

WHITEWATER SCHOOL DISTRICT

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8000 SERIES NONINSTRUCTIONAL OPERATIONS

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8000

Goals

In order for students to obtain the maximum benefits from their educational program, a complex set of support services must be provided by the District. These services are essential to the success of the District, and the staff that provides them is an integral part of the educational enterprise. Because resources are always scarce, all assets of District operations, including noninstructional support services, shall be carefully managed in order to obtain maximum efficiency and economy. To that end, the goal of the District is to seek new ways of supporting the instructional program that shall maximize the resources directly available for students' learning programs.

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8100

Transportation

The District may provide transportation to and from school for a student who:

1. resides three (3) or more miles, over the shortest practical route, from the nearest operating public elementary or public high school.
2. is a student with a disability, whose IEP identifies transportation as a related service; or
3. has another compelling and legally sufficient reason to receive transportation services.

The District may elect to reimburse the parent or guardian of a student who may be reimbursed for individually transporting any eligible student.

The type of transportation provided by the District may be by a school bus or other vehicle, or by such individual transportation as paying the parent or guardian for individually transporting the pupil. The Board may pay board and room reimbursements, provide supervised correspondence study or provide supervised home study. The Board may authorize children attending an approved private school to ride a school bus provided that space is available, and a fee to cover the per-seat cost for such transportation is collected. The District may transport and charge for an ineligible public school student, provided that the parent or guardian pays a proportionate share of transportation services. Fees that are collected for the transportation of ineligible students shall be deposited in the transportation fund. Transportation issues that cannot be resolved by the trustees may be appealed to the county transportation committee.

Legal Reference:	§ 20-7-441, MCA	Special education child eligibility for transportation
	§ 20-10-101, MCA	Definitions
	§ 20-10-121, MCA	Duty of trustees to provide transportation - types of transportation - bus riding time limitation
	§ 20-10-122, MCA	Discretionary provision of transportation and payment for this transportation
	§ 20-10-123, MCA	Provision of transportation for nonpublic school children
	10.7.101, et seq., ARM	Pupil transportation
	10.64.101 through 700, et seq., ARM	Transportation

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8101

In-Town Busing

In-town busing will be defined as busing of students within three (3) miles from their school. In-town busing is a privilege that the District can discontinue at any time. The Superintendent shall establish guidelines under which a student may request bus service within three (3) miles from school.

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8102

Contracting for Transportation Services

If the Board enters into a contract for transportation services, the contractor shall operate such equipment according to District policy and the rules and regulations of the Board of Public Education. The contract shall be in effect for not more than five (5) years. Prior to entering into the first such contract, the District shall determine that the cost of contracting for the ensuing term will not exceed the projected costs of operating its own system. Before any transportation contract to a private party or contractor is awarded, the trustees shall:

1. Secure bids by advertising for a twenty-one-(21)-day period (three (3) consecutive weeks); or
2. Negotiate a new contract with the present contractor, provided the new contract does not exceed by more than twelve percent (12%) per year of basic costs of the previous contract.

No money shall be expended unless a contract with a private carrier has been executed. The Board Chair shall sign such contracts on behalf of the District.

The District reserves the right to own, operate, and to choose with respect to any other form of transportation, whether it be regular school, co-curricular, extracurricular or District business programs, that means of transportation that best fits the needs of the District at that particular time as judged by the Board.

Legal Reference:	§ 20-10-102, MCA	School bus requirements
	§ 20-10-125, MCA	Bid letting for contracts - payments under transportation contract
	§ 20-10-107, MCA	Powers of trustees
	10.7.108, ARM	Bus Contract

Policy History:

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8105

School Bus Replacement

The Board of Trustees understands the importance of safety when transporting students. The Board also understands that having safe, well maintained, efficient buses in the fleet is important for the safety of the students and driver.

There comes a time when the replacement of a bus is necessary for the safety of all involved. Therefore, the Board of Trustees will use the Bus Depreciation Schedule, as a guide, when determining the time for bus replacements.

Legal Reference: § 20-10-101, MCA
 § 20-10-107(1), MCA
 § 20-10-110, MCA
 § 20-10-147, MCA

Definitions
Power of trustees
School bus purchase – contract – bids
Bus depreciation reserve fund

Policy History:

Adopted on: February 13, 2012

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

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Bus Routes and Schedules

The Superintendent designee shall be responsible for scheduling bus transportation, including determination of routes and bus stops. Such routes are subject to the approval of the county transportation committee. The purpose of bus scheduling and routing is to achieve maximum service with a minimum fleet of buses insofar as this is consistent with rendering safe and reasonably equal service to all bus students.

In order to operate the transportation system as safely and efficiently as possible, the following factors shall be considered in establishing bus routes:

1. A school bus route shall be established with due consideration of the sum total of local conditions affecting the safety, economic soundness and convenience of its operation, including road conditions, condition of bridges and culverts, hazardous crossings, presence of railroad tracks and arterial highways, extreme weather conditions and variations, length of route, number of families and children to be serviced, availability of turn-around points, capacity of bus, and other related factors.
2. No school child attending an elementary school shall be required to ride the school bus under average road conditions more than one (1) hour without consent of the child's parent or guardian.
3. School bus drivers are encouraged to make recommendations in regard to establishing or changing routes.
4. Parents should be referred to the Superintendent for any request of change in routes, stops, or schedules.

The trustees reserve the right to change, alter, add or delete any route at such time that such changes are deemed in the best interest of the District, subject to approval by the county transportation committee.

Bus Stops

Buses should stop only at designated places approved by school authorities. Exceptions should be made only in cases of emergency and inclement weather conditions.

Bus stops shall be chosen with safety in mind. Points shall be selected where motorists approaching from either direction will have a clear view of the bus for a distance of at least three hundred (300) to five hundred (500) feet.

School loading and unloading zones are to be established and marked to provide safe and orderly loading and unloading of students. The administrator of each building is responsible for the conduct of students waiting in loading zones.

Delay in Schedule

The driver is to notify the administration of a delay in schedule. The administration will notify parents on routes and radio stations, if necessary.

Responsibilities - Pupils

Pupils must realize that safety is based on group conduct. Talk should be in conversational tones at all times. There should be no shouting or loud talking which may distract the bus driver. There should be no shouting at passersby. Pupils should instantly obey any command or suggestions from the driver and/or his/her assistants.

Responsibilities - Parents

The interest and assistance of each parent is a valued asset to the transportation program. Parents' efforts towards making each bus trip a safe and pleasant experience are requested and appreciated. The following suggestions are only three of the many ways parents can assist:

1. Ensure that students are at the bus stop in sufficient time to efficiently meet the bus.
2. Properly prepare children for weather conditions.
3. Encourage school bus safety at home. Caution children regarding safe behavior and conduct while riding on the school bus.

Safety

The Superintendent shall develop written rules establishing the procedures for bus safety and emergency exit drills, and for student conduct while riding on buses.

If the bus and driver are present, the driver is responsible for the safety of his/her passengers, particularly for those who must cross a roadway prior to loading or after leaving the bus. Except in emergencies, no bus driver shall order or allow a student to board or disembark at other than his/her assigned stop unless so authorized by the Superintendent. In order to assure the safety of all, the bus driver may hold students accountable for their conduct during the course of transportation and may recommend corrective action against a student. Bus drivers are expressly prohibited from using corporal punishment.

The bus driver is responsible for the use of the warning and stop signaling systems and the

consequent protection of his/her passengers. Failure to use the system constitutes negligence on the part of the driver.

Inclement Weather

The Board recognizes the unpredictability and resulting dangers associated with the weather in Montana. To achieve the maximum safety for children and efficiency of operation, the Superintendent is empowered to make decisions as to the emergency operation of buses, the cancellation of bus routes and the closing of school in accordance with his/her best judgment. The Board may develop guidelines in cooperation with the Superintendent to assist him/her in making such decisions.

NOTE: To receive full state/county reimbursement, budgets must have enough funds to cover the costs of any changes to the route.

NOTE: The county transportation committee has authority to establish transportation service areas should circumstances and/or geography (demographics) warrant.

Legal Reference:	§ 20-10-106, MCA	Determination of mileage distances
	§ 20-10-132, MCA	Duties of county transportation committee
	§ 20-10-121, MCA	Duty of trustees to provide transportation - types of transportation - bus riding time limitation

Policy History:

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8111

Transportation of Students with Disabilities

Transportation shall be provided as a related service when a student with a disability requires special transportation in order to benefit from special education or to have access to an appropriate education placement. Transportation is defined as:

- (a) travel to and from school and between schools;
- (b) travel in and around school buildings or to those activities which are a regular part of the student's instructional program;
- (c) specialized equipment (such as special or adapted buses, lifts, and ramps) if required to provide special transportation for a student with disabilities.

The Child Study Team who develops the disabled student's Individualized Education Program will determine on an individual basis when a student with a disability requires this related service. Such recommendations must be specified on the student's IEP. Only those children with disabilities who qualify for transportation as a related service under the provisions of the IDEA shall be entitled to special transportation. All other children with disabilities in the District have access to the District's regular transportation system under policies and procedures applicable to all students of the District. Utilizing the District's regular transportation service shall be viewed as a "least restrictive environment."

Mode of Transportation

One of the District's special education buses will be the preferred mode of transportation. Exceptions may be made in situations where buses are prohibited from entering certain subdivisions due to inadequate turning space or distance from school may seriously impact bus scheduling. In such situations, other arrangements such as an individual transportation contract may be arranged with the parents. Such voluntary agreement shall stipulate in writing the terms of reimbursement.

Cross Reference: 3300 Corrective Actions and Punishment

Legal Reference: 10.16.2107, ARM Transportation for special education children

Policy History:

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8121

District-Owned Vehicles

The District owns and maintains certain vehicles. Included among them are pickups, school buses and vans. These are for use by properly authorized personnel of the District for District business purposes.

Any driver who receives a citation for a driving violation while operating a District vehicle shall personally pay all fines levied. All citations received while the driver is a District employee, whether operating a District vehicle or not, must be reported and may result in disciplinary action up to and including termination.

Bus and Vehicle Maintenance, District

Buses used in the District's transportation program shall be in safe and legal operating condition. All buses shall be inspected by the Department of Justice, Montana Highway Patrol before the beginning of each semester. The Superintendent shall establish a specific list of tasks that bus drivers shall perform on a daily basis. All other District vehicles shall be maintained following established programs as developed by the Superintendent.

Policy History:

Adopted on: November 14, 2000

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8123

Driver Training and Responsibility

Bus drivers shall observe all state statutes and administrative rules governing traffic safety and school bus operation. The District shall, at the beginning of each school year, provide each driver with a copy of the District's written rules for bus drivers and for student conduct on buses.

Each bus driver shall meet the qualifications established by the Superintendent of Public Instruction, including a valid Montana commercial driver's license and a Department of Transportation approved physician's certification that he/she is medically qualified for employment as a bus driver. The bus driver shall also secure a valid standard first aid certificate from an authorized instructor within two (2) months after being employed and maintain a valid first aid certificate throughout employment as a bus driver. The bus driver must have five (5) years driving experience.

When a teacher, coach or other certified staff member is assigned to accompany students on a bus, such person shall be primarily responsible for the behavior of the students in his/her charge. The bus driver shall have final authority and responsibility for the bus. The Superintendent shall establish written procedures for bus drivers.

Legal Reference:	§ 20-10-103, MCA	School bus driver qualifications
	10.7.111, ARM	Qualification of bus driver
	10.64.201, ARM	Driver qualifications

Policy History:

Adopted on: November 14, 2000

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8124

Student Conduct on Buses

The Superintendent shall establish written rules of conduct for students riding school buses. Such rules shall be reviewed annually by the Superintendent and revised if necessary. If the rules are substantially revised, they shall be submitted to the Board for approval.

A copy of the rules of conduct for students riding buses shall be provided to students at the beginning of the year. The classroom teacher and bus driver shall review the rules with the students at the beginning of each school year. A copy of the rules shall be posted in each bus and shall be available upon request at the District office.

The bus driver shall be responsible for enforcing the rules, and shall work closely with the parent and building administrator to modify a student's behavior. The rules shall include consistent consequences for student misbehavior.

Recommendations for permanent termination of bus privileges will be referred to the Superintendent for final determination. The termination may be appealed to the Board. No further appeal shall be allowed.

A recommendation to terminate bus privileges shall be accompanied by a written record of the incident(s) that led to the recommendation.

Cross Reference: 3310 Student Discipline
 8111 Transportation of Students with Disabilities

Legal Reference: § 20-4-302, MCA Power of teacher or principal over pupils
 § 20-5-210, MCA Duties and sanctions

Policy History:

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8125

Emergencies

In the event of an accident or other emergency, the bus driver shall follow the emergency procedures developed by the Superintendent. A copy of the emergency procedures shall be located in each bus. To ensure the success of such emergency procedures, each bus driver shall conduct an emergency evacuation drill within the first six (6) weeks of each school semester. The District shall conduct such other drills and procedures as may be necessary.

Policy History:

Adopted on: November 14, 2000

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8132

Activity Trips

The use of school buses is strictly limited to school activities. Buses may not be loaned or leased to non-school groups unless permission is specifically granted by the Board. On all activity runs, buses will be operated by a qualified bus driver, and only authorized activity participants, professional staff and chaperones assigned by the administration may ride the bus.

A duplicate copy of the passenger list will be made for all activity trips. One (1) copy will remain with the professional staff member in charge on the bus and one (1) copy will be given to the Activities Director before the bus departs.

Policy History:

Adopted on: November 14, 2000

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8200

Food Services

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

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

Commodities

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

Free and Reduced Price Food Services

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

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

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

Legal Reference:	§ 20-10-204, MCA	Duties of trustees
	§ 20-10-207, MCA	Food services fund
	§ 20-10-205, MCA	Allocation of federal funds to school fund services fund

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

Whitewater School District

NON-INSTRUCTIONAL OPERATIONS

8225

Tobacco Free Policy

The District maintains tobacco-free buildings and grounds. Tobacco includes but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine and any other tobacco innovation.

Use of tobacco products in a public school building or on public school property is prohibited, unless used in a classroom or on other school property as part of a lecture, demonstration, or educational forum sanctioned by a school administrator or faculty member, concerning the risks associated with using tobacco products or in connection with Native American cultural activities.

For the purpose of this policy, “public school building or public school property” means:

- Public land, fixtures, buildings, or other property owned or occupied by an institution for the teaching of minor children, that is established and maintained under the laws of the state of Montana at public expense; and
- Includes playgrounds, school steps, parking lots, administration buildings, athletic facilities, gymnasiums, locker rooms, and school vehicles.

Violation of the policy by students and staff will be subject to actions outlined in District discipline policies.

Legal Reference:	§ 20-1-220, MCA	Use of tobacco product in public school building or on public school property prohibited
	§ 50-40-104(5)(f), MCA	Smoking in enclosed public places prohibited – place where prohibition inapplicable
	ARM 37.111.825(5)	Health Supervision and Maintenance

Policy History:

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Revised on:

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8230

Nutrition

The District shall provide school meals which meet or exceed the nutritional standards required by state and federal school lunch programs.

The Superintendent shall establish rules for the sale of foods during the school day. To encourage the eating of nutritious lunches, competitive food services shall not be permitted to operate anywhere on school premises during or for the period of one (1) hour before and after the lunch period.

Any food sales of an occasional nature must have the prior approval of the building administrator.

Legal Reference: § 20-10-204, MCA Duties of trustees

Policy History:

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Reviewed on: February 13, 2012

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8300

Risk Management

The Board believes the District must identify and measure risks of loss due to the damage or destruction of District property or to claims against the District by others claiming to have been harmed by the action or inaction of the District, its offices or staff. A risk management program shall be implemented to reduce or eliminate risks where possible, and to determine which risks the District can afford to assume. Such a program shall consider the benefits, if any, of joining with other units of local government for joint purchasing of insurance, joint self-insuring or joint employment of a risk manager. The trustees shall assign the primary responsibility for the administration and supervision of the risk management program to a single person. The Board shall review the status of the risk management program each year.

The District shall purchase and pay for surety bonds for the Superintendent, Clerk and such other staff and in such amounts as the Board shall from time to time determine to be necessary for honest performance of the staff in the conduct of the District's financial operations.

Legal Reference:	§ 20-6-608, MCA	Authority and duty of trustees to insure district property
	§ 20-3-331, MCA	Purchase of liability insurance
	§ 2-9-100, MCA	Liability exposure
	§ 2-9-211, MCA	Political subdivision insurance
	§ 2-9-502, MCA	General provisions related to official bonds

Policy History:

Adopted on: November 14, 2000

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Reviewed on: February 13, 2012

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8302

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School Emergency Management Plan

Development and Revision of Emergency Management Plans

To ensure the safety and health of children and staff and the integration and coordination with city, county, and state emergency and disaster plans, the administrator of each school in the District shall:

- (a) by October 1, 2000, develop and exercise a school emergency management plan; and
- (b) by October 1 of each succeeding school year, review and, if necessary, revise the school emergency management plan.

The Superintendent shall:

- (a) ensure that a current copy of the school emergency management plan is available in each District for public review;
- (b) provide District staff with a current copy of the plan;
- (c) in coordination with county emergency services officials, conduct one (1) test during each school year of an emergency response to a local hazard that is identified in the plan. This test may be as simple as an in-house tabletop exercise or as complex as a full-scale exercise;
- (d) coordinate with city, county, and state emergency services agencies in developing prearranged agreements for the use of school resources, facilities, or vehicles during an emergency or disaster;
- (e) be available or designate a person to be available as a communication liaison for all schools within the District during a local or state emergency or disaster; and
- (f) conduct fire exit and local hazard drills as required by Montana law during the school year.

Plan Requirements

Each plan must include but is not limited to:

- (a) information about each school located within the District, including school population, number of staff, transportation needs, and the business and home telephone numbers of officials of the District;
- (b) the identification of local hazards that exist within the boundaries of the District;
- (c) drills designed specifically to provide emergency response to the identified local hazards, including drills to sound on the disaster evacuation system and a separate recall signaling system. These evacuation systems and recalling signaling

systems

- may be an electronic bell system, hand bell, or whistle as is appropriate to the school;
- (d) a description of the arrangements for obtaining assistance during an emergency or disaster from emergency services organizations;
 - (e) the identification of District resources that may be available for use during an emergency or disaster;
 - (f) a description of procedures to coordinate the use of District resources and staff during an emergency or disaster, including the identification of officials who are authorized to make decisions and the staff members who are assigned to provide assistance during an emergency or disaster;
 - (g) a system for informing each school within the District of an emergency or disaster;
 - (h) a description of procedures necessary to implement school cancellation, early dismissal, evacuation, or sheltering;
 - (i) a description of the procedures for notifying the local fire departments or 9-1-1 service, as appropriate, whenever an emergency exists; and
 - (j) a description of procedures for obtaining advice or assistance from local government officials, including those city or county officials responsible for conducting inspections of facility exits or implementation of emergency and disaster services provided in Title 10.

Cross Reference: 8301 District Safety

Legal Reference: House Resolution 20, 1999 Legislative Session
§§ 20-1-401 - 407, MCA Fire Drills and Safety Patrols
§ 10-3-103, MCA Definitions
§ 20-6-501, MCA Definition of various schools

Policy History:

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8320

Property Damage

The District shall maintain a comprehensive insurance program which shall provide adequate coverage, as determined by the Board, in the event of loss or damage to school buildings and/or equipment, including motor vehicles.

The comprehensive insurance program shall maximize the District's protection and coverage while minimizing the costs for insurance. This program may include alternatives for sharing the risk between the District and the insurance carrier, and through self-insurance plans.

Legal Reference: § 20-6-608, MCA Authority and duty of trustees to insure district property

Policy History:

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Reviewed on: February 13, 2012

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8340

Privately-Owned Property

The District shall not assume responsibility for the maintenance, repair or replacement of any privately-owned property brought to a school or District function unless the use or presence of such property has been specifically requested in writing by the administration.

Policy History:

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8400

Sale of Real Property

Unless the property can be disposed of without a vote, the Board has the power to dispose of all District property, only when the qualified electors of the District approve of such action at an election called for such approval or when the trustees adopt a resolution stating their intention to dispose of the property. When the trustees adopt such a resolution, they shall schedule a meeting to consider a resolution to authorize the sale of the real property. The conduct of the meeting and any such subsequent appeals shall be in accord with § 20-6-604, MCA.

The money realized from the sale or disposal of real or personal property of the district must be credited to the debt service fund, building fund, general fund, or other appropriate fund, at the discretion of the trustees.

Legal Reference:	§ 20-6-603, MCA	Trustees' authority to acquire or dispose of sites and buildings – when election required
	§ 20-6-604, MCA	Sale of property when resolution passed after hearing – appeal procedure

Policy History:

Adopted on: February 13, 2012

Reviewed on:

Revised on:

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8410

Records Management

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

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

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

Legal Reference:	§ 2-6-403, MCA	Duties and responsibilities
	§ 20-1-212, MCA	Destruction of old records by officer
	§ 20-7-101(2), MCA	Standards of accreditation
	§ 20-9-215, MCA	Records destruction

Policy History:

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Reviewed on: February 13, 2012

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8420

District-Wide Asbestos Program

It is the intent of the District that the Asbestos Hazard Emergency Response Act (AHERA) and all of its amendments and changes be complied with by all District employees, vendors, and contractors.

Legal Reference: 15 USC § 2641 Congressional findings and purpose

Policy History:

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Revised on:

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8421

Computer Software

The unauthorized copying of any computer software which is licensed or protected by copyright is theft. Failure to observe software copyrights and/or license agreements may result in disciplinary action by the District and/or legal action by the copyright owner.

No District-owned computing resources should be used for unauthorized commercial purposes.

Policy History:

Adopted on: November 14, 2000

Revised on:

Reviewed on: February 13, 2012

Service Animals in District Facilities

Please provide the following information about the service animal.

1. Parent/Staff and/or emergency contact information: _____

2. _____
Type of service animal (breed, age, and history): _____

3. Insurance company insuring the service animal: _____

Attached proof of insurance: Received Not Received

4. Agent name and address: _____

5. Phone number: _____

Proof of current and proper vaccinations: Received Not Received

Documentation of Public Access Test (PAT): Received Not Received

8. Name of trainer or organization who administered the PAT: _____

9. Address of trainer or organization: _____

10. Phone number of trainer or organization: _____

11. List and attach any letters or other documentation from medical providers or other service providers regarding the student's/staff's need for the service animal: _____

Received Not Received

12. Has the student/staff member requesting use of the animal been trained as the animal's handler?
Yes No

If no, who will act as the trained handler for the animal during the school/work day? _____

13. Is the student/staff able to independently care for the service animal's needs (i.e., bathroom, feeding, cleaning up messes, hygiene, etc.) Yes No

14. Describe the manner in which the service animal will meet the student's/staff's individual needs:

Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8425P

Service Animal Allowance Procedure

The following procedures have been developed which will help guide the administration when a request for the use of a service animal has been presented by an individual with a disability.

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

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

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

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

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

Policy History:

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8425

Service Animals

For the purposes of this policy, service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

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

The Whitewater School District will permit the use of service animals by an individual with a disability according to federal regulations. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

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

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

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

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

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

Cross Reference:	Policy 8425P	Procedure for allowance of service animals
	Policy 8425F	Service Animals in District Facilities Form
	Policy 2161	Special Education
	Policy 2162	Section 504 of the Rehabilitation Act of 1973

Legal Reference:	28 CFR 35.136	Service Animals
	28 CFR 35.104	Definitions

Policy History:

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NONINSTRUCTIONAL OPERATIONS

Records Management

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

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

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

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

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

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

Litigation Holds for Electronic Stored Information (ESI)

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

Inspections of ESI

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

Delegated Authority

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

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

Legal Reference: Montana Secretary of State (Rules for Disposition of Local Government
 Records)
 Federal Rules of Civil Procedure (FRCP)
 § 2-6-403, MCA Duties and responsibilities
 § 20-1-212, MCA Destruction of records by school officer
 § 20-9-215, MCA Destruction of certain financial records
 24.9.805 (4), ARM Employment Records

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

8440

Computer Software

Unauthorized copying of any computer software licensed or protected by copyright is theft. Failure to observe software copyrights and/or license agreements may result in disciplinary action by the District and/or legal action by a copyright owner.

No District-owned computing resources should be used for unauthorized commercial purposes.

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Whitewater School District

NONINSTRUCTIONAL OPERATIONS

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Automated External Defibrillators (AED)

The Board of Trustees of the Whitewater School District recognizes that from time to time emergencies may arise that justify the use of an Automated External Defibrillator (AED). The Board has purchased one or more of these units for use by qualified personnel. The Board of Trustees approves the use of AED units, subject to the following conditions:

1. Establish a program for the use of an AED that includes a written plan that must specify:
 - Where the AED will be placed;
 - The individuals who are authorized to operate the AED;
 - How AED use will be coordinated with an emergency medical service providing services in the area where the AED is located;
 - The medical supervision that will be provided;
 - The maintenance that will be performed on the AED;
 - Records that will be kept by the program;
 - Reports that will be made of AED use;
 - The name, location, and telephone number of a Medical Supervisor designated to provide medical supervision of the AED program; and
 - Other matters as specified by the Department of Public Health and Human Services;
2. Adhere to the written plan required by subsection (1);
3. Ensure that before using the AED, an individual authorized to operate the AED receives appropriate training approved by the DPHHS in cardiopulmonary resuscitation and the proper use of an AED;
4. Maintain, test, and operate the AED according to the manufacturer's guidelines and maintain written records of all maintenance and testing performed on the AED;
5. Each time an AED is used for an individual in cardiac arrest, require that an emergency medical service is summoned to provide assistance as soon as possible and that the AED use is reported to the supervising physician or the person designated by the physician and to the District as required by the written plan;
6. Before allowing any use of an AED, provide the following to all licensed emergency services and any public safety answering point or emergency dispatch center providing services to the area where the AED is located:
 - a. A copy of the plan prepared pursuant to this section; and
 - b. Written notice, in a format prescribed by the DPHHS rules, stating:
 - i. That an AED program has been established by the District;
 - ii. Where the AED is located; and

- iii. How the use of the AED is to be coordinated with the local emergency medical service system.

Liability Limitations

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability for a personal injury that results from that care or treatment.

An individual who provides emergency care or treatment by using an AED in compliance with this policy and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability as a result of any act or failure to act in providing or arranging further medical treatment for the individual upon whom the AED was used, unless the individual using the AED or the person providing CPR, as applicable, acts with gross negligence or with willful or wanton disregard for the care of the person upon whom the AED is or may be used.

The following individuals or entities are immune from civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence, if applicable provisions of this part have been met by the individual or entity:

- a. A person providing medical oversight of the AED program, as designated in the plan;
- b. The entity responsible for the AED program, as designated in the plan;
- c. An individual providing training to others on the use of an AED.

Legal Reference:	Title 37, Chapter 104, subchapter 6, ARM – Automated External Defibrillators (AED)
	§50-6-501, MCA Definitions
	§50-6-502, MCA AED program – requirements for AED use
	§50-6-503, MCA Rulemaking
	§50-6-505, MCA Liability limitations

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