and procedures needed to implement the policies and directs the District’s day-to-day operations.

Cross Reference: 6110 Superintendent Duties

Legal Reference: § 20-4-401, MCA Appointment and dismissal of district superintendent or county high school principal
§ 20-4-402, MCA Duties of district superintendent or county high school principal

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1531

BOARD OF TRUSTEES

Revised on:

Trustee Expenses

Expenses for Board Members - In-District

A trustee shall not receive remuneration for service as a trustee. Trustees living more than three (3) miles from the meeting place shall be entitled to be reimbursed **[upon request]** for mileage at the rate stipulated in § 2-18-503, MCA, for each mile of travel between their homes and the meeting place for each meeting of the Board or for any meeting called by the county superintendent. Reimbursement may be paid as the travel is assumed or may accumulate until the end of the fiscal year, at the discretion of the trustee.

Expenses for Board Members at Out-of-District Meetings

Trustees normally attend workshops, training institutes, and conferences at both the state and national levels. The District will pay all legitimate costs for trustees to attend out-of-District meetings, at established rates for reimbursement set by the District:

1. Transportation to and from the meeting site in the amount of the cheapest available air fare, if the meeting is more than one-hundred (100) miles from Potomac, and at the federal business rate for meetings one-hundred (100) miles or less from Potomac;
2. On-site transportation during the course of the meeting, i.e., bus, taxi, or rental car;
3. Hotel or motel costs for trustee, as necessary;
4. The Montana State published daily rate per day for food costs;
5. Telephone services for necessary communications with business or family, resulting from the trustee being away from Potomac;
6. Incidental expenditures for tips and other necessary costs attributable to the trustee's attendance at a meeting; however, the District will not reimburse or pay for such items as liquor, expenses of a spouse, separate entertainment, or other unnecessary expenditures.
7. Registration and materials which are part of the meeting agenda and/or requirements.

Cross Reference: 7336 Travel Allowances and Expenses

Legal Reference: §2-18-503, MCA Mileage - allowance
§20-3-311, MCA Trustee travel reimbursement and compensation of secretary for joint board

POTOMAC ELEMENTARY

Adopted on: 10/11/10
Reviewed on: 09/10/2012
Revised on: 10/09/12

1610 - R

BOARD OF TRUSTEES

Annual Goals and Objectives

Each year the Board will formulate or review the annual objectives for the District and will have available a written comprehensive philosophy of education with goals that reflect the District’s philosophy of education. The philosophy of education and goals shall be in writing and shall be available to all.

At the conclusion of the year, the Principal shall submit a report to the Board which reflects the degree to which annual objectives have been accomplished.

Legal Reference: 10.55.701, ARM Board of Trustees

POTOMAC ELEMENTARY

Adopted on:
Reviewed on:
Revised on:

1635

BOARD OF TRUSTEES

Internships

Internship means an agreement between a fully licensed Class 1, 2, or 3 educator, the school district, and a Montana accredited educator preparation program. Internships are permitted in endorsement areas approved by the Board of Public Education.

The Board recognizes the need to provide training opportunities for prospective teachers and administrators. Internships for those in the process of acquiring teaching endorsements and/or administrative credentials shall be considered and approved on an individual basis. The Superintendent or designee involved will review the internship proposal with the candidate and the university representative, much in the same manner as student teachers are assigned.

As part of an internship agreement, the parties must agree to the following:

- (a) the intern will complete the requirements for the appropriate endorsement within three years;
- (b) the school district will provide local supervision and support of the intern; and
- (c) the accredited educator preparation program will approve the coursework and provide support and periodic supervision.

A superintendent intern shall be supervised throughout the year by a licensed and endorsed superintendent contracted by the district, including participation in, and review of, and written concurrence in all performance evaluations of licensed staff completed by the intern.

An emergency authorization of employment granted by the Superintendent of Public Instruction pursuant to §20-4-111, MCA is not a license; therefore is not eligible for an internship.

Legal Reference:	§ 20-4-111, MCA	Emergency authorization of employment
	ARM 10.55.602	Definitions
	ARM 10.55.607	Internships
	ARM 10.55.702	Licensure and duties of District
		Administrator – District Superintendent
	ARM 10.57.412	Class 1 and 2 Endorsements
	ARM 10.57.413	Class 3 Administrative License

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1640

BOARD OF TRUSTEES

Revised on:

Board Participation in Activities

Members of the Board, collectively and individually, are encouraged to attend school activities, social functions, and instructional programs at no cost to the trustees, in order to view and observe such functions in operation. Attendance at such programs as musical presentations, speech activities, clubs, dramatic productions, and athletic events, indicates interest in school affairs and provides opportunity for more comprehensive understanding of the total school program. Administration will provide appropriate communications to trustees to keep them informed about activities they may wish to attend.

POTOMAC ELEMENTARY

Adopted on: 10/11/10

Reviewed on:

1700 - R

BOARD OF TRUSTEES

Revised on:

Uniform Complaint Procedure

The Board establishes this Uniform Complaint Procedure as a means to address complaints arising within the District. This Uniform Complaint Procedure is intended to be used for all complaints except those governed by a collective bargaining agreement.

The District requests all individuals to use this complaint procedure, when the individual believes the Board or its employees or agents have violated the individual’s rights under: (1) Montana constitutional, statutory, or administrative law; (2) United States constitutional, statutory, or regulatory law; or (3) Board policy.

The District will endeavor to respond to and resolve complaints without resorting to this formal complaint procedure and, when a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder will not be impaired by a person’s pursuit of other remedies. Use of this complaint procedure is not a prerequisite to pursuit of other remedies, and use of this complaint procedure does not extend any filing deadline related to pursuit of other remedies.

The Principal has the authority to contract with an independent investigator at any time during the complaint procedure process. Within fifteen (15) calendar days of the Principal’s receipt of the independent investigator’s report and recommendation, the Principal will respond to the complaint and take such administrative steps as the Principal deems appropriate and necessary.

Level 1: Informal

An individual with a complaint is first encouraged to discuss it with the appropriate teacher or counselor, with the objective of resolving the matter promptly and informally. An exception is that a complaint of sexual harassment should be discussed directly with the Principal.

Level 2: Principal

When a complaint has not been or cannot be resolved at Level 1, an individual may file a signed and dated written complaint stating: (1) the nature of the complaint; (2) a description of the event or incident giving rise to the complaint, including any school personnel involved; and (3) the remedy or resolution requested. This written complaint must be filed within thirty (30) calendar days of the event or incident or from the date an individual could reasonably become aware of such event or incident.

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4 When a complaint alleges violation of Board policy or procedure, the Principal will investigate
5 and attempt to resolve the complaint. The Principal will respond in writing to the complaint,
6 within thirty (30) **calendar** days of the Principal's receipt of the complaint. In responding to the
7 complaint, the Principal may: (1) meet with the parties involved in the complaint; (2) conduct a
8 separate or supplementary investigation; (3) engage an outside investigator or other District
9 employees to assist with the investigation; and/or (4) take other steps appropriate or helpful in
10 resolving the complaint.

11
12 If either the complainant or the person against whom the complaint is filed is dissatisfied with
13 the Principal's decision, either may request, in writing, that the Board review the Principal's
14 decision. (See Level 3.) This request must be submitted in writing to the Principal within fifteen
15 (15) **calendar** days of the Principal's written response to the complaint, for transmission to the
16 Board.

17
18 When a complaint alleges sexual harassment or a violation of Title IX of the Education
19 Amendments of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities Act of
20 1990, or Section 504 of the Rehabilitation Act of 1973, the Principal may turn the complaint over
21 to a District nondiscrimination coordinator. The coordinator will complete an investigation and
22 file a report and recommendation with the Principal, within thirty (30) **calendar** days of the
23 nondiscrimination coordinator's receipt of the written complaint. A coordinator may hire, **with**
24 **the approval of the Principal**, an independent investigator to conduct the investigation. Within
25 fifteen (15) **calendar** days of the Principal's receipt of the coordinator's or independent
26 investigator's report and recommendation, Principal will respond to the complaint and take such
27 administrative steps as the Principal deems appropriate and necessary. If either the complainant
28 or the person against whom the complaint is filed is dissatisfied with the Principal's decision,
29 either may request, in writing, that the Board consider an appeal of the Principal's decision. (See
30 Level 3.) This request must be submitted in writing to the Principal, within fifteen (15) **calendar**
31 days of the Principal's written response to the complaint, for transmission to the Board.

32 33 Level 3: The Board

34
35 Upon written appeal, the Board will consider the Principal's decision. Upon receipt of written
36 request for appeal, the Chairperson will either: (1) place the appeal on the agenda of a regular or
37 special Board meeting; or (2) appoint an appeals panel of not less than three (3) trustees to hear
38 the appeal and make a recommendation to the Board. If the Chairperson appoints a panel to
39 consider the appeal, the panel will meet to consider the appeal and then make written
40 recommendation to the full Board. The Board will report its decision on the appeal, in writing, to
41 all parties, within thirty (30) **calendar** days of the Board meeting at which the Board considered
42 the appeal or the recommendation of the panel. A decision of the Board is final, unless it is
43 appealed pursuant to Montana law within the period provided by law.

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Level 4: County Superintendent

When a matter falls within the jurisdiction of a county superintendent of schools, the decision of the Board may be appealed to the county superintendent by filing written appeal within thirty (30) **calendar** days of the Board’s decision, pursuant to Montana law.

Legal Reference: Title IX of the Education Amendments of 1972 (Civil Rights Act)
Title II of the Americans with Disabilities Act of 1990
§ 504 of the Rehabilitation Act of 1973