

MALTA SCHOOL DISTRICT

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8000 SERIES NONINSTRUCTIONAL OPERATIONS

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Malta 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: August 2, 2005

Revised on:

Malta School District

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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 for individually transporting any eligible student.

The District may provide transportation by school bus or other vehicle or through individual transportation such as paying the parent or guardian for individually transporting the student. 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 the parent or guardian pays a proportionate share of transportation services. Fees collected for 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.

Homeless students shall be transported in accordance with the McKinney Homeless Assistance Act and state law.

In-Town Busing

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

Children in Foster Care

The [Superintendent] [building administrator] will appoint a Point of Contact (POC) to coordinate activities relating to the District's provisions of services to children placed in foster care, including transportation services. The Superintendent, or designee, will inform the Department of Health and Human Services who is the POC for the District. The District will collaborate with the Department of Health and Human Services when transportation is required to maintain children placed in foster care in a school of origin outside their usual attendance area or District when in the best interest of the student. Under the supervision of the Superintendent/designee, the POC will invite appropriate District officials, the Department of Health and Human Services POC, and officials from other districts to consider how such transportation is to be arranged and funded in a cost-effective manner.

If there are additional costs to be incurred in providing transportation to maintain a student in the school of origin, the District will provide transportation to such school if:

- The Department agrees to reimburse the District for the cost of such transportation;
- The District agrees to pay for the cost of such transportation; or

The District and the Department agree to share the cost of such transportation.

Definitions

“Foster Care” means 24-hour care for children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the Department has placement care and responsibility.

“School of origin” means the school in which a child is enrolled at the time of placement in foster care.

While “Best Interest” is not defined in ESSA, that determination shall take into account all relevant factors, including consideration of the appropriateness of the current educational setting, and the proximity to the school in which the child is enrolled at the time fo foster care placement.

Legal Reference:	§ 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
	10.64.101-700, et seq., ARM	Transportation

Policy History:

Adopted on: August 2, 2005

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Revised on: August 9, 2017

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Contracting for Transportation Services

If the Board enters into a contract for transportation services, the contractor shall operate such equipment in accordance with 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. Before entering into the first such contract, the District shall determine that the cost of contracting for the ensuing term will not exceed projected costs of operating its own system. Before any transportation contract is awarded to a private party or contractor, 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 current contractor, provided the new contract does not exceed by more than twelve percent (12%) per year the basic costs of the previous contract.

No money shall be expended unless a contract with a private carrier has been executed. The Board Chairperson will 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, the means of transportation which best fits District needs at that particular time, as determined by the Board.

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

Policy History:

Adopted on: August 2, 2005

Revised on:

Malta School District

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Bus Routes and Schedules

The Superintendent's designee is responsible for scheduling bus transportation, including determination of routes and bus stops. Such routes are subject to approval of the county transportation committee. The purpose of bus scheduling and routing is to achieve maximum service with a minimum fleet of buses consistent with providing 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 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 Board and the contractor will mutually agree to change, alter, add, or delete any route at any time 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 principal 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 toward 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 the school bus.

Safety

The Superintendent will develop written rules establishing procedures for bus safety and emergency exit drills and for student conduct while riding 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 weather in Montana. In the interest of safety and operational efficiency, the Superintendent is empowered to make decisions as to emergency operation of buses, cancellation of bus routes, and closing of school, in accordance with his or her best judgment. The Board may develop guidelines in cooperation with the Superintendent to assist the Superintendent 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:

Adopted on: August 2, 2005

Revised on:

Malta School District

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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 that 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 that 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 District students. 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 when distance from school may seriously impact bus scheduling. In such situations other arrangements, such as an individual transportation contract, may be arranged with parents. Such voluntary agreement will stipulate in writing the terms of reimbursement.

Cross Reference: 3300 Corrective Actions and Punishment

Legal Reference: 10.16.3820, ARM Transportation for Special Education Students with Disabilities

Policy History:

Adopted on: August 2, 2005

Revised on:

Malta School District

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8121

District-Owned Vehicles

The District owns and maintains certain vehicles. Included among them are pickups, cars, 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, when operating a District vehicle, 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 bus contractor will establish a specific list of tasks bus drivers will perform on a daily basis. All other District vehicles shall be maintained following established programs developed by the Superintendent.

