

2
3 **THE BOARD OF TRUSTEES**

4
5 Legal Status, Operation and Organization

6
7 The legal name of this District is Bigfork School District #38, Flathead County, State of Montana. The
8 District is classified as a class two (II) district and is operated according to the laws and administrative
9 rules pertaining to a class two (II) district.

10
11 The Board of Trustees of Bigfork School District #38 is the governmental entity established by the state
12 of Montana and constitutionally charged of the supervision and control of all aspects of the District’s
13 operations.

14
15 To achieve its primary goal of providing each child with a basic system of free quality education as
16 required by Montana Law, the Board shall exercise the full authority granted to it by the laws of the state.
17 Its legal powers, duties, and responsibilities are derived from the Montana Constitution and state statutes
18 and administrative rules.

19
20 Policies of the District define and frame the manner via which the District conducts its official business.
21 The policies of the District are modified/updated from time to time to reflect the operation of the District.

22
23 The Bigfork School District #38 maintains the Bigfork Elementary and Bigfork High Schools. Policy
24 overrides handbooks if conflicts arise.

25
26 The District(s) constitute the taxable basis for purposes of construction, operation, and maintenance of the
27 Bigfork Elementary and Bigfork High School.

28
29 All handbooks approved by the Board are regarded as and given the same significance as District policy.

30		
31	Legal Reference:	§ 20-3-323, MCA District policy and record of acts
32		§ 20-3-324, MCA Powers and duties
33		§ 20-6-101, MCA Definition of elementary and high school districts
34		§ 20-6-201, MCA Elementary district classification
35		§ 20-6-301, MCA High school district classification
36		§ 20-9-309, MCA Basic system of free quality public elementary and
37		secondary schools defined – identifying educationally
38		relevant factors – establishment of funding formula and
39		budgetary structure – legislative review
40		Article X, Section 8, MT Constitution
41		
42		
43		
44		

45 Policy History:

46 Adopted on: 7/21/1994

47 Revised on: 11/20/2003

48 First reading on: 10/13/21

49 **Second reading/Adopted on: 11/10/21**

2
3 **THE BOARD OF TRUSTEES**

4
5 Membership and Terms of Office

6
7 The District is governed by a Board of Trustees consisting of seven members. The powers and duties of
8 the Board include the broad authority to adopt and enforce all policies necessary for the management,
9 operations and governance of the District. Except as otherwise provided by law, trustees shall hold office
10 for terms of three (3) years, or until their successors are elected and qualified. Terms of trustees shall be
11 staggered as provided by law.
12

13 All trustees shall participate on an equal basis with other members in all business transactions pertaining
14 to the high school maintained by the District. Only those trustees elected from the elementary district
15 may participate in business transactions pertaining to the elementary schools maintained by the District.
16

17 The five trustees of Elementary District #38, a duly elected trustee from Swan Lake-Salmon Elementary
18 District #73, and a duly elected trustee from Swan River Elementary District #4 shall comprise the Board
19 of Trustees of Bigfork High School District #38. All trustees shall participate on an equal basis with
20 other members in all business transactions pertaining to the high school maintained by the District.
21

22	Legal References: § 20-3-301, MCA	Election and term of office
23	§ 20-3-302, MCA	Legislative intent to elect less than majority of trustees
24	§ 20-3-305, MCA	Candidate qualification, filing deadline, and withdrawal
25	§ 20-3-306, MCA	Conduct of election
26	§ 20-3-307, MCA	Qualification and oath
27	§ 20-3-341, MCA	Number of trustee positions in elementary districts – transition
28	§ 20-3-351, MCA	Number of trustee positions in high school districts
29	§ 20-3-352, MCA	Request and determination of number of high school district 30 additional trustee positions – nonvoting trustee
31	§ 20-3-361, MCA	Joint board of trustees organization and voting membership
32		
33		
34		
35		

36 Policy History:

37 Adopted on: 12/04/2003

38 First reading on: 10/13/21

39 **Second reading/Adopted on: 11/10/21**

2
3 **THE BOARD OF TRUSTEES**

4
5 Duties of Individual Trustees

6
7 The authority of individual trustees is limited to participating in actions taken by the Board as a
8 whole when legally in session. Trustees shall not assume responsibilities of administrators or
9 other staff members. The Board or staff shall not be bound by an action taken or statement made
10 by an individual trustee, except when such statement or action is pursuant to specific instructions
11 and official action taken by the Board.
12

13 Each trustee shall review the agenda and attendant materials in advance of a meeting and shall be
14 prepared to participate in discussion and decision making for each agenda item. Each trustee
15 shall visit every school (except in 1st class districts) at least once per year to examine its
16 management, conditions, and needs.
17

