

2  
3 **INSTRUCTION**

2000

4  
5 Goals

6  
7 The District’s educational program will seek to provide an opportunity for each child to develop to his or  
8 her maximum potential. The objectives for the educational program are:

- 9
- 10 • To foster self-discovery, self-awareness, and self-discipline.
- 11 • To develop an awareness of cultural diversity.
- 12 • To stimulate intellectual curiosity and growth.
- 13 • To provide fundamental career concepts and skills.
- 14 • To help the student develop sensitivity to the needs and values of others and respect for individual
- 15 and group differences.
- 16 • To help each student strive for excellence and instill a desire to reach the limit of his or her
- 17 potential.
- 18 • To develop the fundamental skills which will provide a basis for lifelong learning.
- 19 • To be free of any sexual, cultural, ethnic, or religious bias.
- 20

21 The administrative staff is responsible for apprising the Board of the educational program’s current and  
22 future status. The Superintendent should prepare an annual report that includes:

- 23
- 24 • A review and evaluation of the present curriculum;
- 25 • A projection of curriculum and resource needs;
- 26 • An evaluation of, and plan to eliminate, any sexual, cultural, ethnic, or religious bias that may be
- 27 present in the curriculum or instructional materials and methods;
- 28 • A plan for new or revised instructional program implementations; and
- 29 • A review of present and future facility needs.
- 30
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- 32

33 Legal Reference: 10.55.701, ARM Board of Trustees

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35 Policy History:

36 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 School Year Calendar and Day

6  
7 School Calendar

8  
9 Subject to § 20-1-301 and § 20-1-308, MCA, and any applicable collective bargaining agreement  
10 covering the employment of affected employees, the trustees of a school district shall set the number of  
11 hours in a school term, the length of the school day, and the number of school days in a school week.  
12 When proposing to adopt changes to a previously adopted school term, school week, or school day, the  
13 trustees shall: (a) negotiate the changes with the recognized collective bargaining unit representing the  
14 employees affected by the changes; (b) solicit input from the employees affected by the changes but not  
15 represented by a collective bargaining agreement; (c) and from the people who live within the boundaries  
16 of the school district.

17  
18 Commemorative Holidays

19  
20 Teachers and students will devote a portion of the day on each commemorative holiday designated in  
21 § 20-1-306, MCA, to study and honor the commemorated person or occasion. The Board may from time  
22 to time designate a regular school day as a commemorative holiday.

23  
24 Saturday School

25  
26 In emergencies, including during reasonable efforts of the trustees to make up aggregate hours of  
27 instruction lost during a declaration of emergency by the trustees under § 20-9-806, MCA, pupil  
28 instruction may be conducted on a Saturday when it is approved by the trustees.

29  
30 Pupil instruction may be held on a Saturday at the discretion of a school district for the purpose of  
31 providing additional pupil instruction beyond the minimum aggregate hours of instruction required in  
32 § 20-1-301, MCA, provided student attendance is voluntary.

33  
34 School Fiscal Year

35  
36 At least the minimum number of aggregate hours must be conducted during each school fiscal year. The  
37 minimum aggregate hours required by grade are:

- 38 (a) A minimum of 360 aggregate hours for a kindergarten program;
- 39 (b) 720 hours for grades 1 through 3;
- 40 (c) 1,080 hours for grades 4 through 12; and
- 41 (d) 1,050 hours may be sufficient for graduating seniors.

42  
43 The minimum aggregate hours, described above, are not required for any pupil demonstrating proficiency  
44 pursuant to § 20-9-311(4)(d), MCA.

In addition, seven (7) pupil instruction-related days may be scheduled for the following purposes:

1. Pre-school staff orientation for the purpose of organization of the school year;
2. Staff professional development programs (minimum of three (3) days);
3. Parent/teacher conferences; and
4. Post-school record and report (not to exceed one (1) day, or one-half (½) day at the end of each semester or quarter).

The Board of Trustees has established a curriculum committee to develop, recommend, and evaluate the school district's yearly professional development plan. Each year the Board of Trustees shall adopt a professional development plan for the subsequent school year based on the recommendation of the advisory committee.

#### Extended School Year

In accordance with § 20-1-301, MCA, and any applicable collective bargaining agreement covering the employment of affected employees, the Board of Trustees may establish a school calendar with an earlier start date and a later end date to ensure students receive the minimum number aggregate instructional hours. The purpose of an extended school year will be to maximize flexibility in the delivery of instruction and learning for each student in the School District. When setting an extended school year, the School District will collaborate with students, parents, employees and other community stakeholders. When proposing to adopt changes to a previously adopted school term the Board of Trustees will follow the procedures outlined in this policy.

Legal References:	§ 20-1-301, MCA	School fiscal year
	§ 20-1-302, MCA	School term, day and week
	§ 20-1-303, MCA	Conduct of School on Saturday or Sunday prohibited - exceptions
	§ 20-1-304, MCA	Pupil-instruction-related day
	§ 20-1-306, MCA	Commemorative exercises on certain days
	§ 20-9-311, MCA	Calculation of Annual Number Belonging (ANB)
	ARM 10.55.701	Board of Trustees
	ARM 10.65.101, 103	Pupil-Instruction-Related Days
	ARM 10.55.714	Professional Development
	ARM 10.55.906	High School Credit

#### Policy History:

First reading on: 10/13/21

Second reading/Adopted on: 11/10/21

2  
3 **INSTRUCTION**

4  
5 Grade Organization

6  
7 The District maintains instructional levels for grades kindergarten (K) through twelve (12). The grouping  
8 and housing of instructional levels in school facilities will be according to plans developed by the  
9 Superintendent and approved by the Board.

10  
11 Instructional programs will be coordinated between each grade and between levels of schools.

12  
13 A student will be assigned to an instructional group or to a classroom which will best serve the needs of  
14 that individual while still considering the rights and needs of other students. Factors to be considered in  
15 classroom assignments are class size, peer relations, student/teacher relations, instructional style of  
16 individual teachers, and any other variables that will affect the performance of the student.

17  
18 Criteria for grouping will be based on learning goals and objectives addressed and the student's ability to  
19 achieve those purposes.

20  
21  
22  
23 Legal Reference:       § 20-6-501, MCA       Definition of various schools

24  
25 Policy History:

26 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Curriculum and Assessment

6  
7 The Board is responsible for curriculum adoption and must approve all significant changes, including the  
8 adoption of new textbooks and new courses, before such changes are made. The Superintendent is  
9 responsible for making curriculum recommendations. The District shall ensure their curriculum is aligned  
10 to all content standards and the appropriate learning progression for each grade level.  
11

12 A written sequential curriculum will be developed for each subject area. The curricula will address  
13 learner goals, content and program area performance standards, and District education goals and will be  
14 constructed to include such parts of education as content, skills, and thinking. The District shall review  
15 curricula at least every five (5) years or consistent with the state’s standards revision schedule, and  
16 modify, as needed, to meet educational goals of the continuous school improvement plan pursuant to  
17 ARM 10.55.601.  
18

19 The staff and administration will suggest materials and resources, to include supplies, books, materials,  
20 and equipment necessary for development and implementation of the curriculum and assessment, which  
21 are consistent with goals of the education program.  
22

23 The District shall maintain their programs consistent with the state’s schedule for revising standards.  
24

25 The District shall assess the progress of all students toward achieving content standards and content-  
26 specific grade-level learning progressions in each program area. The District shall use assessment results,  
27 including state-level achievement information obtained by administration of assessments pursuant to  
28 ARM 10.56.101 to examine the educational program and measure its effectiveness. The District shall  
29 use appropriate multiple measures and methods, including state-level achievement information obtained  
30 by administration of assessments pursuant to the requirements of ARM 10.56.101, to assess student  
31 progress in achieving content standards and content-specific grade-level learning progressions in all  
32 program areas. The examination of program effectiveness using assessment results shall be supplemented  
33 with information about graduates and other student’s no longer in attendance.  
34

35 Cross Reference: 2000 Goals  
36 2110 Objectives  
37

38 Legal Reference: § 20-3-324, MCA Powers and duties  
39 § 20-4-402, MCA Duties of district superintendent or county high school  
40 principal  
41 § 20-7-602, MCA Textbook selection and adoption  
42 10.55.603, ARM Curriculum and Assessment  
43

44 Policy History:

45 Adopted on: 10/20/1994

46 Reviewed on:

47 Revised on: 03/11/2004

48 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Student and Family Privacy Rights

6  
7 Surveys - General

8  
9 All surveys requesting personal information from students, as well as any other instrument used to collect  
10 personal information from students, must advance or relate to the District’s educational objectives as  
11 identified in Board Policy. This applies to all surveys, regardless of whether the student answering the  
12 questions can be identified and regardless of who created the survey.

13  
14 Surveys Created by a Third Party

15  
16 Before the District administers or distributes a survey created by a third party to a student, the student’s  
17 parent(s)/guardian(s) may inspect the survey upon request and within a reasonable time of their request.

18  
19 This section applies to every survey: (1) that is created by a person or entity other than a District official,  
20 staff member, or student, (2) regardless of whether the student answering the questions can be identified,  
21 and (3) regardless of the subject matter of the questions.

22  
23 Surveys Requesting Personal Information

24  
25 School officials and staff members shall not request, nor disclose, the identity of any student who  
26 completes ANY survey containing one (1) or more of the following items:

- 27  
28 1. Political affiliations or beliefs of the student or the student’s parent/guardian;  
29 2. Mental or psychological problems of the student or the student’s family;  
30 3. Behavior or attitudes about sex;  
31 4. Illegal, antisocial, self-incriminating, or demeaning behavior;  
32 5. Critical appraisals of other individuals with whom students have close family relationships;  
33 6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians,  
34 and ministers;  
35 7. Religious practices, affiliations, or beliefs of the student or the student’s parent/guardian;  
36 8. Income (other than that required by law to determine eligibility for participation in a program or  
37 for receiving financial assistance under such program).

38  
39 The student’s parent(s)/guardian(s) may:

- 40  
41 1. Inspect the survey within a reasonable time of the request; and/or  
42 2. Refuse to allow their child to participate in any survey requesting personal information. The  
43 school shall not penalize any student whose parent(s)/guardian(s) exercise this option.  
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4 Instructional Material  
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6 A student's parent(s)/guardian(s) may, within a reasonable time of the request, inspect any instructional  
7 material used as part of their child's educational curriculum.  
8

9 The term "instructional material," for purposes of this policy, means instructional content that is provided  
10 to a student, regardless of its format, printed or representational materials, audio-visual materials, and  
11 materials in electronic or digital formats (such as materials accessible through the Internet). The term  
12 does not include academic tests or academic assessments.  
13

14 Collection of Personal Information From Students for Marketing Prohibited  
15

16 The term "personal information," for purposes of this section only, means individually identifiable  
17 information including: (1) a student's or parent's first and last name, (2) a home or other physical address  
18 (including street name and the name of the city or town), (3) telephone number, or (4) a Social Security  
19 identification number.  
20

21 The District will not collect, disclose, or use student personal information for the purpose of marketing or  
22 selling that information or otherwise providing that information to others for that purpose.  
23

24 The District, however, is not prohibited from collecting, disclosing, or using personal information  
25 collected from students for the exclusive purpose of developing, evaluating, or providing educational  
26 products or services for, or to, students or educational institutions such as the following:  
27

- 28 1. College or other post-secondary education recruitment or military recruitment;
- 29 2. Book clubs, magazines, and programs providing access to low-cost literary products;
- 30 3. Curriculum and instructional materials used by elementary schools and secondary schools;
- 31 4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or  
32 achievement information about students (or to generate other statistically useful data for the  
33 purpose of securing such tests and assessments) and the subsequent analysis and public release of  
34 the aggregate data from such tests and assessments;
- 35 5. The sale by students of products or services to raise funds for school-related or education-related  
36 activities;
- 37 6. Student recognition programs.  
38

39 Notification of Rights and Procedures  
40

41 The Superintendent or designee shall notify students' parents/guardians of:  
42

- 43 1. This policy as well as its availability from the administration office upon request;
- 44 2. How to opt their child out of participation in activities as provided in this policy;
- 45 3. The approximate dates during the school year when a survey requesting personal information, as  
46 described above, is scheduled or expected to be scheduled;
- 47 4. How to request access to any survey or other material described in this policy.  
48

49 This notification shall be given parents/guardians at least annually at the beginning of the school year and  
50 within a reasonable period after any substantive change in this policy.  
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The rights provided to parents/guardians in this policy transfer to the student, when the student turns eighteen (18) years of age or is an emancipated minor.

Cross Reference:      2311    Instructional Materials  
                                 3200    Student Rights and Responsibilities  
                                 3410    Student Health/Physical Screenings/Examinations

Legal Reference:      20 U.S.C. 1232h      Protection of Pupil Rights

Policy History:  
Adopted on: 12/14/2005  
First reading on: 10/13/21  
**Second reading/Adopted on: 11/10/21**



1 **Bigfork School District #38**

2  
3 **INSTRUCTION**

2150

4  
5  
6 Suicide Awareness and Prevention

7  
8 Professional Development

9 The District will provide professional development on youth suicide awareness and prevention to each  
10 employee of the district who work directly with any students enrolled in the school district. The training  
11 materials will be approved by the Office of Public Instruction (OPI).

12  
13 The District will provide, at a minimum, two (2) hours of youth suicide awareness and prevention training  
14 every five (5) years. All new employees who work directly with any student enrolled in the school  
15 district will be provided two (2) hours of training the first year of employment.

16  
17 Youth suicide and prevention training may include:

- 18  
19 A. In-person attendance at a live training;  
20 B. Video conference;  
21 C. An individual program of study of designated materials;  
22 D. Self-review modules available online; and  
23 E. Any other method chosen by the local school board that is consistent with professional  
24 development standards.

25  
26 Prevention and Response

27 The Board authorizes the Administration and appropriate District staff to develop procedures to address  
28 matters related to suicide prevention and response that:

- 29  
30 A. Promote collaboration with families and with community providers in all aspects of suicide  
31 prevention and response;  
32 B. Include high quality intervention services for students;  
33 C. Promote interagency cooperation that enables school personnel to identify and access appropriate  
34 community resources for use in times of crisis;  
35 D. Include reintegration of youth into a school following a crisis, hospitalization, or residential  
36 treatment;  
37 E. Provide for leadership, planning, and support for students and school personnel to ensure  
38 appropriate responses to attempted or completed suicides.

39  
40 No cause of action may be brought for any loss or damage caused by any act or admission resulting from  
41 the implementation of the provisions of this policy or resulting from any training, or lack of training,  
42 related to this policy. Nothing in this policy shall be construed to impose a specific duty of care.

43  
44 This policy will be reviewed by the Board of Trustees on a regular basis.

45  
46 Legal Reference: § 20-7-1310, MCA Youth suicide awareness and prevention training  
47 ARM 10.55.720 Suicide Prevention and Response

48  
49 Policy History:

50 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5  
6 Family Engagement Policy

7  
8 The Bigfork School District #38 Board of Trustees believes that engaging parents/families in the  
9 education process is essential to improved academic success for students. The Board recognizes that a  
10 student's education is a responsibility shared by the district, parents, families and other members of the  
11 community during the entire time a student attends school. The Board believes that the district must  
12 create an environment that is conducive to learning and that strong, comprehensive parent/family  
13 involvement is an important component. Parent/Family involvement in education requires a cooperative  
14 effort with roles for the Office of Public Instruction (OPI), the district, parents/families and the  
15 community.

16  
17 Parent/Family Involvement Goals and Plan

18  
19 The Board of Trustees recognizes the importance of eliminating barriers that impede parent/family  
20 involvement, thereby facilitating an environment that encourages collaboration with parents, families and  
21 other members of the community. Therefore, the district will develop and implement a plan to facilitate  
22 parent/family involvement that shall include the following six (6) goals:

- 23
- 24 1. Promote families to actively participate in the life of the school and feel welcomed, valued, and
- 25 connected to each other, to school staff, and to what students are learning and doing in class;
- 26
- 27 2. Promote families and school staff to engage in regular, two-way meaningful communication
- 28 about student learning;
- 29
- 30 3. Promote families and school staff to continuously collaborate to support student learning and
- 31 healthy development both at home and at school and have regular opportunities to strengthen
- 32 their knowledge and skills to do so effectively;
- 33
- 34 4. Empower parents to be advocates for their own and other children, to ensure that students are
- 35 treated equitably and have access to learning opportunities that will support their success;
- 36
- 37 5. Encourage families and school staff to be partners in decisions that affect children and families
- 38 and together inform, influence, and create policies, practices, and programs; and
- 39
- 40 6. Encourage families and school staff to collaborate with members of the community to connect
- 41 students, families, and staff to expand learning opportunities, community services, and civic
- 42 participation.
- 43
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The district's plan for meeting these goals is to:

1. Provide activities that will educate parents regarding the intellectual and developmental needs of their children at all age levels. This will include promoting cooperation between the district and other agencies or school/community groups (such as parent-teacher groups, Head Start, , etc.) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development.
2. Implement strategies to involve parents/families in the educational process, including:
  - < Keeping parents/families informed of opportunities for involvement and encouraging participation in various programs.
  - < Providing access to educational resources for parents/families to use together with their children.
  - < Keeping parents/families informed of the objectives of district educational programs as well as of their child's participation and progress within these programs.
3. Enable families to participate in the education of their children through a variety of roles. For example, parents/family members should be given opportunities to provide input into district policies and volunteer time within the classrooms and school programs.
4. Provide professional development opportunities for teachers and staff to enhance their understanding of effective parent/family involvement strategies.
5. Perform regular surveys of parent/family involvement at each school and at the district level.
6. Provide access, upon request, to any instructional material used as part of the educational curriculum.
7. If practical, provide information in a language understandable to parents.

Legal Reference: 10.55.701(2)(m) Board of Trustees

Policy History:

First reading on: 10/13/21

Second reading/Adopted on: 11/10/21

2  
3 **INSTRUCTION**

4  
5 **Title I Parent and Family Engagement**

6  
7 The District endorses the parent and family engagement goals of Title I and encourages the regular  
8 participation of parents and family members (including parents and families of migrant students if  
9 applicable) of Title I eligible children in all aspects of the program to establish the agency’s expectations  
10 and objectives for meaningful parent and family involvement. The education of children is viewed as a  
11 cooperative effort among the parents, family members, school, and community. In this policy the word  
12 “parent” also includes guardians and other family members involved in supervising the child’s schools.  
13

14 Pursuant to federal law the District will develop jointly with, agree upon with, and distribute to parents of  
15 children participating in the Title I program a written parent and family engagement policy. This may  
16 include meaningful consultation with employers, business leaders, and  
17 philanthropic organizations, or individuals with expertise in effectively engaging parents and family  
18 members in education.  
19

20 At the required annual meeting of Title I parents and family members (including parents and families of  
21 migrant students if applicable), parents and family members will have opportunities to participate in the  
22 design, development, operation, and evaluation of the program for the next school year. Proposed  
23 activities to fulfill the requirements necessary to address the requirements of family engagement goals  
24 shall be presented.  
25

26 In addition to the required annual meeting, at least three (3) additional meetings shall be held at various  
27 times of the day and/or evening for parents and family members of children (including parents and  
28 families of migrant children if applicable) participating in the Title I program. These meetings shall be  
29 used to provide parents with:  
30

- 31 1. Information about programs provided under Title I;
- 32
- 33 2. A description and explanation of the curriculum in use, the forms of academic assessment used to  
34 measure student progress, and the proficiency levels students are expected to meet;  
35
- 36 3. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to  
37 the education of their children; and  
38
- 39 4. The opportunity to bring parent comments, if they are dissatisfied with the school’s Title I  
40 program, to the District level.  
41

42 Title I funding, if sufficient, may be used to facilitate parent attendance at meetings, through payment of  
43 transportation and childcare costs.  
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The parents and family members of children (including parents and families of migrant children if applicable) identified to participate in Title I programs shall receive from the school principal and Title I staff an explanation of the reasons supporting each child’s selection for the program, a set of objectives to be addressed, and a description of the services to be provided. Opportunities will be provided for the parents and family members to meet with the classroom and Title I teachers to discuss their child’s progress. Parents will also receive guidance as to how they can assist at home in the education of their children.

Each school in the District receiving Title I funds shall develop jointly with parents and family members of children served in the program a “School-Parent Compact” outlining the manner in which parents, school staff, and students share the responsibility for improved student academic achievement in meeting state standards. The “School-Parent Compact” shall:

1. Describe the school’s responsibility to provide high quality curriculum and instruction in a supportive and effective learning environment enabling children in the Title I program to meet the state’s academic achievement standards;
2. Indicate the ways in which each parent will be responsible for supporting their child’s learning, such as monitoring attendance, homework completion, and television watching; volunteering in the classroom; and participating, as appropriate, in decisions related to their child’s education and positive use of extracurricular time; and
3. Address the importance of parent-teacher communication on an ongoing basis with, at a minimum, parent-teacher conferences, frequent reports to parents, and reasonable access to staff.

The activities authorized under this policy may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the district to adequately represent the needs of the population served by the district for the purposes of developing, revising, and reviewing the parent and family engagement policy.

*NOTE: Districts with more than one (1) school participating in a Title I program may wish to consider the establishment of a district-wide parent advisory council.*

Legal Reference: Title I of the Elementary and Secondary Education Act  
20 U.S.C. §§ 6301-6514  
§ 1116 Every Student Succeeds Act

Policy History:

First reading on: 10/13/21

Second reading/Adopted on: 11/10/21

2  
3 **INSTRUCTION**

4  
5 **Title I – Equivalency/Comparability**

6  
7 A. To assure that state and local services are provided in Title I schools at least equivalent to such  
8 services in non-Title I schools, these policies will be observed in the School District.

9  
10 1. **Salary Scales**

11  
12 The District-wide salary scales will be applicable to all staff whether assigned to Title I  
13 or non-Title I schools.

14  
15 2. **Assignment of Teachers, Administrators, and Support Personnel**

16  
17 Assignment of teachers, administrators, and support personnel will be made in such a  
18 way to assure that the numbers of students per staff person in Title I schools shall be  
19 equivalent to the average number of students per staff person in relevant comparison  
20 schools (i.e., non-Title I or other Title I schools).

21  
22 3. **Curriculum Materials and Instructional Supplies**

23  
24 Curriculum materials and instructional supplies will be provided to schools with the same  
25 grade spans on a per-pupil cost factor to assure that all children have access to the same  
26 level of state and local resources regardless of whether they attend a Title I or non-Title I  
27 school.

28  
29 **Title I Parent Involvement**

30  
31 In order to achieve the level of Title I parent involvement desired by District policy on this topic, these  
32 procedures guide the development of each school’s annual plan designed to foster a cooperative effort  
33 among parents, school, and community.

34  
35 **Guidelines**

36  
37 Parent involvement activities developed at each school will include opportunities for:

- 38  
39 • Volunteering;  
40 • Parent education;  
41 • Home support for the child’s education;  
42 • Parent participation in school decision making.

43  
44 The school system will provide opportunities for professional development and resources for staff and  
45 parents/community regarding effective parent involvement practices.

1  
2  
3 Roles and Responsibilities  
4

5 **Parents**  
6

7 It is the responsibility of the parent to:

- 8 • Actively communicate with school staff;  
9 • Be aware of rules and regulations of school;  
10 • Take an active role in the child's education by reinforcing at home the skills and knowledge the  
11 student has learned in school;  
12 • Utilize opportunities for participation in school activities.  
13

14 **Staff**  
15

16 It is the responsibility of staff to:

- 17 • Develop and implement a school plan for parent involvement;  
18 • Promote and encourage parent involvement activities;  
19 • Effectively and actively communicate with all parents about skills, knowledge, and attributes  
20 students are learning in school and suggestions for reinforcement;  
21 • Send information to parents of Title I children (including parents of migrant children if  
22 applicable) in a format and, to the extent practicable, in a language the parents can understand.  
23

24 **Community**  
25

26 Community members who volunteer in the schools have the responsibility to:

- 27 • Be aware of rules and regulations of the school;  
28 • Utilize opportunities for participation in school activities.  
29

30 **Administration**  
31

32 It is the responsibility of the administration to:

- 33 • Facilitate and implement the Title I Parent Involvement Policy and Plan;  
34 • Provide training and space for parent involvement activities;  
35 • Provide resources to support successful parent involvement practices;  
36 • Provide in-service education to staff regarding the value and use of contributions of parents and  
37 how to communicate and work with parents as equal partners;  
38 • Send information to parents of Title I children (including parents of migrant children if  
39 applicable) in a format and, to the extent practicable, in a language the parents can understand.  
40

41 Procedure History:

42 Promulgated on: 03/11/2004

43 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Special Education

6  
7 The District shall provide a free appropriate public education and necessary related services to all children  
8 with disabilities residing within the District, as required under the Individuals with Disabilities Education  
9 Act (IDEA), provisions of Montana law, and the Americans with Disabilities Act.

10  
11 For students eligible for services under IDEA, the District will follow procedures for identification,  
12 evaluation, placement, and delivery of service to children with disabilities, as provided in the current  
13 *Montana State Plan under Part B of IDEA*.

14  
15 The District may maintain membership in one or more cooperative associations which may assist in  
16 fulfilling the District's obligations to its disabled students.

17  
18  
19  
20 Legal Reference: Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.  
21 Individuals with Disabilities Education Act, 20 U.S.C. § 1400, et seq.  
22 § 20-7-Part Four, MCA Special Education for Exceptional Children  
23

24  
25 Policy History:

26 Adopted on: 08/14/1994

27 Revised on: 05/17/2001

28 First reading on: 10/13/21

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



2  
3 **INSTRUCTION**

4  
5 Special Education

6  
7 Child Find

8  
9 The District shall be responsible for the coordination and management of locating, identifying, and  
10 evaluating all disabled children ages zero (0) through twenty-one (21). Appropriate staff will design the  
11 District’s Child Find plan in compliance with all state and federal requirements and with assistance from  
12 special education personnel who are delegated responsibility for implementing the plan.

13  
14 The District’s plan will contain procedures for identifying suspected disabled students in private schools  
15 as identified in 34 CFR 530.130 and 530.131(f), students who are home schooled, homeless children, as  
16 well as public facilities located within the geographic boundaries of the District. These procedures shall  
17 include screening and development criteria for further assessment. The plan must include locating,  
18 identifying, and evaluating highly mobile children with disabilities and children who are suspected of  
19 being a child with a disability and in need of special education, even though the child is and has been  
20 advancing from grade to grade. The District’s Child Find Plan must set forth the following:

- 21
- 22 1. Procedures used to annually inform the public of all child find activities, for children zero through
- 23 twenty-one;
- 24 2. Identity of the special education coordinator;
- 25 3. Procedures used for collecting, maintaining, and reporting data on child identification;
- 26 4. Procedures for Child Find Activities (including audiological, health, speech/language, and visual
- 27 screening and review of data or records for students who have been or are being considered for
- 28 retention, delayed admittance, long-term suspension or expulsion or waiver of learner outcomes)
- 29 in each of the following age groups:
- 30 A. Infants and Toddlers (Birth through Age 2)
- 31 Procedures for referral of infants and toddlers to the appropriate early intervention
- 32 agency, or procedures for conducting child find.
- 33 B. Preschool (Ages 3 through 5)
- 34 Part C Transition planning conferences; frequency and location of screenings;
- 35 coordination with other agencies; follow-up procedures for referral and evaluation; and
- 36 procedures for responding to individual referrals.
- 37 C. In-School (Ages 6 through 18)
- 38 Referral procedures, including teacher assistance teams, parent referrals, and referrals
- 39 from other sources; and follow-up procedures for referral and evaluation.
- 40 D. Post-School (Ages 19 through 21)
- 41 Individuals who have not graduated from high school with a regular diploma and
- 42 who were not previously identified. Describe coordination efforts with other
- 43 agencies.
- 44 E. Private Schools (This includes home schools.)
- 45 Child find procedures addressing the provisions of ARM 10.16.3125(1); follow-up
- 46 procedures for referral and evaluation.
- 47 F. Homeless Children
- 48
- 49
- 50
- 51

1  
2  
3  
4 G. Dyslexia

5 The School District shall establish procedures to ensure that all resident children with  
6 disabilities, including specific learning disabilities resulting from dyslexia, are identified  
7 and evaluated for special education and related services as early as possible. The  
8 screening instrument must be administered to:

9 (A) a child in the first year that the child is admitted to a school of the district up  
10 to grade 2; and

11 (B) a child who has not been previously screened by the district and who fails to  
12 meet grade-level reading benchmarks in any grade;

13  
14 The screening instrument shall be administered by an individual with an understanding  
15 of, and training to identify, signs of dyslexia designed to assess developmentally  
16 appropriate phonological and phonemic awareness skills.

17  
18 If a screening suggests that a child may have dyslexia or a medical professional diagnosis  
19 a child with dyslexia, the child's school district shall take steps to identify the specific  
20 needs of the child and implement best practice interventions to address those needs. This  
21 process may lead to consideration of the child's qualification as a child with a disability  
22 under this policy.

23  
24 Procedures for Evaluation and Determination of Eligibility

25  
26 Procedures for evaluation and determination of eligibility for special education and related services are  
27 conducted in accordance with the procedures and requirements of 34 CFR 300.301-300.311 and the  
28 following state administrative rules:

29  
30 10.16.3320 - Referral;

31 10.60.103 - Identification of Children with Disabilities;

32 10.16.3321 - Comprehensive Educational Evaluation Process;

33  
34 Procedural Safeguards and Parental Notification

35  
36 The District implements the procedural safeguard procedures as identified in  
37 34 CFR 300.500 - 300.530.

38  
39 A copy of the procedural safeguards available to the parents of a child with a disability must be given to  
40 the parents only one (1) time a school year, except that a copy also must be given to the parents:

- 41  
42 • Upon initial referral or parent request for evaluation;
- 43 • Upon receipt of the first state complaint under 34 CFR 300.151 through 300.153 and upon receipt  
44 of the first due process complaint under 34 CFR 300.507 in a school year;
- 45 • In accordance with the discipline procedures in 34 CFR 300.530(h) (...on the date on which the  
46 decision is made to make a removal that constitutes a change of placement of a child with a  
47 disability because of a violation of a code of student conduct, the LEA must...provide the parents  
48 the procedural safeguards notice); and
- 49 • Upon request by a parent.
- 50

1  
2  
3  
4 A public agency also may place a current copy of the procedural safeguard notice on its internet website,  
5 if a website exists. [34 CFR 300.504(a) and (b)] [20 U.S.C. 1415(d)(1)]  
6

7 The referral for special education consideration may be initiated from any source, including school  
8 personnel. To initiate the process, an official referral form must be completed and signed by the person  
9 making the referral. The District shall accommodate a parent who cannot speak English and therefore  
10 cannot complete the District referral form. Recognizing that the referral form is a legal document,  
11 District personnel with knowledge of the referral shall bring the referral promptly to the attention of the  
12 Evaluation Team.  
13

14 The District shall give written notice to the parent of its recommendation to evaluate or not to evaluate the  
15 student. The parent will be fully informed concerning the reasons for which the consent to evaluate is  
16 sought. Written parental consent will be obtained before conducting the initial evaluation or before  
17 reevaluating the student.  
18

19 The recommendation to conduct an initial evaluation or reevaluation shall be presented to the parents in  
20 their native language or another mode of communication appropriate to the parent. An explanation of all  
21 the procedural safeguards shall be made available to the parents when their consent for evaluation is  
22 sought. These safeguards will include a statement of the parents' rights relative to granting the consent.  
23

#### 24 Evaluation of Eligibility

25  
26 Evaluation of eligibility for special education services will be consistent with the requirements of  
27 34 CFR 300.301 through 300.311 regarding Procedures for Evaluation and Determination of Eligibility;  
28 and shall also comply with ARM 10.16.3321.  
29

#### 30 Individualized Education Programs

31  
32 The District develops, implements, reviews, and revises individualized education programs (IEP) in  
33 accordance with the requirements and procedures of 34 C.F.R. 300.320-300.328.  
34

#### 35 Least Restrictive Environment

36  
37 To the maximum extent appropriate, children with disabilities, including children in public or private  
38 institutions or other care facilities, are educated with children who are nondisabled, and special classes,  
39 separate schooling, or other removal of children with disabilities from the regular class occurs only if the  
40 nature or severity of the disability is such that education in regular classes, with the use of supplementary  
41 aids and services, cannot be achieved satisfactorily. Educational placement decisions are made in  
42 accordance with A.R.M. 10.16.3340 and the requirements of 34 CFR 300.114 - 300.120, and a continuum  
43 of alternate placements is available as required in 34 CFR 300.551.  
44

#### 45 Children in Private Schools/Out-of District Placement

46  
47 Children with a disability placed in or referred to a private school or facility by the District, or other  
48 appropriate agency, shall receive special education and related services in accordance with the  
49 requirements and procedures of 34 CFR 300.145 through 300.147 and ARM 10.16.3122.  
50  
51

1  
2  
3  
4 As set forth under 34 CFR 300.137, children with a disability placed in or referred to a private school or  
5 facility by parents do not have an individual right to special education and related services at the District's  
6 expense. When services are provided to children with disabilities placed by parents in private schools, the  
7 services will be in accordance with the requirements and procedures of 34. CFR 300.130 through  
8 300.144, and 300.148.  
9

10 Impartial Due Process Hearing

11  
12 The District shall conduct the impartial hearing in compliance with the Montana Administrative Rules on  
13 matters pertaining to special education controversies.  
14

15 Special Education Records and Confidentiality of Personally Identifiable Information

16  
17 A. Confidentiality of Information

18  
19 The District follows the provisions under the Family Educational Rights and Privacy Act and  
20 implements the procedures in 34 CFR 300.610-300.627, § 20-1-213, MCA, and ARM 10.16.3560.  
21

22 B. Access Rights

23  
24 Parents of disabled students and students eighteen (18) years or older, or their representative, may review  
25 any educational records which are designated as student records collected, maintained, and used by the  
26 District. Review shall normally occur within five (5) school days and in no case longer than forty-five  
27 (45) days. Parents shall have the right to an explanation or interpretation of information contained in the  
28 record. Non-custodial parents shall have the same right of access as custodial parents, unless there is a  
29 legally binding document specifically removing that right.  
30

31 C. List of Types and Locations of Information.

32  
33 A list of the records maintained on disabled students shall be available in the District office. Disabled  
34 student records shall be located in the school, where they are available for review by authorized District  
35 personnel, parents, and adult students. Special education teachers will maintain an IEP file in their  
36 classrooms. These records will be maintained under the direct supervision of the teacher and will be  
37 located in a locked file cabinet. A record-of-access sheet in each special education file will specify the  
38 District personnel who have a legitimate interest in viewing these records.  
39

40 D. Safeguards

41  
42 The District will identify in writing the employees who have access to personally identifiable  
43 information, and provide training on an annual basis to those staff members.  
44

45 E. Destruction of Information

46  
47 The District will inform parents five (5) years after the termination of special education services that  
48 personally identifiable information is no longer needed for program purposes. Medicaid reimbursement  
49 records must be retained for a period of at least six years and three months from the date on which the  
50 service was rendered or until any dispute or litigation concerning the services is resolved, whichever is  
51 later. The parent will be advised that such information may be important to establish eligibility for certain

adult benefits. At the parent's request, the record information shall either be destroyed or made available to the parent or to the student if eighteen (18) years or older. Reasonable effort shall be made to provide the parent with notification sixty (60) days prior to taking any action on destruction of records. Unless consent has been received from the parent to destroy the record, confidential information will be retained for five (5) years beyond legal school age.

F. Children's Rights

Privacy rights shall be transferred from the parent to an adult student at the time the student attains eighteen (18) years of age, unless some form of legal guardianship has been designated due to the severity of the disabling condition.

Discipline

Students with disabilities may be suspended from school the same as students without disabilities for the same infractions or violations for up to ten (10) consecutive school days. Students with disabilities may be suspended for additional periods of not longer than ten (10) consecutive school days for separate, unrelated incidents, so long as such removals do not constitute a change in the student's educational placement. However, for any additional days of removal over and above ten (10) school days in the same school year, the District will provide educational services to a disabled student, which will be determined in consultation with at least one (1) of the child's teachers, determining the location in which services will be provided. The District will implement the disciplinary procedures in accord with the requirements of CFR 300.530-300.537.

Legal Reference:	34 CFR 300.1, et seq.	Individuals with Disabilities Act (IDEA)
	§ 20-1-213, MCA	Transfer of school records
	10.16.3122 ARM	Local Educational Agency Responsibility for Students with Disabilities
	10.16.3220 ARM	Program Narrative
	10.16.3321 ARM	Comprehensive Educational Evaluation Process
	10.16.3340 ARM	Individualized Education Program and Placement Decisions
	10.16.3560 ARM	Special Education Records
	10.60.103 ARM	Identification of Children with Disabilities
	37.85.414 ARM	Maintenance of Records and Auditing (Medicaid)
	Chapter 227 (2019)	Montana Dyslexia Screening and Intervention Act

Procedure History:

First reading on: 10/13/21

Second reading/Adopted on: 11/10/21

2  
3 **INSTRUCTION**

4  
5 Section 504 of the Rehabilitation Act of 1973 (“Section 504”)

6  
7 It is the intent of the District to ensure that students who are disabled within the definition of Section 504  
8 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational  
9 services. For those students who need or are believed to need special instruction and/or related services  
10 under Section 504 of the Rehabilitation Act of 1973, the District shall establish and implement a system  
11 of procedural safeguards. The safeguards shall cover students’ identification, evaluation, and educational  
12 placement. This system shall include: notice, an opportunity for the student’s parent or legal guardian to  
13 examine relevant records, an impartial hearing with opportunity for participation by the student’s parent  
14 or legal guardian, and a review procedure.

15  
16  
17  
18 Legal Reference:           Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
19                                   ADA Amendments Act of 2008  
20                                   34 C.F.R. §104.1 *et seq.* Purpose  
21                                   34 C.F.R. §104.35                   Evaluation and Placement  
22                                   34 C.F.R. §104.36                   Procedural safeguards  
23  
24  
25

26 Policy History:  
27 First reading on: 10/13/21  
28 **Second reading/Adopted on: 11/10/21**

2  
3 **INSTRUCTION**

4  
5  
6 Section 504 of the Rehabilitation Act of 1973 (“Section 504”)

- 7  
8 (1) **Impartial Due Process Hearing.** If the parent or legal guardian of a student who qualifies under  
9 Section 504 for special instruction or related services disagrees with a decision of the District  
10 with respect to: (1) the identification of the child as qualifying for Section 504; (2) the District’s  
11 evaluation of the child; and/or (3) the educational placement of the child, the parents of the  
12 student are entitled to certain procedural safeguards. The student shall remain in his/her current  
13 placement until the matter has been resolved through the process set forth herein.  
14
- 15 A. The District shall provide written notice to the parent or legal guardian of a Section 504  
16 student, prior to initiating an evaluation of the child and/or determining the appropriate  
17 educational placement of the child, including special instruction and/or related services;  
18
  - 19 B. Upon request, the parent or legal guardian of the student shall be allowed to examine all  
20 relevant records relating to the child’s education and the District’s identification,  
21 evaluation, and/or placement decision;  
22
  - 23 C. The parent or legal guardian of the student may make a request in writing for an impartial  
24 due process hearing. The written request for an impartial due process hearing shall  
25 identify with specificity the areas in which the parent or legal guardian is in disagreement  
26 with the District;  
27
  - 28 D. Upon receipt of a written request for an impartial due process hearing, a copy of the  
29 written request shall be forwarded to all interested parties within three (3) business days;  
30
  - 31 E. Within ten (10) days of receipt of a written request for an impartial due process hearing,  
32 the District shall select and appoint an impartial hearing officer who has no professional  
33 or personal interest in the matter. In that regard, the District may select a hearing officer  
34 from the list of special education hearing examiners available at the Office of Public  
35 Instruction, the county superintendent, or any other person who would conduct the  
36 hearing in an impartial and fair manner;  
37
  - 38 F. Once the District has selected an impartial hearing officer, the District shall provide the  
39 parent or legal guardian and all other interested parties with notice of the person selected;  
40
  - 41 G. Within five (5) days of the District’s selection of a hearing officer, a prehearing  
42 conference shall be scheduled to set a date and time for a hearing, identify the issues to be  
43 heard, and stipulate to undisputed facts to narrow the contested factual issues;  
44
  - 45 H. The hearing officer shall, in writing, notify all parties of the date, time, and location of  
46 the due process hearing;  
47  
48

- 1  
2  
3  
4 I. Anytime prior to the hearing, the parties may mutually agree to submit the matter to  
5 mediation. A mediator may be selected from the Office of Public Instruction's list of  
6 trained mediators;  
7  
8 J. At the hearing, the District and the parent or legal guardian may be represented by  
9 counsel;  
10  
11 K. The hearing shall be conducted in an informal but orderly manner. Either party may  
12 request that the hearing be recorded. Should either party request that the hearing be  
13 recorded, it shall be recorded using either appropriate equipment or a court reporter. The  
14 District shall be allowed to present its case first. Thereafter the parent or legal guardian  
15 shall be allowed to present its case. Witnesses may be called to testify, and documentary  
16 evidence may be admitted; however, witnesses will not be subject to cross-examination,  
17 and the Montana Rules of Evidence will not apply. The hearing officer shall make all  
18 decisions relating to the relevancy of all evidence intended to be presented by the parties.  
19 Once all evidence has been received, the hearing officer shall close the hearing. The  
20 hearing officer may request that both parties submit proposed findings of fact,  
21 conclusions, and decision;  
22  
23 L. Within twenty (20) days of the hearing, the hearing examiner should issue a written  
24 report of his/her decision to the parties;  
25  
26 M. Appeals may be taken as provided by law. The parent or legal guardian may contact the  
27 Office of Civil Rights, 912 2<sup>nd</sup> Avenue, Seattle, WA 98714-1099; (206) 220-7900.  
28  
29 (2) Uniform Complaint Procedure. If a parent or legal guardian of the student alleges that the  
30 District and/or any employee of the District has engaged in discrimination or harassment of the  
31 student, the parent or legal guardian will be required to proceed through the District's Uniform  
32 Complaint Procedure.  
33  
34

35 Legal Reference: 34 C.F.R. 104.36 Procedural safeguards

36  
37 Procedure History:

38 First reading on: 10/13/21

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



2  
3 **INSTRUCTION**

4  
5 Community and Adult Education

6  
7 Efforts may be made to use public school facilities and resources, realizing that education is a lifelong  
8 process involving the whole community. The District may make its resources available to everyone  
9 within the limits of budget, staff, and classroom space. Daytime and/or evening use of classrooms, shops,  
10 and labs should be encouraged provided there is no interference with or impairment of the regular school  
11 program. Course offerings may be developed in cooperation with community representatives.  
12

13  
14  
15 Legal Reference: § 20-7-703, MCA Trustees' policies for adult education

16  
17 Policy History:

18 Adopted on: 08/14/1994

19 Revised on: 03/11/2004

20 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Library Materials

6  
7 School library and classroom library books are primarily for use by District students and staff. Library  
8 books may be checked out by either students or staff. Individuals who check out books are responsible  
9 for the care and timely return of those materials. The building principal may assess fines for damaged or  
10 unreturned books.

11  
12 District residents and parents or guardians of non-resident students attending the District may be allowed  
13 use of library books, at the discretion of the building principal. However, such access shall not interfere  
14 with regular school use of those books. Use of library books outside of the District is prohibited except  
15 for inter-library loan agreements with other libraries.

16  
17 Any individual may challenge the selection of materials for the library/media center. The Uniform  
18 Complaint Procedure will be utilized to determine if challenged material is properly located in the library.  
19

20  
21  
22 Cross Reference: 1700 Uniform Complaint Procedure  
23 2314 Learning Materials Review

24  
25 Legal Reference: § 20-4-402(5), MCA Duties of district superintendent or county high school  
26 principal  
27 § 20-7-203, MCA Trustees' policies for school library  
28 § 20-7-204, MCA School library book selection  
29

30 Policy History:

31 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Selection of Library Materials

6  
7 The District has libraries in every school, with the primary objective of implementing and supporting the  
8 educational program in the schools. It is the objective of these libraries to provide a wide range of  
9 materials on all appropriate levels of difficulty, with diversity of appeal and the presentation of different  
10 points of view.  
11

12 The provision of a wide variety of library materials at all reading levels supports the District’s basic  
13 principle that the school in a free society assists all students to develop their talents fully so that they  
14 become capable of contributing to the further good of that society.  
15

16 In support of these objectives, the Board reaffirms the principles of intellectual freedom inherent in the  
17 First Amendment of the Constitution of the United States and guided by the principles set forth in the  
18 American Library Association’s Library Bill of Rights and its interpretation for school libraries.  
19

20 The District superintendent is responsible for selection of library materials. Ultimate responsibility for  
21 the selection of library materials rests with the Board of Trustees, School District #38.  
22

23 The library materials selection process is delegated to the school principal and librarian. Any materials in  
24 questions can be reviewed by the Superintendent and Board of Trustees using Policy 1700.  
25  
26  
27

28 Legal reference: § 20-4-402(5), MCA Duties of district superintendent or county high school  
29 principal  
30 § 20-7-203, MCA Trustees’ policies for school library  
31 § 20-7-204, MCA School library book selection  
32 Library Bill of Rights  
33 American Library Association  
34  
35

36 Policy History:

37 Adopted on: 08/14/1994

38 Revised on: 04/22/2004

39 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Selection of Library Materials

6  
7 Selection of library materials is a professional task conducted by library staff. In selecting library  
8 materials, the librarian will evaluate the existing collection; assess curricula needs; examine materials;  
9 and consult reputable, professionally prepared selection aids.

10  
11 Weeding

12  
13 When materials no longer meet criteria for selection, they will be weeded. Weeding is a necessary aspect  
14 of selection, since every library will contain works which may have answered a need at the time of  
15 acquisition, but which, with the passage of time, have become obsolete, dated, unappealing, or worn out.

16  
17 Discarded materials will be clearly labeled discard:

18  
19 Materials will be discarded in compliance with § 20-6-604, MCA. When the decision to sell or dispose of  
20 library materials is made, the Board will adopt a resolution to sell or otherwise dispose of the material  
21 because it is or is about to become abandoned, obsolete, undesirable, or unsuitable for the school purposes  
22 of the District. The Board will publish a notice of the resolution in the newspaper of general circulation.  
23 The resolution may not become effective for fourteen (14) days after notice is published.

24  
25 Gifts

26  
27 Gift materials may be accepted with the understanding they must meet criteria set for book selection.  
28  
29  
30

31 Procedure History:

32 Promulgated on: 04/22/2004

33 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Instructional Materials

6  
7 The Board is legally responsible to approve and to provide the necessary instructional materials used in  
8 the District. Textbooks and instructional materials should provide quality learning experiences for  
9 students and:

- 10
- 11 • Enrich and support the curriculum;
- 12 • Stimulate growth in knowledge, literary appreciation, aesthetic value, and ethical standards;
- 13 • Provide background information to enable students to make intelligent judgments;
- 14 • Present opposing sides of controversial issues;
- 15 • Be representative of the many religious, ethnic, and cultural groups and their contributions to our
- 16 American heritage;
- 17 • Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American
- 18 society.
- 19

20 Basic instructional course material in the fundamental skill areas of language arts, mathematics, science,  
21 and social studies should be reviewed at intervals not exceeding five (5) years, or consistent with the  
22 state’s standards revision schedule that are consistent with the goals of the continuous school  
23 improvement plan. All instructional materials must be sequential and must be compatible with previous  
24 and future offerings.

25  
26 Instructional materials may be made available for loan to students when the best interest of the District  
27 and student will be served by such a decision. Students will not be charged for normal wear. They will  
28 be charged replacement cost, however, as well as for excessive wear, unreasonable damage, or lost  
29 materials. The professional staff will maintain records necessary for the proper accounting of all  
30 instructional materials.

31  
32  
33  
34 Cross Reference: 2314 Learning Materials Review

35	36 Legal Reference:	§ 20-4-402, MCA	Duties of district superintendent or county
37			high school principal
38		§ 20-7-601, MCA	Free textbook provisions
39		§ 20-7-602, MCA	Textbook selection and adoption
40		10.55.603(4)(b), ARM	Curriculum and Assessment

41  
42 Policy History:

43 Adopted on: 04/22/2004

44 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Copyright

6  
7 The District recognizes that federal law makes it illegal to duplicate copyrighted materials without  
8 authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be  
9 imposed for unauthorized copying or use of audio, visual, digital, or printed materials and computer  
10 software, unless the copying or use conforms to the "fair use" doctrine.

11  
12 Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for  
13 such purposes as criticism, comment, news reporting, teaching, scholarship, or research.

14  
15 Under the fair use doctrine, each of the following four standards must be met in order to use the  
16 copyrighted document:

- 17 • Purpose and Character of the Use – The use must be for such purposes as teaching or scholarship.
- 18 • Nature of the Copyrighted Work – The type of work to be copied.
- 19 • Amount and Substantiality of the Portion Used – Copying the whole of a work cannot be
- 20 considered fair use; copying a small portion may be if these guidelines are followed.
- 21 • Effect of the Use Upon the Potential Market for or value of the Copyrighted Work – If resulting
- 22 economic loss to the copyright holder can be shown, even making a single copy of certain
- 23 materials may be an infringement, and making multiple copies presents the danger of greater
- 24 penalties.

25  
26 While the District encourages its staff to enrich learning programs by making proper use of  
27 supplementary materials, it is the responsibility of staff to abide by District copying procedures and obey  
28 requirements of law. Under no circumstances will it be necessary for staff to violate copyright  
29 requirements in order to properly perform their duties. The District cannot be responsible for any  
30 violations of the copyright law by its staff.

31  
32 Any staff member who is uncertain as to whether reproducing or using copyrighted material complies  
33 with District procedures or is permissible under the law should consult the Superintendent. The  
34 Superintendent will assist staff in obtaining proper authorization to copy or use protected materials, when  
35 such authorization is required.

36  
37  
38  
39 Legal Reference: 17 USC 101 - 1332 Federal Copyright Law of 1976

40  
41  
42  
43 Policy History:

44 Adopted on: 08/14/1994

45 Revised on: 04/05/2001

46 First reading on: 10/13/21

47 **Second reading on: 11/10/21**

2  
3 **INSTRUCTION**

4  
5 Copyright Compliance

6  
7 Authorized Reproduction and Use of Copyrighted Material in Print

- 8
- 9 • Materials on the Internet should be used with caution since they may, and likely are, copyrighted.
- 10 • Proper attribution (author, title, publisher, place and date of publication) should always be given.
- 11 • Notice should be taken of any alterations to copyrighted works, and such alterations should only
- 12 be made for specific instructional objectives.
- 13 • Care should be taken in circumventing any technological protection measures. While materials
- 14 copied pursuant to fair use may be copied after circumventing technological protections against
- 15 unauthorized copying, technological protection measures to block access to materials may not be
- 16 circumvented.
- 17

18 In preparing for instruction, a teacher may make or have made a single copy of a chapter from a book; an  
 19 article from a newspaper or periodical; a short story, short essay, or short poem; or a chart, graph,  
 20 diagram, drawing, cartoon, or picture from a book, periodical, or newspaper. A teacher may make  
 21 multiple copies, not exceeding more than one (1) per student, for classroom use if the copying meets the  
 22 tests of “brevity, spontaneity and cumulative effect” set by the following guidelines. Each copy must  
 23 include a notice of copyright.

24  
25 1. Brevity

- 26
- 27 a. A complete poem, if less than 250 words and two pages long, may be copied; excerpts
- 28 from longer poems cannot exceed 250 words.
- 29 b. Complete articles, stories or essays of less than 2500 words or excerpts from prose works
- 30 less than 1000 words or 10% of the work, whichever is less, may be copied; in any event,
- 31 the minimum is 500 words. (Each numerical limit may be expanded to permit the
- 32 completion of an unfinished line of a poem or prose paragraph.)
- 33 c. One chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue may
- 34 be copied. “Special” works cannot be reproduced in full; this includes children’s books
- 35 combining poetry, prose, or poetic prose.
- 36

37 2. Spontaneity. Should be at the “instance and inspiration” of the individual teacher when there is  
38 not a reasonable length of time to request and receive permission to copy.

39  
40 3. Cumulative Effect. Teachers are limited to using copied material for only one (1) course in the  
41 school in which copies are made. No more than one (1) short poem, article, story or two (2)  
42 excerpts from the same author may be copied, and no more than three (3) works can be copied  
43 from a collective work or periodical issue during one (1) class term.

44  
45 Teachers are limited to nine (9) instances of multiple copying for one (1) course during one (1)  
46 class term. Limitations do not apply to current news periodicals, newspapers, and current news  
47 sections of other periodicals.

Performances by teachers or students of copyrighted dramatic works without authorization from the copyright owner are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.

The copyright law prohibits using copies to replace or substitute for anthologies, consumable works, compilations, or collective works. "Consumable" works include: workbooks, exercises, standardized tests, test booklets, and answer sheets. Teachers cannot substitute copies for the purchase of books, publishers' reprints or periodicals, nor can they repeatedly copy the same item from term-to-term. Copying cannot be directed by a "higher authority," and students cannot be charged more than actual cost of photocopying. Teachers may use copyrighted materials in overhead or opaque projectors for instructional purposes.

#### Authorized Reproduction and Use of Copyrighted Materials in the Library

A library may make a single copy or three digital copies of:

- An unpublished work which is in its collection;
- A published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided the unused replacement cannot be obtained at a fair price.
- A work that is being considered for acquisition, although use is strictly limited to that decision. Technological protection measures may be circumvented for purposes of copying materials in order to make an acquisition decision.

A library may provide a single copy of copyrighted material to a student or staff member at no more than the actual cost of photocopying. The copy must be limited to one (1) article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright, and the student or staff member shall be notified that the copy is to be used only for private study, scholarship, or research. Any other use may subject the person to liability for copyright infringement.

At the request of a teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies designated in "Authorized Reproduction and Use of Copyrighted Material in Print."

#### Authorized Reproduction and Use of Copyrighted Music or Dramatic Works

Teachers may:

- Make a single copy of a song, movement, or short section from a printed musical or dramatic work that is unavailable except in a larger work for purposes of preparing for instruction;
- Make multiple copies for classroom use of an excerpt of not more than 10% of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song;
- In an emergency, a teacher may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed or are otherwise not available.
- Make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal;



- Make and retain a single copy of excerpts from recordings of copyrighted musical works for use as aural exercises or examination questions; and,
- Edit or simplify purchased copies of music or plays provided that the fundamental character of the work is not distorted. Lyrics shall not be altered or added if none exist.

Performance by teachers or students of copyrighted musical or dramatic works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose shall be instructional rather than for entertainment.

Performances of nondramatic musical works that are copyrighted are permitted without the authorization of the copyright owner, provided that:

- The performance is not for a commercial purpose;
- None of the performers, promoters or organizers are compensated; and,
- Admission fees are used for educational or charitable purposes only.

All other musical and dramatic performances require permission from the copyright owner. Parents or others wishing to record a performance should check with the sponsor to ensure compliance with copyright.

#### Recording of Copyrighted Programs

Television programs, excluding news programs, transmitted by commercial and non-commercial television stations for reception by the general public without charge may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a school for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of this retention period, all off-air recordings must be erased or destroyed immediately. Certain programming such as that provided on public television may be exempt from this provision; check with the *[principal, teacher or teacher librarian – choose all that apply or add others]* or the subscription database, e.g. united streaming.

### USE OF INFORMATION RESOURCES REGULATION

Off-air recording may be used once by individual teachers in the course of instructional activities, and repeated once only when reinforcement is necessary, within a building, during the first 10 consecutive school days, excluding scheduled interruptions, in the 45 calendar day retention period. Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy shall be subject to all provisions governing the original recording.

After the first ten consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum. Permission must be secured from the publisher before the recording can be used for instructional purposes after the 10 day period.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

Authorized Reproduction and Use of Copyrighted Computer Software

Schools have a valid need for high-quality software at reasonable prices. To assure a fair return to the authors of software programs, the school district shall support the legal and ethical issues involved in copyright laws and any usage agreements that are incorporated into the acquisition of software programs. To this end, the following guidelines shall be in effect:

- All copyright laws and publisher license agreements between the vendor and the school district shall be observed;
- Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment;
- A back-up copy shall be purchased, for use as a replacement when a program is lost or damaged. If the vendor is not able to supply a replacement, the school district shall make a back-up copy that will be used for replacement purposes only;
- A copy of the software license agreement shall be retained by the, *[board secretary, technology director or teacher-librarian - choose all that apply or add others]*; and,
- A computer program may be adapted by adding to the content or changing the language. The adapted program may not be distributed.

Fair Use Guidelines for Educational Multimedia

Students may incorporate portions of copyrighted materials in producing educational multimedia projects such as videos, Power Points, podcasts and web sites for a specific course, and may perform, display or retain the projects.

**USE OF INFORMATION RESOURCES REGULATION**

Educators may perform or display their own multimedia projects to students in support of curriculum-based instructional activities. These projects may be used:

- In face-to-face instruction;
- In demonstrations and presentations, including conferences;
- In assignments to students;
- For remote instruction if distribution of the signal is limited;
- Over a network that cannot prevent duplication for fifteen days, after fifteen days a copy may be saved on-site only; or,
- In their personal portfolios.

Educators may use copyrighted materials in a multimedia project for two years, after that permission must be requested and received.

The following limitations restrict the portion of any given work that may be used pursuant of fair use in an educational multimedia project:

- Motion media: ten percent or three minutes, whichever is less;
- Text materials: ten percent or 1,000 words, whichever is less;
- Poetry: an entire poem of fewer than 250 words, but no more than three poems from one author or five poems from an anthology. For poems of greater than 250 words, excerpts of up to 250 words may be used, but no more than three excerpts from one poet or five excerpts from an anthology;
- Music, lyrics and music video: Up to ten percent, but no more than thirty seconds. No alterations that change the basic melody or fundamental character of the work;
- Illustrations, cartoons and photographs: No more that five images by an artist, and no more than ten percent or fifteen images whichever is less from a collective work;
- Numerical data sets: Up to ten percent or 2,500 field or cell entries, whichever is less;

Fair use does not include posting a student or teacher’s work on the Internet if it includes portions of copyrighted materials. Permission to copy shall be obtained from the original copyright holder(s) before such projects are placed online. The opening screen of such presentations shall include notice that permission was granted and materials are restricted from further use.

Procedure History:

First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Learning Materials Review

6  
7 Citizens objecting to specific materials used in the District are encouraged to submit a complaint in  
8 writing using the Uniform Complaint Procedure (Policy 1700) and discuss the complaint with the  
9 building principal prior to pursuing a formal complaint.

10  
11 Learning materials, for the purposes of this policy, are considered to be any material used in classroom  
12 instruction, library materials, or any materials to which a teacher might refer a student as part of the  
13 course of instruction.

14  
15  
16  
17 Cross Reference: 1700 Uniform Complaint Procedure

18  
19 Policy History:

20 Adopted on: 04/22/2004

21 First reading on: 10/13/21

22 **Second reading on: 11/10/21**

1 **Bigfork School District #38**

2

3 **INSTRUCTION**

2171

4

5 Significant Writing Program

6

7 The Board of Trustees has determined that incorporating an independent significant writing  
8 program in the District is not possible given the financial status of the district, the number of  
9 staff employed, and the time available within the class schedule. Writing will be incorporated in  
10 all aspects of the curriculum.

11

12

13

14

15 Legal References: 10.55.701(2) (p) ARM  
16 10.55.713 (4) ARM

Board of Trustees  
Teacher Load and Class Size

17

18

19

20

21 Policy History:

22 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**5  
6 Controversial Issues and Academic Freedom

7  
8 Controversial issues include matters characterized by significant differences of opinion, usually generated  
9 from differing and underlying values, beliefs, and interests, which produce significant social tension.  
10 Controversy arising from such differences is inherent in a pluralistic society. An important function of  
11 public education is to provide students with an understanding of how controversial issues are dealt with in  
12 a democracy. This includes the opportunity to learn about the issues, problems, and concerns of  
13 contemporary society; to form opinions; and to participate in discussion of these issues and expressions of  
14 opinion in the classroom.

15  
16 Teachers must adhere to the following guidelines when teaching about controversial issues and act in  
17 conformance with state law and other district policies.

- 18
- 19 • Instruction must follow approved curriculum and be appropriate for students. Instruction  
20 that involves controversial issues and/or materials must be within the district content  
21 standards and curriculum. The overriding educational purpose of teaching about  
22 controversial issues or using controversial materials must be student achievement in the  
23 academic subjects and students' civic development, rather than reaching conclusions as to  
24 the correctness of any particular point of view. The instruction must reflect due  
25 consideration of the maturity of the students, the values of the community, sound  
26 professional judgment, and coordination with the administration.  
27
  - 28 • Guidelines on present controversial issues. Where controversial issues are taught,  
29 teachers should make materials available to students concerning the various aspects of the  
30 issues. Teachers may express their own viewpoints and opinions; however, they must be  
31 professionally ethical, explain their reasons clearly, be open to challenge, and present  
32 each side of an issue impartially. When teaching about controversial issues, teachers  
33 must work cooperatively with their principal and other administrators.  
34
  - 35 • Use of learning resources. Teachers may not use learning resources that are not approved  
36 by the district and that are controversial because of the manner or context in which they  
37 discuss controversial issues. Examples of such material include, but are not limited to,  
38 those that depict explicit sexual conduct, graphic violence, profanities, drug use, or other  
39 socially undesirable behaviors, or materials that are likely to divide the community along  
40 racial, ethnic, or religious lines. If a teacher has a question as to whether a resource is  
41 controversial, he or she should contact the principal.  
42
  - 43 • Discipline for inappropriately teaching controversial issues. In matters relating to  
44 controversial issues and learning materials, the Superintendent and Board of Education  
45 will exercise final authority in deciding whether discussion of a controversial issue  
46 follows established professional ethics, content standards, and curriculum and is  
47 appropriate for students. If the Superintendent and/or board believe that a teacher is not  
48 following the above guidelines, appropriate penalties and discipline will result, up to and  
49 including termination of a teacher's employment.  
50

1  
2  
3  
4 The District will offer courses of study which will afford learning experiences appropriate to levels of  
5 student understanding. The instructional program respects the right of students to face issues, to have free  
6 access to information, to study under teachers in situations free from prejudice, and to form, hold, and  
7 express their own opinions without personal prejudice or discrimination.  
8

9 Teachers will guide discussions and procedures with thoroughness and objectivity to acquaint students  
10 with the need to recognize various points of view, importance of fact, value of good judgment, and the  
11 virtue of respect for conflicting opinions.  
12

13 The Board encourages and supports the concept of academic freedom, recognizing it as a necessary  
14 condition to aid in maintaining an environment conducive to learning and to the free exchange of ideas  
15 and information.  
16

17 In a study or discussion of controversial issues or materials, however, the Board directs teaching staff to  
18 take into account the following criteria:  
19

- 20 1. Relative maturity of students;
- 21 2. District philosophy of education;
- 22 3. Community standards, morals, and values;
- 23 4. Necessity for a balanced presentation; and
- 24 5. Necessity to seek administrative counsel and guidance in such matters.  
25  
26  
27

28 Legal Reference: Article X, Sec. 8, Montana Constitution - School district trustees  
29 § 20-3-324(16) and (17), MCA Powers and duties  
30

31 Policy History:

32 Adopted on: 04/22/2004

33 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Participation in Commencement Exercises  
6 Statement of Policy

7  
8 A student’s right to participate in a commencement exercise of the graduating class at Big Fork High  
9 School is an honor. As such, participation in this ceremony is reserved for those members of the  
10 graduating class who have completed all state and local requirements for graduation before the date of the  
11 ceremony. Students who complete their requirements after the date of commencement exercises will  
12 receive their diplomas at that time.

13  
14 Organization and Content of Commencement Exercises

15 The school district will permit students to honor their American Indian heritage through the display of  
16 culturally significant tribal regalia at commencement ceremonies. Any item that promotes drug use,  
17 weapon use, threats of violence, sexual harassment, bullying, or other intimidation, or violates another  
18 district policy, state, or federal law may not be worn during graduation.

19  
20 The school administration may invite graduating students to participate in high school graduation  
21 exercises according to academic class standing or class officer status. Any student who, because of  
22 academic class standing, is requested to participate may choose to decline the invitation.

23  
24 The school administrators will review presentations and specific content, and may advise participants  
25 about appropriate language for the audience and occasion. Students selected to participate may choose to  
26 deliver an address, poem, reading, song, musical presentation, or any other pronouncement of their  
27 choosing.

28  
29 The printed program for a commencement exercise will include the following paragraphs:

30  
31 *Any presentation by participants of graduation exercises is the private expression*  
32 *of an individual participant and does not necessarily reflect any official position of the*  
33 *District, its Board, administration, or employees, nor does it necessarily indicate the*  
34 *views of any other graduates.*

35 *The Board recognizes that at graduation time and throughout the course of the*  
36 *educational process, there will be instances when religious values, religious practices,*  
37 *and religious persons will have some interaction with the public schools and students.*  
38 *The Board, while not endorsing any religion, recognizes the rights of individuals to have*  
39 *the freedom to express their individual political, social, or religious views.*

40  
41 Legal Reference: Art. II, Sec. 5, Montana Constitution - Freedom of religion  
42 Art. X, Sec. 1(2), Montana Constitution – Educational Goals and Duties  
43 Art. X, Sec. 7, Montana Constitution - Nondiscrimination in education  
44 § 20-5-201(3), MCA Duties and Sanctions  
45 § 20-1-308, MCA Religious instruction released time program  
46 § 20-7-112, MCA Sectarian publications prohibited and prayer permitted

47 Policy History:

48 First reading on: 10/13/21

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



1 **Bigfork School District #38**

2  
3 **INSTRUCTION**

2412

4  
5 Early Graduation

6  
7 Students who demonstrate a high degree of ability, maturity, responsibility and who have either a medical  
8 or financial need or immediate post-high school educational plans may be considered for early  
9 graduation. All applicants for early graduation must meet the following requirements:

- 10  
11 -Complete all graduation requirements of School District #38 (See Policy 2410, 2410P)  
12  
13 -Apply for early graduation by the last day of the first semester of junior year  
14  
15 -Students seeking to graduate in six semesters must apply for early graduation by the last day of  
16 the first semester of their Freshman year  
17  
18 -Successfully complete six semesters of high school  
19  
20 -Provide documentation of post-high school educational plans  
21  
22 -Arrange to complete ½ credit of senior English and ½ credit of senior American Government  
23 through Bigfork High School or an accredited correspondence program (must be approved by the  
24 high school principal prior to enrollment)  
25  
26 -Agree to forfeit all participation eligibility in MHSAA sponsored activities & sports after sixth  
27 semester.  
28

29 The student seeking early graduation must first discuss his/her plans with the school counselor. The  
30 counselor will meet with the student and the student's parent(s) or guardian to fill out a *PETITION FOR*  
31 *EARLY GRADUATION*. The completed form with student and parent (or guardian) signatures and the  
32 counselor's recommendation will be submitted to the principal.  
33

34 The high school principal upon receiving the petition will form a committee of at least two of the  
35 student's current teachers who have had the student in class within the last semester. This committee will  
36 meet with the student and his parent(s) or guardian. The student will review post-high school plans with  
37 the committee. Following the meeting the committee will recommend or deny the petition.  
38

39 Graduation diplomas will only be awarded at the Spring graduation ceremony.

40  
41 Denials may be appealed to the Superintendent.  
42

43 Procedure History:

44 Promulgated on: 11/04/1997

45 Revised on: 03/23/2011

46 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Credit Transfer and Assessment for Placement

6  
7 Grades 9-12

8  
9 Requests for transfer of credit or grade placement from any non-accredited, nonpublic school will be  
10 subject to examination and approval before being accepted by the District. This will be done by the  
11 school counselor or principal or, in the case of home schools, by a credit evaluation committee consisting  
12 of a counselor, a staff member from each subject area in which credit is being requested, and a school  
13 principal.

14  
15 The credit evaluation committee will:

- 16  
17 1. Document that a student has spent approximately the same number of classroom hours in home
- 18 school as would have been spent in a regular class in the District;
- 19  
20 2. Document that a student followed a curriculum essentially similar to that of a course for which
- 21 credit is requested;
- 22  
23 3. Document that in the event of a credit request in a lab, industrial arts, or music course, equipment
- 24 and facilities were sufficient to meet required learning activities of the course;
- 25  
26 4. Require that a student has satisfactorily passed, in all courses in which a final exam normally is
- 27 given, a final exam prepared and administered by a staff member in the Bigfork Public School
- 28 System.
- 29

30 The District will give credit only for home schools which have met all requirements as specified in  
31 Montana law. Credit from home schools will be accepted only when a like course is offered in the  
32 Bigfork Public School System.

33  
34 The school transcripts will record courses taken in home schools or non-accredited schools by indicating  
35 title of the course, school where the course was taken, and grade.

36  
37 For the purpose of calculation of class rank, only those courses taken in an accredited school will be used.

38  
39 Grades 1-8

40  
41 Requests from parents of students in non-accredited, nonpublic schools for placement in the Bigfork  
42 Public School System will be evaluated by an assessment-for-placement team. That team will include:

- 43  
44 1. A school principal;
- 45  
46 2. One (1) teacher of the grade in which the student is being considered for enrollment; and
- 47  
48 3. One (1) counselor or school psychologist.
- 49

The assessment-for-placement team will cause the District-adopted norm-referenced test and/or the end-of-the-year subject-matter test to be administered and scored. The assessment-for-placement team will take into account the following in its recommendation for grade placement:

1. Documentation that the non-accredited, nonpublic school has provided a comparable number of hours as the child would have attended in a public or private school;
2. That the child followed a similar curriculum as would have been provided in an accredited public or private school;
3. That the result of the end-of-the-year test indicates the student has mastered most prerequisite skills; and
4. That the child achieves a composite score in the average range or better on the Iowa Test of Basic Skills for the grade levels parents are requesting credit be given.

Parents of students in home schools are encouraged to maintain a log documenting dates of instruction, content of instruction, amount of time spent on that instruction, scores on tests, and grades in all activities.

The District is not obligated to provide instructional materials for other public or private schools, but requests for materials will be accommodated to best of the District's ability.

If a parent or guardian is not in agreement with the placement of the child, he/she may request a hearing before the Board.

Legal Reference:           § 20-5-110, MCA           School district assessment for placement of a child who enrolls from a nonaccredited, nonpublic school

Policy History:

Adopted on: 08/14/1994

Reviewed on: 03/24/2004

First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 Recognition of Native American Cultural Heritage

6  
7 The District recognizes the distinct and unique cultural heritage of Native Americans and is committed in  
8 the District’s educational goals to the preservation of such heritage.

9  
10 In furtherance of the District’s educational goals, the District is committed to:

- 11
- 12 • Working cooperatively with Montana Tribes in close proximity to the District, when providing
- 13 instruction, when implementing educational goals or adopting rules relating to education of
- 14 students in the District;
- 15
- 16 • Developing curriculum in all grades and program areas that includes the following objectives
- 17
- 18 - Take into account individual and cultural diversity and differences among learners. Cultural
- 19 and language differences should be viewed as valuable and enriching resources taking into
- 20 account the unique needs of American Indian students and other minority groups.
- 21 - Develop an understanding of the values and contributions of Montana’s American Indians for
- 22 all students
- 23 - Provide learning resources that are culturally relevant, inclusive, and current.
- 24 - Provide books and instructional materials which reflect authentic and historical and
- 25 contemporary portrayals of American Indians.
- 26
- 27 • Providing necessary training for school personnel, with the objective of gaining an understanding
- 28 and awareness of Native American culture, which will assist the District’s staff in its relations
- 29 with Native American students and parents.
- 30

31 The Board may require certified staff to satisfy the requirements for instruction in American Indian  
32 studies, set forth in § 20-1-503, MCA.

33  
34

35 Legal Reference:	Art. X, Sec. 1(2), Montana Constitution	
	§§ 20-1-501, et seq., MCA	Indian Education for All
	10.55.603 ARM	Curriculum and Assessment
	10.55.701 ARM	Board of Trustees
	10.55.803 ARM	Learner Access

41  
42 Policy History:

43 Adopted on: 05/03/2006

44 First reading on: 10/13/21

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

2  
3 **INSTRUCTION**

4  
5 School Wellness

6  
7 The Bigfork School District is committed to providing school environments that promote and protect  
8 children’s health, well-being, and ability to learn by supporting healthy eating and physical activity.  
9 Therefore, it is the policy of the Bigfork School District that:

10  
11 The development of the school wellness policy, at a minimum, will include:

- 12 1. *Community involvement*, including input from teachers of physical education and school health  
13 professionals, parents, students, school food service, the school Board, school administrators,  
14 educators, and the public. Training of this team of people on the components of a healthy school  
15 nutrition environment is recommended.
- 16 2. *Goals for nutrition education, nutrition promotion, physical activity, and other school-based*  
17 *activities* that are designed to promote student wellness in a manner that the local education  
18 agency determines appropriate.
- 19 3. *Implementation, Periodic Assessment, and Public Updates, including* expanding the purpose of  
20 the team of collaborators beyond the development of a local wellness policy to also include the  
21 implementation of the local wellness policy with periodic review and updates, inform and update  
22 the public every three years, at a minimum, (including parents, students, and others in the  
23 community) about the content and implementation of the local wellness policies, and to measure  
24 periodically and make available to the public an assessment of the local wellness policy,  
25 including:
  - 26 • The extent to which schools are in compliance with the local wellness policy;
  - 27 • The extent to which the LEA’s local wellness policy compares to model local school  
28 wellness policies; and
  - 29 • The progress made in attaining the goals of the local wellness policy.
- 30 4. *Nutrition guidelines* for all foods available on each school campus under the local education  
31 agency during the school day, with the objectives of promoting student health and nutrient-rich  
32 meals and snacks. This includes food and beverages sold in a la carte sales, vending machines,  
33 and student stores; and food and beverages used for classroom rewards and fundraising efforts.
- 34 5. *Guidelines for reimbursable school meals* to ensure that the District offers school meal programs  
35 with menus meeting the meal patterns and nutrition standards established by the U.S. Department  
36 of Agriculture.
- 37 6. *A plan for measuring implementation* of the local wellness policy, including designation of one  
38 or more persons within the local education agency or at each school, as appropriate, charged with  
39 operational responsibility for ensuring that each school fulfills the District’s local wellness policy.

40  
41 The suggested guidelines for developing the wellness policy include:

42  
43 **Nutrition Education and Nutrition Promotion**

44 All students K-12 shall receive nutrition education that teaches the knowledge and skills needed to adopt  
45 healthy eating behaviors and is aligned with the *Montana’s Health Enhancement Society of Health and*  
46 *Physical Educators (SHAPE) Health Education and Physical Education Content Standards*. Nutrition  
47 education shall be integrated into the curriculum. Nutrition information and education shall be offered and  
48 promoted throughout the school campus and based on the U.S. Dietary Guidelines for Americans. Staff  
49 who provide nutrition education shall have the appropriate training, such as in health enhancement or  
50 family and consumer sciences.

1  
2  
3  
4  
5 **Health Enhancement and Physical Activity Opportunities**

6 The District shall offer health enhancement opportunities. Health enhancement shall equip students with  
7 the knowledge, skills, and values necessary for lifelong physical activity. Health enhancement instruction  
8 shall be aligned with the *Montana's Health Enhancement and National Association of Sport and Physical*  
9 *Activity/American Alliance of Health, Physical Education, Recreation and Dance Physical Education*  
10 *Content Standards and Benchmarks*.

11  
12 All K-12 students of the District shall have the opportunity to participate regularly in supervised,  
13 organized or unstructured, physical activities, to maintain physical fitness, and to understand the short-  
14 and long-term benefits of a physically active and healthy lifestyle.

15  
16 **Nutrition Standards**

17 The District shall ensure that reimbursable school meals and snacks meet the program requirements and  
18 nutrition standards found in federal regulations. The District shall encourage students to make nutritious  
19 food choices through accessibility, advertising and marketing efforts of healthful foods.

20  
21 The District shall monitor all food and beverages sold or served to students, including those available  
22 outside the federally regulated child nutrition programs (i.e., a la carte, vending, student stores, classroom  
23 rewards, fundraising efforts), by meeting the United States Department of Agriculture (USDA) Smart  
24 Snacks in Schools nutrition standards. Snacks provided to students during the school day without charge  
25 (e.g. class parties) will meet standards set by the district. The Superintendent shall continually evaluate  
26 vending policies and contracts. Vending contracts that do not meet the intent and purpose of this policy  
27 shall be modified accordingly or not renewed.

28  
29 **Other School-Based Activities Designed to Promote Student Wellness**

30 The District may implement other appropriate programs that help create a school environment that  
31 conveys consistent wellness messages and is conducive to healthy eating and physical activity, such as  
32 staff wellness programs, non-food reward system and fundraising efforts.

33  
34 **Maintaining Student Wellness**

35 The Superintendent shall develop and implement administrative rules consistent with this policy. Input  
36 from teachers, parents/guardians, students, school food service program, the school Board, school  
37 administrators, and the public shall be considered before implementing such rules. A sustained effort is  
38 necessary to implement and enforce this policy. The Superintendent shall measure how well this policy is  
39 being implemented, managed, and enforced. The Superintendent shall report to the Board, as requested,  
40 on the District's programs and efforts to meet the purpose and intent of this policy.

41  
42 Legal Reference:        PL 108-265        The Child Nutrition and WIC Reauthorization Act of 2004  
43                                PL 111-296        The Healthy, Hunger-Free Kids Act of 2010  
44

45 Policy History:

46 Adopted on: 04/19/2006

47 First reading on: 10/13/21

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