

Miami Elementary, School District #31
1000 Series

R = required

THE BOARD OF TRUSTEES

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1 **Miami Elementary**

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3 **THE BOARD OF TRUSTEES**

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4
5 Legal Status and Operation

6
7 The legal name of this District is Miami Elementary School District,
8 Pondera County, State of Montana. The District is classified as a class 3 district and
9 is operated according to the laws and administrative rules pertaining to a class 3 district.

10
11 The Board of Trustees of Miami Elementary, District No. 31 is the governmental
12 entity established by the state of Montana to plan and direct all aspects of the District's
13 operations, to the end that students shall have ample opportunity to achieve their individual and
14 collective learning potentials.

15
16 Policies of the Board define its organization and the manner of conducting its official business.
17 The operating policies of the Board are those that it adopts from time to time to facilitate the
18 performance of its responsibilities.

19
20 To achieve its primary goal of providing each child with the necessary skills and attitudes to
21 become an effective citizen, the Board shall exercise the full authority granted to it by the laws of
22 the state. Its legal powers, duties, and responsibilities are derived from the Montana Constitution
23 and state statutes and regulations. *School Laws of Montana* and the administrative rules of the
24 Board of Public Education and the Office of Superintendent of Public Instruction delineate the
25 legal powers, duties, and responsibilities of the Board.

26
27
28 Legal Reference: § 20-3-323, MCA District policy and record of acts
29 § 20-3-324, MCA Powers and duties

30
31 Policy History:

32 Adopted on: 1/13/2014
33 Reviewed on: 9/22/2020
34 Revised on:

1 Miami Elementary

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3 **THE BOARD OF TRUSTEES**

1105

4
5 Membership

6
7 The District is governed by a Board of Trustees consisting of three (3) members. The powers
8 and duties of the Board include the broad authority to adopt and enforce all policies necessary for
9 the management, operations and governance of the District. Except as otherwise provided by
10 law, trustees shall hold office for terms of three (3) years, or until their successors are elected and
11 qualified. Terms of trustees shall be staggered as provided by law.

12
13 All trustees shall participate on an equal basis with other members in all business transactions
14 pertaining to the high school maintained by the District. Only those trustees elected from the
15 elementary district may participate in business transactions pertaining to the elementary schools
16 maintained by the District.

17
18

19 Legal References:	§ 20-3-301, MCA	Election and term of office
20	§ 20-3-302, MCA	Legislative intent to elect less than majority of
21		trustees
22	§ 20-3-305, MCA	Candidate qualification and nomination
23	§ 20-3-306, MCA	Conduct of election
24	§ 20-3-307, MCA	Qualification and oath
25	§ 20-3-341, MCA	Number of trustee positions in elementary districts
26		– transition
27	§ 20-3-344, MCA	Nomination of candidates by petition in first-class
28		elementary district
29	§ 20-3-351, MCA	Number of trustee positions in high school districts
30	§ 20-3-352, MCA	Request and determination of number of high
31		school district additional trustee positions –
32		nonvoting trustee
33	§ 20-3-361, MCA	Joint board of trustees organization and voting
34		membership

35

36 Policy History:

37 Adopted on: 1/13/2014

38 Reviewed on: 9/22/2020

39 Revised on:

1 Miami Elementary

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3 **THE BOARD OF TRUSTEES**

1110

4
5 Taking Office

6
7 A newly elected trustee shall take office as soon as election results have been certified and the
8 newly elected trustee has taken and subscribed to an oath to faithfully and impartially discharge
9 the duties of the office to the best of his/her ability.

10
11 A newly appointed trustee shall take office, after the trustee has taken and subscribed to an oath
12 to faithfully and impartially discharge the duties of the office to the best of his/her ability.

13
14 The person shall qualify by taking an oath of office administered by the county superintendent,
15 the superintendent's designee, or any officer provided for in 1-6-101, MCA or 2-16-116, MCA.
16 Such oath must be filed with the county superintendent not more than fifteen (15) days after the
17 receipt of the certificate of election or the appointment.

18
19
20 Cross Reference: Policy 1113 Vacancies

21
22 Legal References: § 1-6-101, MCA Officers who may administer oaths
23 § 2-16-116, MCA Power to administer oaths
24 § 20-1-202, MCA Oath of office
25 § 20-3-307, MCA Qualification and oath
26

27 Policy History:

28 Adopted on: 2-7-22

29 Reviewed on:

30 Revised on:

1 **Miami Elementary**

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3 **THE BOARD OF TRUSTEES**

1112

4
5 Resignation

6
7 The resignation of a trustee of the District must be in writing, must stipulate an effective date,
8 and must be submitted to the Clerk of the District.

9
10 Trustees retiring from the Board may be recognized for their service to the District by
11 presentation of a service plaque or other appropriate activities.

12
13
14
15 Legal Reference: § 2-16-502, MCA Resignations
16 § 20-3-308, MCA Vacancy of trustee position
17

18 Policy History:

19 Adopted on: 2-7-22

20 Reviewed on:

21 Revised on:

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3 **THE BOARD OF TRUSTEES**

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page 1 of 2

4
5 Elections

6
7 Elections conducted by the District are nonpartisan and are governed by applicable election laws
8 as found in Titles 13 & 20 of the Montana Code Annotated. The ballot at such elections may
9 include candidates for trustee positions, various public policy propositions, and advisor
10 questions.

11
12 Board elections shall take place on the first (1st) Tuesday after the first (1st) Monday in May of
13 each year. Any person who is a qualified voter of the District is legally qualified to become a
14 trustee. A declaration of intent to be a candidate must be submitted to the District Clerk at least
15 forty (40) days before the regular school election day. If different terms are to be filled, the term
16 for the position for which the candidate is filing must also be indicated. Any person seeking to
17 become a write-in candidate for a trustee position shall file a declaration of intent no later than
18 5:00 p.m. on the day before the ballot certification deadline in 20-20-401. If the number of
19 candidates filing for vacant positions or filing a declaration of intent to be a write-in candidate is
20 equal to or less than the number of positions to be elected, the trustees may give notice no later
21 than thirty (30) days before the election that a trustee election will not take place. If a trustee
22 election is not held, the trustees shall declare the candidates elected by acclamation and shall
23 issue a "certificate of election" to each candidate.

24
25 A candidate intending to withdraw from the election shall send a statement of withdrawal to the
26 clerk of the district containing all information necessary to identify the candidate and the office
27 for which the candidate filed. The statement of withdrawal must be acknowledged by the clerk
28 of the district. A candidate may not withdraw after 5:00 p.m. the day before the ballot
29 certification deadline in 20-20-401.

30
31 In the event of an unforeseen emergency occurring on the date scheduled for the funding
32 election, the district will be allowed to reschedule the election for a different day of the calendar
33 year.

34
35 In years when the Legislature meets in regular session or in a special session that affects school
36 funding, the trustees may order the election on a date other than the regular school election day
37 in order for the electors to consider a proposition requesting additional funding under § 20-9-
38 353, MCA.