Policy History:

Adopted on: August 2, 2005

Revised on:

Driver Training and Responsibility

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

School bus drivers must hold a valid Montana school bus certificate in order for a district to receive state reimbursement for that driver's bus routes. Qualifications for bus drivers are prescribed by 20-10.103, MCA, and by the board of Public Education in Arm 10.64.201. The first aid certificate required by ARM 10.64.201 must include certification in CPR, be signed by a certified instructor, and be received after an initial in-person training of at least four hours with annual renewals.

A school bus driver is prohibited from operating a school bus while using a cellular phone, including hands free cellular phone devices, except:

- (1) During an emergency situation;
- (2) To call for assistance if there is a mechanical breakdown or other mechanical problem;
- (3) When the school bus is parked.

A driver may not operate a school bus without a valid, current certificate.

A teacher, coach, or other certified staff member assigned to accompany students on a bus will have primary responsibility for behavior of students in his or her charge. The bus driver has final authority and responsibility for the bus. The Superintendent will establish written procedures for bus drivers.

Legal Reference:	§ 20-10-103, MCA	School bus driver qualifications
	10.7.111, ARM	Bus Drivers
		Certification Requirement for Reimbursement
	10.64.201, ARM	School Bus Driver Qualifications
		National Highway Traffic Safety Administration

Policy History:

Adopted on: August 2, 2005

Reviewed on: July 7, 2010

Revised on: July 13, 2016

Student Conduct on Buses

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

At the beginning of each school year, a copy of the rules of conduct for students riding buses will be provided to students, and the classroom teacher and bus driver will review the rules with the students. A copy of the rules will be posted in each bus and will be available upon request at the District office and in each building principal's office.

The bus driver is responsible for enforcing the rules and will work closely with a parent and building principal to modify a student's behavior. Rules shall include consistent consequences for student misbehavior. A recommendation for permanent termination of bus privileges, accompanied by a written record of the incident(s) that led to the recommendation, shall be referred to the Superintendent for final determination. The student's parent or guardian may appeal a termination to the Board. No further appeal shall be allowed.

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

Legal Reference: § 20-4-302, MCA Discipline and punishment of pupils – definition of corporal punishment – penalty – defense
 § 20-5-201, MCA Duties and sanctions

Policy History:

Adopted on: August 2, 2005

Revised on:

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8125

School Bus Emergencies

In the event of an accident or other emergency, the bus driver shall follow the emergency procedures developed by the bus contractor. A copy of the emergency procedures will be located in every bus. To ensure the success of such emergency procedures, every bus driver will conduct an emergency evacuation drill each school semester. The District will conduct such other drills and procedures as may be necessary.

Policy History:

Adopted on: August 2, 2005

Revised on:

Malta School District

NONINSTRUCTIONAL OPERATIONS

8132

Activity Trips

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:

Revised on:

Malta School District

NONINSTRUCTIONAL OPERATIONS

8200

Food Services

The District supports the philosophy of the National School Lunch Program and will provide wholesome, appetizing, and nutritious meals for children in District schools. The Board may authorize a portion of 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 will not accept donations of food without approval of the Board. Should the Board approve a food donation, the Superintendent will establish inspection and handling procedures for the food and determine that provisions of all state and local laws have been met before selling the food as part of school meals.

Commodities

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

Free and Reduced-Price Food Services

The District will 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 will 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 National School Lunch Program guidelines. A parent has the right to appeal to a designated hearing official any decision with respect to his or her application for free or reduced-price food services.

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 and food, handling, utility, and equipment depreciation costs.

Legal Reference:	§ 20-10-204, MCA	Duties of trustees
	§ 20-10-205, MCA	Allocation of federal funds to school food services fund for federally connected, indigent pupils
	§ 20-10-207, MCA	School food services fund

Policy History:

Adopted on: August 2, 2005

Revised on:

Malta 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 ~~the~~ 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
	§§ 50-40-101, et seq., MCA	Montana Clean Indoor Air Act of 1979
	ARM 37.111.825	Health Supervision and Maintenance

Policy History:

Adopted on: August 2, 2005

Reviewed on:

Revised on: July 7, 2010

Malta School District

NONINSTRUCTIONAL OPERATIONS

8240

Animals in School

Persons bringing animals into the school must receive prior permission from the supervising teacher, building principal, or administrator. Animals, including all vertebrates and invertebrates may be brought into the classroom for educational purposes only. However, they must be appropriately housed, humanely cared for and properly handled.

