

# WHITEWATER SCHOOL DISTRICT

**R = required**

## 4000 SERIES COMMUNITY RELATIONS

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## **Whitewater School District**

### **COMMUNITY RELATIONS**

4000

#### Goals

The Board, through the leadership of the Superintendent and the assistance of the total staff, will seek to enhance the District's community relations by striving to achieve the following goals:

1. to encourage and enhance communications, understanding, trust and mutual support between the District and the people it serves;
2. to increase both the quality and quantity of public participation in school affairs, activities and programs;
3. to strengthen and improve relations and interactions among staff, trustees, citizens, parents and students;
4. to promote understanding and cooperation between the schools and community groups.

Legal Reference :     10.55.701, ARM     Board of trustees  
                          10.55.801, ARM     School climate

#### Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

## **Whitewater School District**

### **COMMUNITY RELATIONS**

4120

#### Public Relations

The District shall strive to maintain effective two-way communication channels with the public. Such channels shall enable the Board and staff to interpret the schools' needs to the community and provide a means for citizens to express their needs and expectations to the Board and staff.

The Superintendent shall establish and maintain a communication process within the school system and between it and the community. Such a public information program shall provide for news releases at appropriate times, arrange for news media coverage of district programs and events, provide for regular direct communications between individual schools and the citizens they serve, and assist staff in improving their skill and understanding in communicating with the public.

Community opinion may be solicited through parent organizations, parent-teacher conferences, open houses and other such events or activities which may bring staff and citizens together.

Legal Reference: Article II, Sec. 10, Montana Constitution

#### Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

## **Whitewater School District**

### **COMMUNITY RELATIONS**

4210

#### School-Support Organizations

The Board recognizes that parent, teacher and student organizations are an invaluable resource to the District schools and so supports their formation and vitality. While parent, teacher and student organizations have no administrative authority and cannot determine District policy, their suggestions and assistance are always welcome. Membership must be open and unrestricted.

Booster clubs and/or special interest organizations may be formed to support and strengthen specific activities conducted within the school or District. All such groups must receive the approval of the school building administrator, Superintendent and the Board in order to be recognized as a booster organization. Staff participation, cooperation and support are encouraged in such recognized organizations.

#### Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

## **Whitewater School District**

### **COMMUNITY RELATIONS**

4222

#### Fund-Raising by School Support Groups

Fund-raising by school support groups is considered a usual and desirable part of the function of such groups. The specific fund-raising activities must be approved in advance by the building administrator.

The building administrator must be consulted prior to any expenditure of such funds. All such funds raised by school adjunct groups are to be used for the direct or indirect support of school programs. Equipment purchased by support groups and donated to the schools becomes the property of the District and may be used or disposed of in accordance with District policy and state law.

#### Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

**Whitewater School District**

**COMMUNITY RELATIONS**

4301

Visitors to the Schools

The District encourages visits by Board members, parents and citizens to all District buildings. All visitors shall report to the building administrator's office upon entering any District building. Conferences should be held outside school hours or during the teacher's conference/prep time.

Cross Reference: 4313 Disruption of School Operations

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

**Whitewater School District**

**COMMUNITY RELATIONS**

4310

Public Complaints

The Board is interested in receiving valid complaints and suggestions. Public complaints and suggestions shall be submitted on the Uniform Grievance Procedure to the appropriate-level staff member or District administrator. Each complaint or suggestion shall be considered on its merits.

Unless otherwise indicated in these policies or otherwise provided for by law, no appeal may be taken from any decision of the Board.

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012



## **Whitewater School District**

### **COMMUNITY RELATIONS**

4310P  
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#### Uniform Grievance Procedure

All individuals should use this grievance procedure if they believe that the Board, its employees or agents have violated their rights guaranteed by the State or federal constitution, State or federal statute, or Board policy.

The District will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

#### Level 1: Informal

An individual with a complaint is encouraged to first discuss it with the teacher, counselor, or building administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first line administrator that is not involved in the alleged harassment.

#### Level 2: Superintendent

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating: 1) the nature of the grievance and 2) the remedy requested. It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the Superintendent within sixty (60) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the Superintendent shall investigate and attempt to resolve the complaint. If either party is not satisfied with the decision of the Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within fifteen (15) days of receiving the Superintendent's decision. The Board is the policy-making body of the school, however, and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the Superintendent to the Board bears the burden of proving a failure to follow Board policy.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the Superintendent shall investigate the complaint and complete a written investigative report within thirty (30) days after receipt of the written grievance. The Superintendent may hire an outside investigator, if necessary. The

Superintendent's recommendation will be implemented unless the party is not satisfied, in which case the party may make a written appeal, within fifteen (15) days of receiving the report of the Superintendent, to the Board for a hearing.

Level 3: The Board

Upon receipt of a written appeal of the decision of the Superintendent, and assuming the appeal alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final, unless appealed within the period provided by law.

Level 4: County Superintendent

If the case falls within the jurisdiction of the County Superintendent of Schools, the decision of the Board may be appealed to the County Superintendent by filing a written appeal within thirty (30) days after the final decision of the Board, pursuant to the Rules of School Controversy.

Procedure History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

**Whitewater School District**

**COMMUNITY RELATIONS**

4313

Disruption of School Operations

If any person disrupts or obstructs any school program, activity, or meeting, or threatens to do so, or commits, threatens to imminently commit or incites another to commit any act that will disturb or interfere with or obstruct any lawful task, function, process or procedure, of any student, official, employee or invitee of the District, the staff member in charge shall immediately notify the local law enforcement authorities of the incident.

The staff member in charge shall make a written report detailing the incident not later than twenty-four (24) hours from when the incident occurred. A copy of the report shall be given to the staff member's immediate supervisor.

Cross Reference: 4301 Visitors to the Schools

Legal Reference: § 20-1-206, MCA Disturbance of school - penalty  
§ 45-8-101, MCA Disorderly conduct  
§ 20-5-201, MCA Duties of pupils - sanctions

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

**Whitewater School District**

**COMMUNITY RELATIONS**

4315

Spectator Conduct and Sportsmanship for Athletic and Co-Curricular Events

Any person, including an adult, who behaves in an unsportsmanlike manner during an athletic or co-curricular event may be ejected from the event the person is attending and/or denied admission to school events for up to a year, after a Board hearing. Examples of unsportsmanlike conduct include, but are not limited to:

- using vulgar or obscene language;
- possessing or being under the influence of any alcoholic beverage or illegal substance;
- possessing a weapon;
- fighting or otherwise striking or threatening another person;
- failing to obey the instructions of a security officer or school district employee; and
- engaging in any activity which is illegal or disruptive.

The Superintendent may seek to deny future admission to any person by delivering or mailing a notice, sent by certified mail with return receipt requested, containing:

1. The date, time, and place of a Board hearing;
2. A description of the unsportsmanlike conduct;
3. The proposed time period that admission to school events will be denied.

Legal Reference:     § 20-4-303, MCA     Abuse of teachers  
                          § 20-1-206, MCA     Disturbance of school  
                          § 45-8-101, MCA     Disorderly conduct

Policy History

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

## Whitewater School District

### COMMUNITY RELATIONS

4316

#### Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities on an basis equal to those without disabilities and will not be subject to illegal discrimination.

The District may provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

The Superintendent is designated the Americans With Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

1. Oversee the District's compliance efforts, recommend necessary modifications to the Board, and maintain the District's final Title II self-evaluation document and keep it available for public inspection for at least three (3) years after its completion date (*for districts having fifty (50) or more full- or part-time employees*).
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or building administrator if they have a disability which will require special assistance or services and, if so, what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

Cross Reference:                   3215   Uniform Grievance Procedure

Legal Reference :       Americans with Disabilities Act, 42 U.S.C. §§ 12111, et seq., and 12131, et seq.; 28 C.F.R. Part 35.

#### Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

## **Whitewater School District**

### **COMMUNITY RELATIONS**

4320

#### Contact with Students

Students are entrusted to the schools for educational purposes. Although educational purposes encompass a broad range of experiences, school officials must not assume license to allow unapproved contact with students by persons who are not employed by the District for educational purposes. Teachers may arrange guest speakers on appropriate topics relative to the curriculum. The Superintendent may approve school assemblies on specific educational topics of interest and relevance to the school program. Other types of contact by non-school personnel will normally not be permitted. Outside organizations desiring to use the captive audience in a school for information, sales material, or special interest curricula will not be allowed access to the schools.

#### Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

**Whitewater School District**

**COMMUNITY RELATIONS**

4321

Distribution of Fund Drive Literature Through Students

It is the policy of this District to refrain from having the students, as student body members, used for collection or dissemination purposes.

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

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

**Whitewater School District**

**COMMUNITY RELATIONS**

4330

Community Use of School Facilities

School facilities are available to the community for education, civic, cultural, and other non-commercial uses consistent with the public interest, when such use does not interfere with the school program or school-sponsored activities. Use of school facilities for school purposes has precedence over all other uses. Persons on school premises must abide by the District's conduct rules at all times.

Student and school-related organizations shall be granted the use of school facilities at no cost. The Superintendent shall develop procedures to manage community use of school facilities, which shall be reviewed and approved by the Board. Use of school facilities requires the Superintendent's approval and is subject to the procedures.

The administration shall approve and schedule the various uses of the school facilities. A master calendar will be kept in the office for scheduling dates to avoid conflicts during the school year. Requests for use of the school facilities must be submitted in advance of the event to the Superintendent's office.

Legal Reference: § 20-7-805, MCA    Public recreation  
Lamb's Chapel v. Center Moriches Union Free School Dist., 113 S.Ct. 2141

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012



**RENTAL AGREEMENT  
Whitewater School District**

This Rental Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 200\_, and effective immediately, by and between WHITEWATER SCHOOL DISTRICT, hereinafter referred to as “School”, and \_\_\_\_\_, hereinafter referred to as “User”.

**ARTICLE I  
Premises and Conditions**

A. Premises - For and in condition of the terms and covenants of this lease to be performed by User, all of which User accepts, School hereby leases to User the School District facilities described as:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date(s) the facilities are to be used: \_\_\_\_\_

User agrees to use and permit the use of only those School facilities specifically leased to User.

- B. Condition of Granting Lease - The granting of this lease and its acceptance by User is conditioned upon the following covenants:
1. That no alcoholic beverages, tobacco or other drugs are sold or consumed on the premises by User, its employees, patrons, agents, or members.
  2. No illegal games of chance or lotteries will be permitted.
  3. That no functional alteration of the premises or functional changes in the use of such premises shall be made by User, without specific written consent of School.
  4. That adequate supervision is provided by User to ensure proper care and use of School facilities.

**ARTICLE II  
Rent and Deposit**

User agrees to pay to School, as rent for the premises and as payment for special services (if any) provided by School, the sums as set forth, in the amount of \$ \_\_\_\_\_, and this shall be due \_\_\_\_\_ days in advance. User shall be responsible for all actual damages, including costs, disbursements, and expenses, resulting while it has use of the premises.

**ARTICLE III  
Obligation of Lessee**

User shall maintain the premises clean and free from debris at all times.

User shall repair and pay for all damages to the premises caused by its employees, patrons, agents, members of its operation on the premises.

User shall permit School and its agents free access to enter into and upon the premises at all reasonable times for the purpose of inspecting same and to make any necessary improvements.

User acknowledges that it has received a list of additional obligations, and it hereby consents to those obligations and agrees to adhere to and follow the same, and they are hereby made a part of this agreement.

User shall comply with all city, county, and state ordinances, regulations, and statutes that are applicable to User's use of the premises.

User shall at all times cooperate with the School District's personnel.

**ARTICLE IV**

**Insurance and Indemnification**

User shall indemnify and hold harmless the School and its agents and employees for and from any and all loss, including attorneys' fees, damages, expenses, and liability arising out of its use of School property. User also agrees to pay any damages to School facilities, furniture, or equipment arising out of its use of School property, whether such damage was accidental or deliberate. The cost of damages will be based on the repair or replacement cost, the choice of which is the Board's discretion.

**ARTICLE V**

**Lessee Not To Discriminate**

User agrees that neither it, its employees or agents, will refuse, withhold from, or deny any of its services, goods, facilities, advantages, or privileges because of sex, race, age, physical or mental handicap, creed, political ideas, marital status, religion, color, or national origin, and that it will not publish, circulate, issue, display, post, or mail a written or printed communication, notice, or advertisement which states or implies that any of the services, goods, facilities, advantages, or privileges offered by it while in School facilities will be refused, withheld from, or denied to a person because of sex, race, age, physical or mental handicap, creed, political ideas, marital status, religion, color, or national origin.

DATED this \_\_\_\_ day of \_\_\_\_\_, 200\_.

**Whitewater School District:**

**User:**

By \_\_\_\_\_ By \_\_\_\_\_

Address

\_\_\_\_\_

Phone

\_\_\_\_\_

Additional Obligations

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Whitewater School District

### COMMUNITY RELATIONS

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#### Rules and Regulations for Building Use

- Applications requesting use of the school facility must be presented to the building administrator at least ten (10) days in advance of the time desired and must be signed by a qualified representative of the organization desiring to use the building.
- The school premises shall not be available before 5:00 p.m. on school days, except under special conditions.
- Rental fees are as follows:  

(Example)	Gym	\$100 + custodian
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- Fees (will) (may) be waived for private nonprofit groups that do not charge admission fees. Religious groups or organizations will be charged rental fees as listed above.
- The use of the school premises will be denied when, in the opinion of the Superintendent or the Board, such use may be construed to be solely for commercial purposes, there is a probability of damage or injury to school property, or the activity is deemed to be improper to hold in school buildings.
- In case of loss or damage to school property, the organization and/or individual signing the request shall be fully responsible and liable.
- The District reserves the right to require a certificate of insurance from the renting agency.
- No furniture or apparatus shall be moved or displaced without permission.
- No access to other rooms in the building shall be permitted unless designated by agreement.
- There shall be no narcotics, drugs (including tobacco or nicotine products), stimulants, or alcohol used or sold in or about school buildings and premises, nor shall profane language, quarreling, fighting, or illegal gambling be permitted. Violations of this rule by any organization during occupancy shall be sufficient cause for denying further use of school premises to the organization.
- Wax, or other preparations ordinarily used on dance floors, is not to be used on gymnasium floors.
- The Superintendent may require a school employee to be present during use of the building by the non-school organization. In such case, the requesting organization will

pay for the employee expense (i.e., custodians, overtime).

When the school official finds it necessary that police or other security personnel be retained for crowd control, such requirement may be added as a condition of the Facilities Use Agreement.

Procedure History:

Adopted on: February 13, 2012

Reviewed on:

Revised on:

## **Whitewater School District**

### **COMMUNITY RELATIONS**

4331

#### Use of School Property for Posting Notices

Non-school related organizations may ask the building administrator permission:

1. To display posters in the area reserved for community posters; or
2. To have flyers distributed to students.

Posters and/or flyers subject to a request must be student oriented and have the sponsoring organization's name prominently displayed. Permission will be denied to post or distribute any material that would:

1. Disrupt the educational process;
2. Violate the rights of others;
3. Invade the privacy of others;
4. Infringe on a copyright; or
5. Be obscene, vulgar or indecent.

No commercial publication shall be posted or distributed unless the purpose is to further a school activity, such as graduation, class pictures or class rings. No information from any candidates for non-student elective offices shall be posted in the school, except on election day, or distributed to the students.

If permission is granted to distribute, the organization must arrange to have copies delivered to the school. Distribution of the material will be arranged by the administration.

#### Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

**Whitewater School District**

**COMMUNITY RELATIONS**

4332

Conduct on School Property

In addition to prohibitions stated in other District policies, no person on school property shall:

3. Injure or threaten to injure another person;
4. Damage another's property or that of the District;
5. Violate any provision of the criminal law of the state of Montana or town or county ordinance;
6. Smoke or otherwise use tobacco products;
7. Consume, possess, or distribute alcoholic beverages, illegal drugs, or possess dangerous weapons at any time;
8. Impede, delay, or otherwise interfere with the orderly conduct of the District's educational program or any other activity occurring on school property;
9. Enter upon any portion of the school premises at any time for purposes other than those which are lawful and authorized by the Board; or
10. Willfully violate other District rules and regulations.

“School property” means within school buildings, in vehicles used for school purposes, or on owned or leased school grounds. As circumstances warrant, appropriate action will be taken by the District's administrators.

