

**SIDNEY SCHOOL DISTRICT**  
**4000 Series**  
**COMMUNITY RELATIONS**

# SIDNEY SCHOOL DISTRICT

## 4000 SERIES COMMUNITY RELATIONS

### TABLE OF CONTENTS

4000	<a href="#"><u>Goals</u></a>
4120	<a href="#"><u>Public Relations</u></a>
4210	<a href="#"><u>School-Support Organizations</u></a>
4222	<a href="#"><u>Fund-Raising by School Support Groups</u></a>
4301	<a href="#"><u>Visitors to the Schools</u></a>
4310	<a href="#"><u>Public Complaints</u></a>
4313	<a href="#"><u>Disruption of School Operations</u></a>
4315	<a href="#"><u>Visitors and Spectator Conduct</u></a>
4316	<a href="#"><u>Accommodating Individuals With Disabilities</u></a>
4320	<a href="#"><u>Contact with Students</u></a>
4321	<a href="#"><u>Distribution of Fund Drive Literature Through Students</u></a>
4330	<a href="#"><u>Community Use Of School Facilities</u></a>
4331	<a href="#"><u>Use of School Property for Posting Notices</u></a>
4332	<a href="#"><u>Conduct on School Property</u></a>
4340	<a href="#"><u>Public Access to District Records</u></a>
4350	<a href="#"><u>Website Accessibility and Non-Discrimination</u></a>
4410	<a href="#"><u>Relations with the Law Enforcement and Child Protective Agencies</u></a>
4411	<a href="#"><u>Interrogation and Investigations Conducted by School Officials</u></a>
4520	<a href="#"><u>Cooperative Programs with Other Districts and Public Agencies</u></a>
4550	<a href="#"><u>Registered Sex Offenders</u></a>
4600	<a href="#"><u>Notice to Parents Required by No Child Left Behind</u></a>



**COMMUNITY RELATIONS**

4120

Public Relations

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

The Superintendent will establish and maintain a communication process within the school system and between it and the community. Such public information program will provide for news releases at appropriate times, arrange for 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 skills and understanding in communicating with the public.

The District may solicit community opinion through parent organizations, parent-teacher conferences, open houses, and other events or activities which may bring staff and citizens together.

Legal Reference:        Art. II, Sec. 8, Montana Constitution - Right of participation  
                                  Art. II, Sec. 9, Montana Constitution - Right to know

Policy History:

Adopted on: 11/9/98

Reviewed on: 6/2/2015

Revised on: 7/1/2015

[Back to Index](#)

## Sidney School District

### COMMUNITY RELATIONS

4210

Page 1 of 3

#### School-Support Organizations, Boosters and Fundraising

The Board recognizes that parent, teacher, and student organizations are a helpful resource to schools and 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.

Parent, student, teacher, or booster clubs are recognized by the Board and permitted to use the District's name, a District school's name, or a District school's team name or any logo attributable to the District, provided they first receive the Board's approval during a duly constituted Board meeting. Unauthorized use of the District school's team name, logo, or imagery is strictly prohibited. The District reserves the right to seek all available legal remedies for unauthorized use of the District school's name, logo, or imagery.

In order for the School District to comply with the federal law, state law and MHS A By-Laws, Rules and Regulations, Board recognition as a parent, student, teacher, or booster organization along with consent to use one of the above-mentioned names or logos will be granted if the organization has approved and submitted bylaws containing the following:

1. The Organization's name and purpose. Acceptable purposes may include enhancement of students' educational experiences, assistance to meet educational needs of the students, support of academic clubs, or enrichment of extracurricular activities.
2. The rules and procedures under which it operates.
3. An statement that the membership will adhere to applicable Board policies and administrative procedures when working on District Premises or with District officials or programs.
4. A statement that membership is open and unrestricted and the organization will not engage in discrimination based on someone's innate characteristics or membership in a protected classification.
5. A statement that the District is not, and will not be, responsible for the organization's or club's business or the conduct of its members.
6. A designation of the organization's treasurer. A statement that the organization will maintain finances consistent with General Finance Principles in a manner open to review by any member of the organization or the school district.
7. A recognition that money given to a school cannot be earmarked for any particular expense. Booster organizations may make recommendations, but cash or other valuable

consideration must be given to the District to use at its discretion. The Board's legal obligation to comply with Title IX by providing equal athletic opportunity for members of both genders will supersede an organization or club's recommendation.