Neither students nor visitors to the schools shall bring pets of any kind on to school property or to any school function unless invited to do so by a teacher, building principal, or administrator in the interests of an educational, instructional purpose. Any person bringing a pet, or attempting to conceal a pet in a school building or to a school sponsored function, shall be directed to leave the premises until they can return without the animal in their possession. The only exception to this policy will be guide dogs or helper animals properly trained for those functions.

Guidelines published by the American Humane Association, "Care and Management of Animal Visitors at School," may be obtained from the American Humane Association, P.O. Box 1266, Denver, Colorado, 80201.

Policy History

Adopted on:

Revised on:

Malta School District

NONINSTRUCTIONAL OPERATIONS

8300

Risk Management

The Board believes the District must identify and measure risks of loss which may result from damage to or destruction of District property or claims against the District by persons claiming to have been harmed by action or inaction of the District, its officers or staff. The District will implement a risk management program to reduce or eliminate risks where possible and to determine which risks the District can afford to assume. Such program will 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 Board will assign primary responsibility for administration and supervision of the risk management program to a single person and will review the status of the risk management program each year.

The District will purchase 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 insurance – self-insurance plan
	§§ 2-9-101, et seq., MCA	Liability Exposure
	§ 2-9-211, MCA	Political subdivision insurance
	§ 2-9-501, MCA	General Provisions Related to Official Bonds

Policy History:

Adopted on: August 2, 2005

Revised on:

Malta School District

NONINSTRUCTIONAL OPERATIONS

8301

District Safety

The Board recognizes that safety and health standards should be incorporated into all aspects of the operation of the District. Rules for safety and prevention of accidents will be posted in compliance with Occupational Safety and Health Act (OSHA) requirements. Injuries and accidents will be reported to the District office.

The building principal will develop a plan of fire, civil defense, tornado, and earthquake warning, protection, and evacuation. This plan and procedures will be discussed and distributed to each teacher at the beginning of each school year. There will be at least eight (8) disaster drills a year, four (4) of which will be fire drills. All teachers will discuss fire-drill procedures with their class at the beginning of each year and will have them posted in a conspicuous place next to the exit door. The drills will be held at different hours of the day or evening to avoid distinction between drills and actual disasters.

The Superintendent will develop safety and health standards which comply with the Montana Safety Culture Act.

Legal Reference:	§ 20-1-402, MCA	Number of disaster drills required –
	§§ 39-71-1501, et seq., MCA	time of drills to vary
		Montana Safety Culture Act

Policy History:

Adopted on: August 2, 2005

Revised on:

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Memorials

The School Board recognizes that the death of a student, member of the staff, or community members is deeply felt by the school community. As places designed primarily to support learning, school sites should not serve as the main venue for permanent memorials for students, staff, or community members. The following guidelines apply to requests for memorials in school facilities or on district grounds.

Monetary Memorials

Permanent memorials for deceased students, staff, or community members shall be limited in form to perpetual awards or scholarships. Contributions may be made to a general scholarship fund established by the district memorializing a student, staff member, or member of the school community. Memorial scholarships may be accepted and awarded under criteria approved by the Mustang Foundation Board in honor of persons who have special significance to the students, district and community. All such offers will be submitted to the Mustang Foundation with pertinent information concerning the purpose of the memorial scholarship. Funds will be administered by the Mustang Foundation. Items may be accepted by the district in memory of an individual or event with Superintendents approval. The Superintendent will consider any maintenance costs to the district of such gifts. Items received become the property of the district and will be used for the purpose for which they were donated.

The Board recognizes the use of district property for memorial services is generally inappropriate. Any such request will be considered in accordance with Board Policy 4330 and 4330P.

Memorials for Deceased Students or Staff

The following procedures shall be used in establishing memorials and conducting dedications within District schools:

1. A memorial plaque and/or dedication plate may be placed in a particular room or area within a District school in an individual's honor under the following conditions:
 - a. Memorials or dedications in recognition of a person's contribution to public education in the District may only be made after the death of the person who is being considered for recognition.
 - b. Students who have died during their time of attendance at a District school may be recognized through a memorial or dedication.

- c. An individual can be considered for a memorial or dedication upon the first anniversary of his/her death. In the case of a memorialization of a student or District employee, such dedication may take place sooner than one year under appropriate circumstances.
 - d. No District monies shall be expended for memorial plaques and/or dedication plates, except as required for installation purposes.
 - e. Written permission from family members shall be obtained prior to making final arrangement for a memorial or dedication.
2. Before consideration is given for placement of a memorial plaque and/or dedication plate in a particular room or area within a District school, a resolution signed by at least two Board members is required. Any citizen in the District may draft a resolution. The resolution shall be presented to the Board for formal action. Provision shall be made at two consecutive Board meetings for reaction from the community after which the Board shall take action on the request.
 3. The Superintendent shall be responsible for coordinating the placement of approved memorial plaques and/or dedication plates within District buildings.
 4. Classrooms and/or major areas within the schools may contain a recognition of the contributions of an individual, but not be named for that person (e.g. plaque, not to exceed 12 inches square)
 5. Plaques (not to exceed 12 inches square), small monuments, artwork, books, and major pieces of equipment are appropriate symbols with which to recognize an individual's contribution or memory.
 6. Plaques may be engraved with the memorialized individual's name, dates of birth and death, and the words, "donated in memory of" or "in memory of."
 7. The Superintendent and Building Principal will make the determination regarding placement of photos of the deceased within the district facilities. All such photos shall be removed when the student's class has completed their time in that building. The photo will be offered to the nearest relative.
 8. Memorial plaques or dedication plates placed in particular rooms or areas within a district school shall not be removed within twenty (20) years of placement except in the case of building demolition or decommission.

Other Memorial Options

Planting (trees, shrubs, perennials, etc.) on school grounds

The administration must approve the type and placement of any planting before it is placed. Such planting may be accompanied by a movable flat ground marker. The engraving on the marker must be limited to the memorialized individual's name, dates of birth and death, and the words, "donated in memory of" or "in memory of." The marker will be moved when necessary and may be permanently removed after ten (10) years and offered to the nearest relative.

Benches, tables and other outdoor furnishings; sidewalks, stepping stones, statuary, etc.

The Board will accept memorials of this type only to the extent that there is a suitable location and the style is complementary to the buildings and grounds. Each item may contain a plaque engraved with the memorialized individual's name, dates of birth and death, and the words, "donated in memory of" or "in memory of."

Cross Reference:	BP 4330	Community Use of School Facilities
	BP 4330P	Rules and Regulations for Building Use

Policy History:

Adopted on: August 14, 2013

Reviewed on:

Revised on:

Malta School District

NONINSTRUCTIONAL OPERATIONS

8320

Property Damage

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

Privately Owned Property

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

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

Policy History:

Adopted on: August 2, 2005

Revised on:

Malta 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.

Receipts from a sale of real property shall be placed in the debt service fund, building fund, general fund, or in any combination of these three (3) funds, at the Board's discretion.

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: August 2, 2005

Revised on:

Malta 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:

Malta 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 Malta 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
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Policy History:

Adopted on: August 10, 2011

Reviewed on:

Revised on:

Malta 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:

Promulgated on: August 10, 2011

Reviewed on:

Revised on:

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:

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.

Information Security Breach

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

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)
 § 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
 30-14-1704, MCA Computer Security Breach

Policy History:

Adopted on: August 2, 2005
Reviewed on: July 7, 2010
Revised on: July 13, 2016

Malta 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.

Policy History:

Adopted on: August 2, 2005

Revised on:

Automatic External Defibrillators (AEDs)

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

1. Establish a program for use of an AED, which includes a written plan that must specify:
 - Where the AED will be placed;
 - Individuals 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;
 - Medical supervision which will be provided;
 - Maintenance which will be performed on the AED;
 - Records which will be kept by the program;
 - Reports which will be made of AED use;
 - Name, location, and telephone number of a physician, or other individual designated by the physician, 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 1, above;
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. Ensure that the physician, or other individual designated by the physician to supervise the AED program, supervises the AED program to ensure compliance with the written plan, this part, and rules adopted by the District and reviews each case in which the AED is used;
6. 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;
7. 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 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 which 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 which 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:

1. The physician supervising the AED program, or the person designated by a physician to supervise the program, either of whom are designated in the plan;
2. The entity responsible for the AED program, as designated in the plan;
3. An individual providing training to others on use of an AED.

Legal Reference: Title 37, Chapter 104, subchapter 6, ARM Automated external
defibrillators
§ 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

Policy History:

Adopted on: August 2, 2005

Revised on: