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3 **NONINSTRUCTIONAL OPERATIONS**

4
5 Food Services

6
7 The District supports the philosophy of the National School Lunch Program and shall provide
8 wholesome, appetizing, and nutritious meals for children in District schools. The Board may authorize a
9 portion of federal funds received in lieu of taxes to be used to provide free meals for federally connected
10 indigent students.

11
12 Because of the potential liability of the District, the food services program shall not accept donations of
13 food without approval of the Board. Should the Board approve a food donation, the Superintendent shall
14 establish inspection and handling procedures for the food and determine that provisions of all state and
15 local laws have been met before selling the food as part of school meals.

16
17 As an integral part of a school, the District’s food service is operated in compliance with ARM
18 Title 37, chapter 110, subchapter 2, rules for food service establishments.

19
20 Commodities

21
22 The District shall use food commodities made available under the Federal Food Commodity Program for
23 school meals.

24
25 Free and Reduced-Price Food Services

26
27 The District shall provide free and reduced-price meals to students, according to the terms of the National
28 School Lunch Program and the laws, rules, and regulations of the state. The District shall inform parents
29 of the eligibility standards for free or reduced-price meals. Identity of students receiving free or reduced-
30 price meals shall be confidential, in accordance with National School Lunch Program guidelines. A
31 parent has the right to appeal to a designated hearing official any decision with respect to his or her
32 application for free or reduced-price food services.

33
34 The Board may establish programs whereby meals may be provided in the District in accordance with
35 National School Lunch Program guidelines.

36
37 The amount charged for such meals shall be sufficient to cover all costs of the meals, including
38 preparation labor and food, handling, utility, and equipment depreciation costs.

39	Legal Reference:	§ 20-10-204, MCA	Duties of trustees
40		§ 20-10-205, MCA	Allocation of federal funds to school food services fund
41			for federally connected, indigent pupils
42		§ 20-10-207, MCA	School food services fund
43		37.111.842, ARM	Food Service Requirements
44			
45			

46 Policy History:

47 **First Reading on: 12/8/21**

48 **Second Reading/Adopted on:**

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6 Meal Charge Policy

7
8 *Note: For the purpose of this policy, parent includes guardian, caretaker relative, and any adult*
9 *responsible for the care of the child.*

10
11 The goal of the Bigfork School District #38 is to allow children to receive the nutrition they need to stay
12 focused during the school day. The purpose of this policy is to ensure compliance with federal reporting
13 requirements for the USDA Child Nutrition Program and to provide oversight and accountability for the
14 collection of outstanding student meal balances.

15
16 The District complies with Federal USDA policies on meal charging and debt collection. All meal
17 charges must be paid directly to the Bigfork School District #38.

18
19 If a student is without meal money, the administration will take action deemed necessary to collect unpaid
20 meal charges while ensuring the nutritional needs of the student are met in providing the student with a
21 regular meal. If financial hardship exists, parents and families will be encouraged to apply for free or
22 reduced price lunches for their child(ren).

23
24 **Below are examples that could be incorporated into the district meal charge policy.**

25
26 Meal Charges

27
28 **Option:** A student is allowed to charge no more than _____ meals. After the _____ meal is charged,
29 the parent must send money to pay the charges or send meals from home with your child. If there are
30 financial problems, please contact the school and we will implement a payment program. [A la carte
31 items may not be charged.]

32
33 **Option:** Students will pay for meals at the district’s published standard rate [each day, weekly, monthly].
34 A student will be allowed to charge a maximum of ___ meals to their account after their balance reaches
35 zero. Once a student has charged those ___ meals, he/she will not be allowed to charge a la carte items.

36
37 **Option:** Students/Parents pay for meals in advance via [enter website address if applicable] or with a
38 check payable to _____. Further details are available on our webpage at [enter web address]. Funds
39 should be maintained in accounts to minimize the possibility that a child may be without meal money on
40 any given day. Any remaining funds for a particular student will be carried over to the next school year.

41
42 **Option:** If there are no available funds in the student’s account, he/she will be given a breakfast or lunch
43 on account. A notice and/or letter will be sent home with the child requesting payment. A regular meal
44 will be served until the account is balanced or if the student has money in hand for the current meal.

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5 Zero-Balance Prevention
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7 **Option:** Parents are responsible for meal payment to the food service program. Notices of low or deficit
8 balances will be sent to parents at regular intervals during the school year.
9

10 **Option:** Parents can track balances themselves online at mymealtime.com, sign up for meal notification
11 for free, and set up an auto payment low-balance threshold by following the links to the [insert web
12 address].
13

14 **Option:** Every student may access their meal account at [insert web address].
15

16 **Option:** The student may check with the [cashiers, lunch supervisor] to see the balance of their account
17 at any time.
18

19 **Refunds** for withdrawn or graduating students. A written request for a refund of any money remaining in
20 their account must be submitted. An e-mail request is also acceptable. Students who are graduating at the
21 end of the year will be given the option to transfer to a sibling's account with a written request.
22

23 **Option:** Unclaimed Funds must be requested within one school year. Unclaimed funds will become the
24 property of the Bigfork School District Food Service Program.
25

26 Uncollected meal debt will be sent to collections per state and/or federal guidelines.
27

28 **The language below is to be used for those school districts who are on the Community Eligibility**
29 **Provisions (CEP) program.**
30

31 The Bigfork School District has eliminated the risk for unpaid meal charges by participating in the
32 Community Eligibility Provisions (CEP) program, which is a meal service option for schools and school
33 districts operating the school meal programs in high-poverty communities. CEP allows the school to
34 provide breakfast and lunch at no cost to all enrolled children without the need to collect applications or
35 establish individual eligibility for a four-year period, thereby increasing access to school meals and
36 eliminating unpaid meal charges.
37

38 Legal Reference: <https://www.fns.usda.gov/school-meals/policy>
39 Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265
40 Child Nutrition Act 1966, 42 United States Code (USC) Section 1771 et seq.
41 Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC)
42 Section 794 et seq.
43 Individuals with Disabilities Education Act (IDEA), 20 United States Code
44 (USC) Sections 1400-1485
45 7 Code of Federal Regulations (CFR) Parts 15B, 210 and 220
46

47 Policy History:

48 **First Reading on: 12/8/21**

49 **Second Reading/Adopted on:**

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3 **NONINSTRUCTIONAL OPERATIONS**

8301

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5 District Safety

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7 For purposes of this policy, “*disaster means the occurrence or imminent threat of damage, injury, or loss*
8 *of life or property*”.

9
10 The Board recognizes that safety and health standards should be incorporated into all aspects of the
11 operation of the District. Rules for safety and prevention of accidents shall be posted in compliance with
12 the Montana Safety Culture Act and the Montana Safety Act. Injuries and accidents shall be reported to
13 the District office.

14
15 The board of trustees has identified the following local hazards that exist within the boundaries of its
16 school district:

17 Fire, Earthquake, ~~Avalanche~~, High Winds, ~~Tornadoes~~, Intruders, Firearms, etc.

18
19 The [Superintendent] [building principal] shall design and incorporate drills in its school safety or
20 emergency operations plan to address the above stated hazards. The trustees shall certify to the office of
21 public instruction that a school safety or emergency operations plan has been adopted. This plan and
22 procedures shall be discussed and distributed to each teacher at the beginning of each school year. There
23 shall be at least eight (8) disaster drills a year in a school. All teachers shall discuss safety drill
24 procedures with their class at the beginning of each year and shall have them posted in a conspicuous
25 place next to the exit door. Drills must be held at different hours of the day or evening to avoid
26 distinction between drills and actual disasters. A record shall be kept of all fire drills.

27
28 The trustees shall review the school safety or emergency operations plan periodically and update the plan
29 as determined necessary by the trustees based on changing circumstances pertaining to school safety.
30 Once the trustees have made the certification to the office of public instruction, the trustees may transfer
31 funds pursuant to Section 2, 20-1-401, MCA to make improvements to school safety and security.

32
33 The Superintendent shall develop safety and health standards which comply with the Montana Safety
34 Culture Act. **[Optional]**: The Superintendent shall ensure District employees are provided equipment,
35 tools, and devices designed to ensure a safe and health workplace in accordance with this policy. Failure
36 to use the provided equipment in a suitable or timely manner may be considered a violation of District
37 policy. If a staff member requires equipment that is not available, an employee may submit a request to
38 the administration in accordance with established District practice.

39
40 To ensure a safe school setting and to comply with regulations governing schools in Montana, the
41 following safety measures shall be implemented in the District:

- 42
- 43 (a) Janitorial and other storage areas that contain toxic or hazardous materials must be kept locked
 - 44 between periods of use. Custodial closets, boiler rooms, and other areas where hazardous or
 - 45 poisonous compounds are stored must be inaccessible to students.
 - 46
 - 47 (b) All cleaning compounds and other toxic chemicals not stored in the product container or
 - 48 package in which it was obtained must be stored in a labeled container that clearly identifies
 - 49 the product by name.
 - 50
 - 51 (c) Chemicals must be stored as specified by the chemical's Safety Data Sheet.

- (d) The school and school site must be free of objects or conditions which create unreasonable or unnecessary dangers to health or safety.
- (e) First aid kits and AEDs must be provided and stored in accessible locations that are easily identifiable to staff and trained personnel.
- (f) Playground and school yards must be inspected every month by the facility manager or other school personnel and the inspection must be recorded and records kept on the school site. Inspections must be conducted using a playground safety checklist approved by DPHHS.
- (g) Playground inspection results must be made available for review by the local health authority or DPHHS upon request.
- (h) Periodic maintenance and repair must be performed on playground equipment according to the manufacturer's specifications. Repairs, not including the leveling of fall protection material, must be documented.
- (i) Playground equipment must be maintained in a safe condition.

Legal Reference:	§ 20-1-401, MCA	Disaster drills to be conducted regularly – districts to identify disaster risks and adopt school safety plan
	§ 20-1-402, MCA	Number of disaster drills required – time of drills to vary
	§§ 39-71-1501, et seq., MCA	Montana Safety Culture Act
	37.111.812, ARM	Safety Requirements

Policy History:

First Reading on: 12/8/21

Second Reading/Adopted on:

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3 **NONINSTRUCTIONAL OPERATIONS**

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5 Water Supply Systems and Wastewater

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7 The District shall ensure an adequate and potable supply of water for school buildings and properties by
8 either:

- 9
10 (a) connecting to a compliant public water supply system; or
11 (b) utilizing a non-public system whose construction and use meet the standards published by
12 DPHHS if the school is not utilized by more than 25 persons daily at least 60 days out of
13 the calendar year, including staff and students, and a compliant public water supply
14 system is not accessible. When using a system outlined in this subsection (b) a school
15 shall submit a water sample at least quarterly to a laboratory licensed by the DPHHS to
16 perform microbiological analysis of the water supplied in order to determine that the
17 water does not exceed the maximum microbiological contaminant levels acceptable to
18 DPHHS.

19
20 A water supply system of a type other than described in subsections (a) or (b) may be utilized only if it
21 is designed by a professional engineer and offers equivalent sanitary protection as determined by
22 DPHHS or local health authority. When using a system outlined in this paragraph, the District shall
23 submit a water sample at least quarterly to a laboratory licensed by DPHHS to perform microbiological
24 analysis of the water supplied in order to determine that the water does not exceed the maximum
25 microbiological contaminant levels acceptable to DPPHS, DEQ, or local health authority.

26
27 The District shall replace or repair the water supply system serving it whenever the water
28 supply:

- 29
30 (a) contains microbiological contaminants in excess of the maximum levels acceptable to
31 DPPHS, DEQ, or local health authority.
32 (b) does not have the capacity to provide adequate water for drinking, cooking, personal
33 hygiene, laundry, and water-carried waste disposal.

34
35 If the District cannot make water under pressure available, the drinking water from an approved source
36 shall be stored in a clean and sanitized container having a tight-fitting lid and a suitable faucet apparatus
37 for filling individual cups. In this situation, single service drinking cups shall be provided.

38
39 Flushing and Testing

40
41 The District shall review water systems and features including but not limited to sink faucets, drinking
42 fountains, decorative fountains to ensure they are safe to use after a prolonged facility shutdown.
43 Drinking fountains shall be regularly cleaned and sanitized. The District shall create and implement a
44 flushing program unless it meets the established waiver requirements established by DEQ. Flushing shall
45 be required following any period of time during which the school is inactive.

46
47 The District shall maintain a schematic and inventory of fixtures in accordance with DEQ protocols as
48 part of the District's water testing program. The District shall sample all water fountains and sinks used
49 for food preparation. All other potential human consumption fixtures shall be sampled, unless the District
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4 receives approval for a testing plan from DEQ to test a representative sample of potential fixtures in the
5 school in accordance with DEQ protocols. All samples shall be analyzed by a Montana certified lab using
6 EPA-approved standard drinking water methods for the detection and quantification of lead. All test
7 results will be considered public records.
8

9 Wastewater

10
11 The District shall ensure wastewater is completely and safely disposed of by:

- 12 (a) connecting to a compliant public wastewater system; or
13 (b) if the school is not utilized by more than 25 persons daily at least 60 days out of the
14 calendar year, including staff and students, and a compliant public wastewater system is
15 not available, utilizing a non-public system whose construction and use meet DEQ
16 construction and operation standards.
17

18 If the District uses pit privies, the privies shall be operated and maintained in compliance with the
19 standards specified in DEQ Circular 4. If the District uses a wastewater system design of a type
20 other than described in this policy, it shall be designed by a professional engineer and offers
21 equivalent sanitary protection as determined by the DPPHS, DEQ, or local health authority.
22
23

24 Legal References: 37.111.832, ARM Water Supply System
25 ARM Title 17, chapter 38, subchapter 1
26 17.38.207, ARM Maximum Microbiological Containment Levels
27 DEQ Circular FCS 1-2016.
28 DEQ Circular 4
29 10.55.701(s), ARM Board of Trustees
30 10.55.701(l), ARM Board of Trustees
31 10.55.701(q), ARM Board of Trustees
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33 Policy History:

34 **First Reading on: 12/8/21**

35 **Second Reading/Adopted on:**
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3 **NONINSTRUCTIONAL OPERATIONS**

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6 Service Animals

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

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

16
17 The Bigfork School District #38 will permit the use of service animals by an individual with a disability
18 according to state and federal regulations. The School District will honor requests for service animals in
19 accordance with the applicable Section 504 or Special Education policy adopted by the Board of Trustees.
20 The work or tasks performed by a service animal must be directly related to the handler's disability.

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

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

33
34 The District may ask an individual with a disability to remove a service animal from the premises if:

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

38
39 The District is not responsible for the care or supervision of the service animal.

40
41 Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of
42 the District's facilities where members of the public, participants in services, programs or activities, or
43 invitees, as relevant, are allowed to go.

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Cross Reference: Policy 8425P Procedure for allowance of service animals
 Policy 2161 Special Education
 Policy 2162 Section 504 of the Rehabilitation Act of 1973

Legal Reference: 28 CFR 35.136 Service Animals
 28 CFR 35.104 Definitions
 49-4-203(2), MCA Definitions

Policy History:

First Reading on: 12/8/21

Second Reading/Adopted on:

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5 Service Animal Allowance Procedure

6
7 The School District will honor requests for service animals by students or staff in accordance with the
8 applicable Section 504 or Special Education policy adopted by the Board of Trustees. The following
9 procedures have been developed which will help guide the administration when a request for the use of a
10 service animal has been presented by an individual with a disability.

11
12 Inquiries: The administration shall not ask about the nature or extent of a person's disability, but may
13 make two inquiries to determine whether an animal qualifies as a service animal. The administration may
14 ask if the animal is required because of a disability and what work or task the animal has been trained to
15 perform. The administration shall not require documentation, such as proof that the animal has been
16 certified, trained, or licensed as a service animal. Generally, the administration may not make these
17 inquiries about a service animal when it is readily apparent that an animal is trained to do work or
18 perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is
19 blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to
20 an individual with an observable mobility disability).

21
22 Exclusions: The administration may ask the individual to remove the service animal from the premises if
23 the animal is out of control and the handler does not take effective action to control it, or if the animal is
24 not housebroken. If the administration properly excludes the service animal, it shall give the individual
25 the opportunity to participate in the service, program, or activity without having the service animal on the
26 premises.

27
28 Surcharges: The administration shall not ask or require the individual to pay a surcharge, even if people
29 who are accompanied by pets are required to pay fees, or to comply with other requirements generally not
30 applicable to people without pets. If the District normally charges individuals for the damage they cause,
31 the individual may be charged for damage caused by his or her service animal.