Legal Reference:	§ 13-10-211, MCA	Declaration of intent for write-in candidates
	§ 20-3-305, MCA	Candidate qualification, filing deadline and withdrawal
	§ 20-3-313, MCA	Election by acclamation – notice
	§ 20-3-322, MCA	Meetings and quorum
	§ 20-3-322(5), MCA	Meetings and quorum (unforeseen emergency definition)
	§ 20-3-324(4), MCA	Powers and duties
	§ 20-9-353, MCA	Additional financing for general fund – election for authorization to impose
	§ 20-20-105, MCA	Regular school election day and special school elections – limitation – exception
	§ 20-20-204, MCA	Election Notice
	§ 20-20-301, MCA	Qualifications of elector

Policy History:

Adopted on:

Reviewed on:

Revised on:

1 **Miami Elementary**

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3 **THE BOARD OF TRUSTEES**

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4
5 Candidate Orientation

6
7 Candidates for appointment or election to the Board shall be urged to attend public meetings of
8 the Board. All public information about the school system shall be made available to them.
9 Additionally, the Board will cooperate impartially with all candidates in providing them with
10 information about school governance, Board operations, and school programs.

11
12 Notices of candidates' meetings that are sponsored by impartial, non-partisan organizations may
13 be announced in District publications and/or be sent home with students. The following
14 procedures shall be followed:

- 15
16 1. If a candidate is scheduled to appear or speak as a part of a school-sponsored program, all
17 candidates for that position shall be invited to attend or to send representatives;
18
19 2. The school will not send home partisan materials through the students; and
20
21 3. The Superintendent shall invite all candidates to an information session. Each candidate
22 will be given the same materials and information at these sessions.
23
24
25

26 Policy History:

27 Adopted on:

28 Reviewed on:

29 Revised on:

1 **Miami Elementary**

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3 **THE BOARD OF TRUSTEES**

1113

4
5 Vacancies

6
7 A trustee position becomes vacant before the expiration of a term, when any of the following
8 occurs:

- 9
10 1. Death of the trustee;
11 2. The date stipulated in the letter of resignation filed with the Clerk;
12 3. Trustee moves out of the nominating district, establishing residence elsewhere;
13 4. Trustee is no longer a registered elector of the District under the provisions of § 20-20-
14 301, MCA;
15 5. Trustee is absent from the District for sixty (60) consecutive days;
16 6. Trustee fails to attend three (3) consecutive meetings of the trustees without good excuse;
17 7. Trustee has been removed under the provisions of § 20-3-310, MCA; or
18 8. Trustee ceases to have the capacity to hold office under any other provision of law.
19 9. A trustee position also shall be vacant when an elected candidate fails to qualify.
20

21 When a trustee vacancy occurs, the remaining trustees shall declare such position vacant and fill
22 such vacancy by appointment. The Board will receive applications from any qualified persons
23 seeking to fill the position after suitable public notice. The Board will appoint one (1) candidate
24 to fill the position.
25

26 Should the Board fail to fill a vacancy within sixty (60) days from the creation of a vacancy, the
27 county superintendent shall appoint, in writing, a competent person to fill such vacancy. An
28 appointee shall qualify by completing and filing an oath of office with the county superintendent
29 within fifteen (15) days after receiving notice of the appointment and shall serve until the next
30 regularly scheduled school election and a successor has qualified.
31

32
33 Cross Reference: 1240 Duties of Individual Trustees
34 1112 Resignations
35

36 Legal References: § 20-3-308, MCA Vacancy of trustee position
37 § 20-3-309, MCA Filling vacated trustee position – appointee
38 qualification and term of office
39

40 Policy History:

41 Adopted on: 8 - 7 - 22

42 Reviewed on:

43 Revised on:

THE BOARD OF TRUSTEES

1120

Annual Organization Meeting

After issuance of election certificates to newly elected trustees, but no later than 25 days after the election, the Board shall elect from among its members a Chairperson and a Vice Chairperson to serve until the next annual organizational meeting. If a Board member is unable to continue to serve as an officer, a replacement shall be elected at the earliest opportunity to serve the remainder of the term. In the absence of the Chairperson the Board shall elect a Chairperson *pro tempore*, who shall perform the functions of the Chairperson during the latter's absence. The Clerk shall act as Board secretary.

The normal order of business shall be modified for the annual organizational meeting by considering the following matters after the approval of the minutes of the previous meeting:

1. Welcome and introduction of newly elected Board members by the current Chairperson
2. Swearing in of newly elected trustees
3. Call for nominations for Chairperson to serve during the ensuing year
4. Election of a Chairperson
5. Assumption of office by the new Chairperson
6. N/A
- 7.
8. Appointment of a Clerk

Legal References:	§ 20-3-321, MCA	Organization and officers
	§ 20-3-322(a), MCA	Meetings and quorum
	§ 1-5-416(1)(b), MCA	Powers and duties of Notary Public

Policy History:

Adopted on: 2-7-22

Reviewed on:

Revised on:

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Adopted on: 3/9/28
Reviewed on:
Revised on:

2
3 **THE BOARD OF TRUSTEES**

4
5 School Board Advocacy

6
7 The Board of Trustees believes it has a responsibility to the students, parents, and community to
8 advocate for student achievement and quality education. In order to meet these responsibilities, the
9 District will work vigorously for the passage of new laws designed to advance the cause of good
10 schools and for the repeal or modification of existing laws that impede this cause.

11
12 Trustees must keep themselves and community members informed of pending legislation and
13 actively communicate board positions and concerns to elected representatives at both the state and
14 national level. The Board must work with legislative representatives (both state and federal), the
15 Montana School Boards Association, national advocacy groups aligned with Montana school
16 districts' interest in advocating for excellence in public education through school board leadership,
17 and other concerned groups and organizations in developing an annual as well as long-range
18 legislative program.

19
20 Each Trustee is encouraged to participate in the MTSBA Delegate Assembly, the MTSBA Board
21 Legislative Contact Program and the caucuses. The District also encourages the board and each
22 trustee to be aware of the importance of building a relationship with the community and local
23 legislators, to be used to increase student success.

24
25 In doing so, the Trustees will:

- 26
27 a. Review MTSBA legislative correspondence;
28 b. Respond to MTSBA legislative calls to action;
29 c. Participate in Day of Advocacy during each legislative session;
30 d. Attend other state and regional association meetings as approved by the Board; and
31 e. Advise MTSBA of the Board's views regarding MTSBA's legislative positions and
32 activities.

33
34 2. At least once each month in accordance with Policy 1420, the Board meeting agenda will
35 include an opportunity for the trustees to discuss educational issues pending on the state and
36 federal levels.

37
38 3. Work with the MTSBA, national advocacy groups aligned with Montana school districts'
39 interest in advocating for excellence in public education through school board leadership,
40 and other concerned groups and organizations on matters of mutual interest.

41
42 Policy History:

43 Adopted on: 2/9/20

44 Reviewed on:

45 Revised on:

THE BOARD OF TRUSTEES

Qualifications, Terms, and Duties of Board Officers

The Board officers are the Chairperson and Vice Chairperson. These officers are elected at the annual organizational meeting.

Chairperson

The Chairperson may be any trustee of the board.

The duties of the Chairperson include the following:

- Preside at all meetings and conduct meetings in the manner prescribed by the Board's policies;
- Make all Board committee appointments;
- Sign all papers and documents as required by law and as authorized by action of the Board;
- Close Board meetings as authorized by Montana law; and

The Chairperson is permitted to participate in all Board meetings in a manner equal to all other Board members, including the right to participate in debate and to vote. The Chairperson may not make a motion, but may second motions.

Vice Chairperson - N/A

The Vice Chairperson shall preside at all Board meetings in the absence of the Chairperson and shall perform all the duties of the Chairperson during the Chairperson's absence or unavailability. The Vice Chairperson shall work closely with the Chairperson and shall assume whatever duties the Chairperson may delegate.

