

HOT SPRINGS SCHOOLS 14J
Regular School Board Meeting
December 14, 2009
High School Library – 7:30 p.m.

Call to Order: 7:30 p.m.

Roll: Terry Prongua, Kim Baker, Carol Heath, Dirk Roosma, Sean Estill, Larry Markuson and Carmen Jackson

Absent: Sheila Matt, Julie White

Visitors: Chris Clairmont

Minutes: Move to approve the minutes of the November 9, 2009 regular board meeting.
Baker/Heath (P)

Correspondence:
None

Warrants:

- Elementary Warrants
 - Claims #32585 - 32611 \$46,532.60
#32633 - 32683
 - Payroll #32613 - 32632 \$86,355.22
Baker/Salmi (P)
- High School Warrants
 - Claims #32375 – 32396 \$28,348.50
#32633 - 32683
 - Payroll #32515 - 32536 \$62,481.70
Salmi/Baker (P)

Extracurricular Fund Review:

Move to approve the November Activity checks #12872 - #12920 (\$5158.52).
Baker/Salmi (P)

Principal's Report:

1. Enrollment – 107 Students
2. Curriculum Meetings
 - a. World Language – Ms. Nytes, December 1st
3. H1N1 Flu Vaccination Clinic
 - a. The second round of H1N1 flu shots will be December 22nd from 10:00 a.m. – 12:00 p.m. This is open to the public as well.
4. MAP Testing has been completed. The District has begun analyzing the results.
5. Native American Awareness Day was celebrated on November 24, 2009.

6. 6th Grade Adopt a Family
 - a. Held 2 bake sales to raise funds
 - b. Earned a \$500 grant from Town Pump
 - c. Sponsoring two families this Christmas
 - d. Travel to Missoula 12/15 to shop for the gifts
7. 6th Grade – Evergreen Visits
 - a. On December 14
 - b. Read Christmas Stories and handed out holiday wreaths
8. Elementary Christmas Concert
 - a. Wednesday December 16, 2009

Superintendent's Report:

1. Enrollment

a. 7 th Grade	18	
b. 8 th Grade	17	
c. Junior High Total	35	Same as last month
d. 9 th Grade	14	
e. 10 th Grade	15	
f. 11 th Grade	13	
g. 12 th Grade	22	
h. High School Total	64	Same as last month
i. 7-12 Total	99	Same as last month
2. Web page
 - a. The web page is up and going. We have much more work to do but we do have a good start. Mr. Estill will be giving a virtual tour.
3. I have a new sub to add to the sub list.
 - a. Mr. Markuson requested the addition of Carter Farrier to the 2009 - 2010 Substitute List. Move to add Carter Farrier to the 2009 - 2010 Substitute List.
Baker/ Roosma (P)
4. We held a shot clinic for the H1N1 vaccine on Nov. 10th and we will have another on Dec. 22nd from 10:00 to Noon.
5. The FCCLA went to Salt Lake City over the weekend of November 20th.
6. We held a parents financial aid workshop on December 3rd. It was a great success.
7. The Elementary Christmas Concert will be held December. 16th.
8. FCS will be holding their annual Christmas Tea on December. 16th from 10:00 to 10:45.
9. Junior high will be having a dance/fun night on December. 17th.
10. We release for Christmas break at Noon December. 22nd.
11. We return from Christmas break on Jan. 4th.
12. 1st Semester ends January 12th. Semester exams will be the 13th & 14th.
13. Vandalism – We have had a bus radio stolen from the yellow trip bus. I have filed a police report and a claim with the insurance company, and we have ordered a new radio.

14. Bus fuel – Running dyed diesel in the new bus will void any warranty on the bus. Mr. Markuson requested direction on risking the warranty by using dyed diesel.

AD Report:

1. Sanders County Tournament: We had great attendance at Hot Springs on Thursday for our portion of the Junior Varsity Tournament.-
 - Junior Varsity Girls finished in 2nd place
 - Varsity Boys finished in 3rd place
 - Varsity Girls won the Tournament
 - Reiley Winebrenner, Randi Arnold, and MacKenzie Wood were selected to the All Tournament teams.
 - MacKenzie Wood was also selected as MVP of the Girl's Tournament.
 - Next year the tournament will be held in Noxon (JV 1st Round) and Plains.
2. Gary Jones received the Citizens Service Award. This was voted on from both the Girls and Boys Hot Springs teams.
3. GAME CHANGES:
 - 12/14/09 – Junior High Boys Basketball – Paradise at HS moved to 1/18/09 @ 4:00
 - 12/19/09 - @ Granite No JV Girls Game start time 2:30 JV Boys, V Girls, V Boys
 - 12/21/09 – St. Regis @ HS – No JV Girls Game start time 4:00, JV Boys, V Girls, V Boys