8. A recognition that the School District reserves the right to reject any and all donations.

Permission to use one of the above-mentioned names or logos may be suspended by the administration and rescinded by the Board for failure to comply with this policy. Authorization to use one of the above-mentioned names, logos, or imagery does not constitute permission to act as the District's representative. At no time does the District accept responsibility for the actions of any parent, student, teacher, or booster organization, regardless of whether it was recognized and/or permitted to use any of the above-mentioned names or logos.<sup>2</sup> The Superintendent shall designate an administrative staff member to serve as the liaison to parent or booster organization. The liaison will serve as a resource person and provide information about school programs, resources, policies, problems, concerns, and emerging issues. Building staff may be encouraged to participate in the organizations.

#### Individual Boosters or Donors

Individual boosters or donors not covered by the bylaws of an organization governed by this policy may still assist in school operations. The Board encourages the involvement of local communities in school activities and operations. In order for the School District to comply with the federal law, state law and MHSAA By-Laws, Rules and Regulations, individual boosters or donors must honor the following provisions:

1. The individual must have prior approval granted by the Board for use of the District's name, logo, or imagery.
2. The individual must comply with Board policies and administrative procedures when submitting donations.
3. The individual may not violate federal law, state law, District policy or MHSAA By-Laws, Rules and Regulations.
4. The individual acknowledges the District is not, and will not be, responsible for the individual booster or donor's business or their conduct.
5. The individual acknowledges that donations cannot be earmarked for any particular expense. Individual boosters or donors may make recommendations, but cash or other valuable consideration must be given to the District to use at its discretion in accordance with applicable laws. The Board's legal obligation to comply with Title IX by providing equal athletic opportunity for members of both genders will supersede any individual's recommendation.

6. The District reserves the right to reject any and all donations.

### Fundraising

All donations completed by recognized organizations are subject to applicable School District policies regarding financial management. Funding endeavors are generally viewed as beneficial when coordinated with district goals, initiatives, and existing plans. The District reserves the right to reject any and all donations.

All funds raised by recognized organizations that are donated to the School District become public funds when placed in a School District account. All public funds must be monitored in accordance with state law. Donations must be reviewed to ensure compliance with equity rules, amateur rules and appropriateness under district policy. Donations may be conditional under state law if conditions are in compliance.

Funds spent by the School District will be done in accordance with District purchase order policy and spending limits regardless of the source of the donation. All expenditures should be preapproved to ensure equity and auditing standards are met.

Legal Reference:	§ 20-6-601, MCA	Power to accept gifts
	§ 2-2-102 (2)(3), MCA	Definitions
	§ 2-2-104, MCA	Rules of conduct for public officers, legislators, and public employees

### Policy History:

Adopted on: 11/9/98

Reviewed on: 6/2/15

Revised on: 7/1/15, 11/13/17

[Back to Index](#)

## **Sidney School District**

### **COMMUNITY RELATIONS**

4222

#### Fund-Raising by School Support Groups

Fund-raising by school support groups such as booster clubs, parent councils, and the like are considered a usual and desirable part of the function of such groups. The specific fund-raising activities must be approved in advance by the principal or his/her designee.

The school principal or his/her designee shall approve all expenditures 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 Sidney Public Schools and may be used or disposed of in accordance with District policy and state law.

#### Policy History:

Adopted on: 11/9/98

Revised on:

[Back to Index](#)

## **Sidney School District**

### **COMMUNITY RELATIONS**

4301

#### Visitors to the Schools

The District welcomes visits by parents and citizens to all District buildings. All visitors shall report to the principal's office [school building office] on entering any District building and comply with any other applicable school safety and security policy, procedure or protocol. School visitors shall not interfere with school operations or delivery of educational services to students. Conferences with teachers should be held outside school hours or during the teacher's conference or preparation time.

Cross Reference:                   #4313 Disruption of School Operations

#### Policy History:

Adopted on: 11/9/98

Revised on: 11/11/19

[Back to Index](#)

**COMMUNITY RELATIONS**

4310

Public Complaints and Suggestions

The Board is interested in receiving valid complaints and suggestions. Public complaints and suggestions shall be submitted by the Uniform Complaint 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.

Cross Reference: 1700 Uniform Complaint Procedure

Policy History:

Adopted on: 11/9/98

Reviewed on: 6/2/15

Revised on: 7/1/15

[Back to Index](#)

## Sidney School District

### COMMUNITY RELATIONS

4313

#### Disruption of School Operations

The staff member in charge will immediately notify local law enforcement authorities, 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 will make a written report detailing the incident no later than twenty-four (24) hours after the incident occurs. A copy of the report will be given to the staff member's immediate supervisor.

Cross Reference: 4301 Visitors to Schools

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

#### Policy History:

Adopted on: 11/9/98

Reviewed on: 6/2/15

Revised on: 7/1/15

[Back to Index](#)



**COMMUNITY RELATIONS**

4316

Accommodating Individuals With Disabilities

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

The District may provide auxiliary aids and services when 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 District 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 protection available to any interested party.

An individual with a disability should notify the Superintendent or building principal if they have a disability which will require special assistance or services and 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 of federal law by reporting it to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Uniform Complaint Procedure.

Cross Reference: 1700 Uniform Complaint 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: 7/1/2015

Reviewed on: 6/2/15

Revised on:

[Back to Index](#)

## **Sidney 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. Principals 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: 11/9/98

Revised on: 3/9/20

[Back to Index](#)

**Sidney 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: 11/9/98

Revised on:

[Back to Index](#)

## 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 and applicable policies at all times.

**Student and school-related organizations, civic and other non-commercial users shall be granted the use of school facilities at no cost** provided the request falls at a time when the school is open or in-session. Groups with the expressed purpose of helping students realize their full potential (i.e., 4-H, Girl Scouts, Boy Scouts, Student Athletic Teams—non-school sponsored) shall be allowed use of school facilities at no cost pending approval from the superintendent and administration. School sponsored or sanctioned events regardless of scheduling shall have use of school facilities at no cost. Event requests that fall on a weekend or when school is not in session (i.e., scheduled breaks, summer months) will be assessed a fee if the request will result in additional operating expenses to the district. Groups in the aforementioned category may request a "Fee Waiver" by submitting a waiver request to the Sidney Board of Trustees prior to the first (1<sup>st</sup>) Monday of each month for consideration by the Board at its regular monthly meeting typically held the second (2<sup>nd</sup>) Monday of each month.

**Other organizations granted the use of the facility shall pay fees and costs.** Such costs and fees shall include, but are not necessarily limited to, a deposit fee, a rental fee, cost of personnel, including custodial services, costs of any and all damages as a result of use of the facilities. 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 completion of facility use form or rental form and administrative approval and is subject to the procedures.

Administration will approve and schedule various uses of school facilities. A master calendar will be kept in the office for scheduling dates to avoid conflicts during the school year. Should a conflict arise, the District reserves the right to cancel an approved request when it is determined that the facilities are needed for school purposes. Requests for use of school facilities must be submitted to the Superintendent's office in advance of the event.

Legal Reference: § 20-7-805, MCA Recreational use of school facilities secondary  
*Lamb's Chapel v. Center Moriches Union Free School Dist.*, 113 S.Ct.  
2141

Policy History:

Adopted on: 11/9/98

Reviewed on: 6/2/15

Revised on: 7/1/03, 7/1/15

[Back to Index](#)

## Sidney School District

### COMMUNITY RELATIONS

4331

#### Use of School Property for Posting Notices

Non-school-related organizations may request permission of the building principal to display posters in the area reserved for community posters or to have flyers distributed to students.

Posters and/or flyers must be student oriented and have the sponsoring organization's name prominently displayed. The District will not permit the posting or distribution of any material that would:

- A. Disrupt the educational process;
- B. Violate the rights of others;
- C. Invade the privacy of others;
- D. Infringe on a copyright;
- E. Be obscene, vulgar, or indecent; or
- F. Promote the use of drugs, alcohol, tobacco, or certain products that create community concerns.

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 or around school district property, or distributed to the students.

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

#### Policy History:

Adopted on: 11/9/98

Reviewed on: 3/2/2013

Revised on: 4/8/2013

[Back to Index](#)

## Sidney School District

### COMMUNITY RELATIONS

4332  
Page 1 of 2

#### Conduct on School Property

##### General Conduct

In addition to prohibitions stated in other District policies, a person on school property who is not an enrolled student or District employee shall not:

1. Injure or threaten to injure another person;
2. Damage another's property or that of the District;
3. Violate any provision of the criminal law of the state of Montana or town or county ordinance;
4. Smoke or otherwise use tobacco or nicotine products, and alternative nicotine and vapor products as defined in 16-11-302, MCA, or other similar products;
5. Consume, possess, or distribute alcoholic beverages, illegal drugs, or marijuana;
6. Impede, delay, or otherwise interfere with the orderly conduct of the District's educational program or any other activity occurring on school property;
7. Possess a non-firearm weapon as defined in this policy;
8. Enter upon any portion of school premises at any time for purposes other than those which are lawful and authorized by the Board; or
9. Willfully violate other District rules and regulations.

For the purposes of this policy, "school property" means within school buildings, in vehicles used for school purposes, or on owned or leased school land or grounds. District administrators are authorized to appropriate action, as circumstances warrant, to enforce this section of the policy including but not limited to requesting the assistance of law enforcement in accordance with Montana law.

#### Firearms and Weapons

A person who is not an enrolled student or District employee shall not possess any firearm or other non-firearm weapon in a school building at any time.

For the purposes of this policy, the term "firearm" means (A) any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device pursuant to 18 U.S.C. 921 (4). Such term does not include an antique firearm pursuant to 18 U.S.C. 921 (16).

For purposes of this policy, "non-firearm weapon" means any object, device, or instrument designed as a weapon or through its use is capable of intimidating, threatening or producing

4332 bodily harm or which may be used to inflict injury, including but not limited to air guns; pellet guns; BB guns; fake or facsimile weapons; all knives; blades; clubs; metal knuckles; nunchucks; throwing stars; explosives; fireworks; mace or other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

District administrators are authorized to appropriate action, as circumstances warrant, to enforce this section of the policy including but not limited to requesting the assistance of law enforcement in accordance with Montana law.

This section does not apply to a law enforcement officer acting in the officer's official capacity or an individual previously authorized by the Board of Trustees to possess a firearm or weapon in a school building.

The Board of Trustees shall annually review this policy and update this policy as determined necessary by the trustees based on changing circumstances pertaining to school safety.

Definitions:

For the purposes of this policy, "School building" means a combination of any materials, whether mobile, portable, or fixed, to form a structure and the related facilities for the use or occupancy by persons or property owned or leased by a local school district that are used for instruction or for student activities as specified in Section 50-60-101(2), MCA and Section 45-8-361, MCA. The term is construed as though followed by the words "or part or parts of a building" and is considered to include all stadiums, bleachers, and other similar outdoor facilities, whether temporary or permanently fixed.

Legal Reference:	Pro-Children Act of 1994, 20 U.S.C. § 6081
	Smoke Free School Act of 1994
	16-11-302, MCA      Definitions
	§ 20-1-220, MCA      Use of tobacco product in public school building or
on public school property prohibited	
	§ 20-1-206, MCA      Disturbance of School
	§ 20-5-410, MCA      Civil penalty
	§ 45-6-201, MCA      Definition of enter or remain unlawfully
	§ 45-8-101, MCA      Disorderly conduct
	§ 45-8-102, MCA      Failure of disorderly persons to disperse
	§ 45-8-351, MCA      Restriction on Local Government Regulation of

Firearms

§ 45-8-361, MCA      Possession or allowing possession of weapon in school building -- exceptions -- penalties -- seizure and forfeiture or return authorized -- definitions.

Article X, section 8      Montana Constitution

Initiative 190 – "Montana Marijuana Regulation and Taxation Act." January 1, 2021

Policy History:

Adopted on: 11/9/98

Reviewed on: 6/8/15

Revised on: 7/1/07, 7/1/14, 7/1/15, 3/9/20, 6/28/21

[Back to Index](#)

**COMMUNITY RELATIONS**

4340

Page 1 of 2

Public Access to District Records

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

"District records" include any writing, printing, photostating, photographing, etc. (including electronic mail), which has been made or received by the District 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. "District records" do not include 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 will serve as the 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 will authorize the inspection and copying of District records only in accordance with the criteria set forth in this policy.

In accordance with Title 2, Chapter 6, MCA, the District will make available for public inspection and copying all District records or portions of records, except those containing the following information:

1. Personal information in any file maintained for students. Information in student records will be disclosed only in accordance with 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 will disclosure be denied for more than three (3) years after appraisal.
5. Preliminary drafts, notes, recommendations, and intra-District memoranda in which opinions are expressed or policies formulated or recommended, except a specific record shall not be exempt when publicly cited by the District in connection with any District action.

6. Records relevant to a controversy to which the District is a party, but which would not be available to another party under the rules of pretrial discovery, for cases pending resolution.
7. Records or portions of records, the disclosure of which would violate personal rights of privacy.
8. Records or portions of records, the disclosure of which would violate governmental interests.
9. Records or information relating to individual or public safety or the security of public schools if release of the information jeopardizes the safety of the facility, personnel, the public, students in a public school.

If the District denies any request, in whole or in part, for inspection and copying of records, the District will provide the requesting party with reasons for 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 written explanation for the deletion.

The District will not provide access to lists of individuals, which the requesting party intends to use for commercial purposes or which the District reasonably believes will be used for commercial purposes if such access is provided. However, the District may provide mailing lists of graduating students to representatives of the U.S. armed forces and the National Guard for purpose of recruitment.

The coordinator is authorized to seek an injunction to prevent disclosure of records otherwise suitable for disclosure, when it is determined reasonable cause exists to believe 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 20, Ch. 6, MCA	School districts
	§ 2-6-109, MCA	Prohibition on distribution or sale of mailing lists – exceptions – penalty
	§ 2-6-1001, MCA, <i>et seq.</i>	Public Records

Policy History:

Adopted on: 11/9/98

Reviewed on: 6/2/15

Revised on: 7/1/02, 7/1/15, 11/11/19

[Back to Index](#)

**Website Accessibility and Nondiscrimination**

The District is committed to ensuring that people with disabilities have an opportunity equal to that of their nondisabled peers to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration.

**Benchmarks for Measuring Accessibility**

In order to assure that people with disabilities have an opportunity equal to that of their nondisabled peers to access information delivered through electronic and information technology, all pages on the District's website will conform to the W3C Web Accessibility Initiative's (WAI) Web Content Accessibility Guidelines (WCAG) 2.0 Level AA and the Web Accessibility Initiative Accessible Rich Internet Applications Suite (WAI-ARIA) 1.0 techniques for web content, or updated equivalents of these guidelines, except where doing so would impose an undue burden or create a fundamental alteration.

**Website Accessibility**

With regard to the District's website and any official District web presence which is developed by, maintained by or offered through third party vendors and open sources, the District is committed to compliance with the provisions of the Americans with Disabilities Act (ADA), Section 504 and Title II so that students, parents and members of the public with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as those without disabilities, which substantially equivalent ease of use; and that they are not excluded from participation in, denied benefits or, or otherwise subjected to discrimination in any District programs, services, and activities delivered online.

All existing web content produced by the District, and new, updated, and existing web content provided by third party developers, will conform to the WCAG 2.0 Level AA and the WAI-ARIA 1 .0 techniques for web content or updated equivalents. This policy applies to all new, updated, and existing web pages, as well as all web content produced or updated by the District or provided by third-party developers.

**Website Accessibility Concerns, Complaints, and Grievances**

The following statement will appear on the District's website homepage and all subsidiary pages:

*The District is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the District's website will conform to the W3C WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents.*

*Under District developed administrative procedures, students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 related to the accessibility of any official District web presence which is*

*developed by, maintained by, or offered through the District or third-party vendors and open sources.*

A student, parent, or member of the public who wishes to submit a complaint or grievance regarding a violation of the ADA, Section 504 or Title II related to the accessibility of any official District web presence that is developed by, maintained by, or offered through the District, third party vendors and/or open sources may complain directly to a school administrator. The initial complaint or grievance should be made using the District's Uniform Grievance Form, upon request at the District office, however, a verbal complaint or grievance may be made. When a school administrator receives the information, they shall immediately inform the District's IT Director. The Complainant need not wait for the investigation of any grievance or complaint in order to receive the information requested.

Whether or not a formal complaint or grievance is made, once the District has been notified of inaccessible content, effective communication shall be provided as soon as possible to the reporting party to provide access to the information.

#### Testing and Accountability

The District will ensure website accessibility training to all appropriate personnel, including employees who are responsible for developing, loading, maintaining, or auditing web content functionality. The IT Department will be responsible for reviewing and evaluating new material that is published by school staff and uploaded to the website for accessibility on a periodic basis. The IT Department will be responsible for reviewing all areas of the District's website and evaluating its accessibility on a periodic basis, and at least once per quarter. Any non-conforming webpages will be corrected in a timely manner.

This policy shall be available to the public via a link entitled "Accessibility," which shall be located on the District's homepage.

Cross Reference:                      Policy 1700                                      Uniform Grievance Procedure

Legal Reference:                                      Title II of the Americans with Disabilities Act of 1990  
41 Section 504 of the Rehabilitation Act

#### Policy History:

Adopted on: 1/16/18

Reviewed on:

Revised on:

[Back to Index](#)

Relations With Law Enforcement and Child Protective Agencies

The staff is primarily responsible for maintaining proper order and conduct in the schools. 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. When 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 will strive to develop and maintain cooperative working relationships with the law enforcement agencies. Procedures for cooperation between law enforcement, child protective, and school authorities will be established. Such procedures will be made available to affected staff and will be periodically revised.

County Interdisciplinary Child Information and School Safety Team

The District will participate in the county or regional interdisciplinary child information and school safety team established by sections 52-2-211, MCA. This team consists of count-level representatives of the youth court, the county attorney, the department of public health and human services, the county superintendent of schools, the sheriff, the chief of any police force, the superintendents of public school districts in the County, and the department of corrections.

The purpose of the team is “to facilitate the exchange and sharing of information that one or more team members may be able to use in serving a child in the course of their professions and occupations, including but not limited to abused or neglected children, delinquent youth, and youth in need of intervention, and of information relating to issues of school safety.”

The Superintendent is authorized to request information from the interdisciplinary child information and school safety team regarding students in the School District. The Superintendent shall utilize this authority on a regular basis to ensure the safety and security of the District.

Cross Reference: 4313 Disruption of School Operations  
Legal Reference: § 20-1-206, MCA Disturbance of school – penalty  
§ 52-2-211, MCA County Interdisciplinary Child Information and School Safety Team

Policy History:

Adopted on: 11/9/98

Reviewed on: 6/2/15

Revised on: 7/1/2015, 11/11/19, 3/9/20

[Back to Index](#)

Interrogation and Investigations Conducted by School Officials

The administration has the authority and duty to conduct investigations and to question students pertaining to infractions of school rules, whether or not the alleged conduct is a violation of criminal law. The administration shall determine when the necessity exists that law enforcement officers be asked to conduct an investigation of alleged criminal behavior which jeopardizes the safety of other people or school property or which interferes with the operation of the schools.

In instances when the administration has reasonable suspicion that a violation of district policy or the student code of conduct has been violated, the administrator will investigate. The administrator will notify the suspected rule violator(s) or potential witness(es) to the infraction. The suspected student shall be advised orally or in writing of the nature of the alleged offense and of the evidence against the student. Circumstances may arise where it would be advisable to have another adult present during questioning of students.

Investigations by Law Enforcement

When a student becomes involved with law enforcement officers due to events outside of the school environment and officers must interact with a student, the officer(s) is requested to confer with the student when he/she is being investigated for conduct not under the jurisdiction of the school. If this cannot be arranged, the Building Principal/Assistant Principal is the first person of contact for law enforcement and the following steps shall be taken to cooperate with the authorities.

- a. The officer shall contact the school principal and present proper identification in all occasions upon his/her arrival on school premises.
- b. Parents or guardians shall be notified by the law enforcement officer, school principal or assistant principal as soon as possible. The law enforcement officer, principal or assistant principal shall make every effort to inform parents or guardians of the intent of the law enforcement officers except when that notification may compromise the student's safety.
- c. The student's parent or guardian should be present, if practicable, during any interrogation on school premises.

Cooperation with Law Enforcement

Although cooperation with law enforcement officers will be maintained, it is the preference of the District that it will not normally be necessary for law enforcement officers to initiate, and conduct any investigation and interrogation on the school premises, during school hours, pertaining to criminal activities unrelated to the operation of the school. It is preferred that only

in demonstrated emergencies, when law enforcement officers find it necessary, will they conduct such an investigation during school hours. These circumstances might be limited to those in which delay might result in danger to any person, flight of a person reasonably suspected of a crime from the jurisdiction or local authorities, destruction of evidence, or continued criminal behavior.

No school official, however, should ever place him/herself in the position of interfering with a law enforcement official in the performance of his or her duties as an officer of the law. If the law enforcement officials are not recognized and/or are lacking a warrant or court order, the building principal shall require proper identification of such officials and the reason(s) for the visit to the school. If the principal is not satisfied, he/she shall attempt to notify the Superintendent and the officer's superior, documenting such action.

In all cases, the officers shall be requested to obtain prior approval of the principal or other designated person before beginning such an investigation on school premises. The administrator shall document the circumstances of such investigations as soon as practical. Alleged behavior related to the school environment brought to the Principal's attention by law enforcement officers shall be dealt with under the provisions of the two previous sections.

#### Taking a Student into Custody

School officials shall not release students to law enforcement authorities voluntarily unless the student has been placed under arrest or unless the parent or guardians and the student agree to the release. When students are removed from school for any reason by law enforcement authorities, every reasonable effort will be made to notify the student's parents or guardians immediately. Such effort shall be documented. Whenever an attempt to remove a student from school occurs without an arrest warrant, court order, or without acquiescence of the parent or guardian, or the student, the administrator shall immediately notify a superior of the law enforcement officers involved to make objection to the removal of the student and shall attempt to notify the parent or guardian of the student. The Superintendent's office shall be notified immediately of any removal of a student from school by law enforcement officers under any circumstances.

When it is necessary to take a student into custody on school premises and time permits, the law enforcement officer shall be requested to notify the principal and relate the circumstances necessitating such action. When possible, the principal shall have the student summoned to the principal's office where the student may be taken into custody. In all situations of interrogations, arrest or service of subpoenas of a student by law enforcement officers on school premises, all practicable steps shall be taken to ensure a minimum of embarrassment or invasion of privacy of the student and disruption to the school environment.

#### Disturbance of School Environment

Law enforcement officers may be requested to assist in controlling disturbances of the school environment which the Principal or other school administrator has found to be unmanageable by school personnel and which disturbances have the potential of causing harm to students, other persons, or school property.

Such potential of possible disturbance includes members of the public who have exhibited undesirable or illegal conduct on school premises or at a school event held on school property, and who have been requested to leave by an administrator, but have failed or refused to do so.

Policy History:

Adopted on: 11/9/1998

Reviewed on: 6/7/2016

Revised on: 7/1/2016

[Back to Index](#)

## Sidney School District

### COMMUNITY RELATIONS

4520

#### Cooperative Programs With Other Districts and Public Agencies

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

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

The District may enter into interlocal agreements with a unit of the Montana University System, public community college, and/or tribal college, which would allow students enrolled in the 11<sup>th</sup> and 12<sup>th</sup> grades to attend and earn credit for classes not available in the District. Tuition and fees, if assessed, will be provided for in the interlocal agreement.

The District may enter into an interlocal agreement providing for the sharing of teachers, specialists, superintendents, or other professional persons licensed under Title 37, MCA. If the District shares a teacher or specialist with another district(s), the District's share of such teacher's or specialist's compensation will be based on the total number of instructional hours expended by the teacher or the specialist in the District.

Legal Reference:	§§ 7-11-101, et seq., MCA	Interlocal Cooperation Act
	§§ 20-7-451 through 456, MCA	Authorization to create full service education cooperatives
	§§ 20-7-801, et seq., MCA	Public recreation

#### Policy History:

Adopted on: 11/9/98

Reviewed on: 6/2/15

Revised on: 7/1/02, 7/1/15

[Back to Index](#)

## **Sidney School District**

### **COMMUNITY RELATIONS**

4550

Page 1 of 2

#### 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 Sidney School District declares that, except in limited circumstances, Sidney 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 Sidney 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, with additional approval of the Superintendent 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  
Sexual or Violent Offender Registry

#### Policy History:

Adopted on: 7/1/09

Reviewed on:

Revised on:

[Back to Index](#)

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

*NOTE: This list of parental notice requirements may not be exhaustive. The only notices applying to districts that do **not** receive Title I funds are those regarding student privacy. The notices described in this administrative procedure are paraphrased; please see the specific NCLB section cited for the exact requirements.*

Improving Basic Programs Operated by Local Educational Agencies

1. 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.
2. 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.
3. 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:
  3. 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;
  4. Offer a flexible number of meetings;
  5. 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);

6. 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:

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.

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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

## 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:

Adopted on: 7/1/03

Revised on:

[Back to Index](#)