Cross Reference:	Policy 1120	Annual Organizational Meeting
Legal References:	§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
	§ 20-3-321(2), MCA	Organization and officers
	§ 20-3-351(1)(a), MCA	Number of trustee positions in high school districts
	§ 20-3-352(2), MCA	Request and determination of number of high school district additional trustee positions – nonvoting trustee

Policy History:

Adopted on: 2-17-22

Reviewed on:

Revised on:

1 Miami
2 Elementary

3 **THE BOARD OF TRUSTEES**

1230

4
5 Clerk
6

7 The Clerk of the Board shall attend all meetings of the Board, unless excused by the
8 Chairperson, and shall keep an accurate and permanent record of all proceedings. The Clerk
9 shall have custody of the records, books, and documents of the Board. In the absence or inability
10 of the Clerk to attend a Board meeting, the trustees will have one (1) of their members or a
11 District employee act as clerk for the meeting, and said person will supply the Clerk with a
12 certified copy of the proceedings.
13

14 The Clerk will keep accurate and detailed accounts of all receipts and disbursements made by the
15 District. The Clerk shall draw and countersign all warrants for expenditures that have been
16 approved by the Board.
17

18 The Clerk will make the preparations legally required for the notice and conduct of all District
19 elections.
20

21 The Clerk shall prepare and submit to the Board a financial report of receipts and disbursements
22 of all school funds on an annual basis, unless the Board requests such reports on a more frequent
23 basis. The Clerk shall perform all functions pertaining to the preparation of school elections.
24

25 The Clerk shall perform other duties as prescribed by state law or as directed by the Board.
26
27

28 Legal references:	§ 20-3-321, MCA	Organization and officers
29	§ 20-3-325, MCA	Clerk of district
30	§ 20-4-201, MCA	Employment of teachers and specialists by contract
31	§ 20-9-133, MCA	Adoption and expenditure limitations of final
32		budget
33	§ 20-9-165, MCA	Budget amendment limitation, preparation, and
34		adoption procedures
35	§ 20-9-221, MCA	Procedure for issuance of warrants
36	§ 20-20-401(2), MCA	Trustees' election duties – ballot certification
37		

38 Policy History:

39 Adopted on: 2 - 7 - 22

40 Reviewed on:

41 Revised on:

1 **Miami Elementary**

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3 **THE BOARD OF TRUSTEES**

1240

4
5 Duties of Individual Trustees

6
7 The authority of individual trustees is limited to participating in actions taken by the Board as a
8 whole when legally in session. Trustees shall not assume responsibilities of administrators or
9 other staff members. The Board or staff shall not be bound by an action taken or statement made
10 by an individual trustee, except when such statement or action is pursuant to specific instructions
11 and official action taken by the Board.
12

13 Each trustee shall review the agenda and attendant materials in advance of a meeting and shall be
14 prepared to participate in discussion and decision making for each agenda item. Each trustee
15 shall visit every school at least once per year to examine its management, conditions, and needs.
16

17 All trustees are obligated to attend Board meetings regularly. Whenever possible, a trustee shall
18 give advance notice to the Chairperson, of the trustee's inability to attend a Board meeting. A
19 majority of the Board may excuse a trustee's absence from a meeting if requested to do so.
20

21 Board members, as individuals, have no authority over school affairs, except as provided by law
22 or as authorized by the Board.
23

24
25
26
27 Legal References: § 20-3-301, MCA Election and term of office
28 § 20-3-308, MCA Vacancy of trustee position
29 § 20-3-324(22), MCA Powers and duties
30 § 20-3-332, MCA Personal immunity and liability of trustees
31

32 Policy History: 1/14/13
33 Adopted on: 9/22/2020
34 Reviewed on:
35 Revised on:

2
3 **THE BOARD OF TRUSTEES**

1310

4
5 District Policy

6
7 Adoption and Amendment of Policies

8
9 Proposed new policies and proposed changes to existing policies shall be presented in writing for reading
10 and discussion at a regular or special Board meeting. Interested parties may submit views, present data or
11 arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement
12 by a person, relative to a proposed policy or amendment, should be directed to the District Clerk prior to
13 the final reading. The final vote for adoption shall take place not earlier than at the second (2nd) reading of
14 the particular policy. New or revised policies that are required, or have required language changes based
15 on State or Federal law, or are required changes by administrative rule, may be adopted after the first (1st)
16 reading if sufficient notice has been given through the board agenda.

17
18 All new or amended policies shall become effective on adoption, unless a specific effective date is stated
19 in the motion for adoption.

20
21 Policies, as adopted or amended, shall be made a part of the minutes of the meeting at which action was
22 taken and also shall be included in the District's policy manual. Policies of the District shall be reviewed
23 annually by the Board.

24
25 Policy Manuals

26
27 The District Clerk shall develop and maintain a current policy manual which includes all policies of the
28 District. Staff, students, and other residents shall have ready access to District policies. All policy
29 manuals distributed to anyone shall remain the property of the District and shall be subject to recall at any
30 time.

31
32 Suspension of Policies

33
34 Under circumstances that require waiver of a policy, the policy may be suspended by a majority vote of
35 the trustees present. To suspend a policy, however, all trustees must have received written notice of the
36 meeting, which includes the proposal to suspend a policy and an explanation of the purpose of such
37 proposed suspension.

38
39
40 Legal References: § 20-3-323, MCA District policy and record of acts
41 10.55.701, ARM Board of Trustees

42
43 Policy History: 1/14/13
44 Adopted on: 9/22/2020
45 Reviewed on:
46 Revised on:

2
3 THE BOARD OF TRUSTEES

1332

4
5 Authorization of Signatures

6
7 For the conduct of the business of the District, the Board may grant authority to specific staff to
8 sign certain documents on behalf of the District. The Chairperson and Clerk are authorized to
9 use a facsimile signature plate or stamp.

10
11 Warrants: The Chairperson and Clerk are authorized to sign all District warrants by facsimile
12 signature on behalf of the Board.

13
14 Claim Forms: Staff employed by the District in the following designated positions
15 are authorized to certify voucher or invoice claims against or for the District: Trustees
16 and Clerk

17
18
19 Checks: The school principal is designated as the custodian of each school building
20 extracurricular fund account. The Superintendent is designated as the custodian of all District
21 petty cash accounts. Staff employed by the District in the following designated positions are
22 authorized to sign, on behalf of the Board, checks drawn on any specific petty cash account:

23
24
25
26 Contracts for Goods and Services and Leases: The ^{Chair} is authorized to sign, on behalf of the
27 Board, contracts, leases, and/or contracts for goods and services for amounts under \$ _____
28 without prior approval of the Board. The types of goods and services contracted for must be
29 preapproved by the Board.

30
31 Personnel Contracts: The Board Chairperson and Clerk are authorized to sign personnel
32 contracts and agreements of employment on behalf of the Board, by facsimile signature.

33
34 Negotiated Agreements: Negotiated agreements shall be signed for the District by the Board
35 Chairperson and the Clerk.

36
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38
39 Policy History:

40 Adopted on: 2/9/22

41 Reviewed on:

42 Revised on:

1 Miami Elementary

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3 **THE BOARD OF TRUSTEES**

1400

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4
5 Board Meetings

6
7 Meetings of the Board and/or committees of the Board must occur at a duly called and legally
8 conducted meeting. "Meeting" is defined as the convening of a quorum of the constituent
9 membership of the Board, whether in person or by means of electronic equipment, to hear,
10 discuss, or act upon a matter over which the Board has supervision, control, jurisdiction, or
11 advisory power.

12
13 Regular Meetings

14 Unless otherwise specified, all meetings will take place in the ~~School~~ Regular meetings shall
15 take place at 7:00 p.m. on the second (2nd) Monday of the month 4, or at other times and places
16 determined by a majority vote. Except for an unforeseen emergency, meetings must be held in
17 school buildings or, upon the unanimous vote of the trustees, in a publicly accessible building
18 located within the District. If regular meetings are scheduled at places other than as stated above
19 or are adjourned to times other than the regular meeting time, notice of the meeting shall be made
20 in the same manner as provided for special meetings. The trustees may meet outside the
21 boundaries of the District for collaboration or cooperation on educational issues with other school
22 boards, educational agencies, or cooperatives. Adequate notice of the meeting, as well as an
23 agenda, must be provided to the public in advance. Decision making may only occur at a properly
24 noticed meeting held within the District's boundaries. When a meeting date falls on a school
25 holiday, the meeting may take place the next business day.

26
27 Emergency Meetings

28
29 In the event of an emergency involving possible personal injury or property damage, the Board
30 may meet immediately and take official action without prior notification.

31
32 Budget Meetings

33
34 Between July 1 and August 10 of each year, the Clerk shall publish a notice stating the date,
35 time, and place trustees will meet for the purpose of considering and adopting a final budget for
36 the District, stating that the meeting of the trustees may be continued from day to day until final
37 adoption of a District budget and that any taxpayer in the District may appear at the meeting and
38 be heard for or against any part of the budget. This notice shall be published in the newspaper of
39 general circulation in the county where the school is located.

40
41 On the date and at the time and place stated in the published notice (on or before August 20),
42 trustees shall meet to consider all budget information and any attachments required by law. The
43 meeting may continue from day to day; however, the Board must adopt a final budget not later
44 than August 25.

Special Meetings

Special meetings may be called by the Chairman or by any two (2) trustees. A written notice of a special meeting, stating the purpose of the meeting, shall be delivered to every trustee not less than forty-eight (48) hours before the time of the meeting, except that the forty-eight-(48)-hour notice is waived in an unforeseen emergency as stated in § 20-3-322(5), MCA. Such written notice shall be posted conspicuously within the District in a manner that will receive public attention. Written notice also shall be sent not less than twenty-four (24) hours prior to the meeting, to each newspaper and radio or television station that has filed a written request for such notices. **Business transacted at a special meeting will be limited to that stated in the notice of the meeting.**

Closed Sessions

Under Montana law, the Board may meet in closed sessions to consider matters of individual privacy. Before closing a meeting, the presiding officer must determine that the demands of individual privacy exceed the merits of public disclosure and so state publicly before going into closed session. The Board also may go into closed session to discuss a strategy to be followed with respect to litigation, when an open meeting would have a detrimental effect on the litigating position of the District. This exception does not apply if the litigation involves only public bodies or associations as parties. Before closing a meeting for litigation purposes, the District may wish to consult legal counsel on the appropriateness of this action. No formal action shall take place during any closed session.

Legal References:	§ 2-3-103, MCA	Public participation – governor to ensure guidelines adopted
	§ 2-3-104, MCA	Requirements for compliance with notice provisions
	§ 2-3-105, MCA	Supplemental notice by radio or television
	§ 2-3-201, MCA	Legislative intent – liberal construction
	§ 2-3-202, MCA	Meeting defined
	§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
	§ 20-1-305, MCA	School Holidays
	§ 20-3-322, MCA	Meeting and quorum
	§ 20-9-115, MCA	Notice of final budget meeting
	§ 20-9-131, MCA	Final budget meeting
	10.55.701, ARM	Board of Trustees

Policy History:

Adopted on: 1/14/13
Reviewed on: 9/22/2020
Revised on:

3 **THE BOARD OF TRUSTEES**

1401

4
5 Records Available to Public
6

7 All District records, except those restricted by state and federal law, shall be available to citizens for
8 inspection at the Clerk's office.
9

10 Any individual may request public information from the district. The district shall make the means of
11 requesting public information accessible to all persons.
12

13 Upon receiving a request for public information, the district shall respond in a timely manner to the
14 requesting person by:
15

- 16 (a) Making the public information available for inspection and copying by the requesting person; or
17 (b) Providing the requesting person with an estimate of the time it will take to fulfill the request if the
18 public information cannot be readily identified and gathered and any fees that maybe charged.
19

20 The district may charge a fee for fulfilling a public information request. The fee may not exceed the
21 actual costs directly incident to fulfilling the request in the most cost-efficient and timely manner
22 possible. The fee must be documented. The fee may include the time required to gather public
23 information. The district may require the requesting person to pay the estimated fee prior to identifying
24 and gathering the requested public information.
25

26 The district is not required to alter or customize public information to provide it in a form specified to
27 meet the needs of the requesting person. If the district agrees to a request to customize a records request
28 response, the cost of the customization may be included in the fees charged by the district.
29

30 In accordance with § 20-9-213(1), MCA, the record of the accounting of school funds shall be open to
31 public inspection at any meeting of the trustees. A fee may be charged for any copies requested. Copies
32 will be available within a reasonable amount of time following a request.
33

34 A written copy of Board minutes shall be available to the general public within five (5) working days
35 following approval of the minutes by the Board. If requested, one (1) free copy of minutes shall be
36 provided to local media within five (5) working days following approval by the Board.
37

38 Legal References: § 2-6-1003, MCA Access to Public Information
39 § 2-6-1006, MCA Public Information requests - fees
40 § 20-3-323, MCA District policy and record of acts
41 § 20-9-213, MCA Duties of trustees
42

43 Policy History:

44 Adopted on: 3/1/28

45 Reviewed on:

46 Revised on:

1 **Miami Elementary**

2
3 **THE BOARD OF TRUSTEES**

1402

4
5 **School Board Use of Email and Mobile Messaging**

6
7 Use of email and mobile messaging by members of the Board will conform to the same standards
8 of judgment, propriety, and ethics as other forms of school board-related communication. Board
9 members will comply with the following guidelines when using e-mail and mobile messaging in
10 the conduct of Board responsibilities:

- 11
- 12 1. The Board will not use e-mail or mobile messaging as a substitute for deliberations at
13 Board meetings or for other communications or business properly confined to Board
14 meetings.
 - 15
 - 16 2. Board members will be aware that mobile messages, e-mail and e-mail attachments
17 received or prepared for use in Board business or containing information relating to
18 Board business may be regarded as public records, which may be inspected by any
19 person upon request, unless otherwise made confidential by law.
 - 20
 - 21 3. Board members will avoid reference to confidential information about employees,
22 students, or other matters in e-mail and mobile communications, because of the risk of
23 improper disclosure. Board members will comply with the same standards as school
24 employees, with regard to confidential information.
 - 25
 - 26
 - 27

28 Cross Reference: 1400 Board Meetings
29 1401 Records Available to Public

30

31 Legal Reference:	§ 2-3-103, MCA	Public participation – governor to ensure guidelines adopted
32		
33	§ 2-3-201, MCA	Legislative intent – liberal construction
34	§ 2-3-203, MCA	Meetings of public agencies and certain associations of public agencies to be open to public – exceptions
35		
36	§ 20-3-322, MCA	Meeting and quorum
37		

38 **Policy History:**

39 Adopted on: 2-7-22

40 Reviewed on:

41 Revised on:

1 Miami Elementary

2
3 **THE BOARD OF TRUSTEES**

1420

page 1 of 3

4
5 School Board Meeting Procedure

6
7 Agenda

8
9 The authority to set the board agenda lies with the Board Chair in consultation with board members
10 and the clerk. The act of preparing the board meeting agendas can be delegated to the clerk.

