

POTOMAC ELEMENTARY

R = required

3000 SERIES STUDENTS

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Adopted on: 12/13/10

Reviewed on:

Revised on:

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Entrance, Placement, and Transfer

Entrance, Date, and Age

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

School Entrance

1. The District requires that a student's parents, legal guardian, or legal custodian present proof of identity of the child¹ to the school within forty (40) days of enrollment, as well as proof of residence in the District. Students who are not residents of the District may apply for admission pursuant to Policy 3141. ~~Homeless students shall be admitted pursuant to state and federal law, and Policy 3125.~~
2. To be admitted to District schools, in accordance with the Montana Immunization Law, a child must have been immunized against **varicella**, diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles ~~(except that pertussis vaccination is not required for children seven (7) years or older).~~ **In the manner and with immunizing agents approved by the department.** Immunizations may not be required if a child qualifies for conditional attendance or an exemption is filed as provided by Montana law.
3. **The above requirements are not to serve as barriers to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The District shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain necessary enrollment documentation.**

Placement

The District goal is to place students at levels and in settings that will increase the probability of student success. Developmental testing, together with other relevant criteria, including but not limited to health, maturity, emotional stability, and developmental disabilities, may be considered in the placement of all students. Final disposition of all placement decisions rests

1 with the Principal, subject to review by the Board.

2
3 1 For the purposes of this section “proof of identity” means a certified copy of a birth certificate, a
4 certified transcript or similar student records from the previous school, or any documentary evidence
5 that a school district considers to be satisfactory proof of identity. 44-2-511(6)(a), MCA

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9 Transfer

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

13
14 Elementary Grades (K-8): A student transferring into the District will be admitted and placed
15 subject to observation by appropriate teachers and Principal during a probation period of two (2)
16 weeks. Thereafter, should doubt arise as to initial grade and level placement of a student, school
17 personnel will conduct an educational assessment to determine appropriate grade and level
18 placement.

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21 Legal Reference:

22	§ 20-5-101, MCA	Admittance of child to school
23	§ 20-5-403, MCA	Immunization required – release and
24		acceptance of immunization records
25	§ 20-5-404, MCA	Conditional attendance
26	§ 20-5-405, MCA	Medical or religious exemption
27	§ 20-5-406, MCA	Immunization record
28	§ 44-2-511, MCA	School enrollment procedure
29	10.16.3122, ARM	Local Educational Agency Responsibility
30		For Students with Disabilities
31	10.55.601, et seq., ARM	Accreditation Standards: Procedures
32		

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Adopted on: 12/13/10
Reviewed on: 09/10/2012
Revised on: 10/09/12

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Compulsory Attendance

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

Parents or legal guardians or legal custodians are responsible for seeing that their children who are age seven (7) or older before the first (1st) day of school attend school until the later of the following dates:

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

The provisions above do not apply in the following cases:

- (a) The child has been excused under one of the conditions specified in [20-5-102](#).
- (b) The child is absent because of illness, bereavement, or other reason prescribed by the policies of the trustees.
- (c) The child has been suspended or expelled under the provisions of [20-5-202](#).
- (d) The child is excused pursuant to Section 2 of 20-5-103.

Compulsory attendance stated above will not apply when children:

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

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

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Enrollment and Attendance Records

Since accurate enrollment and attendance records are essential both to obtain state financial reimbursement and to fulfill the District's responsibilities under the attendance laws, staff shall be diligent in maintaining such records.

A district may only include, for ANB purposes, an enrolled student who is:

- A resident of the district or a nonresident student admitted by trustees under a student attendance agreement and who is attending a school of the district;
- Unable to attend school due to a medical reason certified by a medical doctor and receiving individualized educational services supervised by the district, at district expense, at a home or facility that does not offer an educational program;
- Unable to attend school due to the student's incarceration in a facility, other than a youth detention center, and who is receiving individualized educational services supervised by the district, at district expense, at a home or facility that does not offer an educational program;
- Living with a caretaker relative under § 1-1-215, MCA;
- Receiving special education and related services, other than day treatment, under a placement by the trustees at a private nonsectarian school or private program if the student's services are provided at the district's expense under an approved individual education plan supervised by the district;
- Receiving education services, provided by the district, using appropriately licensed district staff at a private residential program or private residential facility licensed by the Department of Public Health and Human Services;
- Enrolled in an educational program or course provided at district expense using electronic or offsite delivery methods, including but not limited to tutoring, distance learning programs, online programs, and technology delivered learning programs, while attending a school of the district or any other nonsectarian offsite instructional setting with the approval of the trustees of the district; or

- A resident of the district attending a Montana job corps program under an interlocal agreement with the district under § 20-9-707, MCA.

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- A resident of the district attending a Montana Youth Challenge Program under an interlocal agreement with the district under § 20-9-707, MCA.

In order for a student who is served through distance learning or offsite delivery methods to be included in the calculation of average number belonging, the student must meet the residency requirements for that district; live in the district, and must be eligible for educational services under the Individuals with Disabilities Education Act or under 29 U.S.C. 794; or attend school in the district under a mandatory attendance agreement as provided in § 20-9-707, MCA.

Homeless Youth and Foster Children

Assignment to schools shall be subject to modification when federal law applicable to students placed in foster care or students who are homeless requires that such students be educated in a “school of origin” that differs from the assigned school.

Legal Reference:	§ 1-1-215, MCA	Residence – rules for determining
	§ 20-9-311, MCA	Calculation of average number belonging (ANB) -- three-year averaging.
	§ 20-9-707, MCA	Agreement with Montana youth challenge program
	29 U.S.C. 794	Nondiscrimination under Federal grants and programs
	34 CFR 300.1, et seq.	Assistance to states for the education of children with disabilities

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Adopted on: 12/13/10

Reviewed on:

Revised on:

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Enrollment and Attendance Records

Average Number Belonging

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

For a child to be counted for ANB purposes:

- a) The child must meet the definition of pupil as found in § 20-1-101(11), MCA;
- b) Attending 181 to 359 aggregate hours = One-quarter time enrollment
- c) Attending 360 to 539 aggregate hours = One-half time enrollment
- d) Attending 540 to 719 aggregate hours = Three-quarter time enrollment
- e) Attending 720 aggregate hours or more = Full-time enrollment

A school district may include in its calculation of ANB a pupil who is enrolled in a program providing fewer than the required aggregate hours of pupil instruction required under subsection 20-9-311(4)(a) or (4)(b) if the pupil had demonstrated proficiency in the content ordinarily covered by the instruction as determined by the school board using district assessments. The ANB must be converted to an hourly equivalent based on the hours of instruction ordinarily provided for the content over which the student has demonstrated proficiency. 20-9-311(4)(d).

Homebound Students

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

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

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

If a homebound student does not meet the criteria set forth above, the District may request a variance through the Office of Public Instruction, for consideration of the student in the enrollment count for ANB purposes beyond the tenth (10th) day of absence.

Attendance Accounting

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

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

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

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Adopted on: 12/13/10

Reviewed on:

Revised on:

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Attendance Policy

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

Learning to participate in group discussions, developing an appreciation for the views and abilities of other students, and forming the habit of regular attendance are legitimate objectives for any course. School also provides a foundation for the work environment that follows. Excessive absenteeism is not allowed in the work environment. Therefore, the good habit of attending work every day must begin at school. Learning that is lost due to absence can never be adequately replaced.

Part-Time Attendance

Non-disabled students eligible to enroll in grades K-8 will not be accepted for part-time enrollment in the District.

Specific rules and regulations regarding attendance and tardies can be found in the family handbook.

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Adopted on:
Reviewed on:
Revised on:

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Attendance Policy - Truancy

Students are expected to attend all assigned classes each day. Teachers shall keep a record of absence and tardiness. Before the end of the school day, each school shall attempt to contact every parent, guardian, or custodian whose child is absent from school but who has not reported the child as absent for the school day, to determine whether the parent, guardian, or custodian is aware of the child’s absence from school.

For the purpose of this policy “truant” or “truancy” means the persistent non-attendance without excuse, as defined by this policy, for all or any part of a school day equivalent to the length of one class period of a child required to attend a school under 20-5-103. “Habitual truancy” means recorded unexcused absences of 9 or more days or 54 or more parts of a day, whichever is less, in 1 school year.

The Potomac’s school district’s definition of non-attendance without excuse is stated in the student handbook.

The Potomac School district has appointed [the Principal] as the attendance officer. If the district does not appoint an attendance officer, the county superintendent must be the attendance officer.

Upon the board designating one or more of its staff as the attendance officer(s), the attendance officer(s) shall have the powers and duties as stated in 20-5-105(1) (Section 2), MCA.

Table with 3 columns: Legal Reference, MCA Section, and Description. Includes entries for § 20-5-103, § 20-5-104, § 20-5-105, § 20-5-106, § 20-5-107, and § 41-5-103(22).

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Adopted on: 12/13/10
Reviewed on:
Revised on:

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

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

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

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

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

29 The Board of Trustees will give special attention to ensuring the enrollment and attendance of homeless
30 children and youths not currently attending school. The Administrator will appoint a liaison for homeless
31 children.
32

33 A “homeless individual” is defined as provided in the McKinney Homeless Assistance Act.
34

35 Anyone having a concern or complaint regarding placement or education of a homeless child will first
36 present it orally and informally to the District homeless liaison. Thereafter, a written complaint must be
37 filed in accordance with the District Uniform Complaint Procedure.
38

39 Cross Reference: 1700 Uniform Complaint Procedure
40

41 Legal Reference: 42 U.S.C. §§42 U.S.C. § 11301 *et seq* 11431, et seq.
42 McKinney Homeless Assistance Act
43 § 20-5-101, MCA Admittance of child to school
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POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

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Discretionary Nonresident Student Attendance Policy

The Board, recognizing that its resident students need an orderly educational process and environment, free from disruption, overcrowding, and any kind of violence or disruptive influences, hereby establishes criteria for the discretionary admission of nonresident students.

1. Except as required by § 20-5-321, MCA, the District will admit nonresident students at its discretion. As such, the District will screen all nonresident students and consider only those who meet the criteria set forth in this policy.
2. The Principal will recommend to the Board any nonresident student admission in accordance with this policy, with the Board making the final decision on admission.
3. Nonresident students who do not qualify for mandatory attendance will not be admitted to District schools. Exceptions are children in the immediate family of nonresident District employees. The District, at its discretion, also may consider for admission other nonresident students.
4. The District will examine a student's records from previous school districts before any Board approval for admission.
5. The District has the option of accepting a nonresident student who does not meet the criteria set forth by the administration, if the student agrees to special conditions of admission as set forth by the District.
6. Every nonresident student who attends District schools must reapply for admission for the succeeding school year by June 15. Admission in one school year does not infer or guarantee admission in subsequent years.
7. The District will not admit nonresident students when doing so would require hiring additional staff or providing educational services not currently offered or would create crowding of existing classes.
8. All resident students who become nonresidents because their parents or guardians move out of the District may continue attendance for the semester, barring registration in another District. At the completion of the semester, a student must apply as a nonresident student.

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- 9. The Board reserves the right to charge tuition for nonresident students. At its discretion, the Board may charge or waive tuition for all students whose tuition is required to be paid by one kind of entity, defined as either a parent or guardian or a school district. Any waiver of tuition will be applied equally to all students whose tuition is paid by the same kind of entity (i.e., if the District charges tuition in those circumstances where a resident district pays but waives tuition in those circumstances where a parent or guardian is responsible for tuition, the tuition waiver will be applicable to all students whose parents or guardians bear the responsibility for payment).
- 10. All nonresident students will be considered ineligible transportees for school transportation services (§ 20-10-101, MCA).
- 11. The Board may declare an emergency which, in its opinion, necessitates the removal of all nonresident students from District schools.
- 12. The Board will not admit any student who is expelled from another school district.

Legal Reference:	§ 20-5-314, MCA	Reciprocal attendance agreement with adjoining state or province
	§ 20-5-320, MCA	Attendance with discretionary approval
	§ 20-5-321, MCA	Attendance with mandatory approval – tuition and transportation
	§ 20-5-322, MCA	Residency determination – notification – appeal for attendance agreement
	§ 20-5-323, MCA	Tuition and transportation rates
	10.10.301B, ARM	Out-of-District Attendance Agreements

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

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Foreign Exchange Students

It is the policy of the Board to recognize the benefits from foreign exchange students in the District. The Board does not, however, sponsor foreign exchange programs or provide financial contributions to any foreign exchange students. The Board assumes no responsibility or control over items such as travel, living accommodations, funding, insurance, etc., which remain the responsibility of the sponsor and/or student.

J-1 visa holders (students sponsored by an approved foreign exchange organization) are eligible to attend elementary school. Any sponsoring organization must have a local representative, be a nonprofit organization, and be approved by the Council on Standards for International Education Travel. F-1 visa holders (individual foreign students sponsored by relatives or friends) may not attend the District.

The Board reserves the right to withdraw approval and regulate the number of students participating.

Legal Reference: 20 U.S.C. 221, et seq. Foreign and Exchange Students

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

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Student Rights and Responsibilities

The District recognizes fully that all students are entitled to enjoy the rights protected under federal and state constitutions and law for persons of their age and maturity in a school setting. The District expects students to exercise these rights reasonably and to avoid violating the rights of others. The District may impose disciplinary measures whenever students violate the rights of others or violate District policies or rules.

Cross Reference: 3231 Searches and Seizure
 3310 Student Discipline

Legal Reference: § 20-4-302, MCA Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
 § 20-5-201, MCA Duties and sanctions
 Tinker v. Des Moines Ind. Sch. Dist., 89 S.Ct. 733 (1969)

POTOMAC ELEMENTARY

Adopted on: 12/13/10
Reviewed on:
Revised on:

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Equal Education, Nondiscrimination and Sex Equity

The District will make equal educational opportunities available for all students without regard to race, color, national origin, ancestry, sex, ethnicity, language barrier, religious belief, physical or mental handicap or disability, economic or social condition, actual or potential marital or parental status. No student will be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, or advantage, or denied equal access to educational and extracurricular programs and activities.

~~No student, on the basis of sex or, in accordance with binding guidance of the Federal Office of Civil Rights regarding the scope of Title IX's sex discrimination prohibition, gender identity, sexual orientation, or failure to conform to stereotypical notions of masculinity or femininity will be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, or advantage, or denied equal access to educational and extracurricular programs and activities.~~

Inquiries regarding discrimination or intimidation should be directed to the District Title IX Coordinator. Any individual may file a complaint alleging violation of this policy, **Policy 3200-Student Rights and Responsibilities, Policy 3225-Sexual Harassment/Intimidation of Students, or Policy 3226-Bullying/Harassment/Intimidation/Hazing by following those policies or Policy 1700-Uniform Complaint Procedure.** ~~by following the Uniform Complaint Procedure (Policy 1700).~~

The District, in compliance with federal regulations, will notify annually all students, parents, staff, and community members of this policy and the designated coordinator to receive inquiries. This annual notification will include the name and location of the coordinator and will be included in all handbooks.

The District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence against students, staff, or volunteers with disabilities. The District will consider such behavior as constituting discrimination on the basis of disability, in violation of state and federal law.

Cross Reference: 1700 Uniform Complaint Procedure
3200 Student Rights and Responsibilities
3225 Sexual Harassment/Intimidation of Students
3226 Bullying/Harassment/Intimidation/Hazing

Legal Reference: Art. X, Sec. 7, Montana Constitution- Nondiscrimination in education
§ 49-2-307, MCA Discrimination in education
24.9.1001, et seq., ARM Sex Discrimination in Education
Title IX of the Educational Amendments, 20 U.S.C. § 1681, et seq.
**34 CFR Part 106 Nondiscrimination on the basis of sex in
education programs or activities receiving
Federal financial assistance**
<http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>

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Adopted on: 12/13/10

Reviewed on:

Revised on:

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Student Publications

Student publications produced as part of the school's curriculum or with the support of student body funds are intended to serve both as vehicles for instruction and student communications. They are operated and substantively financed by the student body and the District.

Material appearing in such publications should reflect all areas of student interest, including topics about which there may be controversy and dissent. Controversial issues may be presented provided they are treated in depth and represent a variety of viewpoints. Such materials may not be libelous, obscene, or profane nor may they cause a substantial disruption of the school, invade the privacy rights of others, demean any race, religion, gender, or ethnic group, or advocate the violation of the law. They may not advertise tobacco, nicotine, liquor, illicit drugs or drug paraphernalia.

The Principal shall implement these standards and shall establish procedures for the prompt review of any materials which appear not to comply with the standards.

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Adopted on: 12/13/10
Reviewed on:
Revised on:

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Distribution and Posting of Materials

District policy allows distribution of materials of parent and student organizations sponsored by the District or other governmental agencies. The District also may allow distribution of materials that provide information valued or needed by the District.

The Principal must approve all materials before they may be distributed by any organization.

To facilitate the distribution of materials with information about student activities, each school may maintain a centrally located bulletin board for the posting of materials, and/or maintain a table available to students for placing approved materials.

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

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Student Dress

~~The District recognizes that a student's choice of dress and grooming habits demonstrate personal style and preference. The District has the responsibility to ensure proper and appropriate conditions for learning, along with protecting the health and safety of its student body. Even though the schools will allow a wide variety of clothing styles, dress and grooming must not materially or substantially disrupt the educational process of the school or create a health or safety hazard for students, staff, or others.~~

~~Dress for boys and girls is to be neat, clean, and appropriate for school. Tee-shirts/sweat shirts or jackets that make a reference to sex, drugs, alcohol, or tobacco products are prohibited. Dress shorts (non-athletic shorts) may be worn if they are of an appropriate length. Caps or hats may not be worn in the school.~~

Student expression through dress is a teachable value along with other core subject areas. There are limitations to such expressions when they impede the learning process and / or environment. Clothing that is vulgar, obscene, revealing, advertising drugs/alcohol, distracting, harassing and or a safety hazard will not be allowed in school. If clothing can be altered, removed, covered or adjusted to be in compliance without further violation, school administration will make that final determination. Each determination will be made on a case-by-case basis. Parents may be called to bring alternate clothing to school. If no such accommodations can be made, the student(s) may remain in the office away from their peers until the end of the day.

The Principal shall establish procedures for the monitoring of student dress and grooming in school or while engaging in extracurricular activities. Specific regulations shall be published annually in family handbook.

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

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Sexual Harassment/Intimidation of Students

Sexual harassment is a form of sex discrimination and is prohibited. An employee, District agent, or student engages in sexual harassment whenever that individual makes unwelcome advances, requests sexual favors, or engages in other verbal, non-verbal, or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, opportunities, or treatment, or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - a. Substantially interfering with a student's educational environment;
 - b. Creating an intimidating, hostile, or offensive educational environment;
 - c. Depriving a student of educational aid, benefits, services, opportunities, or treatment; or
 - d. Making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

The terms "intimidating," "hostile," and "offensive" include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include but are not limited to unwelcome touching, crude jokes or pictures, discussions of sexual experiences, pressure for sexual activity, intimidation by words, actions, insults, or name calling, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities.

Students who believe that they may have been sexually harassed or intimidated should consult a teacher or Title IX coordinator, who will assist them in the complaint process. Supervisors or teachers who knowingly condone or fail to report or assist a student to take action to remediate such behavior of sexual harassment or intimidation may themselves be subject to discipline.

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any student of the District who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including but not limited to suspension and expulsion consistent

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1 with the District's discipline policy. Any person who knowingly makes a false accusation
2 regarding sexual harassment likewise will be subject to disciplinary action up to and including
3 discharge with regard to employees or suspension and expulsion with regard to students.

4
5 The District will make every effort to ensure that employees or students accused of sexual
6 harassment or intimidation are given an appropriate opportunity to defend themselves against
7 such accusations.

8
9 To the greatest extent possible, the District will treat complaints in a confidential manner. The
10 District realizes that limited disclosure may be necessary in order to complete a thorough
11 investigation. Retaliation against persons who file a complaint is a violation of law prohibiting
12 discrimination and will lead to disciplinary action against an offender.

13
14 Any individual seeking further information should consult the ~~lead teacher~~ **Principal** for the
15 name of the current Title IX Coordinator for the District. **The Principal will ensure that**
16 **student and employee handbooks include the name, address, and telephone number of an**
17 **individual responsible for coordinating District compliance efforts.**

18
19 An individual with a complaint alleging a violation of this policy should follow the Uniform
20 Complaint Procedure.

21
22
23
24 Cross Reference: 1700 Uniform Complaint Procedure

25
26 Legal References: Art. X, Sec. 1, Montana Constitution – Educational goals and duties
27 §§ 49-3-101, et seq., MCA Montana Human Rights Act
28 Title IX of the Educational Amendments, 20 U.S.C. § 1681, et seq.
29 34 CFR Part 106 Nondiscrimination on the basis of sex in
30 education programs or activities receiving
31 Federal financial assistance
32 **10.55.701(1)(f), ARM Board of Trustees**
33 **10.55.719, ARM Student Protection Procedures**
34 **10.55.801(1)(a), ARM School Climate**
35

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3225F

STUDENTS

Harassment Reporting Form for Students

School _____ Date _____

Student's name _____

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

a) Who was responsible for the harassment or incident(s)? _____

b) Describe the incident(s). _____

c) Date(s), time(s), and place(s) the incident(s) occurred. _____

d) Were other individuals involved in the incident(s)? yes no
If so, name the individual(s) and explain their roles. _____

e) Did anyone witness the incident(s)? yes no
If so, name the witnesses. _____

f) Did you take any action in response to the incident? yes no
If yes, what action did you take? _____

d) Were there any prior incidents? yes no
If so, describe any prior incidents. _____

Signature of complainant _____

Signatures of parents/legal guardians _____

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Bullying/Harassment/Intimidation/Hazing

The Board will strive to provide a positive and productive learning and working environment. Bullying, harassment, intimidation, or hazing, by students, staff, or third parties, is strictly prohibited and shall not be tolerated. ~~This includes bullying, harassment, or intimidation via electronic communication devices (“cyberbullying”).~~

Definitions

- a) “Third parties” include but are not limited to coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-District athletic competitions or other school events.
- b) “District” includes District facilities, District premises, and non-District property if the student or employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events, where students are under the control of the District or where the employee is engaged in District business.
- c) “Hazing” includes but is not limited to any act that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in or affiliation with any District-sponsored activity or grade-level attainment, including but not limited to forced consumption of any drink, alcoholic beverage, drug, or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation, or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes, or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed, or other such activities intended to degrade or humiliate.
- d) ~~“Harassment, intimidation, or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities, or performance.~~ **“Bullying” means any harassment, intimidation, hazing, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic communication (“cyberbullying”) or threat directed against a student that is persistent, severe, or repeated, and that substantially interferes with a student’s educational benefits, opportunities, or performance,** that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, or anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a student or staff member or an interference with school purposes or an educational function, and that has the effect of:
- a. Physically harming a student or damaging a student’s property;
 - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property.
 - c. Creating a hostile educational environment.
 - d. Substantially and materially disrupts the orderly operation of a school.**
- e) “Electronic communication device” means any mode of electronic communication, including but not limited to computers, cell phones, PDAs, or the internet.

Reporting

All complaints about behavior that may violate this policy shall be promptly investigated. Any student, employee, or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, or bullying in violation of this policy is encouraged to immediately report his/her concerns to the Title IX coordinator or the Principal, who have overall responsibility for such investigations. A student may also report concerns to a teacher or counselor, who will be responsible for notifying the appropriate District official. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Principal shall follow Policy 1700 – Uniform Complaint Procedure.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

Exhaustion of administrative remedies

A person alleging violation of any form of harassment, intimidation, hazing, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic communication, as stated above, may seek redress under any available law, either civil or criminal, after exhausting all administrative remedies.

Responsibilities

The Principal shall be responsible for ensuring notice of this policy is provided to students, staff, and third parties and for the development of administrative regulations, including reporting and investigative procedures, as needed.

Consequences

Students whose behavior is found to be in violation of this policy will be subject to discipline up to and including expulsion. Staff whose behavior is found to be in violation of this policy will be subject to discipline up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Principal or the Board. Individuals may also be referred to law enforcement officials.

Retaliation and Reprisal

Retaliation is prohibited against any person who reports or is thought to have reported a violation, files a complaint, or otherwise participates in an investigation or inquiry. **Such retaliation shall be considered a serious violation of Board policy, whether or not a complaint is substantiated.** False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Cross Reference: 3225F Harassment Reporting Form for Students

Legal Reference:	§ 20-5-207, MCA	“Bully-Free Montana Act”
	§ 20-5-208, MCA	Definition
	§ 20-50-209, MCA	Bullying of student prohibited
	§ 20-5-210, MCA	Enforcement – exhaustion of administrative remedies
	10.55.701(2)(f), ARM	Board of Trustees
	10.55.719, ARM	Student Protection Procedures
	10.55.801(1)(d), ARM	School Climate

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3231

STUDENTS

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Searches and Seizure

The goal of search and seizure with respect to students is meeting the educational needs of children and ensuring their security. The objective of any search and/or seizure is not the eradication of crime in the community. Searches may be carried out to recover stolen property, to detect illegal substances or weapons, or to uncover any matter reasonably believed to be a threat to the maintenance of an orderly educational environment. The Board authorizes school authorities to conduct reasonable searches of school property and equipment, as well as of students and their personal effects, to maintain order and security in the schools.

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

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

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

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

School Property and Equipment and Personal Effects of Students

School authorities may inspect and search school property and equipment owned or controlled by the District (such as lockers, desks, and parking lots).

The Principal may request the assistance of law enforcement officials, including their use of specially trained dogs, to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or material.

Students

School officials may search any individual student, his/her property, or District property under his/her control, when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the District or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be

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4 searched by school officials include but are not limited to lockers, desks, purses, backpacks,
5 cellular phones, or other electronic communication devices.
6

7 Students may not use, transport, carry, or possess illegal drugs or any weapons on school
8 property. ~~While on school property, vehicles may be inspected at any time by staff, or by~~
9 ~~contractors employed by the District utilizing trained dogs, for the presence of illegal drugs, drug~~
10 ~~paraphernalia, or weapons. In the event the school has reason to believe that drugs, drug~~
11 ~~paraphernalia, or weapons are present, including by alert-trained dogs, the student's vehicle will~~
12 ~~be searched, and the student expressly consents to such a search.~~
13

14 ~~Also, by parking in the school parking lots, the student consents to having his/her vehicle~~
15 ~~searched if the school authorities have any other reasonable suspicion to believe that a violation~~
16 ~~of school rules or policy has occurred.~~
17

18 19 Seizure of Property

20
21 When a search produces evidence that a student has violated or is violating either a law or
22 District policies or rules, such evidence may be seized and impounded by school authorities and
23 disciplinary action may be taken. As appropriate, such evidence may be transferred to law
24 enforcement authorities.
25

26
27
28 Legal Reference: *Safford Unified School Dist. No. 1 v. Redding*, _____ U.S. _____, 129
29 S.Ct. 2633 (2009)
30 *Terry v. Ohio*, 392 U.S. 1, 20 (1968)
31 *B.C. v. Plumas*, (9th Cir. 1999) 192 F.3d 1260
32

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3231P

STUDENTS

Searches and Seizure

The following rules shall apply to any searches and the seizure of any property by school personnel:

1. The school authorities shall be authorized to conduct any searches or to seize property on school premises, as further provided in this procedure.
2. If the school authorities have reasonable suspicion to believe that any locker or other container of any kind on school premises contains any item or substance which constitutes an imminent danger to the health and safety of any person or to the property of any person or the District, the school authority is authorized to conduct a search of any locker, or container and to seize any such item or substance of any kind on school premises without notice or consent.
3. No student shall hinder, obstruct, or prevent any search authorized by this procedure.
4. Whenever circumstances allow, any search or seizure authorized in this procedure shall be conducted in the presence of at least one (1) adult witness, and a written record of the time, date, and results shall be made by the school authority. A copy shall be forwarded to the administrator as soon as possible.
5. In any instance where an item or substance is found which would appear to be in violation of the law, the circumstance shall be reported promptly to the appropriate law enforcement agency.

POTOMAC ELEMENTARY

Adopted on:
Reviewed on:
Revised on:

3235

STUDENTS

Video Surveillance

The Board authorizes the use of video cameras on District property to ensure the health, welfare, and safety of all staff, students, and visitors to District property and to safeguard District buildings, grounds, and equipment. The Superintendent will approve appropriate locations for video cameras.

The Superintendent will notify staff and students, through staff and student handbooks or by other means that video surveillance may occur on District property. A notice will also be posted at the main entrance of all District buildings, and on all buses, indicating the use of video surveillance.

The District may choose to make video recordings a part of a student's educational record or of a staff member's personnel record. The District will comply with all applicable state and federal laws related to record maintenance and retention.

~~Video recordings will be totally without sound.~~

OPTIONAL: It is the decision of the District that video recordings will include audio. The Superintendent will notify staff and students through staff and student handbooks or by other means that video surveillance, with audio, may occur on District property. A notice will also be posted at the main entrance of all District buildings, and on all buses, in which video/audio surveillance may occur.

Cross Reference: 3600 Student Records

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

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Suspension and Expulsion - Corrective Actions and Punishment

The Board recognizes that every student is entitled to due process rights that are provided by law.

Suspension

- “Suspension” means the exclusion of a student from attending individual classes or school and participating in school activities for an initial period not exceed ten (10) school days. An administrator may order suspension of a student.

The procedure set forth below will be followed when a proposed punishment of a student is to include denial of the right of school attendance from any single class or from a full schedule of classes for at least one (1) day.

Before any suspension is ordered, the Principal will meet with a student to explain charges of misconduct, and the student will be given an opportunity to respond to the charges.

When a student’s presence poses a continuing danger to persons or property or poses an ongoing threat of disruption to the educational process, a pre-suspension conference will not be required, and the Principal may suspend a student immediately. In such cases, the Principal will provide notice of and schedule a conference as soon as practicable following the suspension.

The Principal will report any suspension immediately to a student’s parent or legal guardian. The Principal will provide a written report of suspension that states reasons for a suspension, including any school rule that was violated, and a notice to a parent or guardian of the right to a review of a suspension.

The Principal will conduct a review of any suspension on request of a parent or legal guardian. A student and parent or legal guardian may meet with the Principal to discuss suspension. After the meeting and after concluding a review, the Principal will take such final action as appropriate.

Upon a finding by the Principal that the immediate return to school by a student would be detrimental to the health, welfare, or safety of others or would be disruptive of the educational process, a student may be suspended for one (1) additional period not to exceed ten (10) school days, if the student is granted an informal hearing with the Principal prior to the additional suspension, and if the decision to impose the additional suspension does not violate the Individuals with Disabilities Education Act (IDEA) or Rehabilitation Act.

Students who are absent as a result of a suspension are responsible for the work missed. Credit may be granted for the makeup work, in the event the student turns in the work within the time set by the teacher.

Expulsion

- “Expulsion” is any removal of a student for more than twenty (20) school days without the provision of educational services. Expulsion is a disciplinary action available only to the Board.

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4 The Board, and only the Board, may expel a student from school and may do so only after following due
5 process procedures set forth below.

6
7 The Board will provide written notice to a student and parent or legal guardian of a hearing to consider a
8 recommendation for expulsion, which will be sent by registered or certified mail at least five (5) school
9 days before the date of the scheduled hearing. The notice will include time and place of hearing,
10 information describing the process to be used to conduct the hearing, and notice that the Board intends to
11 conduct the hearing in closed session unless a parent or legal guardian waives the student's right to
12 privacy.

13
14 Within the limitation that a hearing must be conducted during a period of student suspension, a hearing to
15 consider expulsion may be rescheduled when a parent or legal guardian submits a request showing good
16 cause to the Principal at least two (2) school days before a hearing date as originally scheduled. The
17 Principal will determine if a request shows good cause to reschedule a hearing.

18
19 At hearing the student may be represented by counsel, present witnesses and other evidence, and cross-
20 examine witnesses. The Board is not bound by formal rules of evidence in conducting the hearing.

21
22 Each school shall maintain a record of any disciplinary action that is educationally related, with
23 explanation, taken against the student. When the Board of Trustees takes disciplinary action against a
24 student, the Board must keep a written record of the action taken, with detailed explanation, even if the
25 disciplinary action is decided during a closed session. A disciplinary action that is educationally related is
26 an action that results in the expulsion or out-of-school suspension of the student. This record must be
27 maintained/destroyed consistent with Montana Local Government Records Schedule 7, and is subject to
28 transfer to a local educational agency, accredited school, or nonpublic school pursuant to 20-1-213, MCA.

29
30 Procedures for Suspension and Expulsion of Students With Disabilities

31
32 The District will comply with provisions of the Individuals with Disabilities Education Act (IDEA) and
33 Rehabilitation Act when disciplining students. The Board will not expel any special education student
34 when the student's particular act of gross disobedience or misconduct is a manifestation of the student's
35 disability. The Board may expel pursuant to its expulsion procedures any special education student
36 whose gross disobedience or misconduct is not a manifestation of the student's disability. A disabled
37 student will continue to receive education services as provided in the IDEA or Rehabilitation Act during a
38 period of expulsion.

39
40 The Principal may suspend a child with a disability from the child's current placement for not more than
41 ten (10) consecutive school days for any violation of school rules, and additional removals of not more
42 than ten (10) consecutive school days in that same school year for separate incidents of misconduct, as
43 long as those removals do not constitute a change of placement under 34 CFR 300.519(b), whether or not
44 a student's gross disobedience or misconduct is a manifestation of a student's disabling condition. Any
45 special education student who has exceeded or who will exceed ten (10) days of suspension may
46 temporarily be excluded from school by court order or by order of a hearing officer, if the District
47 demonstrates that maintaining the student in the student's current placement is substantially likely to
48 result in injury to the student or to others. After a child with a disability has been removed from his or her
49 placement for more than ten (10) school days in the same school year, during any subsequent days of
50 removal the public agency must provide services to the extent required under 34 CFR 300.121(d).

51
52 The Principal may remove from current placement any special education student who has carried a
53 weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or
54 solicits the sale of a controlled substance while at school or a school function. The District will place

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such student in an appropriate interim alternative educational setting for no more than forty-five (45) school days in accordance with the IDEA or Rehabilitation Act.

Legal Reference:	20 U.S.C. 1400, et seq.	Individuals with Disabilities Education Act
	34 CFR 300.519-521	Procedural Safeguards
	§ 20-1-213, MCA	Transfer of School Records
	§ 20-4-302, MCA	Discipline and punishment of pupils –definition of corporal punishment – penalty – defense
	§ 20-4-402, MCA	Duties of district superintendent or county high
	§ 20-5-105, MCA	Attendance officer – powers and duties
	§ 20-5-106, MCA	Truancy
	§ 20-5-201, MCA	Duties and sanctions
	§ 20-5-202, MCA	Suspension and expulsion
	ARM 10.16.3346	Aversive Treatment Procedures
	ARM 10.55.910	Student Discipline Records
	<i>Goss v. Lopez</i> , 419 US 565 (1975)	
	Section 504 IDEA	

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on: 05/12/14

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STUDENTS

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Student Discipline

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

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

- Using, possessing, distributing, purchasing, or selling tobacco products, **and alternative nicotine and vapor products as defined in 16-11-302, MCA.**
- Using, possessing, distributing, purchasing, or selling alcoholic beverages, **including powdered alcohol.** Students who may be under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession.
- Using, possessing, distributing, purchasing, or selling drug paraphernalia, illegal drugs, controlled substances, or any substance which is represented to be or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind, including such substances that contain chemicals which produce the same effect of illegal substances including but not limited to Spice and K2. Students who may be under the influence of such substances will not be permitted to attend school functions and will be treated as though they had drugs in their possession.
- Using, possessing, controlling, or transferring a weapon in violation of the “Possession of Weapons other than Firearms” section in **policy 3311.**
- Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon as referred to in **policy 3311.**
- Disobeying directives from staff members or school officials or disobeying rules and regulations governing student conduct.
- Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct.
- Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person’s property.
- Engaging in any activity that constitutes an interference with school purposes or an educational function or any other disruptive activity.
- Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic and habitual truants.
- Hazing or bullying.
- Forging any signature or making any false entry or attempting to authorize any document used or intended to be used in connection with the operation of a school.

These grounds stated above for disciplinary action apply whenever a student’s conduct is reasonably related to school or school activities, including but not limited to the circumstances set forth below:

- On school grounds before, during, or after school hours or at any other time when school is being used by a school group.
- Off school grounds at a school-sponsored activity or event or any activity or event that bears a reasonable relationship to school.

- Travel to and from school or a school activity, function, or event.
- Anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member or an interference with school purposes or an educational function.

Disciplinary Measures

Disciplinary measures include but are not limited to:

- Expulsion
- Suspension
- Alternative Learning Center
- Detention
- Clean-up duty
- Loss of student privileges
- Loss of bus privileges
- Notification to juvenile authorities and/or police
- Restitution for damages to school property

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

Delegation of Authority

The Board grants authority to any teacher and to any other school personnel to impose on students under their charge any disciplinary measure, other than suspension or expulsion, corporal punishment, or in-school suspension, that is appropriate and in accordance with policies and rules on student discipline. The Board authorizes teachers to remove students from classrooms for disruptive behavior.

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

Legal Reference:	§ 20-4-302, MCA	Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
	§ 20-5-202, MCA	Suspension and expulsion
	§ 45-8-361, MCA	Possession or allowing possession of weapon in school building – exceptions – penalties – seizure and forfeiture or return authorized – definitions
	29 U.S.C. § 701	Rehabilitation Act of 1973

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3310P

STUDENTS

Discipline of Students with Disabilities

Code of Conduct Violations by Students With Disabilities, Resulting in Disciplinary Consequences of Ten (10) School Days or Less

Student commits code of conduct violation for which the disciplinary consequence would result in removal from the student's placement for ten (10) consecutive school days or less.



School personnel may assign the consequence applicable to non-disabled students for a similar period of time, not to exceed ten (10) consecutive school days. *Reg. 300.520(a)(1)(i).*



During the first (1st) ten (10) cumulative school days in one (1) school year, the school does not have to provide any services to the student if non-disabled students would not receive services. *Reg. 300.121(d)(1).*



School personnel may continue to remove the student for disciplinary reasons for up to ten (10) school days at a time throughout the same school year for separate incidents of misconduct, so long as the removals do not constitute a change of placement under *Reg. 300.519(b)* and are those which would be applied to non-disabled students. *Reg. 300.520(a)(1)(i).*



Beginning with the eleventh (11th) day of disciplinary removals in a school year, educational services must be provided. *Reg. 300.520(a)(1)(ii); Reg. 300.121(d)(2)(i)(A).* If the removal does not result in a change of placement, school personnel, in consultation with the student's special education teacher, determine the services to be provided. *Reg. 300.121(d)(3)(i).*



A series of disciplinary removals, each for ten (10) consecutive school days or less, may result in a change of placement if they cumulate to more than ten (10) school days in one (1) school year. School personnel should analyze the length of each removal, the proximity of the removals to each other, and the total amount of time the child is removed. *Reg. 300.519(b).* If a removal would result in a change of placement, a manifestation determination review (MDR) must first be done. *Reg. 300.523(a).*

The educational services to be provided must meet the standard of enabling the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. *Reg. 300.121(d)(2)(i)(A).*

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5 Beginning with the eleventh (11th) day of disciplinary removals in a
6 school year, the IEP Team must address behavioral issues. If the
7 removal does not result in a change of placement, the IEP Team
8 must meet within ten (10) business days of first removing the
9 student for more than ten (10) school days in a school year, to
10 develop a plan to conduct a functional behavioral assessment, if one
11 was not conducted before the behavior that resulted in the removal.
Reg. 300.520(b)(1)(i).



12
13
14 After the functional behavioral assessment is completed, the IEP
15 Team meets as soon as practicable to develop a behavioral
16 intervention plan to address the behavior and implement the plan.
17 *Reg. 300.520(b)(2).*

If the student's IEP already includes a behavior intervention plan, within ten (10) business days of first removing the student for more than ten (10) school days in a school year, the IEP Team must meet to review the behavior intervention plan and its implementation, and modify the plan and its implementation as necessary to address the behavior. *Reg. 300.520(b)(1)(ii).*



18
19
20 If the student is assigned subsequent disciplinary removals in a
21 school year for ten (10) days or less that do not result in a change of
22 placement, the IEP Team members (including the parent) informally
23 review the behavior intervention plan and its implementation to determine if modifications are necessary. *Reg. 300.520(c)(2).*



24
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26 If one or more team members believe modifications are needed, the
27 IEP Team must meet to modify the plan and its implementation to
28 the extent the IEP Team deems necessary. *Reg. 300.520(c)(2).*

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32 **Code of Conduct Violations by Students With Disabilities for Which Recommended**
33 **Disciplinary Consequences Would Result in Change of Placement for More**
34 **Than Ten (10) School Days (Excluding Drug and Weapon Offenses)**
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38 Student violates code of conduct, and the recommended disciplinary consequence would
39 result in a removal from the current educational placement for more than ten (10) consecutive
40 school days (alternate placement, expulsion). This constitutes a change of placement. *Reg. 300.519(a).*



The recommended disciplinary consequence may be for a removal from the current educational placement for less than ten (10) consecutive school days, but may constitute a change of placement because the student has already been removed for disciplinary reasons for ten (10) or more school days in the current school year, and the length of each removal, their proximity to each other, and the total amount of time the student has been removed result in a change of placement. *Reg. 300.519(b).*

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5 School personnel may remove from current educational placement
6 for ten (10) school days or less (*Reg. 300.520(a)(1)(i)*) and
7 recommend further discipline according to the code of conduct.
8 (The ten-(10)-day-or-less alternative must be one equally applicable
9 to non-disabled. See pp. 1-2 for educational services to be provided
10 during a short removal.) If a criminal act has been committed,
11 charges may be filed, and law enforcement authorities to whom the
12 crime was reported must be provided special education and
13 disciplinary records to the extent disclosure is permitted by FERPA.
14 *Sec. 1415(k)(9). Reg. 300.529.*

15 At the time the decision is made to take this action, school
16 personnel must notify parent of decision and provide procedural
17 safeguards notice in *Reg. 300.504. Sec. 1415(k)(4)(A)(i); Reg.*
18 *300.523(a)(1).*



19 Within ten (10) business days, IEP Team and other qualified personnel must meet and review relationship
20 between disability and the behavior subject to disciplinary action (manifestation determination review – MDR).
21 *Sec. 1415(k)(4)(A); Reg. 300.523(a)(2), (b).* If there has been no previous functional behavioral assessment and
22 creation of a behavior intervention plan, the IEP Team must develop an assessment plan. *Reg. 300.520(b)(1)(i).*
23 As soon as practicable after the assessment, the IEP Team must meet again to develop and implement the
24 behavior intervention plan. *Reg. 300.520(b)(2).* If the IEP contains a behavior intervention plan, the IEP Team
25 reviews the plan and its implementation and modifies them as necessary to address the behavior. *Reg.*
26 *300.520(b)(1)(ii).*

27 For the MDR, the IEP Team must look at all information relevant to the behavior subject to discipline, such as
28 evaluation and diagnostic results, including such results and other relevant information from the parent,
29 observation of the student, and the student's IEP and placement. The misbehavior is not a manifestation of the
30 disability, if the IEP Team finds that in relationship to the misbehavior subject to discipline:
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- 32 • The IEP and placement were appropriate;
- 33 • Consistent with the content of the student's IEP and placement, special education services, supplementary
34 aids, and behavior intervention strategies were actually provided;
- 35 • The disability did not impair the ability of the student to understand the impact and consequences of the
36 misbehavior; and
- 37 • The disability did not impair the ability of the student to control the misbehavior.

Sec. 1415(k)(4)(C); Reg. 300.523(c).

38 If the IEP Team determines any of the standards were not met, the misbehavior was a manifestation of the
39 disability, and no punishment may be assessed. *Reg. 300.523(d).* If IEP Team identified deficiencies in IEP,
40 placement, or implementation, it must take immediate steps to remedy. *Reg. 300.523(f).*



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If the IEP Team determines the misbehavior was not a manifestation of the disability, regular disciplinary consequences may be applied to the student, except that the student must continue to be provided a free appropriate public education. *Sec. 1415(k)(5)(A); Sec. 1412(a)(1)(A); Reg. 300.121(a); Reg. 300.524(a)*. The campus must ensure that special education and disciplinary records are transmitted for consideration by the school district person making the final determination regarding the disciplinary action. *Sec. 1415(k)(5)(B); Reg. 300.524(b)*.

Parent may appeal a finding that the misbehavior was not a manifestation of the disability. The hearing is expedited before a special education hearing officer, who applies the same standards as the IEP Team. *Sec. 1415(k)(6); Reg. 300.525(a), (b)*.
Parent may appeal decision to place student in forty-five-(45)-day interim placement. The hearing is expedited before a special education hearing officer, who applies the standards regarding a dangerous student in *Reg. 300.521. Sec. 1415(k)(6)(B)(ii); Reg. 300.525(b)(2)*.
When a parent requests a hearing in a drug or weapon case to challenge the interim alternative placement or the manifestation determination, student remains in interim placement until decision of hearing officer or forty-five (45) days expires, whichever comes first, unless the parent and school agree otherwise. *Reg. 300.526(a)*. Then student returns to current placement (defined as placement prior to interim alternative educational setting). School can ask for expedited hearing before special education hearing officer to prevent this return, if the student is substantially likely to injure self or others. *Reg. 300.526(b), (c)*. The hearing officer applies the standards in *Reg. 300.121. Reg. 300.526(c)*. Hearing officer can order another placement for up to forty-five (45) days. *Reg. 300.526(c)(3)*. This procedure may be repeated as necessary. *Sec. 1415(k)(7); Reg. 300.526(c)(4)*.

The standard the educational services must meet is to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. *Reg. 300.121(d)(2)(i)(B); Reg. 300.524(a)*. The IEP Team must determine what services are necessary to meet this standard. *Reg. 300.121(d)(3)(ii)*.

Drug and Weapon Offenses by Students With Disabilities

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Student carries weapon to school, or possesses, uses, sells, or solicits sale of illegal or controlled substance on school property or at a school function.



Illegal drug – controlled substance. Excludes legally used and possessed prescription drugs. *Sec. 1415(k)(10)(B); Reg. 300.520(d)(2)*.
Controlled substance – drug or substance in 21 U.S.C. § 812(c), Schedules I-V. *Sec. 1415(k)(10)(A); Reg. 300.520(d)(1)*.
Weapon – A firearm and more. Something used for or readily capable of causing death or serious bodily injury. Excludes pocket knife with blade of 2½ inches or less. *Sec. 1415(k)(10)(D); Reg. 300.520(d)(3)*.

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4 School personnel may remove from current educational placement
5 for ten (10) school days or less, and recommend further discipline
6 according to the code of conduct. *Sec. 1415(k)(1)(A)(i); Reg.*
7 *300.520(a)(1)(i)*. (The ten-(10)-day-or-less alternative must be one
8 equally applicable to non-disabled students. See pp. 1-2 for
9 education services to be provided during a short removal.) If a
10 criminal act has been committed, charges may be filed, and special
11 education and disciplinary records will be transmitted to law
12 enforcement authorities to whom the crime was reported, to the
13 extent disclosure is permitted by FERPA. *Sec. 1415(k)(9); Reg.*
14 *300.529*.

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16 At time decision is made to take this disciplinary action, school
17 personnel must notify parent of decision and provide procedural
18 safeguards notice in *Reg. 300.504*. *Sec. 1415(k)(4)(A)(i); Reg.*
19 *300.523(a)(1)*.



Within ten (10) business days, IEP Team must meet and may extend the removal by placing student in appropriate interim alternative educational setting applicable to non-disabled student for same amount of time non-disabled student would be assigned, but not more than forty-five (45) calendar days. *Sec. 1415(k)(1)(A)(ii) and (3)(A); Reg. 300.520(a)(2); Reg. 300.522(a)*. IEP Team must review the behavior intervention plan, if one exists, and its implementation and modify, as necessary, to address behavior. *Reg. 300.520(b)(1)(ii)*. If there has been no previous functional behavioral assessment and creation of behavior intervention plan, IEP Team must develop assessment plan. *Sec. 1415(k)(1)(B); Reg. 300.520(b)(1)(i)*. As soon as practicable after the assessment, the IEP Team must meet again to develop and implement the behavior intervention plan. *Reg. 300.520(b)(2)*. The IEP Team and other qualified personnel must review the relationship between disability and the behavior subject to disciplinary action (manifestation determination review-MDR). *Sec. 1415(k)(4)(A); Reg. 300.523(a)(2)(b)*.

The forty-five-(45)-day alternative interim placement must:

- Enable student to progress in general curriculum, although in another setting;
- Enable student to continue to receive those services and modifications, including those described in the student's IEP, that will enable the student to meet the goals set out in that IEP; and
- Include services and modifications designed to address the drug or weapon offense so that it does not recur. *Sec. 1415(k)(3)(B); Reg. 300.522; Reg. 300.121(d)(2)(ii)*.

Comments to regulations:
Students may be subject to multiple forty - five - (45) - day interim placements for separate drug and weapon offenses. The forty - five - (45) - day interim placement may be completed even if drug or weapon offense was manifestation of disability. If misbehavior was not a manifestation of disability, regular disciplinary consequence can be applied in addition to forty - five - (45) - day interim placement.

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For the MDR, the IEP Team must look at all information relevant to the behavior subject to discipline, such as evaluation and diagnostic results, including such results and other relevant information from the parent, observation of the student, and the student’s IEP and placement. The misbehavior is not a manifestation of the disability if the IEP Team finds that, in relationship to the misbehavior subject to discipline:

- The IEP and placement were appropriate;
- Consistent with the content of the student’s IEP and placement, special education services, supplementary aids and services, and behavior intervention strategies were actually provided;
- The disability did not impair the ability of student to understand the impact and consequences of the misbehavior; and
- The disability did not impair the ability of the student to control the misbehavior.

Sec. 1415(k)(4)(C); Reg. 300.523(c).

If the IEP Team determines any of the standards were not met, the misbehavior was a manifestation of the disability, and no punishment may be assessed. *Reg. 300.523(d).* If IEP Team identifies deficiencies in IEP, placement, or implementation, it must take immediate steps to remedy. *Reg. 300.523(f).*

- or -

If the IEP Team determines the misbehavior was not a manifestation of the disability, regular disciplinary consequences may be applied to the student, except that the student must continue to be provided a free appropriate public education. *Sec. 1415(k)(5)(A); Sec. 1412(a)(1)(A). Reg. 300.121(a). Reg. 300.524(a).* The campus must ensure that special education and disciplinary record are transmitted for consideration by the school district person making the final determination regarding the disciplinary action. *Sec. 1415(k)(5)(B); Reg. 300.524(b).*

Parent may appeal a finding that the misbehavior was not a manifestation of the disability. The hearing is expedited before a special education hearing officer, who applies the same standards as the IEP Team. *Sec. 1415(i)(6); Reg. 300.525(a), (b).*

If IEP Team finds no manifestation and changes placement to comply with the disciplinary recommendation, parent may appeal the placement decision. The hearing is expedited before a special education hearing officer. *Sec. 1415(k)(6)(A); Reg. 300.525(a)(2).*

During appeals, stay put applies. *Reg. 300.524(c).* If child is substantially likely to injure self or others in the current placement, the school can request an expedited hearing and request the hearing officer to remove to an interim alternative educational placement for up to forty-five (45) days. Standards to be met are

The standard the education services must meet is to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. *Reg. 300.121(d)(2)(i)(B); Reg. 300.524(a).* The IEP Team must determine what services are necessary to meet this standard. *Reg. 300.121(d)(3)(ii).*

Students Dangerous to Self or Others

IDEA discipline procedures are followed for a non-drug or weapon offense, the penalty for which would result in expulsion or removal from the student's placement for more than ten (10) school days.

IEP Team meets, determines no manifestation and recommends discipline proceed. Parent disagrees and requests a due-process hearing. Stay put applies, and child stays in the current placement, unless school acts to change the placement. *Reg. 300.524.*



School requests hearing officer to change the placement during the pendency of the hearing because of the likelihood of injury to self or others. *Sec. 1415(k)(2); Reg. 300.521.*



Hearing officer holds expedited hearing to consider request. School has burden of proof to show by more than a preponderance of the evidence that maintaining the child in the current placement is substantially likely to result in injury to self or others. *Sec. 1415(k)(2)(A), (10)(D); Reg. 300.521(a).* Hearing officer must also:

- Consider the appropriateness of the current placement.
- Consider whether the school has made reasonable effort to minimize the risk of harm in the current placement, including the use of supplemental aids and services.
- Determine that the interim alternative setting proposed by the school personnel, in consultation with special education teacher:
 - Enables the student to participate in the general curriculum, although in another setting;
 - Enables the student to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in the IEP; and
 - Include services and modification designed to address the behavior so that it does not recur.

Sec. 1415(k)(2); Reg. 300.521(b), (c), (d); Reg. 300.522(b); Reg.

If parent appeals forty-five-(45)-day interim alternative placement by IEP Team in drug or weapon case, hearing officer applies these standards in expedited hearing. *Sec. 1415(k)(6)(B)(ii); Reg. 300.525(b)(2).*

If all requirements are met, hearing officer may order a change of placement to the interim alternative educational setting for up to forty-five (45) days. *Sec. 1415(k)(2); Reg. 300.521.*



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Student returns to his or her current placement (the placement prior to the interim alternative educational setting) at end of forty-five (45) days, if no decision has been issued by hearing officer in pending due-process hearing. If school believes it would be dangerous for student to return to current placement while hearing is still pending, school may request another expedited hearing to again place student in forty-five-(45)-day interim placement while hearing continues to be pending. *Reg. 300.526(b), (c)(4)*. Hearing officer holds same type of hearing initially held when hearing officer ordered first forty-five-(45)-day interim placement. *Sec. 1415(k)(7); Reg. 300.526*. Any subsequent forty-five-(45)-day interim setting must meet the standards in *Reg. 300.522*.

POTOMAC ELEMENTARY

Adopted on:
Reviewed on:
Revised on:

3311 - R

STUDENTS

Page 1 of 3

FIREARMS AND WEAPONS

Firearms

For the purposes of the firearms section of this policy, the term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device pursuant to 18 U.S.C. 921 (4). Such term does not include an antique firearm pursuant to 18 U.S.C. 921 (16).

It is the policy of the Potomac Elementary School District to comply with the federal Gun Free Schools Act of 1994 and state law 20-5-202 (2), MCA, pertaining to students who bring a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district. In accordance with 20-5-202 (3), MCA, a teacher, superintendent, or a principal shall suspend immediately for good cause a student who is determined to have brought a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district. In accordance with Montana law, a student who is determined to have brought a firearm to, or possess a firearm at, any setting that is under the control and supervision of the school district must be expelled from school for a period of not less than 1 year.

CHOOSE ONE OF THE FOLLOWING OPTIONS:

OPTION #1 – However, on a case-by-case basis, the Board of Trustees will convene a hearing to review the underlying circumstances and, in the discretion of the Board, may authorize the school administration to modify the requirement for expulsion of a student.

OPTION #2 – However, on a case-by-case basis, the Board of Trustees will convene a hearing to review the underlying circumstances and, in the discretion of the Board, the Board may itself either modify the requirement for expulsion or delegate to the County Superintendent the authority to carry out the Board’s decision regarding any modification of the expulsion requirement. *Note: This Option is specifically for those smaller districts that have no employed administrator.*

OPTION #3 -- However, the Board of Trustees through this policy authorizes the Superintendent, or principal of a school without a Superintendent, to use his/her discretion on a case-by-case basis and modify the requirement of expulsion of a student if he/she deems such modification to be warranted under the circumstances. *Note: Under this Option, there is no expulsion hearing unless the administration determines that the circumstances warrant a recommendation of expulsion of the student for a period of one (1) year to the Board.*

A decision to change the placement of a student with a disability who has been expelled pursuant to this section must be made in accordance with the Individuals with Disabilities Education Act.

Possession of Weapons other than Firearms

The District does not allow weapons on school property. Any student found to have possessed, used or transferred a weapon on school property will be subject to discipline in accordance with the District’s discipline policy. For purposes of this section, “weapon” means any object, device, or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury, including but not limited to air guns; pellet guns; BB guns; fake (facsimile) weapons; all knives; blades; clubs; metal knuckles; numchucks (also known as numchucks); throwing stars; explosives; fireworks; mace or other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

No person shall possess, use, or distribute any object, device, or instrument having the appearance of a weapon, and such objects, devices, or instruments shall be treated as weapons, including but not limited to weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.) to inflict bodily harm and/or intimidate, and such use will be treated as the possession and use of a weapon.

The District will refer to law enforcement for immediate prosecution any person who possesses, carries, or stores a weapon **in a school building**, and the District may take disciplinary action as well in the case of a student. In addition the District will refer for possible prosecution a parent or guardian of any minor violating this policy on grounds of allowing a minor to possess, carry, or store a weapon in a school building. (45-8-361 (1) (2))

For the purposes of this section only, “school building” means all buildings owned or leased by a local school district that are used for instruction or for student activities. (45-8-361 (5a))

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry, or store a weapon in a school building must request permission of the Board at a regular meeting. The Board has sole discretion in deciding whether to allow a person to possess, carry, or store a weapon in a school building. (45-8-361 (3b))

This policy does not apply to law enforcement officers acting in his or her official capacity. (45-8-361 (3a))

The trustees shall annually review this policy and update this policy as determined necessary by the trustees based on changing circumstances pertaining to school safety.

Note: Section (g) of the NCLB Section 4141 – Gun Free Requirements, carves out a very significant exception to the Gun Free Schools Act in that it allows a student to have “a firearm that is lawfully stored inside a locked vehicle on school property. . .” Montana law (20-5-202, MCA), on the other hand, does not provide for any exception to the expulsion requirement if a student has a firearm that is lawfully stored inside a locked vehicle on school property. The only reference to federal law in 20-5-202(2), MCA is the federal definition of a firearm. As you well know 20-5-202(2), MCA provides that:

(2) The trustees of a district shall adopt a policy for the expulsion of a student who is determined to have brought a firearm, as defined in 18 U.S.C. 921, to school and for referring the matter to the appropriate local law enforcement agency. A student who is determined to have brought a firearm to school under this subsection must be expelled from school for a period of not less than 1 year, except that the trustees may authorize the school administration to modify the requirement for expulsion of a student on a case-by-case basis.

So, Montana schools are required, by state law, to expel a student from school for a period of not less than 1 year if it is determined that the student brought a firearm to school, subject to the case-by-case exception noted in the statute. Based upon the exception noted in federal law and in circumstances where a student is found to have a firearm on school property in a locked vehicle, Montana schools should be citing state law (20-5-202, MCA) and district policy to support any recommendation for expulsion.

There is one significant inconsistency between the Federal Gun Free Schools Act and Montana is that under federal law it provides that “State law **shall** allow the chief administering officer of a local educational agency to modify such expulsion requirement for a student on a case-by-case basis if such modification is in writing,” whereas 20-5-202(2), MCA, provides that the trustees **may** authorize the school administration to modify the requirement for expulsion of a student on a case-by-case basis.

Cross Reference:	Policy 3310	Student Discipline
	Policy 4332	Conduct of School Property
Legal Reference:	§ 20-5-202, MCA	Suspension and expulsion
	§ 45-8-361, MCA	Possession or allowing possession of a weapon in a school building
	20 U.S.C. § 7151, et seq.	Gun Free Schools Act of 1994
	18 U.S.C. § 921	Definitions
	NCLB, Section 4141	Gun Free Requirements

POTOMAC ELEMENTARY

Adopted on: 12/13/10
Reviewed on: 12/12/2011
Revised on: 01/09/2012

3312

STUDENTS
01/09/12

Detention

For minor infractions of school rules or regulations, or for minor misconduct, students may be required to attend after school detention for up to four (4) hours, as determined by the Principal.

Preceding the assessment of such punishment, the staff member shall inform the student of the nature of the offense charged and/or the specific conduct which allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify his/her actions to the staff member. Parents must be notified prior to a student serving an after-school detention.

Students detained for corrective action or punishment shall be under the supervision of the staff member or designee.

POTOMAC ELEMENTARY

Adopted on: 12/13/10
Reviewed on:
Revised on:

3340

STUDENTS

Extra- and Co-Curricular Alcohol, Drug, and Tobacco Use

The District views participation in extracurricular activities as an opportunity extended to students willing to make a commitment to adhere to the rules which govern them. The District believes that participation in organized activities can contribute to all-around development of young men and women and that implementation of these rules will serve these purposes:

Emphasize concern for the health and well-being of students while participating in activities;

Provide a chemical-free environment which will encourage healthy development;

Diminish chemical use by providing an education assistance program;

Promote a sense of self-discipline among students;

Confirm and support existing state laws which prohibit use of mood-altering chemicals;

Emphasize standards of conduct for those students who, through their participation, are leaders and role models for their peers and younger students; and

Assist students who desire to resist peer pressure that often directs them toward the use of chemicals.

Violations of established rules and regulations governing chemical use by participants in extra- and co-curricular activities will result in discipline as stated in student and athletic handbooks.

Legal Reference: § 20-5-201, MCA Duties and sanctions

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3410

STUDENTS

Student Health/Physical Screenings/Examinations

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

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

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

Parents or eligible students will be given the opportunity to opt out of the above-described screenings.

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

POTOMAC ELEMENTARY

Adopted on:
Reviewed on:
Revised on:

3413 STUDENTS

Student Immunization

The Board requires all students to present evidence of their having been immunized against the following diseases: **varicella**, diphtheria, pertussis (whooping cough), poliomyelitis, measles (rubeola), mumps, rubella, and tetanus **in the manner and with immunizing agents approved by the department.** ~~Pertussis immunization is not required for students who are seven (7) years or older.~~ Haemophilus influenza type “b” immunization is required for students under age five (5).

Upon initial enrollment, an immunization status form shall be completed by the student’s parent or guardian. The certificate shall be made a part of the student’s permanent record.

A student who transfers into the District may photocopy immunization records in the possession of the school of origin. The District will accept the photocopy as evidence of immunization. Within thirty (30) days after a transferring student ceases attendance at the school of origin, the school shall retain a certified copy for the permanent record and send the original immunization records for the student to the school district to which the student transfers. Exemptions from one or more vaccines shall be granted for medical reasons upon certification by a physician indicating the specific nature and probable duration of the medical condition for not administering the vaccine(s). Exemptions for religious reasons must be filed annually. The statement for an exemption shall be maintained as part of the student’s immunization record. The permanent file of students with exemptions shall be marked for easy identification, should the Department of Public Health and Human Services order that exempted students be excluded from school temporarily when the risk of contracting or transmitting a disease exists. Exclusion shall not exceed thirty (30) calendar days.

The Principal may allow the commencement of attendance in school by a student who has not been immunized against each disease listed in § 20-5-403, MCA, if that student has received one or more doses of **varicella**, polio, measles (rubeola), mumps, rubella, diphtheria, pertussis, **and tetanus vaccine, except that** Haemophilus influenza type “b”, and tetanus vaccine.

The District shall exclude a student for noncompliance with the immunization laws and properly notify the parent or guardian. The local health department may seek an injunction requiring the parent to submit an immunization status form, take action to fully immunize the student, or file an exemption for personal or medical reasons.

Legal Reference:	§ 20-3-324(20), MCA	Powers and duties
	§ 20-5-402 - 410, MCA	Health
	§ 20-5-403, MCA	Immunization required – release and acceptance of immunization records
	§ 20-5-405, MCA	Medical or religious exemption

POTOMAC ELEMENTARY

Adopted on:
Reviewed on:
Revised on:

3415 - R STUDENTS

Management of Sports Related Concussions

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

Consistent with guidelines provided by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, the National Federation of High School (NFHS) and the Montana High School Association (MHSA), the District will utilize procedures developed by the MHSA and other pertinent information to inform and educate coaches, athletic trainers, officials, youth athletes, and their parents and/or guardians of the nature and risk of concussions or head injuries, including the dangers associated with continuing to play after a concussion or head injury. Resources are available on the Montana High School Association Sports Medicine page at www.mhsa.org; U.S. Department of Health and Human Services page at: www.hhs.gov; and; the Centers for Disease and Prevention page at www.cdc.gov/concussion/sports.index.html.

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

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

Reference: Montana High School Association, Rules and Regulations
Section 4, Return to Play

Legal Reference: Dylan Steigers Protection of Youth Athletes Act
20-7-1301, MCA Purpose
20-7-1302, MCA Definitions
20-7-1303, MCA Youth athletes – concussion education requirements
20-7-1304, MCA Youth athletes – removal from participation following concussion – medical clearance required before return to participation

Cross Reference: 3415F Student-Athlete & Parent/Legal Custodian Concussion Statement

POTOMAC ELEMENTARY

Adopted on:
Reviewed on:
Revised on:

3415P - R

STUDENTS

Management of Sports Related Concussions

A. Athletic Director or Administrator in Charge of Athletic Duties:

1. *Updating:* Each spring, the athletic director, or the administrator in charge of athletics if there is no athletic director, shall review any changes that have been made in procedures required for concussion and head injury management or other serious injury by consulting with the MHSA or the MHSA Web site, U.S. DPHHS, and CDCP web site. If there are any updated procedures, they will be adopted and used for the upcoming school year.
2. *Identified Sports:* Identified sports include all organized youth athletic activity sponsored by the school or school district.

B. *Training:* All coaches, athletic trainers, and officials, including volunteers shall undergo training in head injury and concussion management at least once each school year by one of the following means: (1) through viewing the MHSA sport-specific rules clinic; (2) through viewing the MHSA concussion clinic found on the MHSA Sports Medicine page at www.mhsa.org; or by the district inviting the participation of appropriate advocacy groups and appropriate sports governing bodies to facilitate the training requirements.

C. *Parent Information Sheet:* On a yearly basis, a concussion and head injury information sheet shall be distributed to the student-athlete and the athlete's parent and/or guardian prior to the student-athlete's initial practice or competition. This information sheet may be incorporated into the parent permission sheet which allows students to participate in extracurricular athletics and should include resources found on the MHSA Sports Medicine page at www.mhsa.org, U.S. DPHHS, and CDCP websites.

D. *Responsibility:* An athletic trainer, coach, or official shall immediately remove from play, practice, tryouts, training exercises, preparation for an athletic game, or sport camp a student-athlete who is suspected of sustaining a concussion or head injury or other serious injury.

E. *Return to Play After Concussion or Head Injury:* In accordance with MHSA Return to Play Rules and Regulations and The Dylan Steigers Protection of Youth Athletes Act a student athlete who has been removed from play, practice, tryouts, training exercises, preparation for an athletic game, or sport camp may not return until the athlete is cleared by a licensed health care professional (registered, licensed, certified, or otherwise statutorily recognized health care professional). The health care provider may be a volunteer.

Student-Athlete & Parent/Legal Guardian Concussion Statement 3415F

Because of the passage of the Dylan Steigers’ Protection of Youth Athletes Act, schools are required to distribute information sheets for the purpose of informing and educating student-athletes and their parents of the nature and risk of concussion and head injury to student athletes, including the risks of continuing to play after concussion or head injury. Montana law requires that each year, before beginning practice for an organized activity, a student-athlete and the student-athlete’s parent(s)/legal guardian(s) must be given an information sheet, and both parties must sign and return a form acknowledging receipt of the information to an official designated by the school or school district prior to the student-athletes participation during the designated school year. The law further states that a student-athlete who is suspected of sustaining a concussion or head injury in a practice or game shall be removed from play at the time of injury and may not return to play until the student-athlete has received a written clearance from a licensed health care provider.

Student-Athlete Name: _____

This form must be completed for each student-athlete, even if there are multiple student-athletes in each household.

Parent/Legal Guardian Name(s): _____

We have read the *Student-Athlete & Parent/Legal Guardian Concussion Information Sheet*.

If true, please check box

After reading the information sheet, I am aware of the following information:

Student-Athlete Initials		Parent/Legal Guardian Initials
	A concussion is a brain injury, which should be reported to my parents, my coach(es), or a medical professional if one is available.	
	A concussion can affect the ability to perform everyday activities such as the ability to think, balance, and classroom performance.	
	A concussion cannot be “seen.” Some symptoms might be present right away. Other symptoms can show up hours or days after an injury.	
	I will tell my parents, my coach, and/or a medical professional about my injuries and illnesses.	N/A
	If I think a teammate has a concussion, I should tell my coach(es), parents, or licensed health care professional about the concussion.	N/A
	I will not return to play in a game or practice if a hit to my head or body causes any concussion-related symptoms.	N/A
	I will/my child will need written permission from a licensed health care professional to return to play or practice after a concussion.	
	After a concussion, the brain needs time to heal. I understand that I am/my child is much more likely to have another concussion or more serious brain injury if return to play or practice occurs before concussion symptoms go away.	
	Sometimes, repeat concussions can cause serious and long-lasting problems.	
	I have read the concussion symptoms on the Concussion fact sheet.	

Signature of Student-Athlete

Date

Signature of Parent/Legal Guardian

Date

A Fact Sheet for ATHLETES

WHAT IS A CONCUSSION?

A concussion is a brain injury that:

- Is caused by a bump or blow to the head
- Can change the way your brain normally works
- Can occur during practices or games in any sport
- Can happen even if you haven't been knocked out
- Can be serious even if you've just been "dinged"

WHAT ARE THE SYMPTOMS OF A CONCUSSION?

- Headache or "pressure" in head
- Nausea or vomiting
- Balance problems or dizziness
- Double or blurry vision
- Bothered by light
- Bothered by noise
- Feeling sluggish, hazy, foggy, or groggy
- Difficulty paying attention
- Memory problems
- Confusion
- Does not "feel right"

WHAT SHOULD I DO IF I THINK I HAVE A CONCUSSION?

- **Tell your coaches and your parents.** Never ignore a bump or blow to the head even if you feel fine. Also, tell your coach if one of your teammates might have a concussion.

- **Get a medical checkup.** A doctor or health care professional can tell you if you have a concussion and when you are OK to return to play.
- **Give yourself time to get better.** If you have had a concussion, your brain needs time to heal. While your brain is still healing, you are much more likely to have a second concussion. Second or later concussions can cause damage to your brain. It is important to rest until you get approval from a doctor or health care professional to return to play.

HOW CAN I PREVENT A CONCUSSION?

Every sport is different, but there are steps you can take to protect yourself.

- Follow your coach's rules for safety and the rules of the sport.
- Practice good sportsmanship at all times.
- Use the proper sports equipment, including personal protective equipment (such as helmets, padding, shin guards, and eye and mouth guards). In order for equipment to protect you, it must be:
 - > The right equipment for the game, position, or activity
 - > Worn correctly and fit well
 - > Used every time you play

Remember, when in doubt, sit them out!

A Fact Sheet for PARENTS

WHAT IS A CONCUSSION?

A concussion is a brain injury. Concussions are caused by a bump or blow to the head. Even a “ding,” “getting your bell rung,” or what seems to be a mild bump or blow to the head can be serious.

You can’t see a concussion. Signs and symptoms of concussion can show up right after the injury or may not appear or be noticed until days or weeks after the injury. If your child reports any symptoms of concussion, or if you notice the symptoms yourself, seek medical attention right away.

WHAT ARE THE SIGNS AND SYMPTOMS OF A CONCUSSION?

Signs Observed by Parents or Guardians

If your child has experienced a bump or blow to the head during a game or practice, look for any of the following signs and symptoms of a concussion:

- Appears dazed or stunned
- Is confused about assignment or position
- Forgets an instruction
- Is unsure of game, score, or opponent
- Moves clumsily • Answers questions slowly
- Loses consciousness (even briefly)
- Shows behavior or personality changes
- Can’t recall events prior to hit or fall
- Can’t recall events after hit or fall

Symptoms Reported by Athlete

- Headache or “pressure” in head
- Nausea or vomiting
- Balance problems or dizziness
- Double or blurry vision
- Sensitivity to light
- Sensitivity to noise
- Feeling sluggish, hazy, foggy, or groggy
- Concentration or memory problems

- Confusion
- Does not “feel right”

HOW CAN YOU HELP YOUR CHILD PREVENT A CONCUSSION?

Every sport is different, but there are steps your children can take to protect themselves from concussion.

- Ensure that they follow their coach’s rules for safety and the rules of the sport.
- Encourage them to practice good sportsmanship at all times.
- Make sure they wear the right protective equipment for their activity (such as helmets, padding, shin guards, and eye and mouth guards). Protective equipment should fit properly, be well maintained, and be worn consistently and correctly.
- Learn the signs and symptoms of a concussion.

WHAT SHOULD YOU DO IF YOU THINK YOUR CHILD HAS A CONCUSSION?

1. Seek medical attention right away. A health care professional will be able to decide how serious the concussion is and when it is safe for your child to return to sports.

2. Keep your child out of play. Concussions take time to heal. Don’t let your child return to play until a health care professional says it’s OK. Children who return to play too soon—while the brain is still healing—risk a greater chance of having a second concussion. Second or later concussions can be very serious. They can cause permanent brain damage, affecting your child for a lifetime.

3. Tell your child’s coach about any recent concussion. Coaches should know if your child had a recent concussion in ANY sport. Your child’s coach may not know about a concussion your child received in another sport or activity unless you tell the coach.

Remember, when in doubt, sit them out!
It’s better to miss one game than the whole season.

Be Prepared

A concussion is a type of traumatic brain injury, or TBI, caused by a bump, blow, or jolt to the head that can change the way your brain normally works. Concussions can also occur from a blow to the body that causes the head to move rapidly back and forth. Even a “ding,” “getting your bell rung,” or what seems to be mild bump or blow to the head can be serious. Concussions can occur in any sport or recreation activity. So, all coaches, parents, and athletes need to learn concussion signs and symptoms and what to do if a concussion occurs.

SIGNS AND SYMPTOMS OF A CONCUSSION

SIGNS OBSERVED BY PARENTS OR GUARDIANS	SYMPTOMS REPORTED BY YOUR CHILD OR TEEN	
<ul style="list-style-type: none"> •Appears dazed or stunned •Is confused about events •Answers questions slowly •Repeats questions •Can't recall events prior to the hit, bump, or fall •Can't recall events after the hit, bump, or fall •Loses consciousness (even briefly) •Shows behavior or personality changes •Forgets class schedule or assignments 	<p><u>Thinking/Remembering:</u></p> <ul style="list-style-type: none"> •Difficulty thinking clearly •Difficulty concentrating or remembering •Feeling more slowed down •Feeling sluggish, hazy, foggy, or groggy <p><u>Physical:</u></p> <ul style="list-style-type: none"> •Headache or “pressure” in head •Nausea or vomiting •Balance problems or dizziness •Fatigue or feeling tired •Blurry or double vision •Sensitivity to light or noise •Numbness or tingling •Does not “feel right” 	<p><u>Emotional:</u></p> <ul style="list-style-type: none"> •Irritable •Sad •More emotional than usual •Nervous <p><u>Sleep*:</u></p> <ul style="list-style-type: none"> •Drowsy •Sleeps less than usual •Sleeps more than usual •Has trouble falling asleep <p><i>*Only ask about sleep symptoms if the injury occurred on a prior day.</i></p>

LINKS TO OTHER RESOURCES

- CDC –Concussion in Sports
 - <http://www.cdc.gov/concussion/sports/index.html>
- National Federation of State High School Association/ Concussion in Sports - What You Need To Know
 - www.nfhslearn.com
- Montana High School Association – Sports Medicine Page
 - <http://www.mhsa.org/SportsMedicine/SportsMed.htm>

POTOMAC ELEMENTARY

Adopted on: 12/13/10
Reviewed on: 09/10/2012
Revised on: 10/09/2012

3416

STUDENTS

Administering Medicines to Students

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

The Principal may authorize, in writing, any school employee:

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

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

Administering Medication

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

Emergency Administration of Medication

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

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

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

The Principal or school nurse will enter any medication to be administered in an emergency on an individual student medication record and will file it in a student's cumulative health folder.

Self-Administration of Medication

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

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

The Principal may authorize, in writing, any employee to assist with self-administration of medications, provided that only the following may be employed:

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

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

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

- A written and signed authorization from the parents, an individual who has executed a caretaker relative educational authorization affidavit, or guardians for self-administration of medication, acknowledging that the District or its employees are not liable for injury that results from the student self-administering the medication.

- 1
- 2
- 3
- 4 • The student must have the prior written approval of his/her primary healthcare provider. The
- 5 written notice from the student's primary care provider must specify the name and purpose of
- 6 the medication, the prescribed dosage, frequency with which it may be administered, and the
- 7 circumstances that may warrant its use.
- 8 • Documentation that the student has demonstrated to the healthcare practitioner and the school
- 9 nurse, if available, the skill level necessary to use and administer the medication.
- 10 • Documentation of a doctor-formulated written treatment plan for managing asthma, severe
- 11 allergies, or anaphylaxis episodes of the student and for medication use by the student during
- 12 school hours.
- 13

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

16
17 A student's authorization to possess and self-administer medication may be limited or revoked by the
18 administrator or other administrative personnel.

19
20 If provided by the parent, an individual who has executed a caretaker relative educational
21 authorization affidavit, or guardian, and in accordance with documentation provided by the student's
22 doctor, backup medication must be kept at a student's school in a predetermined location or locations
23 to which the student has access in the event of an asthma, severe allergy, or anaphylaxis emergency.

24
25 Immediately after using epinephrine during school hours, a student shall report to the school nurse or
26 other adult at the school who shall provide follow up care, including making a 9-1-1 emergency call.

27 28 Administration of Glucagons

29
30 School employees may voluntarily agree to administer glucagons to a student pursuant to § 20-5-412,
31 MCA, only under the following conditions: (1) the employee may administer glucagon to a diabetic
32 student only in an emergency situation; (2) the employee has filed the necessary designation and
33 acceptance documentation with the District, as required by § 20-5-412(2), MCA, and (3) the
34 employee has filed the necessary written documentation of training with the District, as required by §
35 20-5-412(4), MCA.

36 37 Handling and Storage of Medications

38
39 The Board requires that all medications, including those approved for keeping by students for self-
40 medication, be first delivered by a parent, an individual who has executed a caretaker relative
41 educational authorization affidavit, or other responsible adult to a nurse or employee assisting with
42 self-administration of medication. A nurse or assistant:

- 43
- 44 • Must examine any new medication to ensure it is properly labeled with dates, name of
- 45 student, medication name, dosage, and physician's name;
- 46 • Must develop a medication administration plan, if administration is necessary for a student,
- 47 before any medication is given by school personnel;
- 48

- Must record on the student’s individual medication record the date a medication is delivered and the amount of medication received;
- Must store medication requiring refrigeration at 36° to 46° F;
- Must store prescribed medicinal preparations in a securely locked storage compartment; and
- Must store controlled substances in a separate compartment, secured and locked at all times.

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

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

The District may maintain a stock supply of auto-injectable epinephrine to be administered by a school nurse or other authorized personnel to any student or nonstudent as needed for actual or perceived anaphylaxis. If the district intends to obtain an order for emergency use of epinephrine in a school setting or at related activities, the district shall adhere to the requirements stated in 20-5-421, MCA.

Disposal of Medication

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

Legal Reference:	§ 20-5-412, MCA	Definition – parent-designated adult administration of glucagons – training
	§ 20-5-420, MCA	Self-administration or possession of asthma, severe allergy, or anaphylaxis medication
	<u>§ 20-5-421, MCA</u>	<u>Emergency use of epinephrine in school setting</u>
	§ 37-8-103(1)(c), MCA	Exemptions – limitations on authority conferred
	ARM 24.159.1604	Tasks Which May Be Routinely Assigned to an Unlicensed Person in Any Setting When a Nurse-Patient Relationship Exists

**Montana Authorization to Possess or Self-Administer
Asthma, Severe Allergy, or Anaphylaxis Medication**

For this student to possess or self-administer asthma, severe allergy, or anaphylaxis medication while in school, while at a school sponsored activity, while under the supervision of school personnel, before or after normal school activities (such as while in before-school or after-school care on school-operated property), or while in transit to or from school or school-sponsored activities, this form must be fully completed by: 1) the prescribing physician/physician assistant/advanced practice registered nurse, and 2) an authorizing parent, an individual who has executed a caretaker relative educational or medical authorization affidavit, or legal guardian.

Student's Name: _____ School: _____
Sex: (Please circle) Female/Male City/Town: _____
Birth Date: ____/____/____ School Year: _____(Must be renewed annually)

Physician's Authorization:

The above named student has my authorization to carry and self administer the following medication:

Medication: (1) _____ Dosage: (1) _____
(2) _____ (2) _____

Reason for prescription(s): _____

Medication(s) to be used under the following conditions (times or special circumstances): _____

I confirm that this student has been instructed in the proper use of this medication and is able to self-administer this medication without school personnel supervision. I have formulated and provided to the parent/guardian or caretaker relative a written treatment plan for managing asthma, severe allergies, or anaphylaxis episodes and for medication use by this student during school hours and school activities.

Signature of Physician/PA/APRN Phone Number Date

Authorization by Parent, an individual who has executed a caretaker relative educational or medical authorization affidavit, or Guardian

As the parent, individual who has executed a caretaker relative educational or medical authorization affidavit, or guardian of the above named student, I confirm that this student has been instructed by his/her health care provider on the proper use of this/these medication(s). He/she has demonstrated to me that he/she understands the proper use of this medication. He/she is physically, mentally, and behaviorally capable to assume this responsibility. He/she has my permission to self-medicate as listed above, if needed. If he/she has used epinephrine during school hours, he/she understands the need to alert the school nurse or other adult at the school who will provide follow-up care, including making a 9-1-1 emergency call.

I acknowledge that the school district or nonpublic school and its employees and agents are not liable as a result of any injury arising from the self-administration of medication by the student, and I indemnify and hold them harmless for such injury, unless the claim is based on an act or omission that is the result of gross negligence, willful and wanton conduct, or an intentional tort.

I agree to work with the school in establishing a plan for use and storage of backup medication. This will include a predetermined location to keep backup medication to which my child has access in the event of an asthma, severe allergy, or anaphylaxis emergency. I have provided the following backup medication: _____

I understand that in the event the medication dosage is altered, a new "self-administration form" must be completed, or the health care provider may rewrite the order on his/her prescription pad, and I, the parent/caretaker relative/guardian, will sign the new form and assure the new order is attached.

I understand it is my responsibility to pick up any unused medication at the end of the school year, and the medication that is not picked up will be disposed of.

I authorize the school administration to release this information to appropriate school personnel and classroom teachers.

Parent/Guardian, Caretaker Relative Signature: _____ Date: _____

(Original signed authorization to the school; a copy of the signed authorization to the parent/guardian and health care provider) See, generally, Mont. Code Ann. § 20-5-420.

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3417

STUDENTS

Communicable Diseases

Note: For purposes of this policy, the term “communicable disease” refers to the diseases identified in 37.114.203, ARM, Reportable Diseases, with the exception of common colds and flu.

In all proceedings related to this policy, the District will respect a student’s right to privacy. Although the District is required to provide educational services to all school-age children who reside within its boundaries, it may deny attendance at school to any child diagnosed as having a communicable disease that could make a child’s attendance harmful to the welfare of other students. The District also may deny attendance to a child with suppressed immunity in order to protect the welfare of that child when others in a school have an infectious disease, which, although not normally life threatening, could be life threatening to a child with suppressed immunity.

The Board recognizes that communicable diseases that may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as human immunodeficiency virus (HIV) infection. The District will rely on advice of the public health and medical communities in assessing the risk of transmission of various communicable diseases to determine how best to protect the health of both students and staff.

The District will manage common communicable diseases in accordance with Montana Department of Public Health and Human Services guidelines and communicable diseases control rules. The District may temporarily exclude from school attendance a student who exhibits symptoms of a communicable disease that is readily transmitted in a school setting.

Students who complain of illness at school may be referred to a school nurse or other responsible person designated by the Board and may be sent home as soon as a parent or person designated on a student’s emergency medical authorization form has been notified. The District reserves the right to require a statement from a student’s primary care provider authorizing a student’s return to school.

When information is received by a staff member or a volunteer that a student is afflicted with a serious communicable disease, the staff member or volunteer will promptly notify a school nurse or other responsible person designated by the Board to determine appropriate measures to be taken to protect student and staff health and safety. A school nurse or other responsible person designated by the Board, after consultation with and on advice of public health officials, will determine which additional staff members, if any, have need to know of the affected student’s condition.

Only those persons with direct responsibility for the care of a student or for determining appropriate educational accommodation will be informed of the specific nature of a condition, if it is determined that such individuals need to know this information.

The District may notify parents of other children attending a school that their children have been exposed to a communicable disease without identifying the particular student who has the disease.

Legal Reference: 37.114.101, et seq., ARM Communicable Disease Control

POTOMAC ELEMENTARY

Adopted on:
Reviewed on:
Revised on:

3420

STUDENTS

Head Lice

The Board recognizes its responsibility to all students enrolled in the Potomac Schools to provide a safe and healthy environment in which they may attend school. One inhibitor to a healthy environment is the head louse (Pediculus capitis). Head lice infestations must be addressed in public schools if a healthy environment is to be maintained. Every attempt will be made to educate students and parents on the prevention and eradication of head lice before and after infestation is detected.

The innocent desire of children to be social and the communicable nature of lice requires preventive measures by the school district and the public health agency to contain infestations. The Potomac School will work cooperatively with the public health agency to insure that infestations of head lice are contained and eradicated in the school.

In the interest of health and welfare of students enrolled in Potomac, no student will be permitted to attend classes with the general population if they are infested with head lice.

To avoid embarrassment and to contain the infestation, whole classrooms will be checked for head lice upon the report of possible infestation by a classroom teacher. The administrator, his/her designee, school nurse or another qualified professional will examine the child in question and their classmates. Siblings of students found with lice and their classmates will also be checked if there is suspicion that infestation may exist.

The student found with head lice is to be kept out of school until he/she is treated and hair is free of lice and eggs. Although eggs (nits) cannot spread to other children, they may hatch in 2-3 days and would immediately become communicable. A child may return to school after being successfully treated so that no live lice are present.

Parents or guardians will be informed of lice infestation by a letter that explains the problem, lists the procedures for treatment and requirements for reentering school. Every attempt will be made to contact parents or guardians immediately upon discovery of head lice. Parents will be asked to come to school to pick up the student and begin treatment immediately.

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3431

STUDENTS

Emergency Treatment

The Board recognizes that schools are responsible for providing first aid or emergency treatment to a student in case of sudden illness or injury; however, further medical attention is the responsibility of a parent or guardian.

The District requires that every parent or guardian provide a telephone number where a parent or designee of a parent may be reached in case of an emergency.

When a student is injured, staff will provide immediate care and attention until relieved by a superior, a nurse, or a doctor. The District will employ its normal procedures to address medical emergencies without regard to the existence of a do not resuscitate (DNR) request, ~~as such DNR requests do not apply to school-based programming or eventualities attendant thereto.~~ The lead teacher or designated staff member will immediately call a parent or parental designee so that the parent may arrange for care or treatment of an injured student.

When a student develops symptoms of illness while at school, a responsible school official will do the following:

~~Immediately~~ Isolate the student from other children to a room or area segregated for that purpose;

Inform a parent or guardian as soon as possible about the illness and request the parent or guardian to pick up the child; and

Report each case of suspected communicable disease the same day by telephone to a local health authority or as soon as possible thereafter if a health authority cannot be reached the same day.

When a parent or guardian cannot be reached, and it is the judgment of a principal or other person in charge that immediate medical attention is required, an injured student may be taken directly to a hospital ~~and treated by a physician on call.~~ Once located, a parent or a guardian is responsible for continuing treatment or for making other arrangements.

Legal Reference: ARM 37.111.825 Health Supervision and Maintenance

2 **Accident Report**

3
4 **This form is to be completed by the appropriate employee(s) as soon as possible after an accident occurs.**
5 **Please Print or Type.**

6 District Name _____ School Name _____
7 Principal's Name _____ School Phone _____
8 Date of Accident: _____ Time: ____ AM PM Supervising Employee _____

Claimant's Name _____			
	<i>Last Name</i>	<i>First Name</i>	<i>Middle Initial</i>
Claimant's Address _____			
	<i>City</i>	<i>State</i>	<i>ZIP Code</i>
Claimant's SS # _____		Home Phone Number (_____) _____	
Claimant's Age _____	Date of Birth _____	Sex _____	Grade _____
Parent's Name (if student) _____		Work Phone Number (_____) _____	

9
10

<i>Nature of Injury</i>	
<input type="checkbox"/> Scratch	<input type="checkbox"/> Concussion
<input type="checkbox"/> Fracture	<input type="checkbox"/> Head Injury
<input type="checkbox"/> Bruise	<input type="checkbox"/> Sprain/Strain
<input type="checkbox"/> Burn	<input type="checkbox"/> Cut/Puncture
<input type="checkbox"/> Dislocation	<input type="checkbox"/> Bite
<input type="checkbox"/> Other _____	

<i>Place of Accident</i>	
<input type="checkbox"/> Classroom	<input type="checkbox"/> Gymnasium
<input type="checkbox"/> Hallway	<input type="checkbox"/> Parking Lot
<input type="checkbox"/> Bathroom	<input type="checkbox"/> Sidewalk
<input type="checkbox"/> Cafeteria	<input type="checkbox"/> Stairs
<input type="checkbox"/> Playground	<input type="checkbox"/> Athletic Field
<input type="checkbox"/> Other _____	

<i>Body Part Injured</i>		
<input type="checkbox"/> Ankle	<input type="checkbox"/> Foot	<input type="checkbox"/> Leg
<input type="checkbox"/> Arm	<input type="checkbox"/> Face	<input type="checkbox"/> Nose
<input type="checkbox"/> Back	<input type="checkbox"/> Finger	<input type="checkbox"/> Teeth
<input type="checkbox"/> Neck	<input type="checkbox"/> Hand	<input type="checkbox"/> Wrist
<input type="checkbox"/> Eye	<input type="checkbox"/> Knee	<input type="checkbox"/> Shoulder
<input type="checkbox"/> Other _____		

11 ***Describe accident and injury in detail (attach additional description as necessary):*** _____

12 _____

13 _____

14 Were efforts made to contact the parent/guardian about the accident? Yes No

15 Was first aid administered? Yes No By whom? _____

16 Was the student Sent home Sent to physician Sent to hospital

17 Is student covered by Student Accident Insurance? Yes No If "yes," please list Company Name,
18 address, and phone number _____

19 ***If medical or hospital treatment was required, please complete the following information. (Attach a***
20 ***copy of medical bills, if available.)***

21 Name and address of doctor or hospital _____

22 Witnesses (Name, Address, and Phone) _____

23 _____

24 _____

25 _____ ***Signature/Name of Person Completing the Report Date***

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3440

STUDENTS

Removal of Student During School Day

The Board recognizes its responsibility for the proper care of students during a school day. In accordance with District procedures, only a duly authorized person may remove a student from school grounds, any school building, or school function during a school day. A person seeking to remove a student from school must present evidence satisfactory to the administrator of having proper authority to remove the student. A teacher should not excuse a student from class to confer with anyone, unless a request is approved by the Principal. The Principal will establish procedures for removal of a student during a school day.

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3440P

STUDENTS

Removal of Student during School Day

Schools must exercise a high order of responsibility for the care of students while in school. The removal of a student during the school day may be authorized in accordance with the following procedures:

1. Law enforcement officers, upon proper identification, may remove a student from school as provided in Policies 4410 and 4411.
2. Any other agencies must have a written administrative or court order directing the District to give custody to them. However, employees of the Department of Public Health and Human Services may take custody of a student under provisions of § 41-3-301, MCA, without a court order. Proper identification is required before the student shall be released.
3. A student shall be released to the custodial parent. When in doubt as to custodial rights, school enrollment records must be relied upon, as the parents (or guardians) have the burden of furnishing schools with accurate, up-to-date information.
4. The school should always check with the custodial parent before releasing the student to a non-custodial parent.
5. Prior written authorization from the custodial parent or guardian is required before releasing a student into someone else’s custody, unless an emergency situation justifies a waiver.
6. Police should be called if a visitor becomes disruptive or abusive.

Cross Reference: 4410 Relations with the Law Enforcement and Child Protective Agencies
 4411 Investigations and Arrests by Police

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3510

STUDENTS

School-Sponsored Student Activities

1. Student Organizations:

- a. All student organizations must be approved by the administration. Secret or clandestine organizations or groups will not be permitted.
- b. Bylaws and rules of student organizations must not be contrary to Board policy or to administrative rules and regulations.
- c. Procedures in student organizations must follow generally accepted democratic practices in the acceptance of members and nomination and election of officers.

2. Social Events

- a. Social events must have prior approval of the Principal.
- b. Social events must be held in school facilities unless approved by the Board.
- c. Social events must be chaperoned at all times.

3. Extracurricular Activities

- a) Academic and behavior eligibility rules are established by MHSA rules and District policy with the following exception:
 - I. Local home school students and students from neighboring school districts that do not offer extracurricular activities are eligible for participation with approval of the administration.
 - a. Special permission for participation in activities may be revoked at any time by the administration.
 - b. These students may be required to pay an additional fee for participation in extracurricular activities.
- b) Any student convicted of a criminal offense may, at the discretion of the administration, become ineligible for such a period of time as the administration may decide.
- c. In establishing an interscholastic program, the Board directs the Principal to:
 - i. Open all sports to all students enrolled in the District, with an equal opportunity for participation.
 - ii. Recommend sports activities based on interest inventories completed by the students.

Legal Reference: § 20-5-203, MCA Secret Organization Prohibited

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3520 - R

STUDENTS

Student Fees, Fines, and Charges

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

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

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

The District holds a student responsible for the cost of replacing materials or property that are lost or damaged because of negligence. A Principal will notify a student and parent regarding the nature of violation or damage, how restitution may be made, and how an appeal may be instituted. The District may withhold a student’s grades or diploma until restitution is made. **The District may not refuse to transfer files to another district because a student owes fines or fees.** A school district may withhold the grades, diploma, **or transcripts of a current or former pupil who is responsible for the cost of school materials or the loss or damage of school property until the pupil or the pupil's parent or guardian satisfies the obligation.**

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

(a) upon receiving notice that the pupil has transferred to another school district in the state, notify the pupil's parent or guardian in writing that the school district to which the pupil has transferred will be requested to withhold the pupil's grades, diploma, or transcripts until any obligation has been satisfied;

(b) forward appropriate grades or transcripts to the school to which the pupil has transferred;

(c) at the same time, notify the school district of any financial obligation of the pupil and request the withholding of the pupil's grades, diploma, or transcripts until any obligations are met;

(d) when the pupil or the pupil's parent or guardian satisfies the obligation, inform the school district to which the pupil has transferred;

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

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

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3530

STUDENTS

Student Fund-Raising Activities

The Board acknowledges that the solicitations of funds from students, staff, and citizens must be limited since students are a captive audience and since solicitation can disrupt the program of the schools. Solicitation and collection of money by students for any purpose, including the collection of money by students in exchange for tickets, papers, magazine subscriptions, or for any other goods or services for the benefit of an approved school organization, may be permitted by the Principal, providing that the instructional program is not adversely affected.

The Principal shall establish rules and regulations for the solicitation of funds by approved school organizations, official school/parent groups and by outside organizations. The Principal shall distribute these rules and regulations to each student organization granted permission to solicit funds.

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3535

STUDENTS

Distribution of Fund Drive Literature through Students

Although many community drives are organized for raising funds for worthy nonprofit causes, it is the policy of the District to refrain from having the students, as student body members, used for such collection or dissemination purposes.

Exceptions to this policy will be considered, when recognized student or school-affiliated organizations of the District request permission to participate in such activity.

Cross Reference: 4320 Contact with Students

POTOMAC ELEMENTARY

Adopted on: 12/13/2010

Reviewed on:

Revised on:

3600

STUDENTS

Student Records

School student records are confidential, and information from them will not be released other than as provided by law. State and federal laws grant students and parents certain rights, including the right to inspect, copy, and challenge school records.

The District will ensure information contained in student records is current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services will be directly related to the provision of services to that child. The District may release directory information as permitted by law, but parents will have the right to object to release of information regarding their child.

The Principal will implement this policy and state and federal law with administrative procedures. The Principal or designee will inform staff members of this policy and inform students and their parents of it, as well as of their rights regarding student school records.

Each student’s permanent file, as defined by the board of public education, must be permanently kept in a secure location. Other student records must be maintained and destroyed as provided in 20-1-212, MCA.

Legal Reference:	Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. 99
	<u>§ 20-1-212, MCA Destruction of records by school officer.</u>
	§ 20-5-201, MCA Duties and sanctions
	§ 40-4-225, MCA Access to records by parent
	10.55.909, ARM Student Records
	No Child Left Behind Act of 2001, P.L. 107-334

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3600P

STUDENTS

Student Records

Maintenance of School Student Records

The District maintains two (2) sets of school records for each student – a permanent record and a cumulative record.

The permanent record will include:

- Basic identifying information
- Academic work completed (transcripts)
- Level of achievement (grades, standardized achievement tests)
- Immunization records (per § 20-5-406, MCA)
- Attendance record

Statewide student identifier assigned by the Office of Public Instruction

Record of any disciplinary action taken against the student, which is educationally related

Each student’s permanent file, as defined by the board of public education, must be permanently kept in a secure location.

The cumulative record may include:

- Intelligence and aptitude scores
- Psychological reports
- Participation in extracurricular activities
- Honors and awards
- Teacher anecdotal records
- Verified reports or information from non-educational persons
- Verified information of clear relevance to the student’s education
- Information pertaining to release of this record
- Disciplinary information

Camera footage only for those students directly involved in the incident

Information in the permanent record will indicate authorship and date and will be maintained in perpetuity for every student who has been enrolled in the District. Cumulative records will be maintained for eight (8) years after the student graduates or permanently leaves the District. Cumulative records which may be of continued assistance to a student with disabilities, who graduates or permanently withdraws from the District, may, after five (5) years, be transferred to the parents or to the student if the student has succeeded to the rights of the parents.

The Principal will be responsible for maintenance, retention, or destruction of a student’s permanent or cumulative records, in accordance with District procedure established by the Principal.

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4 Access to Student Records
5

6 The District will grant access to student records as follows:
7

- 8 1. The District or any District employee will not release, disclose, or grant access to information
9 found in any student record except under the conditions set forth in this document.
10
11 2. The parents of a student under eighteen (18) years of age will be entitled to inspect and copy
12 information in the child's school records. Such requests will be made in writing and directed to
13 the records custodian. **A parent of any student is allowed to view the footage but is not**
14 **permitted to receive a copy unless the parents of the other involved students provide**
15 **consent. Consent from parents of students in the background is not required.** Access to the
16 records will be granted within fifteen (15) days of the District's receipt of such request.
17

18 Where the parents are divorced or separated, both will be permitted to inspect and copy the
19 student's school records, unless a court order indicates otherwise. The District will send copies
20 of the following to both parents at either one's request, unless a court order indicates otherwise:
21

- 22 a. Academic progress reports or records;
23 b. Health reports;
24 c. Notices of parent-teacher conferences;
25 d. School calendars distributed to parents/guardians; and
26 e. Notices about open houses and other major school events, including student-parent
27 interaction.
28

29 **A student that attains the age of legal majority is an "eligible student" under FERPA. An**
30 **eligible student has the right to access and inspect their student records. An eligible student**
31 **may not prevent their parents from accessing and inspecting their student records if they**
32 **are a dependent of their parents in accordance with Internal Revenue Service regulations.**
33

34 Access will not be granted to the parent or the student to confidential letters and
35 recommendations concerning admission to a post-secondary educational institution, applications
36 for employment, or receipt of an honor or award, if the student has waived his or her right of
37 access after being advised of his or her right to obtain the names of all persons making such
38 confidential letters or statements.
39

- 40 3. **The District may grant access to or release information from student records without prior**
41 **written consent to school officials with a legitimate educational interest in the information.**
42 **A school official is a person employed by the District in an administrative, supervisory,**
43 **academic, or support staff position (including, but not limited to administrators, teachers,**
44 **counselors, paraprofessionals, coaches, and bus drivers), and the board of trustees. A**
45 **school official may also include a volunteer or contractor not employed by the District but**
46 **who performs an educational service or function for which the District would otherwise use**
47 **its own employees and who is under the direct control of the District with respect to the use**
48 **and maintenance of personally identifying information from education records, or such**
49 **other third parties under contract with the District to provide professional services related**
50 **to the District's educational mission, including, but not limited to, attorneys and auditors.**

1 **A school official has a legitimate educational interest in student education information when**
2 **the official needs the information in**

3 3600P
4 Page 3 of 5

5
6 **order to fulfill his or her professional responsibilities for the District. Access by school**
7 **officials to student education information will be restricted to that portion of a student's**
8 **records necessary for the school official to perform or accomplish their official or**
9 **professional duties.**

- 10
11 4. The District may grant access to or release information from student records without parental
12 consent or notification to any person, for the purpose of research, statistical reporting, or
13 planning, provided that no student or parent can be identified from the information released, and
14 the person to whom the information is released signs an affidavit agreeing to comply with all
15 applicable statutes and rules pertaining to school student records.

16
17 5. **The District may grant release of a child's education records to child welfare agencies**
18 **without the prior written consent of the parents.**

- 19
20 6. The District will grant access to or release information from a student's records pursuant to a
21 court order ~~, provided that the parent will be given prompt written notice, upon receipt of such order, of its~~
22 ~~terms, the nature and substance of the information proposed to be released, and an opportunity to inspect~~
23 ~~and copy such records and to challenge their contents.~~

- 24
25 7. The District will grant access to or release information from any student record, as specifically
26 required by federal or state statute.

- 27
28 8. The District will grant access to or release information from student records to any person
29 possessing a written, dated consent, signed by the parent or eligible student, with particularity as
30 to whom the records may be released, the information or record to be released, and reason for the
31 release. One (1) copy of the consent form will be kept in the records, and one (1) copy will be
32 mailed to the parent or eligible student by the Superintendent. Whenever the District requests
33 consent to release certain records, the records custodian will inform the parent or eligible student
34 of the right to limit such consent to specific portions of information in the records.

- 35
36 9. The District may release student records to the superintendent or an official with similar
37 responsibilities in a school in which the student has enrolled or intends to enroll, upon written
38 request from such official. **School officials may also include those listed in #3 above.**

- 39
40 10. Prior to release of any records or information under items 5, 6, 7, 8, and **9**, above, the District will
41 provide prompt written notice to the parents or eligible student of this intended action. This
42 notification will include a statement concerning the nature and substance of the records to be
43 released and the right to inspect, copy, and challenge the contents.

- 44
45 11. The District may release student records or information in connection with an emergency, without
46 parental consent, if the knowledge of such information is necessary to protect the health or safety
47 of the student or other persons. The records custodian will make this decision, taking into
48 consideration the nature of the emergency, the seriousness of the threat to the health and safety of
49 the student or other persons, the need for such records to meet the emergency, and whether the
50 persons to whom such records are released are in a position to deal with the emergency. The
51 District will notify the parents or eligible student, as soon as possible, of the information released,

1 date of the release, the person, agency, or organization to whom the release was made, and the
2 purpose of the release.
3

4 12. The District may disclose, without parental consent, student records or information to the youth
5 court and law enforcement authorities, pertaining to violations of the Montana Youth Court Act
6 3600P
7 Page 4 of 5
8
9 or criminal laws by the student.

10
11 13. The District will comply with an *ex parte* order requiring it to permit the U.S. Attorney
12 General or designee to have access to a student's school records without notice to or consent of
13 the student's parent(s)/guardian(s).
14

15 14. The District charges a nominal fee for copying information in the student's records. No parent or
16 student will be precluded from copying information because of financial hardship.
17

18 15. A record of all releases of information from student records (including all instances of access
19 granted, whether or not records were copied) will be kept and maintained as part of such records.
20 This record will be maintained for the life of the student record and will be accessible only to the
21 parent or eligible student, records custodian, or other person. The record of release will include:
22

- 23 a. Information released or made accessible.
- 24 b. Name and signature of the records custodian.
- 25 c. Name and position of the person obtaining the release or access.
- 26 d. Date of release or grant of access.
- 27 e. Copy of any consent to such release.
28

29 Directory Information

30
31 The District may release certain directory information regarding students, except that parents may
32 prohibit such a release. Directory information will be limited to:
33

- 34 Student's name
- 35 Address
- 36 Gender
- 37 Parents'/guardians' names and addresses
- 38 Photograph (including electronic version)
- 39 Date and place of birth
- 40 Dates of attendance
- 41 Grade level
- 42 Participation in officially recognized activities and sports
- 43 Degrees, honors and awards received
44

45 The notification to parents and students concerning school records will inform them of their right to
46 object to the release of directory information.
47
48
49
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4 Student Record Challenges
5

6 **The District shall give a parent or eligible student, on request, an opportunity for a hearing to**
7 **challenge content of the student’s education records on the grounds that the information contained**
8 **in the education records is inaccurate, misleading, or in violation of the privacy rights of the**
9 **student.**

10 ~~The parents may challenge the accuracy, relevancy, or propriety of the records, except (1) grades, and (2)~~
11 ~~references to expulsions or out-of-school suspensions, if the challenge is made when the student’s school~~
12 ~~records are being forwarded to another school. **The hearing required by 34 C.F.R. 99.21 must meet, at**~~
13 ~~**a minimum, the following requirements:**~~

- 14 • **The District shall hold the hearing within a reasonable time after it has received the request**
- 15 **for the hearing from the parent or eligible student.**
- 16 • **The District shall give the parent or eligible student notice of the date, time, and place,**
- 17 **reasonably in advance of the hearing.**
- 18 • **The hearing may be conducted by any individual including an official of the District who**
- 19 **does not have direct interest in the outcome of the hearing.**
- 20 • **The District shall make its decision in writing within a reasonable amount of time after the**
- 21 **hearing.**
- 22 • **The decision must be based solely on the evidence presented at the hearing, and must**
- 23 **include a summary of the evidence and the reasons for the decision.**

24
25 The parent or eligible student has:

- 26 • The right to present evidence and to call witnesses;
- 27 • The right to cross-examine witnesses;
- 28 • The right to counsel;
- 29 • The right to a written statement of any decision and the reasons therefor;
- 30 • ~~The right to appeal an adverse decision to an administrative tribunal or official, to be established~~
- 31 ~~or designated by the State Board.~~

32
33
34 The parents may insert a written statement of reasonable length describing their position on disputed
35 information. The school will **maintain the statement with the contested part of the record for as long**
36 **as the record is maintained and will disclose the statement whenever it discloses the portion of the**
37 **record to which the statement relates** ~~include the statement in any release of the information in dispute.~~
38
39

40
41 Legal Reference: Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2011); 34 C.F.R.
42 99 (2011)

43 § 20-5-201, MCA	Duties and sanctions
44 § 40-4-225, MCA	Access to records by parent
45 <u>§ 41-3-201, MCA</u>	<u>Reports</u>
46 § 41-5-215, MCA	Youth court and department records – notification of
	school
48 10.55.909, ARM	Student records
49 <u>10.55.910, ARM</u>	<u>Student Discipline Records</u>

50

POTOMAC ELEMENTARY

Adopted on:
Reviewed on:
Revised on:

3600F1

STUDENTS

Student Records

Notification to Parents and Students of Rights Concerning a Student’s School Records

This notification may be distributed by any means likely to reach the parent(s)/guardian(s).

The District will maintain two (2) sets of school records for each student: a permanent record and a cumulative record. The permanent record will include:

- Basic identifying information
- Academic work completed (transcripts)
- Level of achievement (grades, standardized achievement tests)
- Immunization records (per § 20-5-506, MCA)
- Attendance record

Statewide student identifier assigned by the Office of Public Instruction

Record of any disciplinary action taken against the student, which is educationally related

The cumulative record may include:

- Intelligence and aptitude scores
- Psychological reports
- Participation in extracurricular activities
- Honors and awards
- Teacher anecdotal records
- Verified reports or information from non-educational persons
- Verified information of clear relevance to the student’s education
- Information pertaining to release of this record
- Disciplinary information

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over eighteen (18) years of age (“eligible students”) certain rights with respect to the student’s education records. They are:

1. **The right to inspect and copy the student’s education records, within a reasonable time from the day the District receives a request for access.**

“Eligible” students, who are eighteen (18) years of age or older, have the right to inspect and copy their permanent record. Parents/guardians or “eligible” students should submit to the school principal (or appropriate school official) a written request identifying the

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4 record(s) they wish to inspect. The principal will make, within forty-five (45) days,
5 arrangements for access and notify the parent(s)/ guardian(s) or eligible student of the
6 time and place the records may be inspected. The District charges a nominal fee for
7 copying, but no one will be denied their right to copies of their records for inability to pay
8 this cost.

9
10 The rights contained in this section are denied to any person against whom an order of
11 protection has been entered concerning a student.

12
13 **2. The right to request amendment of the student's education records which the**
14 **parent(s)/guardian(s) or eligible student believes are inaccurate, misleading,**
15 **irrelevant, or improper.**

16
17 Parents/guardians or eligible students may ask the District to amend a record they believe
18 is inaccurate, misleading, irrelevant, or improper. They should write the school principal
19 or records custodian, clearly identifying the part of the record they want changed, and
20 specify the reason.

21
22 If the District decides not to amend the record as requested by the parent(s)/guardian(s) or
23 eligible student, the District will notify the parent(s)/guardian(s) or eligible student of the
24 decision and advise him or her of their right to a hearing regarding the request for
25 amendment. Additional information regarding the hearing procedures will be provided to
26 the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

27
28 **3. The right to permit disclosure of personally identifiable information contained in**
29 **the student's education records, except to the extent that FERPA or state law**
30 **authorizes disclosure without consent.**

31
32 Disclosure is permitted without consent to school officials with legitimate educational or
33 administrative interests. A school official is a person employed by the District as an
34 administrator, supervisor, instructor, or support staff member (including health or
35 medical staff and law enforcement unit personnel); a person serving on the Board; a
36 person or company with whom the District has contracted to perform a special task (such
37 as contractors, attorneys, auditors, consultants, or therapists); volunteers; other outside
38 parties to whom an educational agency or institution has outsourced institutional services
39 or functions that it would otherwise use employees to perform; or a parent(s)/guardian(s)
40 or student serving on an official committee, such as a disciplinary or grievance
41 committee, or assisting another school official in performing his or her tasks.

42
43 A school official has a legitimate educational interest, if the official needs to review an
44 education record in order to fulfill his or her professional responsibility.

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4 Upon request, the District discloses education records, without consent, to officials of
5 another school district in which a student has enrolled or intends to enroll, as well as to
6 any person as specifically required by state or federal law. Before information is
7 released to individuals described in this paragraph, the parent(s)/guardian(s) will receive
8 written notice of the nature and substance of the information and an opportunity to
9 inspect, copy, and challenge such records. The right to challenge school student records
10 does not apply to: (1) academic grades of their child, and (2) references to expulsions or
11 out-of-school suspensions, if the challenge is made at the time the student's school
12 student records are forwarded to another school to which the student is transferring.

13
14 Disclosure is also permitted without consent to: any person for research, statistical
15 reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified;
16 any person named in a court order; and appropriate persons if the knowledge of such
17 information is necessary to protect the health or safety of the student or other persons.

- 18
19 **4. The right to a copy of any school student record proposed to be destroyed or**
20 **deleted.**
21
22 **5. The right to prohibit the release of directory information concerning the parent's/**
23 **guardian's child.**

24
25 Throughout the school year, the District may release directory information regarding
26 students, limited to:

27
28 Student's name
29 Address
30 Gender
31 Parents'/guardians' names and addresses
32 Photograph (including electronic version)
33 Date and place of birth
34 Dates of attendance
35 Grade level
36 Participation in officially recognized activities and sports
37 Degrees, honors and awards received
38

39 *Any parent(s)/guardian(s) or eligible student may prohibit the release of all of the above*
40 *information by delivering written objection to the building principal within ten (10) days*
41 *of the date of this notice. No directory information will be released within this time*
42 *period, unless the parent(s)/guardian(s) or eligible student are specifically informed*
43
44
45
46

1
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3 *otherwise. When a student transfers, leaves the District, or graduates, the school must*
4 *continue to honor a decision to opt-out, unless the parent or student rescinds the*
5 *decision.*

6
7 **6. The right to file a complaint with the U.S. Department of Education, concerning**
8 **alleged failures by the District to comply with the requirements of FERPA.**

9
10 The name and address of the office that administers FERPA is:

11
12 Family Policy Compliance Office
13 U.S. Department of Education
14 400 Maryland Avenue, SW
15 Washington, DC 20202-4605

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3600F2

STUDENTS

Student Directory Information Notification

Please sign and return this form to the school within ten (10) days of the receipt of this form ONLY if you do not want directory information about your child disclosed to third parties in accordance with the Family Educational Rights and Privacy Act (FERPA). If we receive no response by that date, we will disclose all student directory information at our discretion and/or in compliance with law.

Date

Dear Parent/Eligible Student:

This document informs you of your right to direct the District to withhold the release of student directory information for Student's Name.

Following is a list of items this District considers student directory information.

Table with 2 columns: Student's name, Address, Gender, Parents'/guardians' names and addresses, Photograph (including electronic version), Date and place of birth, Degrees, honors and awards received, Dates of attendance, Grade level; Participation in officially recognized activities and sports.

If you do NOT want directory information provided to the following, please check the appropriate box. Institutions of Higher Education, Potential Employers, Armed Forces Recruiters, Other

NOTE: If a student's name, grade level, or photograph is to be withheld, the student will not be included in the school's yearbook, program events, or other such publications.

Parent/Eligible Student's Signature

Date

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3606 - R

STUDENTS

Transfer of Student Records

The District will forward by mail or by electronic means a certified copy of a permanent or cumulative file of any student and a file of special education records of any student to a local educational agency or accredited school in which a student seeks to or intends to enroll within five (5) working days after receipt of a written or electronic request. The files to be forwarded must include education records in a permanent file – that is, name and address of a student, name of parent or legal guardian, date of birth, academic work completed, level of achievement (grades, standardized tests), immunization records, special education records, and any disciplinary actions taken against a student that are educationally related.

When the District cannot transfer records within five (5) days, the District will notify a requestor, in writing or electronically, and will provide reasons why the District is unable to comply with a five-(5)-day time period. The District also will include in that notice the date by which requested records will be transferred. The District will not refuse to transfer records because a student owes fines or fees.

Cross Reference: 3413 Student Immunization
 3600 - 3600P Student Records
 3606F Records Certification

Legal Reference: § 20-1-213, MCA Transfer of school records

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3608 - R

STUDENTS

Receipt of Confidential Records

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

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

- Principal
- Counselor

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

Cross Reference: 3600 - 3600P Student Records

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

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3612 - R

STUDENTS

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

General

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

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

Curriculum

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

Acceptable Uses

1. Educational Purposes Only. All use of the District’s electronic network must be: (1) in support of education and/or research, and in furtherance of the District’s stated educational goals; or (2) for a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any materials that are stored, transmitted, or received via the District’s electronic network or District computers. The District reserves the right to monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage.
2. Unacceptable Uses of Network. The following are considered unacceptable uses and constitute a violation of this policy:
 - A. Uses that violate the law or encourage others to violate the law, including but not limited to transmitting offensive or harassing messages; offering for sale or use

any substance the possession or use of which is prohibited by the District's student discipline policy; viewing, transmitting, or downloading pornographic materials or materials that encourage others to violate the law; intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.

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

Warranties/Indemnification

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

Violations

~~If a user violates this policy, the District will deny a student's access or will withdraw access and may subject a student to additional disciplinary action.~~ **This misuse of technology will follow a progressive discipline process that may include use restrictions, removal from class, and suspension from school. This discipline includes misuse of school technology that is rented, loaned or shared outside the school day and/or property.**

The systems administrator or Principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with that decision being final.

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

Revised on:

3612F

STUDENTS

INTERNET ACCESS CONDUCT AGREEMENT

Every student, regardless of age, must read and sign below:

I have read, understand, and agree to abide by the terms of the Potomac School District's policy regarding District-Provided Access to Electronic Information, Services, and Networks (Policy No. 3612). Should I commit any violation or in any way misuse my access to the District's computer network and/or the Internet, I understand and agree that my access privilege may be revoked and school disciplinary action may be taken against me.

User's Name (Print): _____ Home Phone: _____

User's Signature: _____ Date: _____

Address: _____

Status: Student ____ Staff ____ Patron ____

If I am signing this policy when I am under 18, I understand that when I turn 18, this policy will continue to be in full force and effect and agree to abide by this policy.

Parent or Legal Guardian. As the parent or legal guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of the District's policy regarding District-Provided Access to Electronic Information, Services, and Networks for the student's access to the District's computer network and/or the Internet. I understand that access is being provided to the students for educational purposes only. However, I also understand that it is impossible for the school to restrict access to all offensive and controversial materials and understand my child's responsibility for abiding by the policy. I am, therefore, signing this Agreement and agree to indemnify and hold harmless the District, the Trustees, Administrators, teachers, and other staff against all claims, damages, losses, and costs, of whatever kind, that may result from my child's use of or access to such networks or his/her violation of the District's policy. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting. I hereby give my child permission to use the building-approved account to access the District's computer network and the Internet.

Parent/Legal Guardian (print): _____

Signature: _____

Home Phone: _____ Address: _____

Date: _____

This Agreement is valid for the _____ school year only.

POTOMAC ELEMENTARY

Adopted on: 12/13/10
Reviewed on: 09/10/2012
Revised on: 09/10/12

3612P - R

STUDENTS

All use of electronic networks shall be consistent with the District’s goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. These procedures do not attempt to state all required or proscribed behaviors by users. However, some specific examples are provided. **The failure of any user to follow these procedures will result in the loss of privileges, disciplinary action, and/or appropriate legal action.**

Terms and Conditions

1. Acceptable Use – Access to the District’s electronic networks must be: (a) for the purpose of education or research and consistent with the educational objectives of the District; or (b) for legitimate business use.
2. Privileges – The use of the District’s electronic networks is a privilege, not a right, and inappropriate use will result in cancellation of those privileges. The system administrator (and/or principal) will make all decisions regarding whether or not a user has violated these procedures and may deny, revoke, or suspend access at any time. That decision is final.
3. Unacceptable Use – The user is responsible for his or her actions and activities involving the network. Some examples of unacceptable uses are:
 - a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any federal or state law;
 - b. Unauthorized downloading of software, regardless of whether it is copyrighted or devirused;
 - c. Downloading copyrighted material for other than personal use;
 - d. Using the network for private financial or commercial gain;
 - e. Wastefully using resources, such as file space;
 - f. Hacking or gaining unauthorized access to files, resources, or entities;
 - g. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information of a personal nature about anyone;

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- 3
- 4 h. Using another user's account or password;
- 5
- 6 i. Posting material authored or created by another, without his/her consent;
- 7
- 8 j. Posting anonymous messages;
- 9
- 10 k. Using the network for commercial or private advertising;
- 11
- 12 l. Accessing, submitting, posting, publishing, or displaying any defamatory,
13 inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially
14 offensive, harassing, or illegal material; and
- 15
- 16 m. Using the network while access privileges are suspended or revoked.
- 17
- 18 4. Network Etiquette – The user is expected to abide by the generally accepted rules of
19 network etiquette. These include but are not limited to the following:
20
- 21 a. Be polite. Do not become abusive in messages to others.
- 22
- 23 b. Use appropriate language. Do not swear or use vulgarities or any other
24 inappropriate language.
- 25
- 26 c. Do not reveal personal information, including the addresses or telephone
27 numbers, of students or colleagues.
- 28
- 29 d. Recognize that electronic mail (e-mail) is not private. People who operate the
30 system have access to all mail. Messages relating to or in support of illegal
31 activities may be reported to the authorities.
- 32
- 33 e. Do not use the network in any way that would disrupt its use by other users.
- 34
- 35 f. Consider all communications and information accessible via the network to be
36 private property.
- 37
- 38 5. No Warranties – The District makes no warranties of any kind, whether expressed or
39 implied, for the service it is providing. The District will not be responsible for any
40 damages the user suffers. This includes loss of data resulting from delays, non-deliveries,
41 missed deliveries, or service interruptions caused by its negligence or the user's errors or
42 omissions. Use of any information obtained via the Internet is at the user's own risk.
43 The District specifically denies any responsibility for the accuracy or quality of
44 information obtained through its services.
- 45
- 46

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3
4 6. Indemnification – The user agrees to indemnify the District for any losses, costs, or
5 damages, including reasonable attorney fees, incurred by the District, relating to or
6 arising out of any violation of these procedures.
7
- 8 7. Security – Network security is a high priority. If the user can identify a security problem
9 on the Internet, the user must notify the system administrator or building principal. Do
10 not demonstrate the problem to other users. Keep your account and password
11 confidential. Do not use another individual’s account without written permission from
12 that individual. Attempts to log on to the Internet as a system administrator will result in
13 cancellation of user privileges. Any user identified as a security risk may be denied
14 access to the network.
15
- 16 8. Vandalism – Vandalism will result in cancellation of privileges, and other disciplinary
17 action. Vandalism is defined as any malicious attempt to harm or destroy data of another
18 user, the Internet, or any other network. This includes but is not limited to uploading or
19 creation of computer viruses.
20
- 21 9. Telephone Charges – The District assumes no responsibility for any unauthorized charges
22 or fees, including telephone charges, long-distance charges, per-minute surcharges, and/
23 or equipment or line costs.
24
- 25 10. Copyright Web Publishing Rules – Copyright law and District policy prohibit the
26 republishing of text or graphics found on the Web or on District Websites or file servers,
27 without explicit written permission.
28
- 29 a. For each republication (on a Website or file server) of a graphic or text file that
30 was produced externally, there must be a notice at the bottom of the page
31 crediting the original producer and noting how and when permission was granted.
32 If possible, the notice should also include the Web address of the original source.
33
- 34 b. Students and staff engaged in producing Web pages must provide library media
35 specialists with e-mail or hard copy permissions before the Web pages are
36 published. Printed evidence of the status of “public domain” documents must be
37 provided.
38
- 39 c. The absence of a copyright notice may not be interpreted as permission to copy
40 the materials. Only the copyright owner may provide the permission. The
41 manager of the Website displaying the material may not be considered a source of
42 permission.
43
- 44 d. The “fair use” rules governing student reports in classrooms are less stringent and
45 permit limited use of graphics and text.

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3
4 e. Student work may only be published if there is written permission from both the
5 parent/guardian and the student.
6
7 11. Use of Electronic Mail.
8
9 a. The District's electronic mail system and its constituent software, hardware, and
10 data files are owned and controlled by the District. The District provides e-mail to
11 aid students and staff members in fulfilling their duties and responsibilities and as
12 an education tool.
13
14 b. The District reserves the right to access and disclose the contents of any account
15 on its system without prior notice or permission from the account's user.
16 Unauthorized access by any student or staff member to an electronic mail account
17 is strictly prohibited.
18
19 c. Each person should use the same degree of care in drafting an electronic mail
20 message as would be put into a written memorandum or document. Nothing
21 should be transmitted in an e-mail message that would be inappropriate in a letter
22 or memorandum.
23
24 d. Electronic messages transmitted via the District's Internet gateway carry with
25 them an identification of the user's Internet "domain." This domain name is a
26 registered domain name and identifies the author as being with the District. Great
27 care should be taken, therefore, in the composition of such messages and how
28 such messages might reflect on the name and reputation of this District. Users
29 will be held personally responsible for the content of any and all electronic mail
30 messages transmitted to external recipients.
31
32 e. Any message received from an unknown sender via the Internet should either be
33 immediately deleted or forwarded to the system administrator. Downloading any
34 file attached to any Internet-based message is prohibited, unless the user is certain
35 of that message's authenticity and the nature of the file so transmitted.
36
37 f. Use of the District's electronic mail system constitutes consent to these
38 regulations.
39

40 Internet Safety

- 41
42 1. Internet access is limited to only those "acceptable uses," as detailed in these procedures.
43 Internet safety is almost assured if users will not engage in "unacceptable uses," as
44 detailed in these procedures, and will otherwise follow these procedures.
45
46

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- 4 2. Staff members shall supervise students while students are using District Internet access,
- 5 to ensure that the students abide by the Terms and Conditions for Internet access, as
- 6 contained in these procedures.
- 7
- 8 3. Each District computer with Internet access has a filtering device that blocks entry to
- 9 visual depictions that are: (1) obscene; (2) pornographic; or (3) harmful or inappropriate
- 10 for students, as defined by the Children’s Internet Protection Act and determined by the
- 11 Superintendent or designee.
- 12
- 13 4. The district shall provide age-appropriate instruction to students regarding appropriate
- 14 online behavior. Such instruction shall include, but not be limited to: positive interactions
- 15 with others online, including on social networking sites and in chat rooms; proper online
- 16 social etiquette; protection from online predators and personal safety; and how to
- 17 recognize and respond to cyberbullying and other threats.
- 18
- 19 5. The system administrator and principal shall monitor student Internet access.
- 20
- 21
- 22

23 Legal Reference: Children’s Internet Protection Act, P.L. 106-554
24 Broadband Data Services Improvement Act/Protecting Children in
25 the 21st Century Act of 2008 (P.L. 110-385)
26 20 U.S.C. § 6801, et seq. Language instruction for limited English
27 proficient and immigrant students
28 47 U.S.C. § 254(h) and (l) Universal service
29

POTOMAC ELEMENTARY

Adopted on: 12/13/10

Reviewed on:

3630

STUDENTS

Revised on:

Cell Phones and Other Electronic Equipment

~~Student possession and use of cellular phones, pagers, and other electronic signaling devices on school grounds, at school-sponsored activities, and while under the supervision and control of District employees is a privilege which will be permitted only under the circumstances described herein. At no time will any student operate a cell phone or other electronic device with video or photo capabilities in a locker room, bathroom, or other location where such operation may violate the privacy right of another person.~~

~~Students may use cellular phones, pagers, and other electronic signaling devices on campus before school begins and after school ends. These devices must be kept out of sight and turned off during the instructional day. Unauthorized use of such devices disrupts the instructional program and distracts from the learning environment. Therefore, unauthorized use is grounds for confiscation of the device by school officials, including classroom teachers. Confiscated devices will be returned to the parent or guardian. Repeated unauthorized use of such devices will result in disciplinary action.~~

Use of personal electronics is allowed under the supervision of a Potomac School staff member, volunteer or parent helper. Cell phones, iPods, tablets, handheld games, etc. are tools that with supervision and direction can be used to further a student’s learning experience. Any unsupervised or expressly prohibited use of personal electronic devices will be grounds for disciplinary action that may include, confiscation for the remainder of the day, week, in school suspension or out of school suspension. All disciplinary measures will follow a progressive disciplinary model on a case-by-case basis.

~~The Principal may grant permission for individual students to use and/or possess cellular phones, if, in the sole discretion of the Principal, such use is necessary to the safety and/or welfare of the student.~~