Legal Reference: Pro-Children Act of 1994, 20 U.S.C. § 6081  
§ 20-5-410, MCA Civil penalty  
§ 20-5-411, MCA Use of tobacco product in public school building or  
property prohibited  
Smoke Free School Act of 1994

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

## **Whitewater School District**

### **COMMUNITY RELATIONS**

4340

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#### Public Access to District Records

Within the limits of an individual's right of privacy, full access to information concerning the administration and operations of the District shall be afforded to the public. Public access to District records shall be afforded according to appropriate administrative procedures.

"School District records" include any writing, printing, photostating, photographing, etc., that has been made or received by the school, in connection with the transaction of official business and presented for informative value or as evidence of a transaction and all other records required by law to be filed with the District. "School District records" do not include the personal notes and memoranda of staff which remain in the sole possession of the maker and which are not generally accessible or revealed to other persons.

The Superintendent shall serve as "public records coordinator" with responsibility and authority for ensuring compliance with the display, indexing, availability, inspection, and copying requirements of state law and this policy. As coordinator, the Superintendent shall authorize the inspection and copying of the District's records only in accordance with the criteria set forth in this policy.

In accordance with Title 2, Chapter 4, MCA, the District shall make available for public inspection and copying all District records, or portions, except those which contain the following information:

1. Personal information from any file maintained for students. Information from student records shall be disclosed only in accordance with the requirements of the Family Educational Rights and Privacy Act of 1974 and adopted District policy;
2. Personal information in files maintained for staff to the extent that disclosure will violate their right to privacy;
3. Test questions, scoring keys, or other examination data used to administer academic tests;
4. The contents of real estate appraisals, made for or by the District relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three (3) years after the appraisal;
5. Preliminary drafts, notes, recommendations and intra-District memoranda in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by the District in connection with any District action;

6. Records that are relevant to a controversy to which the District is a party but which records would not be available to another party under the rules of pre-trial discovery for cases pending resolution;
7. Records or portions of records, the disclosure of which would violate personal rights of privacy; and
8. Records or portions of records, the disclosure of which would violate governmental interests.

If the District denies any request, in whole or in part, for inspection and copying of records, the District shall provide the requesting party with reasons for the denial.

If the record requested for inspection and/or copying contains both information exempted from disclosure and non-exempt information, the District shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide a written explanation for the deletion.

The District shall not provide access to lists of individuals which the requesting party intends to use for commercial purposes or which the District reasonably believes shall be used for commercial purposes if such access is provided.

The coordinator is authorized to seek an injunction to prevent the disclosure of records otherwise suitable for disclosure when it is determined that there is reasonable cause to believe that the disclosure would not be in the public interest and would substantially or irreparably damage any person or would substantially or irreparably damage vital governmental functions.

Legal Reference:	Title 2, Chapter 6	School districts
	§ 2-6-109, MCA	Prohibition in distribution or sale of mailing lists - penalty

Policy History:

Adopted on: November , 2001

Revised on:

Reviewed on: February 13, 2012



## Whitewater School District

### COMMUNITY RELATIONS

4410

#### Relations with the Law Enforcement and Child Protective Agencies

The primary responsibility for maintaining proper order and conduct in the schools is that of staff. Staff shall be responsible for holding students accountable for infractions of school rules, which may include minor violations of the law occurring during school hours or at school activities. Where there is substantial threat to the health and safety of students or others such as in the case of bomb threats, mass demonstrations with threat of violence, individual threats of substantial bodily harm, trafficking in prohibited drugs or the scheduling of events where large crowds may be difficult to handle, the law enforcement agency shall be called upon for assistance. Information regarding major violations of the law shall be communicated to the appropriate law enforcement agency.

The District shall strive to develop and maintain cooperative working relationships with the law enforcement agencies. Procedures for cooperation between law enforcement, child protective and school authorities shall be established. Such procedures shall be made available to affected staff and periodically revised.

Cross Reference:                   4313   Disruption of School Operations

  § 20-1-206, MCA    Disturbance of school - penalty

#### Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

## Whitewater School District

### COMMUNITY RELATIONS

4411

#### Investigations and Arrests by Police

All contact between the school and the police department on matters involving students shall be made through the administrative office. The police have ample opportunity to talk to a student away from the school and before or after school hours. They should be encouraged to do so. Law enforcement authorities should only be allowed to conduct an interview in the school if they can show that special circumstances exist or if the interview is at the request of the school. This determination should be made by the building administrator or Superintendent.

- A. If the police have a warrant for the student's arrest, they must be permitted to arrest the student; however, whenever possible, the arrest should be conducted in the building administrator's office out of view of other students. Before removing a student from school, the police shall sign a release form in which they assume full responsibility for the student.
- B. Law enforcement personnel should not be allowed to roam about the school until the student is found. They should remain in the administration office while school personnel seek out the student.
- C. If possible, the educational program of the student should not be disrupted to allow for police questioning.
- D. Any questioning by police should be conducted in a private room or area where confidentiality can be maintained.
- E. If law enforcement officials are to be allowed to question a student under the age of eighteen (18), a reasonable attempt shall be made to notify the parents, except in cases of suspected child abuse or child neglect involving the parent. The parents should be given the opportunity to come to the school prior to the questioning.
- F. If the parents are notified and able to attend, they should be allowed to be present at the interview. The administrator should be present at the interview, but should not take part in any questioning. The administrator should at all times remain a neutral observer.

#### Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

**Whitewater School District**

**COMMUNITY RELATIONS**

4520

Cooperative Programs with Other Districts and Public Agencies

Whenever it appears to the economic, administrative and educational advantage of the District to participate in cooperative programs with other units of local government, the Superintendent shall prepare and present for the Board's consideration an analysis of each cooperative proposal.

When formal cooperative agreements are developed, such agreements shall comply with the requirements of the Interlocal Cooperation Act, with assurances that all parties to the agreement have the legal authority to engage in the activities contemplated by the agreement.

Legal Reference:	§§ 20-7-451 through 456, MCA	Authorization to create full service
	§ 20-7-800, et seq., MCA	special education cooperative
	§ 7-11-100, et seq., MCA	Public recreation
		Interlocal agreements

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

## **Whitewater School District**

### **COMMUNITY RELATIONS**

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#### Registered Sex Offenders

The State of Montana has determined that perpetrators of certain sex crimes pose a continuing threat to society as a whole even after completion of their criminal sentences. Recognizing that the safety and welfare of students is of paramount importance, the Whitewater School District declares that, except in limited circumstances, Whitewater School District should be off limits to registered sex offenders.

#### Employment

Notwithstanding any other Board policy, individuals listed by the State of Montana as registered sex offenders are ineligible for employment in any position within the Whitewater School District. However, the Superintendent shall have discretion consistent with other Board policies to recommend an individual whose name has been expunged from the Sex Offender Registry.

#### School Off Limits

The District hereby declares that no registered sex offender whose victim was a minor may come on, about, or within one thousand (1,000) feet of any District-owned buildings or property except as otherwise provided in this policy. If an administrator becomes aware that such a sex offender is on, about, or within one thousand (1,000) feet of school property, the administrator shall direct the sex offender to immediately leave the area. The Board authorizes the administrator to request the assistance of the appropriate law enforcement authorities to secure the removal of any registered sex offender from the area. If a registered sex offender disregards the terms of this policy or the directives of the school administrator, then the Superintendent is authorized to confer with counsel and to pursue such criminal or civil action as may be necessary to enforce compliance with this policy.

This policy shall not be construed to impose any duty upon any administrator or any other employee of the District to review the Sex Offender Registry or to screen individuals coming on or within one thousand (1,000) feet of school property to ascertain whether they are on the Registry. This policy shall only apply when administrators are actually aware that the person in question is on the Sex Offender Registry and that the offender's victim was a minor.

The provisions of this policy prohibiting a registered sex offender from coming on, about, or within one thousand (1,000) feet of school property shall not apply in the event that a sex offender's name should be expunged from the Registry.

#### Rights of Parents on the Sex Offender Registry

In the event that a registered sex offender whose victim was a minor has a child attending the District, the administrator of the school where the child attends shall be authorized to modify this

policy's restrictions to permit the parent to drop off and pick up the child from school and to come onto campus to attend parent-teacher conferences. However, the parent may not linger on or about school property before or after dropping off his or her child, and the parent is prohibited from being in any part of the school building except the main office.

This policy does not impose a duty upon the administrator of any school or any other employee of the District to review the Sex Offender Registry and the school system's directory information to ascertain whether a registered sex offender may have a child attending school in the District. The provisions of this policy shall apply only if an administrator actually becomes aware that a parent of a student at the school is a registered sex offender.

To facilitate voluntary compliance with this policy, administrators are encouraged to speak with any affected parents upon learning of their status as registered sex offenders to communicate the restrictions of this policy. At all times, the administrator shall endeavor to protect the privacy of the offender's child.

In the event of a truly exceptional situation such as graduation, a parent on the Sex Offender Registry may ask the Superintendent for a waiver of this policy to permit the parent to attend these special events. It is the intent of the Board, however, that these special circumstances be truly unusual and infrequent occurrences.

Legal Reference:       § 46-23-501, MCA                               Sexual or Violent Offender Registration Act  
                                  [www.doj.mt.gov/svor/](http://www.doj.mt.gov/svor/)                               Sexual or Violent Offender Registry

Policy History:

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COMMUNITY RELATIONS

Notice to Parents Required by No Child Left Behind Act of 2001 (“NCLB”) \*

Improving Basic Programs Operated by Local Educational Agencies

- As required by NCLB § 1111(h)(6)(A): At the beginning of each school year, a district that receives Title I funds shall notify the parents of each student attending any school receiving Title I funds that the parents may request, and the district will provide the parents on request, information regarding the professional qualifications of the student’s classroom teachers, including, at a minimum, the following:
  - a. Whether the teacher has met the state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
  - b. Whether the teacher is teaching under emergency or other provisional status.
  - c. The teacher’s baccalaureate degree major and any other graduate certifications or degrees.
  - d. Whether paraprofessionals provide services to the student and, if so, their qualifications.
- As required by NCLB § 1111(h)(6)(B)(i): Districts must provide parents information on the level of achievement of the parent’s child in each of the state academic assessments.
- As required by NCLB § 1111(h)(6)(B)(ii): Districts must provide parents timely notice that the parent’s child has been assigned, or has been taught for four (4) or more consecutive weeks by, a teacher who is not highly qualified.

Limited English Proficient Students

1. As required by NCLB § 1112(g)(1)(A) and (g)(2) and § 3302(a): Districts must inform a parent of a limited English proficient child identified for participation or participating in such a program, of the reasons for their child being identified, their child’s level of English proficiency, instructional method, how their child’s program will meet the child’s needs, how the program will help the child learn English, exit requirements for the program to meet the objectives of any limited English proficiency, and information regarding parental rights.
2. As required by NCLB § 1112(g)(1)(B) and § 3302(b): Each district using Title I funds to provide a language instruction educational program, that has failed to make progress on the annual measurable achievement objectives described in § 3122 for any fiscal year for which part A is in effect, shall separately inform the parents of a child identified for participation or participating in such a program, of such failure not later than thirty (30) days after such failure occurs.
3. As required by NCLB § 1112(g)(4) and § 3302(e): Each district shall implement an

effective means of outreach to parents of limited English proficient students to inform the parents regarding how they can be involved in their child's education and be active participants in assisting their child to attain English proficiency, achieve at high levels in core academic subjects, and meet challenging state academic achievement standards and state academic content standards expected of all students. In addition, the outreach shall include holding and sending notice of opportunities for regular meetings for formulating and responding to parent recommendations.

### Academic Assessment and Local Education Agency and School Improvement

1. As required by NCLB § 1116(b)(6): Districts shall promptly provide to parents of each student enrolled in an elementary school or a secondary school identified for school improvement under § 1116(b)(1)(E)(I), for corrective action under § 1116(b)(7)(C)(I), or for restructuring under § 1116(b)(8)(A)(I):
  - a. An explanation of what the identification means and how the school compares in terms of academic achievement to other district schools and the state educational agency;
  - b. The reasons for the identification;
  - c. An explanation of what the school identified for school improvement is doing to address the problem;
  - d. An explanation of what the district or state educational agency is doing to help the school address the achievement problem;
  - e. An explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and
  - f. An explanation of the parents' option to transfer their child to another public school under paragraphs (1)(E), (5)(A), (7)(C)(i), (8)(A)(i), and subsection (c)(10)(C)(vii) (with transportation provided by the agency when required by paragraph (9)) or to obtain supplemental educational services for the child in accordance with subsection (e).
2. As required by NCLB § 1116(b)(8)(c): Whenever the school fails to make adequate yearly progress and/or is restructured, the district shall provide the teachers and parents with an adequate opportunity to comment and participate in developing any plan.
3. As required by NCLB § 1116(e)(2)(A): The district shall provide annual notice to parents of:
  - a. The availability of supplemental education services;
  - b. The identity of approved providers of those services within the district or whose services are reasonably available in neighboring districts; and
  - c. A brief description of those services, qualifications, and the demonstrated effectiveness of each such provider.

### Parental Involvement

1. As required by NCLB § 1118(b): Parents shall be notified of the parental involvement policy, in an understandable and uniform format and, to the extent practicable, in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.
2. As required by NCLB § 1118(c): Each school shall:
  - a. Convene an annual meeting at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation and to explain the requirements of the NCLB and the right of the parents to be involved;
  - b. Offer a flexible number of meetings;
  - c. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan under § 1114(b)(2);
  - d. Provide parents of participating children:
    - Timely information about programs under this part;
    - A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
    - If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.

### Education of Homeless Children and Youths

1. As required by NCLB § 722(e)(3)(C): The district shall provide written notice, at the time any homeless child or youth seeks enrollment in the school and at least twice annually while the child or youth is enrolled in the school, to the parent or guardian of the child or youth (or, in the case of an unaccompanied youth, the youth) that:
  - a. Shall be signed by the parent or guardian;
  - b. Sets forth the general rights provided under this subtitle;
  - c. Specifically states:
    - The choice of schools homeless children and youths are eligible to attend;
    - That no homeless child or youth is required to attend a separate school for homeless children or youths;
    - That homeless children and youths shall be provided comparable services, including transportation services, educational services, and meals through school meals programs;



- That homeless children and youths should not be stigmatized by school personnel;
- d. Includes contact information for the local liaison for homeless children and youths.
2. As required by NCLB § 722(g)(2)(B)(iii): In the case of an unaccompanied homeless youth, the district shall ensure that the homeless liaison assists in placement or enrollment decisions, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.
  3. As required by NCLB § 722(g)(6)(A)(iv): Each district shall ensure that public notice of the educational rights of homeless children is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens.

### Persistently Dangerous Schools

If the district is identified as a persistently dangerous school,<sup>1</sup> the district must, in a timely manner:

1. Notify parents of each student attending the school that the state has identified the school as persistently dangerous.
2. Offer all students the opportunity to transfer to a safe public school within the district. If there is not another school in the district, the district is encouraged, but not required, to explore other options such as an agreement with a neighboring district to accept transfer students.
3. For those students who accept the offer, complete the transfer.

In addition a district must also:

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<sup>1</sup> **“Persistently dangerous public elementary school or secondary school,”** in the context of the No Child Left Behind Act of 2001 (ESEA), a Montana public elementary or secondary school is considered to be persistently dangerous if each of the following two conditions exist:

- (1) In each of three consecutive years, the school has a federal or state gun-free schools violation or a violent criminal offense has been committed on school property, and
- (2) In any two years within a three-year period, the school has experienced expulsions for drug, alcohol, weapons or violence that exceed one of the following rates –
  - (a) more than five expulsions for a school of less than 250 students,
  - (b) more than 10 expulsions for a school of more than 250 students but less than 1000 students, or
  - (c) more than 15 expulsions for a school of more than 1,000 students.

1. Develop a corrective action plan; and
2. Implement the plan in a timely manner.

Parental notification regarding the status of the school and the offer to transfer students may be made simultaneously.

#### Student Privacy

1. As required by NCLB § 1061(c)(2)(A): The student privacy policies developed by the district shall provide for reasonable notice of the adoption or continued use of such policies directly to the parents of students enrolled in schools served by the district. At a minimum, the district shall:
  - a. Provide such notice at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in such policies; and
  - b. Offer an opportunity for the parent to opt the student out of the activity.
2. As required by NCLB § 1061(c)(2): All districts shall provide reasonable notice of such existing policies to parents and guardians of students, e.g., *“The Board has adopted and continues to use policies regarding student privacy, parental access to information, and administration of certain physical examinations to minors. Copies of those policies are available on request.”*

#### Policy History:

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