11
12 The Board Chairperson must approve any items submitted by Board members or members of the
13 public, to be placed on the agenda. Citizens wishing to make brief comments about school programs
14 or procedures will follow the public comment procedures in district policy.

15
16 The agenda also must include a "public comment" portion to allow members of the general
17 public to comment on any public matter under the jurisdiction of the District which is not
18 specifically listed on the agenda, except that no member of the public will be allowed to
19 comment on contested cases, other adjudicative proceedings, or personnel matters. The Board
20 Chairperson may place reasonable time limits on any "public comment" period to maintain and
21 ensure effective and efficient operations of the Board. The Board shall not take any action on
22 any matter discussed, unless the matter is specifically noticed on the agenda, and the public has
23 been allowed opportunity to comment.

24
25 With consent of a majority of members present, the order of business at any meeting may be
26 changed. Copies of the agenda for the current Board meeting, minutes of the previous Board
27 meeting, and relevant supplementary information will be prepared and distributed to each trustee
28 at least twenty-four (24) hours in advance of a Board meeting and will be available to any
29 interested citizen at the Clerk's office twenty-four (24) hours before a Board meeting. An
30 agenda for other types of Board meetings will be prepared, if circumstances require an agenda.

31
32 Minutes

33
34 Appropriate minutes of all meetings required to be open must be kept and must be available for
35 inspection by the public. Unofficial minutes shall be delivered to Board members in advance of
36 the next regularly scheduled meeting of the Board. Minutes need not be read publicly, provided
37 that Board members have had an opportunity to review them before adoption. A file of
38 permanent minutes of Board meetings shall be maintained in the office of the Clerk, to be made
39 available for inspection upon request. A written copy shall be made available within five (5)
40 working days following approval by the Board.

41
42 Quorum

43
44 No business shall be transacted at any meeting of the Board unless a quorum of its members is
45 present. A majority of the full membership of the Board shall constitute a quorum, whether the
46 individuals are present physically or electronically. A majority of the quorum may pass a
47 resolution, except as provided in § 20-4-203(1), MCA, and § 20-4-401(4), MCA.

Electronic Participation

The Board may allow members to participate in meetings by telephone or other electronic means. Board members may not simply vote electronically but must be connected with the meeting throughout the discussion of business. If a Board member electronically joins the meeting after an item of business has been opened, the remotely located member shall not participate until the next item of business is opened.

If the Board allows a member to participate electronically, the member will be considered present and will have his or her actual physical presence excused. The member shall be counted present for purposes of convening a quorum. The Clerk will document it in the minutes, when members participate in the meeting electronically.

Any Board member wishing to participate in a meeting electronically will notify the Chairperson and District Clerk as early as possible. The Clerk will arrange for the meeting to take place in a location with the appropriate equipment so that Board members participating in the meeting electronically may interact, and the public may observe or hear the comments made. The Clerk will take measures to verify the identity of any remotely located participants.

Meeting Conduct and Order of Business

General rules of parliamentary procedure are used for every Board meeting. *Robert's Rules of Order* may be used as a guide at any meeting. The order of business shall be reflected on the agenda. The use of proxy votes shall not be permitted. Voting rights are reserved to those trustees in attendance. Voting shall be by acclamation or show of hands.

Rescind a Motion

A motion to rescind (cancel previous action) may be made anytime by any trustee. A motion to rescind must be properly noticed on the Board's agenda for the meeting. It is in order any time prior to accomplishment of the underlying action addressed by the motion.

Cross Reference: 1441 Audience Participation

Legal References:	§ 2-3-103, MCA	Public participation - governor to ensure guidelines adopted
	§ 2-3-202, MCA	Meeting defined
	§ 2-3-212, MCA	Minutes of meetings – public inspection
	§ 20-1-212, MCA	Destruction of records by school officer
	§ 20-3-322, MCA	Meetings and quorum
	§ 20-3-323, MCA	District policy and record of acts
	<i>Jones and Nash v. Missoula Co., 2006 MT2, 330 Mont 2005</i>	

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7

Policy History: 1/14/13
Adopted on: 9/22/2020
Reviewed on:
Revised on:

Miami Elementary

R

THE BOARD OF TRUSTEES

1420F

Notice Regarding Public Comment

Montana law requires school districts and other public agencies to include on the agenda for public meetings an item allowing public comment on any public matter not otherwise specifically listed on the agenda that is within the jurisdiction of the agency. The public comment portion of the agenda is not the time designated to hear items that are specifically listed/identified on the agenda.

For those individuals who desire to address the Board during the public comment portion of the meeting, if you haven't already done so, please sign your name to the sheet and indicate the general topic on which you will be commenting. The Board Chairperson will call individuals to speak in the order listed on the sheet provided. Please state your name prior to beginning your comment. There will be an opportunity for citizens who have not signed in to comment at the conclusion of the comment period. The Board would like to remind everyone in attendance to avoid violations of individual rights of privacy when providing comment. The Board is not authorized to hear comments on contested cases or other adjudicative proceedings.

By law, the District cannot take any action on any matter discussed during the public comment portion of the meeting as those matters are specifically not noticed on the agenda. The Board may take a matter raised during the public comment period under consideration for inclusion on a future agenda.

In accordance with Montana law, citizens have the right to comment on an item that is specifically listed on the agenda. Citizens will be permitted to do so when the item comes up for discussion and action. The board chair will indicate when the public has the opportunity to comment prior to board action on a particular agenda item.

The Board Chair has the authority to manage all public comment periods and will do so in accordance with state law and district policy.

9/22/2020

Miami Elementary

~~THE BOARD OF~~

R

TRUSTEES

1441

Audience Participation

The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. The Board also recognizes the statutory and constitutional rights of the public to participate in governmental operations. To allow fair and orderly expression of public comments, the Board will permit public participation through oral or written comments during the "public comment" section of the Board agenda and prior to a final decision on a matter of significant interest to the public. The Chairperson may control such comment to ensure an orderly progression of the meeting in the manner described in Policy 1420F.

Cross Reference: 1420 School Board Meeting Procedure

Legal Reference: Article II, Section 8, Montana Constitution – Right of participation
Article II, Section 10, Montana Constitution – Right of privacy
Chapter 2, Part 1, MCA Notice and Opportunity to Be Heard

Policy History: 1/14/13

Adopted on: 9/22/2020

Reviewed on:

Revised on:

THE BOARD OF TRUSTEES

1425

Abstentions From Voting

Section 20-3-323(2), MCA, requires the minutes of each Board meeting to include the voting records of each trustee present. As a general rule trustees should vote on all issues, unless casting a vote would be a violation of law. Under Montana law, instances in which it would be unlawful or inappropriate for a trustee to cast a vote on a particular issue include but are not necessarily limited to situations when the Board is considering hiring the relative of a trustee.

In addition, a trustee shall be allowed to abstain from voting to avoid the appearance of impropriety or the appearance of a perceived conflict. If a trustee abstains from voting, the abstention should be recorded in the minutes and may include an explanation of the reasons for the abstention. The Board discourages abstentions, unless the reasons are substantiated as provided herein.

Legal References:	§ 2-2-105, MCA	Ethical requirements for public officers and public employees
	§ 2-2-121, MCA	Rules of conduct for public officers and public employees
	§ 2-2-302, MCA	Appointment of relative to office of trust or emolument unlawful – exceptions – publication of notice
	§ 20-1-201, MCA	School officers not to act as agents
	§ 20-3-323, MCA	District policy and record of acts
	§ 20-9-204, MCA	Conflicts of interests, letting contracts, and calling for bids

Policy History:

Adopted on: 3/9/27

Reviewed on:

Revised on:

1 **Miami Elementary**

2
3 **THE BOARD OF TRUSTEES**

1511

4
5 Code of Ethics for School Board Members

6
7 AS A MEMBER OF MY LOCAL BOARD OF TRUSTEES, I WILL STRIVE TO IMPROVE PUBLIC
8 EDUCATION, AND TO THAT END I WILL:

9
10 Attend all regularly scheduled Board meetings insofar as possible and become informed concerning the
11 issues to be considered at those meetings;

12
13 Recognize that I should endeavor to make policy decisions only after full discussion at public Board
14 meetings;

15
16 Make all decisions based on available facts and my independent judgment and refuse to surrender that
17 judgment to individuals or special interest groups;

18
19 Encourage the free expression of opinion by all Board members and seek systematic communications
20 between the Board and students, staff, and all elements of the community;

21
22 Work with other Board members to establish effective Board policies and to delegate authority for
23 administration;

24
25 Recognize and respect the responsibilities that properly are delegated to the staff;

26
27 Communicate to the staff expression of public reaction to Board policies, school programs, or staff;

28
29 Inform myself about current educational issues, by individual study and through participation in programs
30 providing needed information, such as those sponsored by the Montana and National School Boards
31 Associations;

32
33 Support the employment of those persons best qualified to serve as school staff and insist on regular and
34 impartial evaluation of staff;

35
36 Avoid being placed in a position of conflict of interest and refrain from using my Board position for
37 personal or partisan gain;

38
39 Avoid compromising the Board or administration by inappropriate individual action or comments and
40 respect the confidentiality of information that is privileged under applicable law;

41
42 Remember always that my first and greatest concern must be the educational welfare of students
43 attending public schools.

44
45
46
47 Policy History:

48 Adopted on: 2 - 7 - 22

49 Reviewed on:

50 Revised on:

1 **Miami Elementary**

2
3 **THE BOARD OF TRUSTEES**

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4
5 Conflict of Interest

6
7 A trustee may not:

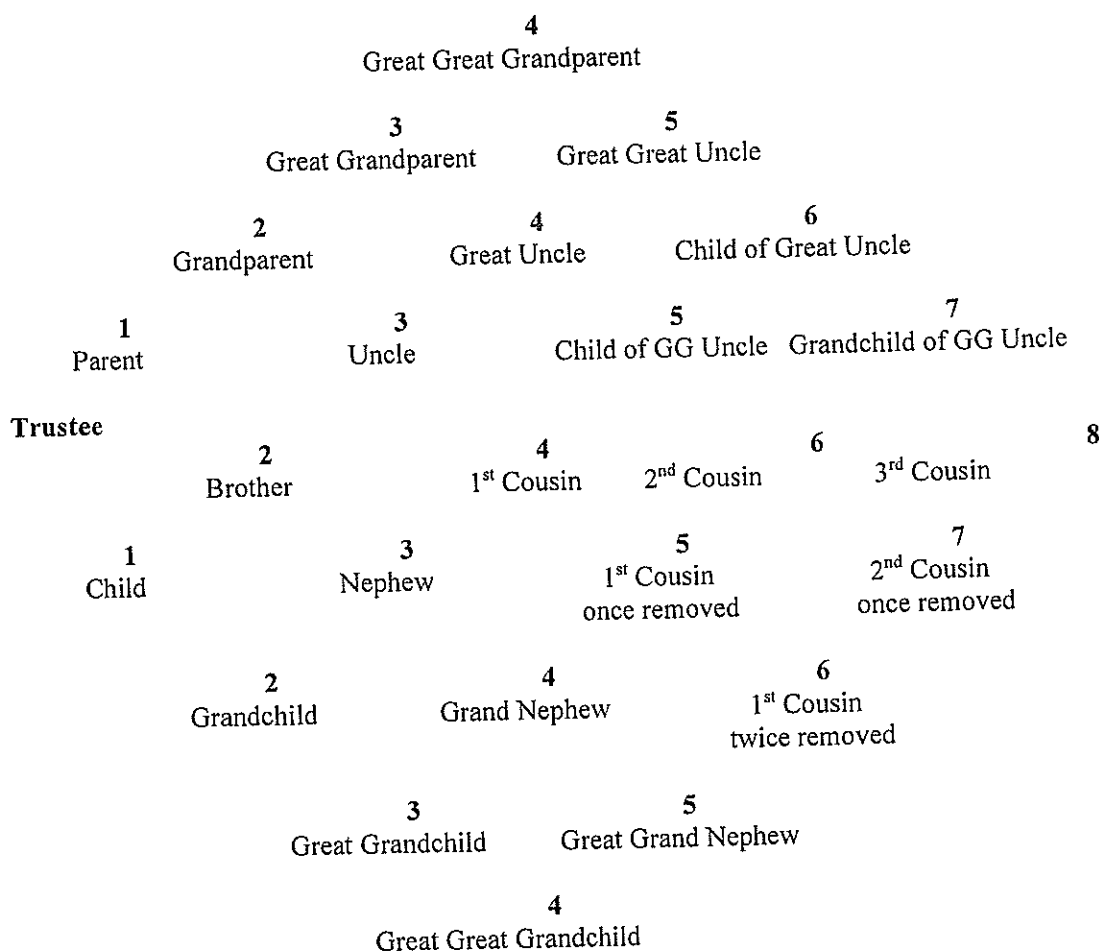
- 8
- 9 1. Engage in a substantial financial transaction for the trustee's private business purpose,
10 with a person whom the trustee inspects or supervises in the course of official duties.
11
 - 12 2. Perform an official act directly and substantially affecting, to its economic benefit, a
13 business or other undertaking in which the trustee either has a substantial financial
14 interest or is engaged as counsel, consultant, representative, or agent.
15
 - 16 3. Act as an agent or solicitor in the sale or supply of goods or services to a district.
17
 - 18 4. Have a pecuniary interest, directly or indirectly, in any contract made by the Board, when
19 the trustee has more than a ten percent (10%) interest in the corporation. A contract does
20 not include: 1) merchandise sold to the highest bidder at public auctions; 2) investments
21 or deposits in financial institutions that are in the business of loaning or receiving money,
22 when such investments or deposits are made on a rotating or ratable basis among
23 financial institutions in the community or when there is only one (1) financial institution
24 in the community; or 3) contracts for professional services other than salaried services or
25 for maintenance or repair services or supplies when the services or supplies are not
26 reasonably available from other sources, if the interest of any Board member and a
27 determination of such lack of availability are entered in the minutes of the Board meeting
28 at which the contract is considered.
29
 - 30 5. Be employed in any capacity by the District, with the exception of officiating at athletic
31 competitions under the auspices of the Montana Officials Association.
32
 - 33 6. Perform an official act directly and substantially affecting a business or other
34 undertaking to its economic detriment when the officer or employee has a substantial
35 personal interest in a competing firm or undertaking.
36
 - 37 7. Appoint or renew to a position of trust or emolument any person related or connected by
38 consanguinity within the fourth (4th) degree or by affinity within the second (2nd) degree.
39
 - 40 a. This prohibition does not apply to the issuance of an employment contract to a
41 person as a substitute teacher who is not employed as a substitute teacher for more
42 than thirty (30) consecutive school days.
 - 43 b. This prohibition does not apply to the renewal of an employment contract of a
44 tenured teacher or classified employee employed without a written contract for a
45 specific term related to a Board member, who was initially hired before the Board
46 member assumed the trustee position.
 - 47 c. This prohibition does not apply if trustees comply with the following

requirements: 1) **All trustees**, except the trustee related to the person to be employed or appointed, vote to employ the related person; 2) the trustee related to the person to be employed abstains from voting; and 3) the trustees give fifteen (15) days written notice of the time and place of their intended action in a newspaper of general circulation in the county where the school is located.

Degrees of Affinity

Affinity is the legal relationship arising as the result of marriage. Relationship by affinity terminates upon the death of one of the spouses or other dissolution of marriage, except when the marriage has resulted in issue still living.

Degrees of Consanguinity



Degrees of Affinity

			3
			Great Grandparent-in-law or Step Great Grandparent
		2	
		Grandparent-in-law or Step Grandparent	
	1		3
	Father/Mother-in-law or Step Parent		Uncle/Aunt-in-law Or Step Uncle/Aunt
	1	2	
Trustee	Spouse	Brother/Sister-in-law Or Step Sibling	
	1		3
	Step Child or Son/Daughter-in-law		Nephew/Niece-in-law or Step Nephew/Niece
		2	
		Step Grandchild or Grandchild-in-law	
			3
			Step Great Grandchild or Great Grandchild-in-law

Policy History:

Adopted on: 2-7-22

Reviewed on:

Revised on:

1 Miami Elementary

3 **THE BOARD OF TRUSTEES**

1513

5 Management Rights

7 The Board retains the right to operate and manage its affairs in such areas as, but not limited to:

- 9 1. Direct employees;
- 11 2. Employ, dismiss, promote, transfer, assign, and retain employees;
- 13 3. Relieve employees from duties because of lack of work or funds under conditions where
14 continuation of such work would be inefficient and nonproductive;
- 16 4. Maintain the efficiency of District operations;
- 18 5. Determine the methods, means, job classifications, and personnel by which District
19 operations are to be conducted;
- 21 6. Take whatever actions may be necessary to carry out the missions of the District in
22 situations of emergency;
- 24 7. Establish the methods and processes by which work is performed.

26 The Board reserves all other rights, statutory and inherent, as provided by state law.
27 The Board also reserves the right to delegate authority to the Superintendent for the
28 ongoing direction of all District programs.

33 Legal Reference: § 20-3-324, MCA Powers and duties
34 § 39-31-303, MCA Management rights of public employers
35 *Bonner School District No. 14 v. Bonner Education Association,*
36 *MEA-MFT, NEA, AFT, AFL-CIO, (2008), 2008 MT 9*

38 Policy History: 11/14/13
39 Adopted on: 9/22/2020
40 Reviewed on:
41 Revised on:

1 **Miami Elementary**

2
3 **THE BOARD OF TRUSTEES**

1520

4
5 Board/Staff Communications

6
7 Every reasonable means of communication is encouraged throughout the education community.
8 Nevertheless, an organization must maintain some order and structure to promote efficient and
9 effective communications.

10
11 Staff Communications to the Board

12
13 All official communications or reports to the Board, from principals, supervisors, teachers, or
14 other staff members, shall be submitted through the _____. This procedure shall not deny
15 any staff member the right to appeal to the Board from administrative decisions, provided that
16 the _____ shall have been notified of the forthcoming appeal and that it is processed
17 according to the applicable procedures for complaints and grievances.

18
19 Board Communications to Staff

20
21 All official communications, policies, and directives of staff interest and concern will be
22 communicated to staff members through the _____. The _____ will employ all such
23 media as are appropriate to keep staff fully informed of Board concerns and actions.

24
25 Visits to Schools

26
27 In accordance with Montana statutes, each trustee shall visit every school of the District at least
28 once each school fiscal year to examine its condition and needs. As a courtesy, individual Board
29 members interested in visiting schools should make arrangements for visitations through the
30 principals of the various schools. Such visits shall be regarded as informal expressions of
31 interest in school affairs and not as "inspections" or visits for supervisory or administrative
32 purposes.

33
34 Social Interaction

35
36 Staff and Board members share a keen interest in schools and education. When they meet at
37 social affairs and other functions, informal discussion about such matters as educational trends,
38 issues, and innovations and general District problems can be anticipated. **Discussions of**
39 **personalities or staff grievances are not appropriate.**

40
41 Legal Reference: § 20-3-324(22), MCA Powers and duties

42
43 Policy History:

44 Adopted on: 3/9/20

45 Reviewed on:

46 Revised on:

1 Miami Elementary

1521

2
3 **THE BOARD OF TRUSTEES**

4
5 Board-County Superintendent Relationship

6
7 The Board-County Superintendent relationship is based on mutual respect for their
8 complementary roles. The relationship requires clear communication of expectations regarding
9 the duties and responsibilities of both the Board and the Superintendent.

10
11
12 Policy History:

13 Adopted on: 3/9/22

14 Reviewed on:

15 Revised on:

5 Trustee Expenses

7 Expenses for Board Members - In-District

9 The members of the trustees of any district may not receive compensation for their services as trustees.

10 The members of the trustees who reside over 3 miles from the trustees' meeting place may be reimbursed
11 at the rate as provided in 2-18-503 for every mile necessarily traveled between their residence and the
12 meeting place and return in attending the regular and special meetings of the trustees, and all trustees
13 must be similarly reimbursed for meetings called by the county superintendent. The travel reimbursement
14 may be accumulated during the school fiscal year and paid at the end of the fiscal year, at the discretion of
15 each trustee.

17 A trustee is entitled to collect mileage at a rate equal to the mileage allotment allowed by the United
18 States internal revenue service for the current year for the first 1,000 miles and 3 cents less per mile for all
19 additional miles traveled within a given calendar month.

21 A trustee must file a reimbursement for mileage form, prior to July 1 of each year, requesting
22 reimbursement for the fiscal year. The form may be obtained from the District Clerk/Business Manager.

24 Expenses for Board Members at Out-of-District Meetings

26 Trustees normally attend workshops, training institutes, and conferences at both the state and national
27 levels. The District will pay all legitimate costs for trustees to attend out-of-District meetings, at
28 established rates for reimbursement set by the District:

- 30 1. Transportation as approved by the Board;
- 31 2. On-site transportation during the course of the meeting, i.e., bus, taxi, or rental car;
- 32 3. Hotel or motel costs for trustee, as necessary;
- 33 4. Food costs as necessary;
- 34 5. Telephone services for necessary communications with business or family, resulting from the
35 trustee being away from the District;
- 36 6. Incidental expenditures for tips and other necessary costs attributable to the trustee's attendance
37 at a meeting; however, the District will not reimburse or pay for such items as liquor, expenses of
38 a spouse, separate entertainment, or other unnecessary expenditures.

40 Legal Reference:	§2-18-503, MCA	Mileage - allowance
41	§20-3-311, MCA	Trustee reimbursement and compensation of
42		secretary for joint board.

43 Policy History:

44 Adopted on: 2-7-22

45 Reviewed on:

46 Revised on:

1 **Miami Elementary**

2
3 **THE BOARD OF TRUSTEES**

1532

4
5 Trustee Insurance

6
7 The District shall maintain sufficient insurance to protect the Board and its individual members
8 against liability arising from actions of the Board or its individual members while each is acting
9 on behalf of the District and within the trustee's authority.
10

11
12
13 Legal References: § 20-3-331, MCA Purchase of insurance – self-insurance plan
14 § 20-3-332, MCA Personal immunity and liability of trustees
15

16 Policy History:

17 Adopted on: 2 - 7 - 22

18 Reviewed on:

19 Revised on:

1 **Miami Elementary**

2 **THE BOARD OF TRUSTEES**

1610

3
4
5 Annual Goals and Objectives

6
7 Each year the Board will formulate or review the goals of the District that reflect the District's
8 strategic plan of education. At the conclusion of each school year, the Board Chair shall report
9 to the Board information which reflects the accomplishments towards the goals of the District.