Attendance Incentive:

- The committee met one last time and came to the consensus that the proposal submitted in November was the most agreeable solution. The semester test policy is the issue that is the most controversial. The committee's original recommendation provided the option of allowing students the opportunity to opt out of the tests, based on grades and attendance.
- The Board as a whole would like to require all students to take semester tests and reward students for good attendance and good grades separately.
- Move to require all 7th – 12th grade students to take all semester tests and require the semester tests to account for at least 20% of the student semester grade.
Baker/Salmi (P)
- Move to use the current Attendance/Grade Improvement program to qualify students for the semester trip rather than exempt them from semester tests.
Salmi/Heath (P)

Title I/ARRA Funding:

- The District did not make AYP again for the 2009 school year and is now required by law to allocate 10% of Title monies on professional development, a total of \$26,321. Mr. Markuson would like to send staff to AP trainings over the summer.

- The Title I ARRA funding must be spent specifically on the Title I program, benefitting the Title 1 students. The monies cannot supplant the current Title I program, but must be spent on new items without placing a hardship on the District after the funding dissolves.
- Originally the Title I ARRA monies were budgeted to build a Title I Resource Room and purchase a mobile computer laptop lab. The Department of Commerce will soon be releasing and the 2nd phase of ARRA Grants called “Quality Schools Planning Grant” that the District could apply. If the grant is awarded it will aid in funding the planning and designing construction projects for school facility improvements.
- No decision was made in regards to the spending of the ARRA funds. The Board encouraged Mr. Markuson to pursue planning with regard to facility improvements in the old gym.

Board Policies – 1st Reading

See pages 6 - 40 for copies of the policies approved below.

- 2160 & 2160P – Title I Parent Involvement Baker/ Roosma (P)
- 2330 – Participation in Commencement Exercises as reworded Roosma/Salmi (P)
- 2413 – Credit Transfer and Assessment for Placement Baker/Salmi (P)
 - Remove ...norm-referenced test and replace with assessment.
 - Reword #4 to say that the child achieve a score within 1 ½ standard deviations of the appropriate score for that grade level.
- 3125 – Education of Homeless Children Baker/Salmi (P)
- 3210 – Equal Education, Nondiscrimination and Sex Equity Baker/Roosma (P)
- 3225 – The board elected to continue to use the form that the District already uses.
- 3226 – Bullying/Harassment/Intimidation/Hazing Salmi/Baker (P)
- 3300 – Suspension and Expulsion Baker/Heath (P)
- 3300P – Corrective Actions and Punishment Roosma/Heath (P)
 - With the option of allowing students to make up any worked missed according to the student handbook (lines 37 & 38, page 1).
- 3310 – Student Discipline Baker/Roosma (P)
 - Amend the motion to change the Gun Free School section of the policy from will expel to may expel. Salmi/Roosma (P)
- 3520 – Student Fees, Fines and Charges Roosma/Salmi (P)
- 3606 – Transfer of Student Records Roosma/Heath (P)
- 3606F – Records Certification Baker/Roosma (P)
- 3608 – Receipt of Confidential Records Baker/Roosma (P)
 - Move to designation the Superintendent, Principal, and Counselor as authorized individuals to access confidential records from dphhs.
- 3612 – District-Provided Access to Electronic Information, Services, and Networks Baker/Roosma (P)
 - Remove “and other users” and “and others” from section D.
- 3612P – Acceptable Use of Electronic Networks Salmi/Heath (P)
 - The optional Use of Electronic Mail will be kept in the policy.

- 3612F – Internet Access Conduct Agreement – Roosma/Baker (P)

Board Policies- 2nd Reading

- 2000 – Goals Baker/Heath (P)
- 2100 – School Year Calendar and Day- Roosma/Baker (P)
- 2105 – Grade Organization Roosma/Salmi (P)
- 2120 – Curriculum Development and Assessment Baker/Roosma (P)
- 2132 – Student and Family Privacy Rights Roosma/Baker (P)
- 2161 – Special Education Baker/Roosma (P)
- 2161P – Special Education
- 2168 – Distance, Online, and Technology Delivered Learning Roosma/Baker (P)
- 2250 – Community and Adult Education Baker/Roosma (P)
- 2309 – Library Materials Baker/Heath (P)
- 2310 – Selection of Library Materials Baker/Roosma (P)
- 2310P – Selection of Library Materials – Procedure
- 2311 – 2311P - Instructional Materials Selection, Adoption, and Removal of Textbooks and Instructional Material Heath/Salmi (P)
- 2312 – Copyright & 2312P – Copyright Compliance Roosma/Baker (P)
- 2314 – Learning Materials Review Baker/Roosma (P)
- 2330 – Controversial Issues and Academic Freedom Roosma/Baker (P)
- 2450 – Recognition of Native American Cultural Heritage Baker/Salmi (P)

Move to table the Superintendent Review until the January meeting.
Baker/Rooms (P)

January Agenda

- Superintendent Review
- Computer Service Providers
- ARRA Funding

Adjourn 11:08 p.m.

Chairman

Clerk

2160 Title I Parent Involvement

NOTE: Schools receiving federal ESEA funds are required to have a parent involvement policy. This sample policy can be used as the basis for the joint development of a policy, as required by the federal legislation. This policy cannot be the District's policy without some parental involvement in its development at the local level.

The District endorses the parent involvement goals of Title I and encourages the regular participation of parents of Title I eligible children in all aspects of the program. The education of children is viewed as a cooperative effort among the parents, school, and community. In this policy the word "parent" also includes guardians and other family members involved in supervising the child's schools.

Pursuant to federal law the District will develop jointly with, agree upon with, and distribute to parents of children participating in the Title I program a written parent involvement policy.

At the required annual meeting of Title I parents, parents will have opportunities to participate in the design, development, operation, and evaluation of the program for the next school year. Proposed activities to fulfill the requirements necessary to address the requirements of parental-involvement goals shall be presented.

In addition to the required annual meeting, at least three (3) additional meetings shall be held at various times of the day and/or evening for parents of children participating in the Title I program. These meetings shall be used to provide parents with:

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

Title I funding, if sufficient, may be used to facilitate parent attendance at meetings, through payment of transportation and childcare costs.

The parents of children 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 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 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.

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 of 1965, 20 U.S.C. §§ 6301-6514, as implemented by 34 CFR parts 200, 201, 203, 205, and 212

Improving America's Schools Act, P.L. 103-382, § 1112 Local Education Agency Plans

P.L. 107-110, "No Child Left Behind Act of 2001," Title I – Improving the Academic Achievement of the Disadvantaged, § 1118

2160P Title I Parent Involvement

Title I – Equivalency/Comparability

- A. To assure that state and local services are provided in Title I schools at least equivalent to such services in non-Title I schools, these policies will be observed in the school district.
1. Salary Scales
The district-wide salary scales will be applicable to all staff whether assigned to Title I or non-Title I schools.
 2. Assignment of Teachers, Administrators and Support Personnel
Assignment of teachers, administrators and support personnel will be made in such a way to assure that the numbers of students per staff person in Title I schools shall be equivalent to the average number of students per staff person in relevant comparison schools (i.e., non-Title I or other Title I schools).
 3. Curriculum Materials and Instructional Supplies
Curriculum materials and instructional supplies will be provided to schools with the same grade spans on a per pupil cost factor to assure that all children have access to the same level of state and local resources regardless of whether they attend a Title I or non-Title I school.

Title I Parent Involvement

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

Guidelines

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

- Volunteering;
- Parent education;
- Home support for the child's education;
- Parent participation in school decision making.

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

Roles and Responsibilities

Parents

It is the responsibility of the parent to:

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

Staff

It is the responsibility of staff to:

- Develop and implement a school plan for parent involvement;
- Promote and encourage parent involvement activities;
- Effectively and actively communicate with all parents about skills, knowledge, and attributes students are learning in school and suggestions for reinforcement;
- Send information to parents of Title I children in a format and, to the extent practicable, in a language the parents can understand.

Community

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

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

Administration

It is the responsibility of the administration to:

- Facilitate and implement the Title I Parent Involvement Policy and Plan;
- Provide training and space for parent involvement activities;
- Provide resources to support successful parent involvement practices;
- Provide in-service education to staff regarding the value and use of contributions of parents and how to communicate and work with parents as equal partners;
- Send information to parents of Title I children in a format and, to the extent practicable, in a language the parents can understand.

2333 Participation in Commencement Exercises

Statement of Policy

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

Organization and Content of Commencement Exercises

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

~~The school administrators will not censor any presentation or require any specific content but may advise participants about appropriate language for the audience and occasion. Students selected to participate may choose to deliver an address, poem, reading, song, musical presentation, prayer, or any other pronouncement of their choosing. (MTSBA wording)~~

The school administrators will not censor any presentation or require any specific content but may advise participants about appropriate language for the audience and occasion. Students wishing to speak or perform in the commencement ceremony must submit their request to the Superintendent for approval. (re-worded per board request)

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

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

The Board recognizes that at graduation time and throughout the course of the educational process, there will be instances when religious values, religious practices, and religious persons will have some interaction with the public schools and students. The Board, while not endorsing any religion,

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recognizes the rights of individuals to have the freedom to express their individual political, social, or religious views.

Legal Reference: Art. II, Sec. 5, Montana Constitution - Freedom of religion
 Art. X, Sec. 7, Montana Constitution - Nondiscrimination in education
 § 20-5-201(3), MCA Duties and Sanctions
 § 20-1-308, MCA Religious instruction released time program
 § 20-7-112, MCA Sectarian publications prohibited and prayer
 permitted

2413 Credit Transfer and Assessment for Placement

Grades 9-12

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

The credit evaluation committee will:

1. Document that a student has spent approximately the same number of classroom hours in home school as would have been spent in a regular class in the District;
2. Document that a student followed a curriculum essentially similar to that of a course for which credit is requested;
3. Document that in the event of a credit request in a lab, industrial arts, or music course, equipment and facilities were sufficient to meet required learning activities of the course;
4. Require that a student has satisfactorily passed, in all courses in which a final exam normally is given, a final exam prepared and administered by a staff member in the District.

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

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

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

Grades 1-8

Requests from parents of students in non-accredited, nonpublic schools for placement in the District school system will be evaluated by an assessment-for-placement team. That team will include:

1. A school principal;
2. One (1) teacher of the grade in which the student is being considered for enrollment; and
3. One (1) counselor (grades 6-8 only) (OPTIONAL).

assessment

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
a score within 1 ½ standard deviations of an appropriate score for that grade level.
4. That the child achieved ~~an NCE score of forty (40) or above on the Standard Achievement Test.~~

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.

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

3125 Education of Homeless Children

Every child of a homeless individual and every homeless child are entitled to equal access to the same free, appropriate public education as provided to other students. The District must assign and admit a child who is homeless to a District school regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The District may not require an out-of-District attendance agreement and tuition for a homeless child.

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

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

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

The Superintendent will give special attention to ensuring the enrollment and attendance of homeless children and youths not currently attending school. The Superintendent will appoint a liaison for homeless children.

A "homeless individual" is defined as provided in the McKinney Homeless Assistance Act.

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

Cross Reference: 1700 Uniform Complaint Procedure

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

3210 Equal Education, Nondiscrimination and Sex Equity

Equal educational opportunities shall be available for all students without regard to race, color, nation origin, ancestry, sex, ethnicity, language barrier, religious beliefs, physical and mental handicap or disability, economic or social conditions, or actual or potential marital or parental status. ~~Any student may file a discrimination grievance using the procedure that follows this policy.~~

The District will make equal educational opportunities available for all students without regard to race, color, national origin, ancestry, sex, ethnicity, language barrier, religious belief, physical or mental handicap or disability, economic or social condition, or actual or potential marital or parental status.

No student, on the basis of sex, will be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, or advantage, or denied equal access to educational and extracurricular programs and activities.

Inquires regarding discrimination or intimidation should be directed to the District Title IX Coordinator. An individual with a complaint alleging a violation of this policy shall follow the uniform ~~Grievance Procedure~~.

Inquiries regarding discrimination or intimidation should be directed to the District Title IX Coordinator. Any individual may file a complaint alleging violation of this policy by following the Uniform **Complaint Procedure (Policy 1700)**.

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

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

Cross Reference: 1700 Uniform Complaint Procedure

Legal Reference: Art. X, Sec. 7, Montana Constitution- Nondiscrimination in education
§ 49-2-307, MCA Discrimination in education
24.9.1001, et seq., ARM Sex Discrimination in Education

3226 Bullying/Harassment/Intimidation/Hazing

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

Definitions

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

including but not limited to computers, cell phones, PDAs, or the internet.

Reporting

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

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

Responsibilities

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

Consequences

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

Retaliation and Reprisal

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

Cross Reference: 3225F Harassment Reporting Form for Students

Legal Reference: 10.55.701(1)(g), ARM Board of Trustees

3300 Suspension and Expulsion

Suspension

The Board of Trustees gives the superintendent and principals the authority to suspend a student up to 10 days, after hearings for disciplinary reasons. Students must appear before the superintendent for readmission to classes.

In the event the proposed punishment of a student is to include the denial of the right of school attendance from any single class or full schedule of classes for more than one and up to 10 consecutive school days, a conference shall first be conducted with the student as follows:

- A. An oral or written notice of the charges shall be provided to the student.*
- B. An oral or written explanation of the evidence in support of the charges shall be provided to the student.*
- C. An oral or written explanation of the suspension which may be imposed shall be provided to the student.*
- D. The student shall be provided the opportunity to present his/her explanation.*

In the event a short term suspension is to exceed one day, the parent or guardian of the student shall be notified of the reason for the suspension and the duration of the suspension orally or by mail as soon as reasonably possible.

Expulsion

Students recommended by the administration for expulsion or suspension longer than 10 days must appear before the Board of Trustees for a hearing and subsequent action.

The District recognizes and honors students' constitutional right to education opportunity. However, as provided under Montana law, the District will exercise its right to suspend or expel a student when necessary. The District expects all students to know and follow District policies and rules. The District considers a student's failure or refusal to comply with District policies and rules cause for discipline, including short-term suspension, long-term suspension, or expulsion.

The following definitions apply for purposes of this policy:

- "Suspension" means the exclusion of a student from attending individual classes or school and participating in school activities for an initial period not exceed ten (10) school days. An administrator may order suspension of a student.
- "Expulsion" is any removal of a student for more than twenty (20) school days without the provision of educational services. Expulsion is a disciplinary action available only to the Board.

Students with disabilities will be suspended or expelled pursuant to provisions of the Individuals with Disabilities Education Act (IDEA) and corresponding Montana law.

Upon a finding by a school administrator that the immediate return to school by a student would be detrimental to the health, welfare, or safety of others or would be disruptive of the educational process, a student may be suspended for one (1) additional period not to exceed ten (10) school days, if the student is granted an informal hearing with the school administrator prior to the additional suspension, and if the decision to impose the additional suspension does not violate the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. 1400, et seq.

The Superintendent will develop procedures to implement this policy and submit the procedures to the Board for its advice and consent.

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

3300P Corrective Actions and Punishment

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

Suspension

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

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

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

A building administrator will report any suspension immediately to a student's parent or legal guardian. An administrator will provide a written report of suspension that states reasons for a suspension, including any school rule that was violated, and a notice to a parent or guardian of the right to a review of a suspension. An administrator will send a copy of the report and notice to the Superintendent.

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

OPTIONAL:

~~Students who are suspended from any class or from school entirely do not have the right to make up any work missed.~~

OR

Students who are suspended from any class or from school entirely have the right to make

up any work missed according to the student handbook.

Expulsion

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

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

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

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

Procedures for Suspension and Expulsion of Students With Disabilities

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

A building administrator may suspend a child with a disability from the child's current placement for not more than ten (10) consecutive school days for any violation of school rules, and additional removals of not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement under 34 CFR 300.519(b), whether or not a student's gross disobedience or misconduct is a manifestation of a student's disabling condition. Any special education student who has exceeded or who will exceed ten (10) days of

suspension may temporarily be excluded from school by court order or by order of a hearing officer, if the District demonstrates that maintaining the student in the student's current placement is substantially likely to result in injury to the student or to others. After a child with a disability has been removed from his or her placement for more than ten (10) school days in the same school year, during any subsequent days of removal the public agency must provide services to the extent required under 34 CFR 300.121(d).

An administrator may remove from current placement any special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function. The District will place such student in an appropriate interim alternative educational setting for no more than forty-five (45) school days in accordance with the IDEA.

3310 Student Discipline

A teacher or principal has the authority to hold a pupil to strict accountability for disorderly conduct in school, on the way to or from school, or during intermission or recess.

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

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

- Using, possessing, distributing, purchasing, or selling tobacco products.
- Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who may be under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession.
- Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs, and drug paraphernalia. Students who may be under the influence of such substances will not be permitted to attend school functions and will be treated as though they had drugs in their possession.
- Using, possessing, controlling, or transferring a weapon in violation of the "Possession of a Weapon in a School Building" section of this policy.
- Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon.
- Disobeying directives from staff members or school officials or disobeying rules and regulations governing student conduct.
- Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct.
- Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property.
- Engaging in any activity that constitutes an interference with school purposes or an educational function or any other disruptive activity.
- Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic and habitual truants.
- Hazing or bullying.
- Forging any signature or making any false entry or attempting to authorize any document used or intended to be used in connection with the operation of a school.

These grounds for disciplinary action apply whenever a student's conduct is reasonably related to school or school activities, including, but not limited to:

These grounds **stated above** for disciplinary action apply whenever a student's conduct is reasonably related to school or school activities, including but not limited **to the circumstances set forth below**: On, or within sight of, school grounds before, during, or after school hours or at any other time when school is being used by a school group.

- Off school grounds at a school-sponsored activity or event or any activity or event that bears a reasonable relationship to school.
- Travel to and from school or a school activity, function, or event.
- **Anywhere conduct may reasonably be considered to be a threat or an attempted** intimidation of a staff member or an interference with school purposes or an educational function.

Disciplinary Measures

Disciplinary measures include but are not limited to:

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

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

Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered, or looks like, a firearm, ~~shall be expelled~~ for a definite period of time of at least one (1) calendar year. The Board, ~~however~~, may modify the expulsion period on a case-by-case basis. The building administrator shall notify the criminal justice or juvenile delinquency system of any student who brings a firearm to school.

may

The Board will expel any student who uses, possesses, controls, or transfers a firearm or

any object that can reasonably be considered or looks like a firearm, for a definite period of time of at least one (1) calendar year. The Board may modify an expulsion period on a case-by-case basis. A building administrator will notify the criminal justice or juvenile delinquency system of any student who brings a firearm to school.

If a student violating this policy is identified as disabled, either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

When a student violating this gun-free policy is identified as disabled, either under the IDEA or Section 504 of the Rehabilitation Act of 1973, a building administrator must determine whether a student's conduct is related to disability. If a violation of policy is owing to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with §20-5-202, MCA, and Policy 3300.

The Board will grant a hearing for any student subject to an expulsion in accordance with § 20-5-202, MCA, and Policy 3300.

Possession of a Weapon in a School Building

Any person who possesses, carries, or stores a weapon in a school building or on school property, except as provided below, shall be referred to law enforcement for immediate prosecution, as well as face disciplinary action by the District. In addition, a parent or guardian of any minor violating this policy shall also be referred for possible prosecution, on the grounds of allowing the minor to possess, carry, or store a weapon in a school building, or on school property.

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

For the purposes of this section only, the following terms are defined: "school building/school property" shall be defined as all buildings owned or leased by a local school district that are used for instruction or for student activities; "weapon" shall be defined as any type of firearm,

a knife with a blade three (3) or more inches in length, a sword, a straight razor, a throwing star, nun-chucks, firecrackers, or brass or other metal knuckles.

For the purposes of this section only, “school building” means all buildings owned or leased by a local school district that are used for instruction or for student activities; “weapon” means any object, device, or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury, including but not limited to any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; fake (facsimile) weapons; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace or other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

No person shall possess, use, or distribute any object, device, or instrument having the appearance of a weapon, and such objects, devices, or instruments shall be treated as weapons, including but not limited to weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.

No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.) to inflict bodily harm and/or intimidate, and such use will be treated as the possession and use of a weapon.

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building, or on school property. All persons who wish to possess, carry, or store a weapon in a school building shall present this request to the Board in a regular meeting. It is solely within the Board’s discretion whether to allow a person to possess, carry, or store a weapon in a school building, or on school property.

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

This policy does not apply to law enforcement personnel.

This policy does not apply to on-duty law enforcement personnel.

Delegation of Authority

Each teacher, and any other school personnel when students are under his/her charge, is authorized to impose any disciplinary measure, other than suspension, or expulsion, corporal punishment or in-school suspension, which is appropriate and in accordance with the policies and rules on student discipline. Teachers may remove students from a classroom for disruptive behavior.

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

Cross Reference: 3300 Suspension and Expulsion

Legal Reference:	§ 20-4-302, MCA	Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
	§ 20-5-202, MCA	Suspension and expulsion
	§ 45-8-361, MCA	Possession or allowing possession of weapon in school building – exceptions – penalties – seizure and forfeiture or return authorized – definitions
	20 U.S.C. § 8921, et seq.	Gun Free Schools Act of 1994
	29 U.S.C. § 701	Rehabilitation Act of 1973

3520 Student Fees, Fines, and Charges

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

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

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

The District holds a student responsible for the cost of replacing materials or property that are lost or damaged because of negligence. A building administrator will notify a student and parent regarding the nature of violation or damage, how restitution may be made, and how an appeal may be instituted. The District may withhold a student's grades or diploma until restitution is made. A student or parent may appeal the imposition of a charge for damages to the Superintendent and to the Board.

Legal reference:	§ 20-5-201, MCA	Duties and sanctions
	§ 20-7-601, MCA	Free textbook provisions
	§ 20-9-214, MCA	Fees

Transfer of Student Records

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

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

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

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

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3606F Records Certification

RECORDS CERTIFICATION

I, (name of custodian of records), the duly appointed custodian of records for the Hot Springs School District No. #14J, Sander County, State of Montana, pursuant to § 20-1-213, MCA, do hereby certify that the attached is a true and correct copy of the student records of (name of student), maintained in my possession and under my control.

DATED this ____ day of _____, 20__.

Custodian of Records

_____School District No. _____

(S E A L)

3608 Receipt of Confidential Records

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

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

- Superintendent
- Principal
- School Counselor

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

Cross Reference: 3600 - 3600P Student Records

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

3612 District-Provided Access to Electronic Information, Services, and Networks

General

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

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

Curriculum

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

Acceptable Uses

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

- not limited to transmitting offensive or harassing messages; offering for sale or use any substance the possession or use of which is prohibited by the District's student discipline policy; viewing, transmitting, or downloading pornographic materials or materials that encourage others to violate the law; intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.
- B. Uses that cause harm to others or damage to their property, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating, or otherwise using his/her access to the network or the Internet; uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information.
 - C. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.
 - D. Uses that are commercial transactions. ~~Students and other users~~ may not sell or buy anything over the Internet. ~~Students and others~~ should not give information to others, including credit card numbers and social security numbers.

Warranties/Indemnification

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

Violations

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If a student violates this policy, the District will deny the student access or will withdraw access and may subject the student to additional disciplinary action. An administrator or building principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with that decision being final.

2612P Acceptable Use of Electronic Networks

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

Terms and Conditions

1. Acceptable Use – Access to the District's electronic networks must be: (a) for the purpose of education or research and consistent with the educational objectives of the District; or (b) for legitimate business use.
2. Privileges – The use of the District's electronic networks is a privilege, not a right, and inappropriate use will result in cancellation of those privileges. The system administrator (and/or building principal) will make all decisions regarding whether or not a user has violated these procedures and may deny, revoke, or suspend access at any time. That decision is final.
3. Unacceptable Use – The user is responsible for his or her actions and activities involving the network. Some examples of unacceptable uses are:
 - a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any federal or state law;
 - b. Unauthorized downloading of software, regardless of whether it is copyrighted or devirused;
 - c. Downloading copyrighted material for other than personal use;
 - d. Using the network for private financial or commercial gain;
 - e. Wastefully using resources, such as file space;
 - f. Hacking or gaining unauthorized access to files, resources, or entities;
 - g. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information of a personal nature about anyone;
 - h. Using another user's account or password;
 - i. Posting material authored or created by another, without his/her consent;
 - j. Posting anonymous messages;
 - k. Using the network for commercial or private advertising;
 - l. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially

offensive, harassing, or illegal material; and

- m. Using the network while access privileges are suspended or revoked.
4. Network Etiquette – The user is expected to abide by the generally accepted rules of network etiquette. These include but are not limited to the following:
 - a. Be polite. Do not become abusive in messages to others.
 - b. Use appropriate language. Do not swear or use vulgarities or any other inappropriate language.
 - c. Do not reveal personal information, including the addresses or telephone numbers, of students or colleagues.
 - d. Recognize that electronic mail (e-mail) is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
 - e. Do not use the network in any way that would disrupt its use by other users.
 - f. Consider all communications and information accessible via the network to be private property.
 5. No Warranties – The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.
 6. Indemnification – The user agrees to indemnify the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District, relating to or arising out of any violation of these procedures.
 7. Security – Network security is a high priority. If the user can identify a security problem on the Internet, the user must notify the system administrator or building principal. Do not demonstrate the problem to other users. Keep your account and password confidential. Do not use another individual's account without written permission from that individual. Attempts to log on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.
 8. Vandalism – Vandalism will result in cancellation of privileges, and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes but is not limited to uploading or creation of computer viruses.
 9. Telephone Charges – The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/ or equipment or line costs.