18 All trustees are obligated to attend Board meetings regularly. Whenever possible, a trustee shall
19 give advance notice to the Chairperson or Superintendent, of the trustee's inability to attend a
20 Board meeting. A majority of the Board may excuse a trustee's absence from a meeting if
21 requested to do so.
22

23 Board members, as individuals, have no authority over school affairs, except as provided by law
24 or as authorized by the Board.
25

26 Cross Reference: 1113 Vacancies

27	Legal References:	§ 20-3-301, MCA	Election and term of office
28		§ 20-3-308, MCA	Vacancy of trustee position
29		§ 20-3-324(22), MCA	Powers and duties
30		§ 20-3-332, MCA	Personal immunity and liability of trustees
31			
32			

33
34
35
36
37
38 Policy History:

39 First reading on: 10/13/21

40 **Second reading/Adopted on: 11/10/21**

2
3 **THE BOARD OF TRUSTEES**

4
5 District Policy and Procedures

6 The policies contained in this manual are adopted, implemented, and enforced in accordance with the
7 supervisory authority vested with the Board of Trustees in accordance with Article X, section 8 of the
8 Montana Constitution and related statutes, regulations and court decisions.
9

10 Adoption and Amendment of Policies

11 Proposed new policies and proposed changes to existing policies shall be presented in writing for reading
12 and discussion at a regular or special Board meeting. Interested parties may submit views, present data or
13 arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement
14 by a person, relative to a proposed policy or amendment, should be directed to the District Clerk prior to
15 the final reading. The final vote for adoption shall take place not earlier than at the second (2nd) reading of
16 the particular policy. New or revised policies that are required or have required language changes based
17 on State or Federal law, or are required changes by administrative rule, may be adopted after the first (1st)
18 reading if sufficient notice has been given through the board agenda.
19

20 All new or amended policies shall become effective on adoption; unless a specific effective date is stated
21 in the motion for adoption. Policies, as adopted or amended, shall be made a part of the minutes of the
22 meeting at which action was taken and also shall be included in the District’s policy manual. Policies of
23 the District shall be reviewed on a regular basis.
24

25 Policy Manuals

26 The Superintendent shall develop and maintain a current policy manual which includes all policies of the
27 District. Every administrator, as well as staff, students, and other residents, shall have ready access to
28 District policies.
29

30 Suspension of Policies

31 Under circumstances that require waiver of a policy, the policy may be suspended by a majority vote of
32 the trustees present. To suspend a policy, however, all trustees must have received written notice of the
33 meeting, which includes the proposal to suspend a policy and an explanation of the purpose of such
34 proposed suspension.
35

36 Administrative Procedures

37 The Superintendent shall develop such administrative procedures as are necessary to ensure consistent
38 implementation of policies adopted by the Board.
39

40 When a written procedure is developed, the Superintendent shall submit it to the Board as an information
41 item.
42

43 Legal References: Article X, Section 8 Montana Constitution
44 § 20-3-323, MCA District policy and record of acts
45 10.55.701, ARM Board of Trustees
46

47 Policy History:

48 First reading on: 10/13/21

49 Second reading/Adopted on: 11/10/21

THE BOARD OF TRUSTEES

Board Meetings

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

Regular Meetings

Unless otherwise specified, all meetings will take place in the High School Library. Regular meetings shall take place at 5:00 p.m. on the second (2nd) Wednesday of each month, or at other times and places determined by a majority vote. Except for an unforeseen emergency, meetings must be held in school buildings or, upon the unanimous vote of the trustees, in a publicly accessible building located within the District. If regular meetings are scheduled at places other than as stated above or are adjourned to times other than the regular meeting time, notice of the meeting shall be made in the same manner as provided for special meetings. The trustees may meet outside the boundaries of the District for collaboration or cooperation on educational issues with other school boards, educational agencies, or cooperatives. Adequate notice of the meeting, as well as an agenda, must be provided to the public in advance. Decision making may only occur at a properly noticed meeting held within the District's boundaries. When a meeting date falls on a school holiday, the meeting may take place the next business day. Meeting duration will be no more than two (2) hours in length unless a majority of the Board agrees through formal action to extend the meeting.

Emergency Meetings

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

Budget Meetings

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

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

Special Meetings

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

Executive Sessions

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

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

Policy History:

Adopted on: 09/20/2001

Revised on: 10/02/2003, 04/29/2009, 11/12/2014

First reading on: 10/13/21

Second reading/Adopted on: 11/10/21

5 School Board Meeting Procedure

6
7 Agenda

8
9 The authority to set the board agenda lies with the Board Chair in consultation with board members and
10 the administration. The act of preparing the board meeting agendas can be delegated to the
11 Superintendent.

12
13 Any topics requested by Board members or members of the public must first be approved by the Board
14 Chair before being placed on the agenda. Citizens wishing to make brief comments about school
15 programs or procedures will follow the public comment procedures in district policy.

16
17 The agenda also must include a “public comment” portion to allow members of the general public to
18 comment on any public matter under the jurisdiction of the District which is not specifically listed on the
19 agenda, except that no member of the public will be allowed to comment on contested cases, other
20 adjudicative proceedings, or personnel matters. The Board Chairperson may place reasonable time limits
21 on any “public comment” period to maintain and ensure effective and efficient operations of the Board.
22 The Board shall not take any action on any matter discussed, unless the matter is specifically noticed on
23 the agenda, and the public has been allowed opportunity to comment.

24
25 Copies of the agenda for the current Board meeting, minutes of the previous Board meeting, and relevant
26 supplementary information will be prepared and distributed to each trustee at least forty-eight (48) hours
27 in advance of a Board meeting and will be available to any interested citizen at the Superintendent’s
28 office forty-eight (48) hours before a Board meeting. An agenda for other types of Board meetings will
29 be prepared, if circumstances require an agenda.

30
31 Consent Agenda

32
33 To expedite business at its meetings, the Board approves the use of a consent agenda, which includes
34 those items considered to be routine in nature. Any item that appears on the consent agenda may be
35 removed by a member of the Board. Any Board member who wishes to remove an item from the consent
36 agenda must give advance notice in a timely manner to the Superintendent. Remaining items will be
37 voted on by a single motion. The approved motion will be recorded in the minutes, including a listing of
38 all items appearing on the consent agenda.

39
40 Minutes

41
42 Appropriate minutes of all meetings required to be open must be kept and must be available for inspection
43 by the public. If an audio recording of a meeting is made and designated as official, the recording
44 constitutes the office record of the meeting. If an official recording is made, a written record of
45
46
47
48
49
50
51

1
2
3
4 the meeting must also be made and must also include:
5

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

15
16 If the minutes are recorded and designated as the official record, a log or time stamp for each main agenda
17 item is required for the purpose of providing assistance to the public in accessing that portion of the
18 meeting.
19

20 Unofficial minutes shall be delivered to Board members in advance of the next regularly scheduled
21 meeting of the Board. Minutes need not be read publicly, provided that Board members have had an
22 opportunity to review them before adoption. A file of permanent minutes of Board meetings shall be
23 maintained in the office of the Clerk, to be made available for inspection upon request. A written copy
24 shall be made available within five (5) working days following approval by the Board.
25

26 Quorum

27
28 No business shall be transacted at any meeting of the Board unless a quorum of its members is present. A
29 majority of the full membership of the Board shall constitute a quorum, whether the individuals are
30 present physically or electronically. A majority of the quorum may pass a resolution, except as provided
31 in § 20-4-203(1), MCA, and § 20-4-401(4), MCA.
32

33 Electronic Participation

34
35 The Board may allow members to participate in meetings by telephone or other electronic means. Board
36 members may not simply vote electronically but must be connected with the meeting throughout the
37 discussion of business. If a Board member electronically joins the meeting after an item of business has
38 been opened, the remotely located member shall not participate until the next item of business is opened.
39

40 If the Board allows a member to participate electronically, the member will be considered present and
41 will have his or her actual physical presence excused. The member shall be counted present for purposes
42 of convening a quorum. The Clerk will document it in the minutes, when members participate in the
43 meeting electronically.
44

45 Any Board member wishing to participate in a meeting electronically will notify the Chairperson and
46 Superintendent as early as possible. The Superintendent will arrange for the meeting to take place in a
47 location with the appropriate equipment so that Board members participating in the meeting electronically
48
49
50
51

1
2
3
4 may interact, and the public may observe or hear the comments made. The Superintendent will take
5 measures to verify the identity of any remotely located participants.
6

7 Meeting Conduct and Order of Business
8

9 General rules of parliamentary procedure are used for every Board meeting. *Robert's Rules of Order* may
10 be used as a guide at any meeting. The order of business shall be reflected on the agenda. The use of
11 proxy votes shall not be permitted. Voting rights are reserved to those trustees in attendance. Voting
12 shall be by acclamation or show of hands.
13

14 Rescind a Motion
15

16 A motion to rescind (cancel previous action) may be made anytime by any trustee. A motion to rescind
17 must be properly noticed on the Board's agenda for the meeting. It is in order any time prior to
18 accomplishment of the underlying action addressed by the motion.
19