32
33 Miniature horses assessment factors: In determining whether reasonable modifications can be made to
34 allow a miniature horse into a specific facility, the District shall consider:

- 35
36
- The type, size, and weight of the miniature horse
 - Whether the miniature horse is housebroken, and
 - Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
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41 Policy History:

42 **First Reading on: 12/8/21**

43 **Second Reading/Adopted on:**

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3 **NONINSTRUCTIONAL OPERATIONS**

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6 Records Management

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8 A fireproof vault will be provided for the permanent retention of records, including Board minutes,
9 annual audit reports, employment records of all staff, and permanent student records.

10
11 At the beginning of each fiscal year, an application for destruction of records, per state statute, is
12 completed and forwarded to the local government records subcommittee for approval. Upon approval
13 from the local government department, a list of all records having met retention requirements will be
14 presented to the Board for consideration to be destroyed. After receiving approval from the Board, the
15 records are shredded. Records may be destroyed as set forth in § 20-1-212, MCA, and 2-6-401, et seq.,
16 MCA.

17
18 All records related to the hiring process shall be retained for at least two (2) years. Student records must
19 be permanently kept, and employment records must be kept for ten (10) years after termination.

20
21 The District will retain, in a manner consistent with applicable law and the state's *Rules for Disposition of*
22 *Local Government Records*, such records as are required by law or regulations to be created and/or
23 maintained, and such other records as are related to students, school personnel, and the operations of the
24 schools.

25
26 For the purpose of this policy, "records" are all documentary materials, regardless of media or
27 characteristics, made or received and maintained by the school unit in transaction of its business. Records
28 include email and other digital communications sent and received.

29
30 Records may be created, received, and stored in multiple formats, including but not limited to print,
31 microfiche, audio and videotapes, and various digital forms (on hard drives, computer disks and CDs,
32 servers, flash drives, etc.).

33
34 The Superintendent will be responsible for developing and implementing a records management program
35 for the cataloging, maintenance, storage, retrieval, and disposition of school records. The Superintendent
36 will also be responsible for developing guidelines to assist school employees in understanding the kinds
37 of information that must be saved and those which can be disposed of or deleted. The Superintendent
38 may delegate records-management responsibilities to other school personnel at his/her discretion to
39 facilitate implementation of this policy.

40
41 All personnel records made or kept by an employer, including, but not necessarily limited to, application
42 forms and other records related to hiring, promotion, demotion, transfer, layoff or termination, rates of
43 pay or other terms of compensation and selection for training or apprenticeship, shall be preserved for 2
44 years from the date the record is made or from the date of the personnel action involved, whichever
45 occurs later.

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47 Student records must be permanently kept, and employment records must be kept for 10 years after
48 termination.

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4 Litigation Holds for Electronic Stored Information (ESI)
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6 The School District will have an ESI Team. The ESI Team is a designated group of individuals who
7 implement and monitor litigation holds, a directive not to destroy ESI that might be relevant to a pending
8 or imminent legal proceeding. The ESI Team will include a designated school administrator, an attorney,
9 and a member from the Technology Department. In the case of a litigation hold, the ESI Team shall direct
10 employees and the Technology Department, as necessary, to suspend the normal retention procedure for
11 all related records.
12

13 Inspections of ESI
14

15 Any requests for ESI records should be made in writing and will be reviewed by the Superintendent or
16 designee, in consultation with an attorney if needed, and released in accordance with Montana public
17 records law.
18

19 Delegated Authority
20

21 The Board delegates to the Superintendent or designees the right to implement and enforce additional
22 procedures or directives relating to ESI retention consistent with this policy, as needed.
23

24 Information Security Breach
25

26 Information security breaches shall be handled in accordance with 30-14-1704, MCA, Computer Security
27 Breach, including, but not limited to, investigations and notifications.
28
29

30 Cross Reference: 1402 School Board Use of Electronic Mail
31 3600, 3600P Student Records
32 5231, 5231P Personnel Records
33 5450 Employee Electronic Mail and On-Line Services Usage
34

35 Legal Reference: Montana Secretary of State (Rules for Disposition of Local Government
36 Records)
37 Federal Rules of Civil Procedure (FRCP)
38 § 20-1-212, MCA Destruction of records by school officer
39 § 20-9-215, MCA Destruction of certain financial records
40 24.9.805 (4), ARM Employment Records
41 § 30-14-1704, MCA Computer Breach Security
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43 Policy History:

44 Adopted on: 08/14/1995
45 Revised on: 08/12/2004
46 **First Reading on: 12/8/21**
47 **Second Reading/Adopted on:**