10. Copyright Web Publishing Rules – Copyright law and District policy prohibit the republishing of text or graphics found on the Web or on District Websites or file servers, without explicit written permission.
 - a. For each republication (on a Website or file server) of a graphic or text file that was produced externally, there must be a notice at the bottom of the page crediting the original producer and noting how and when permission was granted. If possible, the notice should also include the Web address of the original source.
 - b. Students and staff engaged in producing Web pages must provide library media specialists with e-mail or hard copy permissions before the Web pages are published. Printed evidence of the status of “public domain” documents must be provided.
 - c. The absence of a copyright notice may not be interpreted as permission to copy the materials. Only the copyright owner may provide the permission. The manager of the Website displaying the material may not be considered a source of permission.
 - d. The “fair use” rules governing student reports in classrooms are less stringent and permit limited use of graphics and text.
 - e. Student work may only be published if there is written permission from both the parent/guardian and the student.

11. Use of Electronic Mail.
 - a. The District’s electronic mail system and its constituent software, hardware, and data files are owned and controlled by the District. The District provides e-mail to aid students and staff members in fulfilling their duties and responsibilities and as an education tool.
 - b. The District reserves the right to access and disclose the contents of any account on its system without prior notice or permission from the account’s user. Unauthorized access by any student or staff member to an electronic mail account is strictly prohibited.
 - c. Each person should use the same degree of care in drafting an electronic mail message as would be put into a written memorandum or document. Nothing should be transmitted in an e-mail message that would be inappropriate in a letter or memorandum.
 - d. Electronic messages transmitted via the District’s Internet gateway carry with them an identification of the user’s Internet “domain.” This domain name is a registered domain name and identifies the author as being with the District. Great care should be taken, therefore, in the composition of such messages and how such messages might reflect on the name and reputation

of this District. Users will be held personally responsible for the content of any and all electronic mail messages transmitted to external recipients.

- e. Any message received from an unknown sender via the Internet should either be immediately deleted or forwarded to the system administrator. Downloading any file attached to any Internet-based message is prohibited, unless the user is certain of that message's authenticity and the nature of the file so transmitted.
- f. Use of the District's electronic mail system constitutes consent to these regulations.

Internet Safety

1. Internet access is limited to only those "acceptable uses," as detailed in these procedures. Internet safety is almost assured if users will not engage in "unacceptable uses," as detailed in these procedures, and will otherwise follow these procedures.
2. Staff members shall supervise students while students are using District Internet access, to ensure that the students abide by the Terms and Conditions for Internet access, as contained in these procedures.
3. Each District computer with Internet access has a filtering device that blocks entry to visual depictions that are: (1) obscene; (2) pornographic; or (3) harmful or inappropriate for students, as defined by the Children's Internet Protection Act and determined by the Superintendent or designee.
4. The system administrator and building principals shall monitor student Internet access.

Legal Reference: Children's Internet Protection Act, P.L. 106-554
20 U.S.C. § 6801, et seq. Language instruction for limited English proficient and immigrant students
47 U.S.C. § 254(h) and (l) Universal service

3612F Internet Access Conduct Agreement

INTERNET ACCESS CONDUCT AGREEMENT

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

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

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

User's Signature: _____ Date: _____

Address: _____

Status: Student ___ Staff ___ Patron ___ I am 18 or older ___ I am under 18 ___

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

Parent or Legal Guardian. (If applicant is under 18 years of age, a parent/legal guardian must also read and sign this agreement.) As the parent or legal guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of the District's policy regarding District-Provided Access to Electronic Information, Services, and Networks for the student's access to the District's computer network and/or the Internet. I understand that access is being provided to the students for educational purposes only. However, I also understand that it is impossible for the school to restrict access to all offensive and controversial materials and understand my child's responsibility for abiding by the policy. I am, therefore, signing this Agreement and agree to indemnify and hold harmless the District, the Trustees, Administrators, teachers, and other staff against all claims, damages, losses, and costs, of whatever kind, that may result from my child's use of or access to such networks or his/her violation of the District's policy. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting. I hereby give my child

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permission to use the building-approved account to access the District's computer network and the Internet.

Parent/Legal Guardian (Print): _____

Signature: _____

Home Phone: _____ Address: _____

Date: _____

This Agreement is valid for the _____ school year only.