20
21 Cross Reference: 1441 Audience Participation
22

23 Legal References: § 2-3-103, MCA Public participation - governor to ensure guidelines
24 adopted
25 § 2-3-202, MCA Meeting defined
26 § 2-3-212, MCA Minutes of meetings – public inspection
27 § 20-1-212, MCA Destruction of records by school officer
28 § 20-3-322, MCA Meetings and quorum
29 § 20-3-323, MCA District policy and record of acts
30 *Jones and Nash v. Missoula Co., 2006 MT2, 330 Mont 2005*
31
32

33 Policy History:

34 First reading on: 10/13/21

35 **Second reading/Adopted on: 11/10/21**

THE BOARD OF TRUSTEES

1441

Audience Participation

The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. The Board also recognizes the statutory and constitutional rights of the public to participate in governmental operations. To allow fair and orderly expression of public comments, the Board will permit public participation through oral or written comments during the “public comment” section of the Board agenda and prior to a final decision on a matter of significant interest to the public. The Chairperson may control such comments to ensure an orderly progression of the meeting in the manner described in Policy 1420F.

Cross Reference: 1420 School Board Meeting Procedure

Legal Reference: Article II, Section 8, Montana Constitution – Right of participation
Article II, Section 10, Montana Constitution – Right of privacy
Chapter 2, Part 1, MCA Notice and Opportunity to Be Heard

Policy History:

First reading on: 10/13/21

Second reading/Adopted on: 11/10/21

2
3 THE BOARD OF TRUSTEES

4
5 Management Rights

6
7 The Board retains the right to operate and manage its affairs in such areas as but not limited to:

- 8
- 9 1. Direct employees;
- 10
- 11 2. Employ, dismiss, promote, transfer, assign, and retain employees;
- 12
- 13 3. Relieve employees from duties because of lack of work or funds under conditions where
- 14 continuation of such work would be inefficient and nonproductive;
- 15
- 16 4. Maintain the efficiency of District operations;
- 17
- 18 5. Determine the methods, means, job classifications, and personnel by which District operations are
- 19 to be conducted;
- 20
- 21 6. Take whatever actions may be necessary to carry out the missions of the District in situations of
- 22 emergency;
- 23
- 24 7. Establish the methods and processes by which work is performed.

25
26 The Board reserves all other rights, statutory and inherent, as provided by state law.

27
28 The Board also reserves the right to delegate authority to the Superintendent for the ongoing direction of

29 all District programs.

30

31

32

33 Cross Reference: 6110 Superintendent

34
35 Legal Reference: § 20-3-324, MCA Powers and duties
36 § 39-31-303, MCA Management rights of public employers
37 *Bonner School District No. 14 v. Bonner Education Association,*
38 *MEA-MFT, NEA, AFT, AFL-CIO, (2008), 2008 MT 9*
39

40
41 Policy History:

42 Adopted on: 01/18/1995

43 Revised on: 02/05/2004

44 First reading on: 10/13/21

45 **Second reading/Adopted on: 11/10/21**

2
3 **THE BOARD OF TRUSTEES**

4
5 Annual Goals and Objectives

6
7 Each year, the Board will formulate or review the goals of the District that reflect the district’s strategic
8 plan of education. At the conclusion of each school year, the Superintendent and/or Principal shall report
9 to the Board information which reflects the accomplishments towards the goals of the District.

10
11 The Chairperson may appoint a committee of the Board, to include the Superintendent and/or Principal to
12 annually review the goals and report to the Board.

13
14
15
16 Cross Reference: MTSBA Strategic Governance Policy Series – 1000SG

17
18 Legal Reference: 10.55.701(2)(a), ARM Board of Trustees

19
20
21
22 Policy History:

23 First reading on: 10/13/21

24 **Second reading/Adopted on: 11/10/21**

4
5
6 Uniform Complaint Procedure

7
8 The Board establishes this Uniform Complaint Procedure as a means to address complaints arising within
9 the District. This Uniform Complaint Procedure is intended to be used for all complaints except those
10 governed by a specific process in state or federal law that supersedes this process or collective bargaining
11 agreement. Matters covered by a collective bargaining agreement will be reviewed in accordance with the
12 terms of the applicable agreement.
13

14 The District requests all individuals to use this complaint procedure, when the individual believes the
15 Board, or its employees or agents have violated the individual’s rights under state or federal law or Board
16 policy. Complaints against a building administrator shall be filed with the Superintendent. Complaints
17 against the Superintendent or District administrator shall be filed with the Board.
18

19 The District will endeavor to respond to and resolve complaints without resorting to this formal complaint
20 procedure and, when a complaint is filed, to address the complaint promptly and equitably. The right of a
21 person to prompt and equitable resolution of a complaint filed hereunder will not be impaired by a
22 person’s pursuit of other remedies. Use of this complaint procedure is not a prerequisite to pursue other
23 remedies and use of this complaint procedure does not extend any filing deadline related to pursuit of
24 other remedies.
25

26 Deadlines requiring District action in this procedure may be extended for reasons related but not limited
27 to the District’s retention of legal counsel and District investigatory procedures.
28

29 Level 1: Informal

30
31 An individual with a complaint is first encouraged to discuss it with the appropriate employee or building
32 administrator with the objective of resolving the matter promptly and informally. An exception is that a
33 complaint of sexual harassment should be discussed directly with an administrator not involved in the
34 alleged harassment.
35

36 Level 2: Building Administrator

37
38 When a complaint has not been or cannot be resolved at Level 1, an individual may file a signed and
39 dated written complaint stating: (1) the nature of the complaint; (2) a description of the event or incident
40 giving rise to the complaint, including any school personnel involved; and (3) the remedy or resolution
41 requested. The written complaint must be filed within thirty (30) calendar days of the event or incident or
42 from the date an individual could reasonably become aware of such event or incident. The applicability of
43 the deadline is subject to review by the Superintendent to ensure the intent of this uniform complaint
44 procedure is honored.
45
46
47
48
49
50
51

1
2
3
4 When a complaint alleges violation of Board policy or procedure, the building administrator will
5 investigate and attempt to resolve the complaint. The administrator will respond in writing to the
6 complaint, within thirty (30) calendar days of the administrator's receipt of the complaint.
7

8 If the complainant has reason to believe the administrator's decision was made in error, the complainant
9 may request, in writing, that the Superintendent review the administrator's decision. (See Level 3.) This
10 request must be submitted to the Superintendent within fifteen (15) calendar days of the administrator's
11 decision.
12

13 In the case of a sexual harassment or Title IX complaint the applicable investigation and appeal procedure
14 is Policy 3225P or 5012P. In the case of a disability complaint, the coordinator shall complete an
15 investigation and file a report and recommendation with the Administrator for decision. Appeal of a
16 decision in a disability complaint will be handled in accordance with this policy.
17

18 Level 3: Superintendent

19

20 If the complainant appeals the administrator's decision provided for in Level 2, the Superintendent will
21 review the complaint and the administrator's decision. The Superintendent will respond in writing to the
22 appeal, within thirty (30) calendar days of the Superintendent's receipt of the written appeal. In
23 responding to the appeal, the Superintendent may: (1) meet with the parties involved in the complaint; (2)
24 conduct a separate or supplementary investigation; (3) engage an outside investigator or other District
25 employees to assist with the appeal; and/or (4) take other steps appropriate or helpful in resolving the
26 complaint.
27

28 If the complainant has reason to believe the Superintendent's decision was made in error, the complainant
29 may request, in writing, that the Board consider an appeal of the Superintendent's decision. (See Level
30 4.) This request must be submitted in writing to the Superintendent, within fifteen (15) calendar days of
31 the Superintendent's written response to the complaint, for transmission to the Board.
32

33 Level 4: The Board

34

35 Upon written appeal of a complaint alleging a violation the individual's rights under state or federal law
36 or Board policy upon which the Board of Trustees has authority to remedy, the Board may consider the
37 Superintendent's decision in Level 2 or 3. Upon receipt of written request for appeal, the Chair will
38 either: (1) place the appeal on the agenda of a regular or special Board meeting, (2) appoint an appeals
39 panel of not less than three trustees to hear the appeal and make a recommendation to the Board, or (3)
40 respond to the complaint with an explanation of why the appeal will not be heard by the Board of
41 Trustees in accordance with this policy. If the Chair appoints a panel to consider the appeal, the panel
42 will meet to consider the appeal and then make written recommendation to the full Board. The Board will
43 report its decision on the appeal, in writing, to all parties, within thirty (30) calendar days of the Board
44 meeting at which the Board considered the appeal or the recommendation of the panel. A decision of the
45 Board is final, unless it is appealed pursuant to Montana law within the period provided by law.
46
47
48
49
50
51

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Cross Reference: 3210 - Equal Educational Opportunity and Nondiscrimination
5010 - Equal Employment Opportunity and Nondiscrimination
3225-3225P – Sexual Harassment of Students
5012-5012P – Sexual Harassment of Employees

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

Policy History:

First reading on: 10/13/21

Second reading/Adopted on: 11/10/21