10
11
12 The Chairperson may appoint a committee of the Board to annually review the goals and report
13 to the Board

14
15
16 Legal Reference: 10.55.701, ARM Board of Trustees

17
18 Policy History:

19 Adopted on: 9/22/2023

20 Reviewed on:

21 Revised on:

Miami Elementary

THE BOARD OF TRUSTEES

1620

Evaluation of Board

At the conclusion of each year, the Board may evaluate its own performance in terms of generally accepted principles of successful Board operations.

The Board may choose to evaluate the effectiveness of the processes it employs in carrying out the responsibilities of the District. Those processes include but are not limited to: team building, decision making, functions planning, communications, motivation, influence, and policy.

Policy History:

Adopted on: 2/9/22

Reviewed on:

Revised on:

Miami Elementary

THE BOARD OF TRUSTEES

1621

In-Service Conference for Trustees

In keeping with the need for continued boardsmanship development, the Board encourages the participation of its members at appropriate Board conferences, workshops, conventions, and District-sponsored in-service training sessions. Funds for participation at such meetings will be budgeted on an annual basis.

Policy History:

Adopted on: 2/9/22

Reviewed on:

Revised on:

2
3 **THE BOARD OF TRUSTEES**

1630

4
5 Utilization of Montana School Boards Association

6
7 The Board is a dues-paying member of the Montana School Boards Association (MTSBA).
8 Since the Association provides a variety of dues-based benefits and services in response to
9 members' needs and develops and implements a legislative program at the direction of its
10 members, Board members are encouraged to participate in the governance and dues-based
11 services of the Association.

12
13 Given the complex nature of both state and federal laws applicable to school districts and the
14 vast resources available through MTSBA to assist our school district as a member, it is essential
15 to the governance and operations of our District that the Board of Trustees and administration
16 take advantage of the dues-based services available through MTSBA on legal, policy, human
17 resource, collective bargaining, training, advocacy and other issues that impact and affect our
18 District.

19 Therefore the Board of Trustees directs trustees and the administration to maximize the value of
20 our membership dues through use of the dues-based services available through MTSBA on
21 routine legal matters, policy issues, collective bargaining matters, human resource, training and
22 advocacy matters. Prior approval from the Board is required prior to expending District funds on
23 services that are otherwise available through MTSBA without a charge beyond dues.

24
25 Legal Reference: § 20-1-211, MCA Expenses of officers or employees attending
26 conventions – education associations

27 Policy History:

28 Adopted on: 3/9/22

29 Reviewed on:

30 Revised on:

1 Miami Elementary

2
3 **ADMINISTRATION**

1635

4
5 Internships

6
7 Internship means an agreement between a fully licensed Class 1, 2, or 3 educators, the school
8 district, and a Montana accredited educator preparation program. Internships are permitted in
9 endorsement areas approved by the Board of Public Education.

10
11 The Board recognizes the need to provide training opportunities for prospective teachers and
12 administrators. Internships for those in the process of acquiring teaching endorsements and/or
13 administrative credentials shall be considered and approved on an individual basis. The
14 Superintendent or designee involved will review the internship proposal with the candidate and
15 the university representative, much in the same manner as student teachers are assigned.

16
17 As part of an internship agreement, the parties must agree to the following:

- 18
19 (a) the intern will complete the requirements for the appropriate endorsement within three years;
20 (b) the school district will provide local supervision and support of the intern; and
21 (c) the accredited educator preparation program will approve the coursework and provide support
22 and periodic supervision.

23
24 An emergency authorization of employment granted by the Superintendent of Public Instruction
25 pursuant to §20-4-111, MCA is not a license; therefore is not eligible for an internship.

26
27 Legal Reference: § 20-4-111, MCA Emergency authorization of employment
28 ARM 10.55.602 Definitions
29 ARM 10.55.607 Internships
30 ARM 10.55.702 Licensure and duties of District
31 Administrator – District Superintendent
32 ARM 10.57.412 Class 1 and 2 Endorsements
33 ARM 10.57.413 Class 3 Administrative License

34
35
36 Policy History:

37 Adopted on: 2/9/20
38 Reviewed on:
39 Revised on:

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4
5 Board Participation in Activities

6
7 Members of the Board, collectively and individually, are encouraged to attend school activities,
8 social functions, and instructional programs at no cost to the trustees, in order to view and
9 observe such functions in operation. Attendance at such programs as musical presentations,
10 speech activities, clubs, dramatic productions, and athletic events, indicates interest in school
11 affairs and provides opportunity for more comprehensive understanding of the total school
12 program. Administration will provide appropriate communications to trustees to keep them
13 informed about activities they may wish to attend.
14
15
16

17 Policy History:

18 Adopted on: 3/9/22

19 Reviewed on:

20 Revised on:

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4
5 Uniform Complaint Procedure

6
7 The Board establishes this Uniform Complaint Procedure as a means to address complaints
8 arising within the District. This Uniform Complaint Procedure is intended to be used for all
9 complaints except those governed by a specific process in state or federal law that supersedes
10 this process or collective bargaining agreement. Matters covered by a collective bargaining
11 agreement will be reviewed in accordance with the terms of the applicable agreement.

12
13 The District requests all individuals to use this complaint procedure, when the individual
14 believes the Board or its employees or agents have violated the individual's rights under state or
15 federal law or Board policy.

16
17 The District will endeavor to respond to and resolve complaints without resorting to this formal
18 complaint procedure and, when a complaint is filed, to address the complaint promptly and
19 equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder
20 will not be impaired by a person's pursuit of other remedies. Use of this complaint procedure is
21 not a prerequisite to pursue other remedies and use of this complaint procedure does not extend
22 any filing deadline related to pursuit of other remedies.

23
24 Deadlines requiring District action in this procedure may be extended for reasons related but not
25 limited to the District's retention of legal counsel and District investigatory procedures.

26
27 Level 1: Informal

28
29 An individual with a complaint is first encouraged to discuss it with the appropriate employee or
30 building administrator, with the objective of resolving the matter promptly and informally. An
31 exception is that a complaint of sexual harassment should be discussed directly with an
32 administrator not involved in the alleged harassment.

33
34 Level 2: Board

35
36 When a complaint has not been or cannot be resolved at Level 1, an individual may file a signed
37 and dated written complaint to the Board stating: (1) the nature of the complaint; (2) a
38 description of the event or incident giving rise to the complaint, including any school personnel
39 involved; and (3) the remedy or resolution requested. This written complaint must be filed
40 within thirty (30) calendar days of the event or incident or from the date an individual could
41 reasonably become aware of such event or incident.

42
43 Upon written appeal, the Board will consider the decision in Level 1. Upon receipt of written
44 request for appeal, the Chair will place the appeal on the agenda of a regular or special Board
45 meeting. The Board will report its decision on the appeal, in writing, to all parties, within thirty
46 (30) calendar days of the Board meeting at which the Board considered the appeal. A decision of

the Board is final, unless it is appealed pursuant to Montana law within the period provided by law.

Legal Reference: Title IX of the Education Amendments of 1972 (Civil Rights Act)
Title II of the Americans with Disabilities Act of 1990
§ 504 of the Rehabilitation Act of 1973

Policy History:

Adopted on: 1/14/13
9/22/2020

Reviewed on:

Revised on: