ACTION

ITEM 15

DISMISSAL OF APPEAL OF EDUCATOR LICENSE, BPE CASE #2013-02

Rob Stutz
ITEM 16


Dr. Linda Vrooman Peterson
Regina Sievert
Dr. Janet Thompson, Team Chair
EXECUTIVE SUMMARY
DATE: JULY 2014

PRESENTATION: Recommend Approval of the State Exit Report from the April 2014 Follow-up Review and Regular Accreditation of the Bachelor of Science in Secondary Education – Broadfield Science at Salish Kootenai College

PRESENTER: Linda Vrooman Peterson, Ph.D.
Administrator
Accreditation and Educator Preparation Division
Office of Public Instruction

Cindy O’Dell, Ed.D.
Dean, Division of Education
Salish Kootenai College

Regina Sievert
Director, Bachelor of Science in Secondary Science Education
Division of Sciences
Salish Kootenai College

Janet Thomson, Ed.D.
Review Team Chairperson
Great Falls

OVERVIEW: On April 7-8, 2014, a three-person team conducted a follow-up accreditation review of the Division of Education’s Bachelor of Science in Secondary Education – Broadfield Science, a new program at the Salish Kootenai College (SKC). In 2010, the Board of Public Education approved provisional accreditation for the new program. Pursuant to the Professional Educator Preparation Program Standards, a follow-up review was facilitated by the Office of Public Instruction to examine the effective implementation of the new program. Based on the team’s exit report, the state superintendent recommends approval of the report and regular accreditation for the Broadfield Science Program at SKC.

The state exit report and accompanying documents are attached.

REQUESTED DECISION(s): Action

OUTLYING ISSUE(s): None

RECOMMENDATION(s): The state superintendent recommends approval of the State Exit Report from the April 2014 Follow-up Review and Regular Accreditation of the Bachelor of Science in Secondary Education – Broadfield Science at Salish Kootenai College.
MEMORANDUM

TO: Dr. Cindy O’Dell, Dean
Division of Education
Salish Kootenai College

Regina Sievert, Director
Bachelor of Science in Secondary Science Education
Salish Kootenai College

FROM: Dr. Linda Vrooman Peterson, Administrator
Accreditation and Educator Preparation Division
Office of Public Instruction

SUBJECT: Follow-up Accreditation Review State Exit Report

DATE: April 22, 2014

The site review team has completed the Accreditation Review State Exit Report of the April 7-8, 2014, follow-up review of the Bachelor of Science in Secondary Education – Broadfield Science program of the Division of Education at Salish Kootenai College (SKC). The state exit report includes the narrative summary and the “marked” copy of the Institutional Report (IR) of ARM 10.58.522, Broadfield Science. The reports are attached.

Please review the state exit report, narrative summary, and the IR, correcting errors and omissions. Return those corrections and omissions to the Office of Public Instruction within 30 days from the receipt of the state exit report. The Division of Education may write a rejoinder to the report as needed.

The team recommends to the Superintendent of Public Instruction full approval of the Broadfield Science program of the Division of Education at SKC.

The time line of the approval process is outlined below.

- May 21, 2014 – Division of Education provides corrections, omissions, and rejoinder, as necessary;
- July 2012 – State superintendent recommends to the Board of Public Education (BPE) approval of state exit report and regular accreditation status of the Broadfield Science program;
- July 2014 – Final action by the BPE.

For more information, contact Linda Vrooman Peterson by telephone at 406-444-5726, or by email at lvpeterson@mt.gov.

cc: Sandra Boham, Associate Academic Vice President, Salish Kootenai College
Dennis Parman, Deputy Superintendent, Office of Public Instruction
Nancy Coopersmith, Assistant Superintendent, Office of Public Instruction
On April 7-8, 2014, an on-site team conducted a follow-up visit to the Salish Kootenai College (SKC) campus to review the new Bachelor of Science in Secondary Education (BSSE) – Broadfield Science. The purpose of the follow-up visit was to verify the SKC Institutional Report (IR) as meeting the Professional Educator Preparation Program Standard ARM 10.58.522, Broadfield Science. Team members read documents, listened to program presentations, visited field placement sites, and interviewed education and science faculty, administrators, student teachers, and current and graduated candidates. The purpose of this document is to summarize the results of the team's findings.

**Sub-Chapter 5 – Teaching Areas: Specific Standards Initial Programs**

<table>
<thead>
<tr>
<th>ARM 10.58.501</th>
<th>General Requirements</th>
<th>MET</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARM 10.58.522</td>
<td>Science – Broadfield Science</td>
<td>MET</td>
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</table>

**Commendations**

- One hallmark of the BSSE program is its focus on student-centered learning. This focus is exhibited through relevant and culturally-sensitive curriculum, scaffolding purposeful field experiences, and providing ongoing support to ensure student success.
- Rigorous expectations are clearly defined and often reviewed with students and faculty. The BSSE is a program that requires engagement and commitment by students and faculty.
- The Accreditation Assessment Report and the Program Assessment Report were thorough and insightful.
- Salish Kootenai College, Division of Education, and their partners have built a culture of learning that engages students and adults alike in the pursuit of lifelong learning.
- Constant attention is given to meet the individual needs of the student, providing support when necessary through available tutoring, flexible scheduling of classes, early recognition of students’ needs and concerns, and ongoing interventions.
- The BSSE director is commended for her leadership, commitment, and tenacity while successfully implementing and continually growing the program.
- The dean of education is commended for innovative thinking and dedication to the creation of an education program that nurtures learning for all.
- The education, science, and math faculty are commended for their engagement in the cross-disciplinary effort that helps all students succeed.
• The SKC leadership is commended for its ongoing support of the Division of Education.
• The surrounding local education community expresses great respect for the division, program, faculty, and SKC.

The team wishes to thank the Salish Kootenai College community for the warm welcome, comfortable work environment, and pleasant lodging arrangements. From the first presentation to the conclusion of our visit, administration, staff, faculty, and students welcomed the team and responded in a transparent and forthright manner to every team question and request. A special thank you is extended to Dr. Cindy O’Dell, Division of Education Dean, and Regina Sievert, Broadfield Science Department Chair, for their leadership, organizational skills, and vision. Also, the team thanks the cross-disciplinary education and science faculty for their complete commitment to the Broadfield Science program.

Thank you all for a job well-done.
Salish Kootenai College
Follow-up Review of the Bachelor of Science in Secondary Education
Broadfield Science
April 7-8, 2014

Narrative Summary Report

Number and Name of Standard: **ARM 10.58.522 Broadfield Science**

Validating Statement
Following a thorough examination of the Institutional Report (IR) and supporting evidence, the review team verified that the Bachelor of Science in Secondary Education (BSSE) meets the standards for Broadfield Science ARM 10.58.522. Based on the evidence, the follow-up review team recommends regular accreditation for the Broadfield Science Program in the Secondary Education Department of the Division of Education at Salish Kootenai College (SKC).

Sources of Evidence
Presentations, electronic and hard copy exhibits, IR, program evaluation and assessment report, examples of student work, SKC Division of Education Program Review and Data Report, BSSE Accreditation Assessment Report, Program Assessment Report (AY 2012-2013), tour of Beaverhead and A. Mathias buildings. Interviews were conducted with education and science faculty, dean of the division of education, BSSE program evaluator, academic vice president, current and graduated teacher candidates, student teachers, supervising teachers at two high schools.

Assessment Aligned to Standard
Assessments were congruent and aligned with the Broadfield Science Program standard 10.58.522(7). Assessments were aligned with the approved 2010-2013 National Science Teachers Association (NSTA) Content Analysis for Secondary Science Courses.

Evaluation
The BSSE Broadfield Science Program is part of the newly formed Division of Education. The elementary and secondary faculty of this new division have worked collaboratively with the SKC science and math faculty in the design and implementation of the BSSE program. The BSSE program is a cross-disciplinary effort involving Science, Technology, Engineering, and Mathematics (STEM) and education faculty for the core curriculum along with the other faculty who teach the required courses. Regina Sievert, BSSE Department Chair, has designed and guided the development of the program in partnership with Cindy O’Dell, Dean of Education. The Program Assessment Report (AY 2012-2013) provides BSSE program learning outcomes; benchmark measures and expected level of student achievement; performance data, analysis, and summary. The faculty review the data and analyses on a regular and systematic basis to inform the need for programmatic changes. The BSSE program also aligns to the ARM 10.58.501, General Requirements.
The IR does not delineate clearly the courses used to meet specific substandards of ARM 10.58.522. Correct the IR by using the list provided below.

Standard (2)(a)(i) Mean Grade Point for BSSE Core Courses for 2010-2013 as referenced on page 11 of BSSE Accreditation Assessment Report and on pages 5 and 6 of the Salish Kootenai College Program Assessment Report (AY 2012 - 2013)

Standard (2)(a)(ii) EDUC 220, EDUC 306, EDUC 394, EDUC 395, MATH 108, MATH 109, MATH 110, MATH 241, BIOS 260, BIOS 261, BIOS 410, SCID 310
Standard (2)(a)(iii) OK
Standard (2)(a)(iv) EDUC 396
Standard (2)(b) EDUC 394, EDUC 395, SCID 301
Standard (2)(c) EDUC 206, EDCU 394, EDUC 395
Standard (2)(d) EDUC 206, EDUC 394, EDUC 395, EDUC 315
Standard (2)(e) EDUC 394, EDUC 395, EDUC 207, EDUC 495
Standard (2)(f) EDUC 342, EDUC 343, ENVS 203, EDUC 206, EDUC 394, EDUC 395, EDUC 306
Standard (2)(g) EDUC 394, EDUC 395
Standard (7)(a) GEOL 101, GEOL 102, PHYS 201, PHYS 203, PHYS 205
Standard (7)(b) EDUC 491
Standard (7)(c) NASD 210, EDUC 206, EDUC 306, ENVS 203, BIOS 410, BIOS 260
Standard (7)(d) BIOS 260, BIOS 261, PHYS 205, ENVS 203, GEOL 101-102,
Mistake EDUC 260 actually BIOS 260
Standard (7)(e) MATH 108, MATH 109, MATH 110, MATH 241
Standard (7)(f) BIOS 260, BIOS 410, ENVS 203,
Standard (7)(g) EDUC 206, EDUC 394, EDUC 395, SCID 301
Standard (7)(h) GEOL 101, GEOL 102, ASTR 110, ENVS 203, BIOS 260, BIOS 261 BIOS 410
Standard (7)(i) LFSC 330, 320, BIOS 410, BIOS 261, BIOS 260, BIOS 131, 130, 113, 112, 102, 101
Standard (7)(j) CHEM 150-151, CHEM 152-153, CHEM 140
Standard (7)(k) PHYS 201, PHYS 203, PHYS 205
Standard (7)(l) EDUC 394, EDUC 395, ENVS 203

Commendations
- One hallmark of the BSSE program is its focus on student-centered learning. This focus is exhibited through relevant and culturally-sensitive curriculum, scaffolding purposeful field experiences and providing ongoing support to ensure student success.
- Rigorous expectations are clearly defined and often reviewed with students and faculty. The BSSE is a program that requires engagement and commitment by students and faculty.
- The Accreditation Assessment Report and the Program Assessment Report were thorough and insightful.
- SKC, Division of Education, and their partners have built a culture of learning that engages students and adults alike in the pursuit of lifelong learning.
• Constant attention is given to meet the individual needs of the student, providing support when necessary through available tutoring, flexible scheduling of classes, early recognition of students needs and concerns, and ongoing interventions.
• The BSSE director is commended for her leadership, commitment, and tenacity while successfully implementing and continually growing the program.
• The dean of education is commended for innovative thinking and dedication to the creation of an education program that nurtures learning for all and each.
• The education, science, and math faculty are commended for their engagement in the cross-disciplinary effort that helps all students succeed.
• The SKC leadership is commended for its ongoing support of the Division of Education.
• The surrounding local education community expresses great respect for the division, program, faculty, and SKC.

Accreditation Recommendation
• Meets Standard
ITEM 17

RECOMMEND APPROVAL OF THE STATE EXIT REPORTS FROM THE FOCUSED REVIEWS IN NOVEMBER 2013 AND APRIL 2014 AND REGULAR ACCREDITATION OF THE DEPARTMENT OF EDUCATION AT THE UNIVERSITY OF GREAT FALLS

Dr. Linda Vrooman Peterson
Dr. Tim Laurent, UGF
Dr. Janet Thomson, Team Chair
EXECUTIVE SUMMARY
DATE: JULY 17, 2014

PRESENTATION: Recommend Approval of the State Exit Reports from the Focused Reviews in November 2013 and April 2014 and Regular Accreditation of the Education Program at the University of Great Falls

PRESENTER: Linda Vrooman Peterson, Ph.D.
Administrator, Accreditation and Educator Preparation Division
Office of Public Instruction
Tim Laurent, Ed.D.
Vice President of Academic Affairs
University of Great Falls
Janet Thomson, Ed.D.
Focused Review Chairperson
Great Falls

OVERVIEW: On October 8-11, 2012, an on-site team conducted the accreditation review of the Education Program at the University of Great Falls (UGF). At the time of the review, ARM 10.58.210 Conceptual Framework was designated “Met with Weakness,” and ARM 10.58.305(b) Assessment System and Unit Evaluation and ARM 10.58.523 Social Studies were designated “Not Met.” Since the time of the review, the Education Program faculty and the UGF administration established and implemented a plan to resolve the above deviations to the Professional Educator Preparation Program Standards. This presentation provides to the Board of Public Education (BPE) the State Exit Focused Review Reports from November 2013 and April 2014. Superintendent Juneau recommends approval of the state exit reports and regular accreditation for the Education Program. The report is attached.

REQUESTED DECISION(s): Action

OUTLYING ISSUE(s): Timeline of Accreditation Review of the UGF Education Program

- October 2012 – Regular accreditation site review
- Original findings: Social Studies – Not Met; Conceptual Framework – Met with Weakness; and Assessment System and Unit Evaluation (1)(b) Not Met
- May 2013 – New Program for Social Studies approved by BPE
- November 2013 – Conceptual Framework approved by BPE after UGF established the theoretical foundation of its program
- April 2014 – Clarification of the narrative report and specific deviation; UGF provided data that documented full implementation of the Assessment System and Unit Evaluation

RECOMMENDATION(s): Recommend Approval of the State Exit Reports of November 2013 and April 2014 and Regular Accreditation for the Education Program at the University of Great Falls.
MEMORANDUM

December 12, 2013

TO: Angel Turoski, Director
    Education Program
    University of Great Falls

FROM: Linda Vrooman Peterson, Ph.D.
    Accreditation and Educator Preparation

SUBJECT: Accreditation Focused Review Narrative Summary and Institutional Reports

On November 12, 2013, the Accreditation Focused Review Team completed the on-site review of Administrative Rules of Montana (ARM) 10.58.210 Conceptual Framework of the Education Program at the University of Great Falls (UGF).

The Focused Review Team examined the Education Program’s progress to correct the findings of the October 4-8, 2012, on-site review and the “met with weakness” designation of ARM 10.58.210 Conceptual Framework (CF).

Excerpt from the October 2012 Narrative Summary Report: No theory base was included in the Institutional Report (IR) nor was a consistent body of theory presented when requested. With the turnover of faculty since the last formal institutional review, revisiting the theoretical, philosophical and perhaps theological foundations of the CF is in order. It is particularly important that newer faculty have the opportunity for learning about and taking ownership in the totality of the CF.

During the on-site focused review, the Education Program provided sufficient evidence to verify its claim that the CF is now supported by a consistent theoretical foundation. The supporting documentation confirmed the establishment of process and procedures to annually review and revise the CF as necessary. This established review process includes regular opportunities for newer faculty to learn about the CF.

The Accreditation Focused Review Team verified that ARM 10.58.210 Conceptual Framework is met. The narrative summary and institutional reports are attached.

The Education Program will review and correct minor errors and omissions to the attached reports. These corrections are due to the Office of Public Instruction (OPI) 30 days following the receipt of the document.

For more information, contact me by telephone at (406) 444-5726, or by email at lvpeterson@mt.gov.

cc: Eugene McAllister, Ph.D., President, University of Great Falls
    Timothy Laurent, Ed.D. Vice President for Academic Affairs, University of Great Falls
    Dennis Parman, Deputy Superintendent
    Nancy Coopersmith, Assistant Superintendent

Attachments

The Montana Office of Public Instruction provides vision, advocacy, support, and leadership for schools and communities to ensure that all students meet today’s challenges and tomorrow’s opportunities.
Number and Name of Standard:  ARM 10.58.210 Conceptual Framework

Validating Statement
The Accreditation Focused Review Team verified that the Administrative Rules of Montana (ARM) 10.58.210 Conceptual Framework is met. The Education Program provided a thorough overview with supporting documentation of its progress toward meeting the standard.

Sources of Evidence
Interviews with Education Program Director and Education Faculty, Theoretical Foundation Essay, 2013 Conceptual Framework (CF) – Revised: Four Questions and Corresponding Performance Outcomes, Education Faculty meeting minutes, Professional Education Unit (PEU) Timeline, research-based articles and publication provided to faculty and staff, Candidate Knowledge, Skills, and Disposition Framework, Evidence of Professional Growth Rubrics

Assessment Aligned to Standard
The key assessments are aligned to the four questions of the CF framework.

- What does it mean to be human?
- What does it mean to participate in intellectual inquiry?
- What does it mean to make a living as a professional and to be a productive human being?
- What does it mean to participate in the spiritual and religious dimensions of life?

Evaluation
Based on the narrative report from the October 2012 Accreditation Review, the Education Program at University of Great Falls (UGF) is required to show that it meets ARM 10.58.210 CF, which was designated “met with weakness” in 2012. The UGF and the Education Program took this finding seriously. Minutes from the meeting on January 23, 2013, the Education Program discussed the reasons the CF was met with weakness:

1. The base theory was not evident;
2. New faculty were not on board when the CF was written;
3. The assessment was met with weakness because the CF was unclear.

Documentation confirms that the department started its work in earnest on January 23, 2013 by making several decisions to ensure compliance to the standard. The department decided to tie the CF more closely to the four university questions, and the three main ideas: forming the student, forming pedagogy, and forming practice. In addition, the department determined that the CF and Assessment System would be the focus of the 2013 summer retreat. Finally, to establish its commitment to strengthening a consistent theoretical foundation of the CF the department outlined its plan to read key research-based articles and publications, and incorporate ongoing discussions at the department’s regular meetings beginning Monday, January 28, 2013.

From January 2013 to November 2013 the department produced a final working draft of the CF that articulates theory to practice. The PEU timeline and meeting minutes provide validation of the ongoing review and revision process. In July 2013, the department gathered on campus for its annual summer
retreat that had been planned in January. During the 2013 summer retreat, the department made changes to the electronic CF and aligned the candidate knowledge, skills and dispositions to the CF. The faculty also established an action plan and timeline to ensure that new faculty have opportunities to learn about the CF and to participate in annual reviews and revisions, as necessary.

The review team recommends that ARM 10.58.210 Conceptual Framework is met and encourages the Education Program to continue its process to improve, refine and share its conceptual framework.

**Commendations**
The Education Program’s annual summer retreats are not included in faculty contracts; faculty volunteer their time. The UGF provides the space.

**Accreditation Recommendation**
Meets Standard
Number and Name of Standard: ARM 10.58.305 Assessment System and Unit Evaluation

Validating Statement
The University of Great Falls (UGF) Meets the Standard with Weakness. The on-site review has identified efforts for the development of an assessment system, but the team could not validate that the system is fully operational.

Sources of Evidence
UGF Teacher Education Program Handbook, Institutional Report (IR), The Assessment of Teaching and Learning (The Grid), and data reports for Conceptual Framework (CF), Evidence of Professional Growth (EPG), Evaluation for Student Teachers, Knowledge Skills and Dispositions (KSD), Praxis II Content Knowledge Reports, TEP interviews, Title II records presentation and alignment matrix presented on October 9

Assessment Aligned to Standard
The department utilizes an alignment matrix illustrating how various assessments and evaluations inform the Conceptual Framework (CF) performance outcomes. The staff have defined the outcomes by student benchmarks, identified responsible staff members, and indicated how the data are used.

Evaluation
The education department has multiple measures, but only a few have been used long enough to have longitudinal data (i.e., the KSD, EPG, and Praxis II). The KSD evaluation was the only formal assessment in use during the last visit. The department has recently developed a new evaluation tool for supervising classroom teachers, Evaluation Form for Student Teaching (EFST), which is in use for the first time. The department has contracted services for a new ACCESS based data warehouse.

Challenges noted by the department include inter-rater reliability among staff on the KSD, and the lack of consensus among department members to develop a common writing rubric for the EPG.

Commendations
The department is commended for their work to develop the assessment system, and their investment of time and resources in a new data warehouse. The development of the new evaluations indicates attention to the standards requirement for “multiple assessments.”

Improvements
The UGF has developed an assessment system, but it is not yet operational. The Education Unit has invested personal summer time, energy, and resources in developing an assessment system with four key assessments and beginning alignment with the CF performance outcomes. Alignment of the EPG to the CF is a component of this project and necessary as the assessment system becomes fully operational. Institutional support for these efforts will insure their continuance.

Accreditation Recommendation
Meets Standard with Weakness
April 8, 2014

Linda Vroom Peterson, PhD
Accreditation and Educator Preparation
Office of Public Instruction
PO Box 202501
Helena, MT 59620-2501

Linda,

Thank you for meeting with me Friday, April 4 to discuss our OPI accreditation. It was nice to uncover a source of the confusion over the past two years – an error in the standard that was identified as Not Met (10.58.305 b). It is also nice to have a clear plan for the next step.

As a recap, OPI identified three areas of concern for the University of Great Falls Education Program during the fall 2012 campus visit. The University has fixed two of the three concerns and has data to show compliance with the third concern.

Our Social Studies program, which corresponds to Standard 10.58.523, was originally evaluated as Not Met. The redesigned Social Studies program has been fixed, approved by OPI, and accepted by the BPE for provisional approval. We understand a follow-up from OPI will be necessary to move the program from provisional to full approval. The second area of concern was 10.58.210 Conceptual Framework - Met With Weakness. We have articulated our Conceptual Framework to OPI and OPI has acknowledged that our Conceptual Framework meets Standard 10.58.210 with your letter dated December 12, 2013. The Accreditation Focused Review Team verified that ARM 10.58.210 Conceptual Framework is met. Standard 10.58.210 Conceptual Framework is now ready to go to DPE for final approval. Two standards are interrelated in that the Assessment plan should be linked to the Conceptual Framework. Therefore, OPI and the University agreed to take 10.58.210 Conceptual Framework and 10.58.305 Assessment System and Unit Evaluation to the BPE together for action.

Our final item of concern was 10.58.305 Assessment System and Unit Evaluation that was evaluated as Met With Weakness. The standard has an overall item and three sub items, a), b), and c). The University of Great Falls was scored as Met With Weakness on Standard 10.58.305 because Substandard 10.58.305 b) was evaluated as Not Met. In reviewing correspondence between OPI and the University, the focus of communications has been on the link between the assessment plan and the Conceptual Framework. Without an acceptable articulation of the Conceptual Framework, OPI was not comfortable evaluating the standard as Met. However, in
reviewing 10.58.305, substandard b) does not include language about connection of the assessment plan to the Conceptual Framework. Substandard 10.58.305 a) identifies ... an assessment system with its professional community that reflects the conceptual framework. Therefore, it appears that there was a mistake made in the October 2012 OPI report to the University.

I ask that OPI either modify the original evaluation of 10.58.305 to Met or that the OPI adjust the evaluation of 10.58.305 b) to Met and 10.58.305 a) to Not Met.

To show compliance with the intention of Standard 10.58.305, the University of Great Falls will provide evidence of the link between our Conceptual Framework to our assessment plan. To show the implementation of our assessment plan, we will provide summary reports of the data that correspond to the metrics we use to evaluate students and the program. We will also provide examples of how the data helps us make decisions. This evidence should give OPI the confidence it needs to understand that our assessment system both assists the University and meets OPI standards. We will provide the information to you by June 15, 2014 so OPI can take Standards 10.58.210 Conceptual Framework and 10.58.305 Assessment System and Unit Evaluation to the BPE for action during their July meeting.

Please confirm that this plan meets all OPI concerns.

Thank you.

Sincerely,

Timothy G. Laurent

Timothy G. Laurent, Ed.D.
Vice President for Academic Affairs
May 19, 2014

Linda Vroom Peterson PhD
Accreditation and Educator Preparation
Office of Public Instruction
PO Box 202501
Helena MT 59620-2501

Linda,

As per your conversation with our Vice President of Academic Affairs, Dr. Timothy Laurent, in April, a plan for the University to demonstrate compliance with the Standard 10.58.305 was drafted by both of you. I quote his letter to you here:

Our final item of concern was 10.58.305 Assessment System and Unit Evaluation that was evaluated as Met With Weakness. The standard has an overall item and three subitems, a), b), and c). The University of Great Falls was scored as Met With Weakness on standard 10.58.305 because Substandard 10.58.305 b) was evaluated as Not Met. In reviewing correspondence between OPI and the University, the focus of communications has been on the link between the assessment plan and the Conceptual Framework. Without an acceptable articulation of the Conceptual Framework, OPI was not comfortable evaluating the standard as Met. However, in reviewing 10.58.305, substandard b) does not include language about connection of the assessment plan to the Conceptual Framework. Substandard 10.58.305 a) identifies ... an assessment system with its professional community that reflects the conceptual framework. Therefore, it appears that there was a mistake made in the October 2012 OPI report to the University.

I ask that OPI either modify the original evaluation of 10.58.305 to Met or that the OPI adjust the evaluation of 10.58.305 b) to Met and 10.58.305 a) to not met.

To show compliance with the intention of Standard 10.58.305 the University of Great Falls will provide evidence of the link between our Conceptual Framework to our Assessment plan. To show the implementation of our assessment plan we will provide summary reports of the data that correspond to the metrics we use to evaluate students and the program. We will also provide examples of how the data helps us make decisions. This evidence should give OPI the confidence it needs to understand that our assessment system both assists the University and meets OPI standards. We will provide the information to you by June 15, 2014 so OPI can take Standards 10.58.210 Conceptual Framework and 10.58.305 Assessment System and Unit Evaluation to the BPE for action in their July meeting.

In compliance with that request, please review the documents on the enclosed jump drive. You will find a folder with the current education assessment report using our old system and data to be presented at our summer retreat in July, labeled “2012-2014 Databases and Report”. That file
contains our electronic data as well as a summative report on our progress toward our old Conceptual Framework plan.

The next folder to review is “New assessment tools aligned with KSD”. This folder contains our draft work of the Conceptual Framework approved by you and Jan Thompson at the November 2013 visit. During that visit, Dr. Thompson suggested we consider aligning all our assessments with our KSD form. We had already begun work to align our KSD with the Montana EPAS rubrics to provide continuity for our graduates once hired in Montana schools. Once that alignment was completed, we revised the KSD and then aligned all other assessment tools to that one rubric and linked it all back to the new Conceptual Framework as Dr. Thompson suggested. All revisions will be voted on in July at our department summer retreat. This new alignment will necessitate a revision of most of our databases, and we have contracted this summer with our specialist to complete those revisions by September first.

The final folder contains meeting notes and earlier draft revisions of various forms.

The Education Department has worked diligently to make the requested revisions of our assessment system in the spirit of the report as well as the specific regulation. We believe we have met or exceeded the requirements of the standard, as well as the suggestions of the evaluators, and wish to have our designation changed to Met.

Thank you for your technical assistance and guidance on this issue.

Sincerely,

Angela K. Turoski, M.Ed.
Director of Education Program
University of Great Falls
June 3, 2014

Timothy Laurent, Ed.D.
Vice President for Academic Affairs
University of Great Falls
1301 20th St. S
Great Falls, MT 59405

Dear Dr. Laurent:

This letter is in response to your request that the Office of Public Instruction (OPI) either modify the original evaluation designation of ARM 10.58.305 Assessment System and Unit Evaluation to “Met” or adjust the evaluation of 305(1)(b) to “Met” and 305(1)(a) to “Not Met.” After careful review of the site team’s narrative report, scored Institutional Report (IR), and discussions with members of the site team, the OPI concurs with the findings of the site team that 305(1)(a) “Met” and (b) “Not Met” were accurately reported.

Since the accreditation site visit in 2012, the University of Great Falls (UGF) has worked in good faith to resolve the ARM 10.58.210 Conceptual Framework (CF) marked “Met with Weakness” and ARM 10.58.523 Social Studies marked “Not Met.” The UGF has resolved those two areas:

- Social Studies Content Areas were redesigned to ensure that the program aligned to the Professional Educator Preparation Program Standards. In July 2013, the Board of Public Education (BPE) authorized Provisional Approval for the New Program in Social Studies Content Areas.
- During the 2013 summer retreat, the Education Program established its commitment to strengthening a consistent theoretical foundation of the CF and made changes to the electronic CF that aligned the candidate knowledge, skills and dispositions to the four questions and outcomes of the CF. Action by the UGF will be reported to the BPE at its July 2014 meeting.

Finally, ARM 10.305(1)(b) designated as “Not Met” is the only unresolved finding from the October 2012 site visit. In its report, the site team confirmed that the department had developed an assessment system that met 305(1)(a), however, this system was not yet operational.

Operationalizing the assessment system requires compliance with substandard 305(1)(b) “...maintains an assessment system that provides regular and comprehensive information on applicant qualifications, candidate proficiencies, competence of graduates, unit operations, and program quality. Using multiple assessments from internal and external sources, the unit collects data from applicants, candidates, recent graduates, faculty, and other members of the professional community. The unit maintains a record of formal candidate complaints and documentation of their resolution. These data are regularly and systematically compiled, summarized, and analyzed to improve candidate performance, program quality, and unit operations. The unit maintains its assessment system through the use of information technologies.”
While several key assessment measures were identified in the IR during the October 2012 visit, most were new or had not been implemented long enough to produce longitudinal data. The structure of an assessment system was in place, but without at least two years of data, the department had no way to demonstrate use of the data and maintenance of the system.

To meet substandard ARM10.58.305 (1)(b), the UGF must provide evidence that the assessment system is now fully operational. Through the new ACCESS data warehouse, the UGF will produce reports that demonstrate the department’s ability to electronically collect, analyze, evaluate, and report aggregated and disaggregated data. Further, the UGF will show how the department has used the data regularly and systematically to inform decisions to improve candidate and program performance.

Through the review of this specific issue, I find that state exit report process needs to be improved. Next fall, I will convene a subcommittee of the Montana Council of Deans of Education to examine the state exit reporting process and provide suggested improvements. I invite you to participate in the process if your time allows.

Thank you for your commitment to Montana education through your hands-on work with the Education Program at the UGF.

For more information, contact Linda Vrooman Peterson by telephone at 406-444-5726, or by email at lvpeterson@mt.gov.

Sincerely,

Linda Vrooman Peterson, Ph.D.
Administrator
Accreditation and Educator Preparation Division
Office of Public Instruction

cc: Nancy Coopersmith, Assistant Superintendent
June 3, 2014

Linda Vrooman Peterson Ph.D.
Accreditation and Educator Preparation
Office of Public Instruction
PO Box 202501
Helena MT 59620-2501

Dear Linda:

I am sending you several emails. Within the emails you will find several documents:

1. My letter to you dated 4/8/14. This is to remind us of our conversation and our task.
2. A letter from Angel Turoski dated 5/19/14 explaining how our Education program complied with the tasks outlined in my 4/8/14 letter.
3. Attached documents Angel references in her letter.

I have read through all the material and find it to be complete and accurate. Please accept this as our report to show compliance with standard 10.58.305.

I believe the next step is a July BPE meeting in which OPI presents the University of Great Falls as in compliance with standards 10.58.210 and 10.58.305.

Please let me know if you need anything else from us. And, please let me know of the date, time and location of the July BPE meeting.

Thank you Linda. I have enjoyed working with you on this.

Sincerely,

Timothy G. Laurent

Dr. Timothy G. Laurent, Ed.D.
Vice President for Academic Affairs
Number and Name of Standard: ARM 10.58.305 Assessment System and Unit Evaluation

Validating Statement
The focused site visit and desk examination verified that the Education Program at the University of Great Falls (UGF) meets the Administrative Rules of Montana (ARM) 10.58.305 Assessment System and Unit Evaluation. The assessment system is now fully operational.

Sources of Evidence
Sources of evidence included correspondence with Dr. Laurent, correspondence from Professor Turoski, 2012 Accreditation Review Institutional Report and Narrative Summary, Professional Educator Preparation Program Standards, 2012-2013 Databases and Report, New Assessment Tools aligned with Knowledge, Skills, and Dispositions (KSD), KSD aligned with the Montana Educator Performance Appraisal System, Department of Education meetings minutes from November 2013 through April 2014, Evaluation Form for Student Teaching (EFST) data for 2012-2013 and 2013-2014, draft template student status checklist REVISED, working drafts of KSD rubric, draft of KSD Ethics Descriptors, KSD Student Tracking (Excel), Praxis II Content Knowledge Reports, Student Teaching Assignment Evidence of Professional Growth, The Heart of a Teacher: Identify and Integrity in Teaching

Assessment Aligned to Standard
Based on the examination of the sources of evidence above, specifically the 2012-2013 Databases and Report and the new assessment tools aligned to KSD, the education program at the UGF does align its assessments to the standards.

Evaluation
During the 2012 accreditation visit the Assessment System and Unit Evaluation was not yet operational. The structure of an assessment system was in place, but without at least two years of data, the Education Program had no way to demonstrate use of the data and maintenance of the system. To meet substandard ARM10.58.305 (1)(b), the UGF must provide evidence that the assessment system is fully operational.

From the time of the visit, the Education Program continued the development and implementation of its assessment system. The result is that the Education Program and the UGF community have collected and analyzed key data elements. The UGF provided evidence that it is capable of producing reports from these data. Through the new ACCESS data warehouse, the UGF provided evidence that the Education Program collects, analyzes, evaluates, and reports aggregated and disaggregated data. It is also evident that the Education Program faculty have begun to use the data regularly and systematically to inform decisions to improve candidate and program performance.

Accreditation Recommendation
Meets Standard
MEMORANDUM

June 30, 2014

TO: Timothy Laurent, Ed.D.
   Vice President for Academic Affairs
   University of Great Falls

   Angela K. Turoski, M.Ed.
   Director of Education Program
   University of Great Falls

FROM: Linda Vrooman Peterson, Ph.D.
       Accreditation and Educator Preparation

SUBJECT: Focused Review: ARM 10.58.305 Assessment System and Unit Evaluation

On June 30, 2014, the Office of Public Instruction completed the focused review and desk examination of Administrative Rules of Montana (ARM) 10.58.305 Assessment System and Unit Evaluation as implemented by the Education Program at the University of Great Falls (UGF).

The purpose of the focused review and desk examination was to follow-up with the UGF’s Education Program on its progress to correct the findings of the October 2012 that designated UGF met with weakness the requirements of ARM 10.58.305 Assessment System and Unit Evaluation.

An excerpt from the October 2012 Narrative Summary Report states: The on-site review has identified efforts for the development of an assessment system, but the team could not validate that the system is fully operational.

During the spring of 2014, the UGF and the Education Program Director provided sufficient evidence to verify its claim that the Assessment System and Unit Evaluation is now fully operational. Evidence also confirmed that the Teacher Education faculty have begun to regularly and systematically use these data to inform decisions to improve the program and candidate performance.

The Office of Public Instruction verifies that ARM 10.58.305 Assessment System and Unit Evaluation is now “MET.” The narrative summary and corresponding documents are attached.

For more information, contact me by telephone at (406) 444-5726, or by email at lvpeterson@mt.gov.
EXECUTIVE COMMITTEE (Item 18)

Sharon Carroll

ITEM 18

RECOMMEND ADOPTION OF THE AMENDMENTS OF ARM TITLE 10, CHAPTER 64 SCHOOL BUS DRIVER QUALIFICATIONS

Donell Rosenthal
EXECUTIVE SUMMARY  
DATE: JULY 2014

PRESENTATION: Amendment of ARM 10.64.201 regarding Bus Driver Qualifications

PRESENTER: Donell Rosenthal  
Director of Pupil Transportation  
Office of Public Instruction

OVERVIEW: The Superintendent of Public Instruction is requesting the Board amend ARM 10.64.201 regarding Bus Driver Qualifications as proposed.

REQUESTED DECISION(S): Approval of Notice of Amendment for ARM 10.64.201

OUTLYING ISSUE(S): None

RECOMMENDATION(S): Action Item
BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF AMENDMENT
ARM 10.64.201 pertaining to school )
bus drivers )

TO: All Concerned Persons

1. On May 22, 2014, the Board of Public Education published MAR Notice
No. 10-64-266 pertaining to the public hearing on the proposed amendment of the
above-stated rule at page 1009 of the 2014 Montana Administrative Register, Issue
Number 10.

2. The board has amended ARM 10.64.201 as proposed.

3. The following comment was received.

COMMENT 1: Mike Kraut from Majestic Bus Service in Hamilton, Montana
stated that their company had been approved to receive background checks from
the Department of Justice and he was concerned that the language in (1)(b) would
prohibit them from being able to get the background reports.

RESPONSE: The board thanks the commenter for his comment and does
not feel that the rule will prohibit bus contractors from receiving background check
reports. However, local boards of trustees and bus contractors will need to work
together to implement the requirements of Arm 10.64.201.

_________________________________________  ___________________________________________
Peter Donovan     Sharon Carroll, Chair
Rule Reviewer     Board of Public Education

Certified to the Secretary of State July 28, 2014.
ACCREDITATION COMMITTEE  
(Items 19-20)

Bernie Olson

ITEM 19

RECOMMEND APPROVAL OF THE 2013-14  
FINAL ACCREDITATION STATUS OF ALL  
SCHOOLS

Dr. Teri Wing
EXECUTIVE SUMMARY
DATE: JULY 2014

PRESENTATION: 2013-2014 Annual Accreditation Report

PRESENTER: Teri Wing
Accreditation Compliance Specialist
Office of Public Instruction

OVERVIEW: The Office of Public Instruction Accreditation Specialist provides to the Board of Public Education the 2013-2014 Annual Accreditation Report. This presentation includes a review of the process used to determine accreditation status for all schools, analysis of the data, and a review of the accreditation determinations for all schools.

REQUESTED DECISION(S): Action

OUTLYING ISSUE(S): None

RECOMMENDATION(S): Approve accreditation status of schools as reported.
Annual Montana Accreditation Report
July 2014

The 2013 Annual Accreditation Report includes the following:

- Embargoed report on all accredited schools in Montana
- Review of summary data
- Review of the accreditation process, revised July 2013
ITEM 20

RECOMMEND APPROVAL OF THE PROPOSED TIMELINE FOR ARM TITLE 10, CHAPTER 63, PRE SCHOOL STANDARDS

Dennis Parman
EXECUTIVE SUMMARY
DATE: JULY 2014

PRESENTATION: Review of Preschool Program Rules (ARM Title 10, Chapter 63)

PRESENTER: Dennis Parman
Deputy Superintendent
Office of Public Instruction

OVERVIEW: A stakeholder workgroup has been working on new content, program and accreditation standards for preschool programs in public schools, which would be adopted by the Board of Public Education in ARM, Title 10, Chapter 63.

REQUESTED DECISION(s):

OUTLYING ISSUE(s):

RECOMMENDATION(s): Approve Proposed Timeline
PROPOSED TIMELINE
Chapter 63 Preschool Program Rules
July 17, 2014

- Introduction of rule revision process to the BPE ...................... May 9, 2014
- Public meetings with stakeholders work
  group ............................................................. May 27, Jun 24, and Jul 9, 2014
- Draft rules, proposed timeline and cost assumptions to BPE... Jul 17, 2014
- Draft rules submitted by the BPE to the Education and Local
  Government interim committee (20-7-101, MCA) ............... Aug, 2014
- Rule changes to the BPE for approval and authorization of
  publication of Notice of Hearing........................................ Sep 11-12, 2014
- Notice of hearing to SOS for publication in MAR ............ Sep 29, 2014
- MAR publication out ..................................................... Oct 9, 2014
- Hearing date (at least 20 days after notice published in
  MAR) ........................................................................... After Oct 29, 2014
- Final public comment deadline (at least 28 days after
  notice in MAR).......................................................... On or after Nov 6, 2014
- Final Rules to the BPE for approval of Adoption Notice... Nov 13-14, 2014
- Adoption Notice to SOS for publication in MAR ............. Dec 1, 2014
- MAR publication out ......................................................... Dec 11, 2014
- Effective (implementation) date of rules ............................. Jul 1, 2015
June 17, 2014

To: Board of Public Education
From: Dennis Parman, Deputy Superintendent
Subject: Implementation of Proposed Changes to ARM Chapter 59 Preschool Program Standards

Section 20-7-101, MCA requires the Board of Public Education to submit proposed rule changes to the Education and Local Government Interim Committee for review. The interim committee then requests a fiscal analysis to be prepared by the Legislative Fiscal Division (LFD). Upon completion of the analysis, the LFD provides its analysis to the interim committee and to the Governor's budget office (Office of Budget and Program Planning) to be used in the preparation of the executive budget.

According to the process that was established in 2009 by the Board of Public Education, the Office of Public Instruction, and the Legislative Fiscal Division, the Office of Public Instruction provides the Board of Public Education with a set of assumptions for development of the fiscal analysis. The board reviews the assumptions and provides these assumptions to the LFD to assist with the fiscal analysis.

OPI proposes the following assumptions to be used as the basis for the fiscal analysis of the proposed changes to ARM Chapter 59 Preschool Program Standards.

Assumptions:

1. School districts are not required through the rules proposed to the Board of Public Education to develop and implement a Preschool program.

2. The proposed rules do not require attendance of preschool aged students if a school district voluntarily implements a preschool program.

3. Under the proposed rules school districts may elect to contract with existing preschool programs. These programs would need to meet accreditation standards which may or may not
require changes to the program to meet these standards such as licensure and delivery of program standard. When contracting for services the host school district may or may not have a fiscal responsibility to make any changes needed by the vendor to meet accreditation standards.

4. Under the proposed rules school districts may elect to use an existing preschool program that operates under MCA 20-7-117. Kindergarten and preschool programs, which may or may not require additional changes to meet the proposed rules.

5. Under the proposed rules school districts may elect to start a new preschool program that operates under MCA 20-7-117. Kindergarten and preschool programs, which may or may not require additional changes to meet the proposed rules.
DISCUSSION

- MSDB LIAISON (Items 21-23)

Lila Taylor

ITEM 21

MSDB REPORT

Update on MSDB Superintendent Search

Lila Taylor
ACTION

ITEM 22

RECOMMEND APPROVAL OF PROPOSAL TO AMEND ARM TITLE 10, CHAPTER 59, MSDB FOUNDATION

Pete Donovan
BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the amendment of
ARM 10.59.103 pertaining to the
Montana School for the Deaf and
Blind Foundation.

NOTICE OF PROPOSED AMENDMENT
NO PUBLIC HEARING CONTEMPLATED

TO: All Concerned Persons

1. On July 17th, 2014, the Board of Public Education proposes to amend the above-stated rule.

2. The Board of Public Education will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Public Education no later than 5:00 p.m. on July 14th, 2014, to advise us of the nature of the accommodation that you need. Please contact Pete Donovan, Executive Director, Board of Public Education, 46 N. Last Chance Gulch, Helena, Montana, 59601; telephone (406) 444-0300; fax (406) 444-0847; or e-mail pdonovan@mt.gov.

AMENDMENT

4. The rule as proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

10.59.103 CONTENTS OF THE CONTRACT
(1) The contract between the board of public education and the foundation must require the foundation to have:
    (a) Articles of incorporation which without limitation stipulate that: the
    (i) The board of public education shall have one of its members serve as a member of the board of directors of the foundation for the duration of his term as board of public education member; and
    (ii) The superintendent of the school for the deaf and blind shall by virtue of his office be one of the directors of the foundation until his successor is duly appointed;
    (b) Bylaws which without limitation cover selection of officers, meetings, compensation for services and amendment procedures;
    (c) Policy which covers the acceptance, management and expenditure of foundation property, proceeds, interest and income.

AUTH: 20-8-103, MCA
IMP: 20-8-111, MCA

MAR Notice No. 10-59-100
REASON: The Board of Public Education strongly supports the Montana School for the Deaf and Blind, the Foundation, and all its students. However, Board members reside all across the state making it difficult to travel to Great Falls for meetings in addition to regularly scheduled Board of Public Education meetings. The Board of Public Education, in a joint effort with the Superintendent of the MSDB, made the decision to remove this requirement.

5. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to: Pete Donovan, Executive Director, Board of Public Education, 46 N. Last Chance Gulch, Helena, Montana, 59601; telephone (406) 444-0300; fax (406) 444-0847; or e-mail pdonovan@mt.gov, and must be received no later than 5:00 p.m., August 25th, 2014.

6. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to Pete Donovan at the above address no later than 5:00 p.m., August 25, 2014.

7. If the agency receives requests for a public hearing on the proposed action from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed action; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be 2 persons based on the number of members in the two affected parties. There are 7 Board of Public Education members and 11 MSDB Foundation members.

8. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in #5 above or may be made by completing a request form at any rules hearing held by the board.

9. An electronic copy of this proposal notice is available through the Secretary of State's web site at http://sos.mt.gov/ARM/Register. The Secretary of State strives to make the electronic copy of this notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site

MAR Notice No. 10-59-100
may be unavailable during some periods, due to system maintenance or technical problems.

10. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

11. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Pete Donovan    /s/ Sharon Carroll
Pete Donovan    Sharon Carroll
Rule Reviewer    Chair
Board of Public Education

Certified to the Secretary of State July 28, 2014.
ITEM 23

RECOMMEND APPROVAL OF MSDB POLICIES

Lila Taylor
### Terms of Employment Accreditation Master Schedule

**Current Year:** 2013-2014  
**Date:** 07/01/2013 - 06/30/2014

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<table>
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<th>Policy Area</th>
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<td>Evaluation of Personnel and the Alignment of the Mentoring Program Policy</td>
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<tr>
<td>Student Protection Procedures Policy</td>
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<td>District Goals Policy</td>
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<tr>
<td>Student Assessment Procedures Policy</td>
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<tr>
<td>Responsibilities of Board, Administration, and Staff Policy</td>
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<td>Due Process Policy</td>
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<td>Equity Policy</td>
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<td>Academic Freedom Policy</td>
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<td>Materials Selection Policy</td>
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<td>Copyright Policy</td>
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<td>Family Engagement Policy</td>
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<td>Distance Learning Policy</td>
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<tr>
<td>Significant Writing Program Policy</td>
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<td>Student Health Issues Policy</td>
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<td>Indian Education for All Policy</td>
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<tr>
<td>Professional Development Committee and Plan Policy</td>
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<tr>
<td>Gifted and Talented Program Policy</td>
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<th>Date</th>
<th>Activity</th>
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<td>All Staff</td>
<td>GTCC, MSDB</td>
<td>August 23, 2014</td>
<td>Orientation, Opening &amp; Dept, Building Equity-Assistive Technology, Working within the School Environment</td>
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<td>Orientation</td>
<td>All Staff</td>
<td>GTCC, MSDB</td>
<td>August 25, 2014</td>
<td>Grade Book, Classroom, etc.</td>
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<td>Record Keeping</td>
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<td>GTCC, MSDB</td>
<td>August 27, 2014</td>
<td>Core Management, ELL, Accessibility, Classroom Management</td>
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<td>August 28, 2014</td>
<td>Technology (Windows 7, iPad, etc.)</td>
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<td>GTCC, MSDB</td>
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<td>GTCC, MSDB</td>
<td>January 16, 2015</td>
<td>MANDI</td>
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</table>

**Notes:**
- **PIR 2014-15 (MSDB PIR = 5 days/30 hours)**
- **Hours:**
  - Hours 6
  - Hours 3
  - Hours 2
  - Hours 3
  - Hours 2
  - Hours 2
  - Hours 2
  - Hours 2
  - Hours 2
  - Hours 2

- **Groups:**
  - All Staff
  - Professional Staff

- **Provided By:**
  - GTCC
  - MSDB
  - Equity Assistance Center, Region & Kathy Rigsby
  - DHPS, Martin Vining
  - MANDI
  - Back & Associates
  - MCESR
  - Steve Beck

- **Dates:**
  - August 23, 2014
  - August 25, 2014
  - August 27, 2014
  - August 28, 2014
  - September 19, 2014
  - September 25, 2014
  - October 16, 2014
  - January 16, 2015
It shall be required that all permanent employees at the School have sign language skill commensurate with the requirements of their positions. This policy and related procedures apply to staff hired into or voluntarily transferred to positions with Sign Language Skill Standards (SLSS) after July 1, 2012. Job position SLSS either established or raised after staff members' job entry dates will not apply to these staff. The requirement for a professional development plan to increase sign language skills applies to all staff hired before July 1, 2012 and who have not achieved their Target Skill Level Standard in two consecutive Sign Language Proficiency Interview (SLPI) evaluations.

Purpose
The Montana School for the Deaf and the Blind (MSDB) recognizes the fundamental need and purpose of clear, consistent, and dependable communication as (1) a foundation for the development of language skills, (2) the basis for the development of interpersonal skills, and (3) critical to the sharing of information among all of the members of the MSDB campus community.

For some members of the MSDB community, the primary and most efficient method of communication is American Sign Language (ASL), Manually Coded English such as Signing Exact English (SEE) or some other form of manual communication, speech reading, or use of residual hearing. The primary purpose of the Employee Sign Language Skill policy is to encourage and support an optimal setting of signed communication for all students and staff across the MSDB campus. In recognition of and respect for the diversity of the MSDB student and staff population, MSDB staff need to possess the skills and knowledge needed to communicate and work effectively with all students and staff. MSDB recognizes that the level of these skills and the importance of acquiring these skills vary across MSDB staff. Procedures for implementing this policy include a process for determining reasonable accommodations that may be needed for some staff.

Evaluation Rating Standards and Process
The Superintendent shall establish a sign language skill evaluation review system which specifies the required skill level for each position at the School. Frequency, length, and type of communication required for interaction with students and staff who are deaf or hard of hearing are primary factors used in determining sign language skill level standards for selected MSDB staff positions. These standards are based on the Sign Language Proficiency Interview (SLPI:ASL) Rating Scale. SLPI:ASL entry and target skill level standards for MSDB staff positions and the SLPI Rating Scale are listed in Employee Sign Language Skills 5124P2 and Employee Sign Language Skills 5124P.

MSDB Job Position Skill Level Standards are included in staff position descriptions. For selected new positions or for potential changes to current skill level standards, the immediate supervisors, program administrators and Coordinating Interpreter meet to discuss standards for these positions. The administrators and Coordinating Interpreter make their recommendations for standards to the Superintendent. The Superintendent makes final decisions for standards and informs the immediate supervisors and administrators for positions and the Coordinating Interpreter of his/her decisions.

All MSDB Staff members, regardless of their date of hire, who have achieved their Target Skill Level Standard in two (2) consecutive SLPI:ASL evaluations, will not be required to be reassessed and will not be required to have a professional development plan for sign language skill development.
MSDB staff, hired after July 1, 2012, who are not at their SLPI Target Skill Level Standard at job entry are required to take the SLPI: ASL within 60 days of job entry dates unless they sign a statement indicating that they have no sign language skills.

All employees, regardless of their date of hire, not at their SLPI Target Skill Level Standard are required to have a professional development plan for skill development approved by their immediate supervisor. A professional development plan may include participation in MSDB-supported sign language skill development training and activities during duty time as well as participation in training and activities during non-paid duty time.

All e-Employees hired after July 1, 2012 who are not within one level of their Target Skill Level Standard are required to take the SLPI: ASL annually until they achieve their target skill level. Staff Employees hired after July 1, 2012 who are within one level of their target skill level are required to take the SLPI: ASL every three years until they achieve their standards. Staff are expected to achieve their standards within three (3) years from their job entry dates.

If a d/Deaf staff member is hired into a department/program and the current staff’s Target Skill Level is less than “Intermediate,” staff in that department will be required to improve the sign language skills to at least the “Intermediate Level” in compliance with the process outlined in this section of the policy.

Performance Requirement and Accommodations Waivers for Employees hired after July 1, 2012

Competency in sign language may be required to successfully perform the duties in some positions. Sign language skill development toward the target skill level will be considered in employee performance evaluations during the probationary/tenure must be demonstrated during the initial 3 year period after hire. For employees who have not achieved their sign language skill target, lack of progress in developing participation in a professional development plan to improve sign language skills during the probationary/tenure this period may constitute grounds for termination. Due to extenuating circumstances, employees who have a professional development plan in place, but have not achieved their target skill level after 3 years, in positions with skill level standards may apply for reasonable accommodation(s) a waiver to the target skill level. “Sign Language Entry/Target Skill Level Waiver Request” 5124F2. Employees may complete a “Request for Reasonable Accommodations for Sign Language Skill Level Standards,” 5124F1 and submit it to their immediate supervisor. All accommodations waivers must be approved by the program administrator and superintendent. Waivers may be renewable.

Recruitment and Hiring

MSDB will extend every effort to recruit and hire people with sign language communication skills, taking into consideration other expertise and skills required for each job position. For positions with sign language skill level standards, efforts will be extended to recruit people who are at or above the target skill level at time of hire. If there are no applicants who possess both the entry skill level and other needed job qualifications, the program administrator may submit a “Sign Language Entry/Target Skill Level Waiver Request” 5124F2 to the superintendent. The waiver must be approved by the superintendent prior to an offer of employment being extended to a new employee or the transfer of an existing employee.

Legal Reference: MCA 20-8-120 Communication Skills Required of Certain Employees

Policy History:
Adopted on: 10-14-92
Waiver must be approved prior to offer of employment being extended or in the case of a change in employment status of an existing employee.

SECTION A
(This section to be completed by Program Administrator)
(Upon completion of Section A, Program Administrator is to forward this form to Coordinating Interpreter for completion of Section B if this is for a current MSDB Employee. If this is for an outside applicant, forward this to the Benefits Specialist for completion of Section C.)

Program: __________________________ Program Administrator: __________________________

1. Name of individual needing Waiver: _____________________________________________

2. What position is this Waiver request for? (Title of Position) __________________________

3. What is the Entry Skill Level for this position? __________________________

4. What is the Target Skill Level for this position? __________________________

5. When is the projected start date for the individual to assume his/her new duties? ______

6. Is this individual a current MSDB employee? (Circle one) YES NO
   If YES, please forward this form to Coordinating Interpreter for completion of Section B (after completing the remaining questions and signing as indicated below). If NO, please forward to HR Director for review.

7. If this is an internal reassignment, promotion, reclassification, or demotion, has this been communicated with Human Resources? (Circle one) YES NO
   If you answered YES, with whom was this communicated? ______________________________________

8. If you answered NO to #7 above, has this individual already been placed in the position requiring a waiver? (Circle one) YES NO If YES, date of placement: __________________________
   (YES means you are requesting an after the fact waiver.)

9. Has a SLPI been conducted on this individual? (Circle one) YES NO
   If you answered NO to the above question, please explain why this individual has not had a SLPI conducted. If you answered YES, please give the date and results of the individual’s SLPI.
   ________________________________________________________
   ________________________________________________________

10. In which school department/cottage wing will this individual be placed?
9. What duties will be performed?


10. Will this individual be working alone in a building with Deaf and/or Hard of Hearing students?
   (Circle one)   YES   NO

11. If you answered *NO to #10, above, will there be any employees available for assistance who are capable of effective communication (for example, have Intermediate or above skills [as determined by the SLPI])?
   (Circle one)   YES   NO
   *NO implies that the individual will not be "alone," therefore, there should be an employee or some employees in the building.

12. If you answered YES to #11, above, have any of the employees who will provide assistance met his/her Sign Language Target Skill Level? (Circle one)   YES   NO
   If you answered YES, list the names of the employees and their most recent SLPI results:


13. Describe your plans for this individual’s sign language training. For example, how will you ensure coverage so that this individual may take advantage of sign language training opportunities? How will you monitor this individual’s progress towards achieving his/her recommended Sign Language Target Skill Level?


In the event this request for waiver is approved by the Superintendent, we understand that it is our responsibility to see that this individual is granted ample sign language training opportunities as sponsored by the Coordinating Interpreter both on and off campus if appropriate.


Program Administrator

Date

Department Supervisor (If applicable)

Date
SECTION B
This section to be completed by Coordinating Interpreter for current MSDB employees ONLY
(Upon completion of Section B, forward this form to the Benefits-Specialist Superintendent for completion of Section C)

1. Have previous waivers been approved for this individual? (Circle one) YES NO If YES, provide documentation of waiver history below and attach copies of previous waivers.

2. SLPI Evaluation History:

3. Sign Language Training History:

Coordinating Interpreter Date

SECTION C
(This section to be completed by the Benefits Specialist)
(Upon completion of Section C, forward this to the Superintendent for completion of Section D)

1. Has the named Program Administrator communicated this transaction with Human Resources? (Circle one) YES NO

2. What type of transaction is this? (Circle one) New Hire Transfer from another State agency Voluntary Transfer within Program Involuntary Transfer within Program Voluntary Transfer between Programs Involuntary Transfer between Programs Promotion Reclassification Demotion

4. Is this an “after the fact” Waiver request? (Circle one) YES NO

HR Director Date
SECTION D C
(This Section to be completed by the Superintendent)

_____ Approved
_____ Denied

Rationale:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Superintendent ______________________ Date ______________

Distribution to be handled by: Superintendent's Office with original going to Personnel File and copies to Staff Member, Program Administrator, and Coordinating Interpreter.
The Board of Trustees of the Montana School for the Deaf and the Blind is the governmental entity established by the State of Montana to plan and direct all aspects of the School’s operations, to the end that students shall have ample opportunity to achieve their individual and collective learning needs.

The policies of the Board define the organization of the Board and the manner of conducting its official business. The Board’s operating policies are those that the Board adopts from time to time to facilitate the performance of its responsibilities.

Legal Reference: § 20-3-323, MCA  District policy and record of acts
ARM 10.55.714

Policy History:
Adopted on: 11-04-05
Revised on: 07-18-14
The legal name of this School is the Montana School for the Deaf and the Blind, Cascade County, State of Montana. The School is classified as a state supported special purpose school and must be operated as a separate and independent unit and school of the State of Montana under the general supervision, direction and control of the Board of Public Education.

In order to achieve its primary goal of providing each child with the necessary skills and attitudes to become an effective citizen, the Board shall exercise the full authority granted to it by the laws of the state. Its legal powers, duties and responsibilities are derived from the Montana Constitution and state statutes and regulations. Sources such as the school laws of Montana, and the administrative rules of the Board of Public Education and the Office of Superintendent of Public Instruction delineate the legal powers, duties, and responsibilities of the Board.

Legal References: 20-8-101 MCA Montana School for the Deaf and the Blind-State Supported Special School
ARM 10.55.714

Policy History:
Adopted on: 11-04-05
Revised on: 07-18-14
Adoption and Amendment of Policies  1310

Proposed new policies and proposed changes in existing policies shall be presented in writing for reading and discussion at a regular Board meeting. Interested parties may submit views, present data or arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement by a person, relative to a proposed policy or amendment, should be directed to the Superintendent prior to the second (2nd) reading. The final vote for adoption shall take place not earlier than at the second (2nd) reading of the particular policy.

All new or amended policies shall become effective upon adoption, unless a specific effective date is provided in the motion for adoption.

Policies, as adopted or amended, shall be made a part of the minutes of the meeting at which action was taken and shall also be included in the School’s policy manual. Policies of the School shall be reviewed annually by the Superintendent.

Policy Manuals

The Superintendent shall develop and maintain a current policy manual which contains the policies of the School. Each administrator, as well as staff, students, and parents, shall have ready access to the manual. All policy manuals distributed to anyone shall remain the property of the School and shall be subject to recall at any time.

Suspension of Policies

Under circumstances which require a waiver of a policy, the policy may be suspended by a majority vote of the members present. In order to suspend a policy, all trustees board members must have received written notice of the meeting, which included a proposal to suspend the policies and an explanation of the purpose of such proposed suspension. If such a proposal is not made in writing in advance of the meeting, the policies may only be suspended by a unanimous vote of all trustees board members present.

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

Policy History:
Adopted on: 11-04-05
Revised on: 07-18-14
Records Available to Public  1401

All School’s records except those restricted by state and federal law shall be available to citizens for inspection at the Business office.

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

Fees will be charged as follows:

a) Copy of Board minutes or other materials - 15¢ per page

b) Time spent researching a copy project will be charged at the employee’s hourly rate of pay.

Legal Reference: § 20-3-323, MCA District policy and record of acts

Policy History:
Adopted on: 11-04-05
Revised on: 07-18-14
MSDB
THE BOARD OF TRUSTEES PUBLIC EDUCATION

School Board Meeting Procedure 1420

Agenda

The agenda for any MSDB Committee of the Board of Public Education meeting shall be prepared by the Superintendent. Items submitted by Board members to the Superintendent shall be placed on the agenda. Citizens may also suggest inclusions on the agenda. Such suggestions must be received by the Superintendent at least 15 days before the MSDB Committee meeting, unless of immediate importance. Individuals who wish to be placed on the meeting agenda must also notify the Superintendent, in writing, of the request. The request must include the reason for the appearance. If the reason for the appearance is a complaint against any School employee, the individual filing the complaint must demonstrate the Uniform Grievance Procedure step process has been followed. Citizens wishing to make brief comments about school programs or procedures or items on the agenda need not request placement on the agenda, and may ask for recognition by the Committee Chairman at the appropriate time.

The agenda must also include a “public comment” item in order to allow members of the general public to comment on any public matter under the jurisdiction of the School that is not specifically listed on the agenda, except that no member of the public will be allowed to comment on contested cases, other adjudicative proceedings, or personnel matters. The MSDB Committee Chairman may place reasonable time limits on any “public comment” item in order to maintain and ensure effective and efficient operations of the MSDB Committee. The School shall not take any action on any matter discussed, unless the matter is specifically noticed on the agenda, and the public has been allowed the opportunity to comment.

Upon consent of the majority of the members present, the order of business at any meeting may be changed. Copies of the agenda for the current MSDB Committee meeting, minutes of the previous MSDB Committee meeting, and relevant supplementary information will be prepared and distributed to each MSDB Committee member at least forty-eight (48) hours in advance of the MSDB Committee meeting, and will be available to any interested citizen at the Superintendent’s office twenty-four (24) hours prior to the MSDB Committee meeting. An agenda for other types of MSDB Committee meetings will be prepared if the circumstances necessitate an agenda.

Minutes

Staff shall keep written minutes of all open MSDB Committee meetings. The minutes shall include:

• The date, time, and place of the meeting;
• The presiding officer;
• MSDB Committee members recorded as absent or present;
Audience Participation 1441

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 public’s statutory and constitutional rights to participate in governmental operations. In order to permit fair and orderly expression of such comment, 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 Chairman may control such comment to ensure an orderly progression of the meeting.

Individuals wishing to be heard by the Chairman shall first be recognized by the Chairman. Individuals, after identifying themselves, will proceed to make comments as briefly as the subject permits. The Chairman may interrupt or terminate an individual’s statement when appropriate, including when statements are out of order, too lengthy, personally directed, abusive, obscene, or irrelevant. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings. **It is important for all participants to remember that Board meetings are held in public, but are not public meetings. Members of the public shall be recognized and allowed input during the meeting, at the discretion of the Chairman.**

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
§§ 2-3-101, et seq., MCA Right of participation

Policy History:
Adopted on: 11-04-05
Revised on: 07-18-14
• A summary of discussion on all matters discussed (including those matters discussed during the “public comment” section), proposed, deliberated, or decided, and a record of any votes taken; and
• Time of adjournment.

When issues are discussed that may require a detailed record, the MSDB Committee Chairperson may direct the staff to record the discussion verbatim. Any verbatim record may be destroyed after the minutes have been approved, pursuant to § 20-1-212, MCA.

Unofficial agendas or minutes shall be delivered to Board members in advance of the next regularly scheduled meeting of the MSDB Committee. Minutes need not be read publicly, provided that MSDB Committee members have had an opportunity to review them before adoption. A file of permanent agendas or minutes of MSDB Committee meetings shall be maintained in the Business office, to be made available for inspection upon the request. A written copy shall be made available within five (5) working days following approval by the MSDB Committee.

Cross Reference: 1441 Audience Participation

Legal Reference: § 2-3-103, MCA Public participation - governor to ensure guidelines
§ 2-3-212, MCA Minutes of meetings – public inspection
§ 20-1-212, MCA Destruction of records by school officer
§ 20-3-323, MCA School policy and record of acts

Policy History:
Adopted on: 11-04-05
Revised on: 07-18-14
The Board-Superintendent relationship is based on mutual respect for their complementary roles. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and the Superintendent.

The Board hires, evaluates, and seeks the recommendations of the Superintendent as the School chief executive officer. The Board adopts policies necessary to provide the general direction for the School and to encourage achievement of School goals. The Superintendent develops plans, programs, and procedures needed to implement the policies and directs the School’s day-to-day operations.

Cross Reference: 6110 Superintendent

Legal Reference: ARM 10.55.714

Policy History:
Adopted on: 11-04-05
Revised on: 07-18-14
Annual Goals and Objectives  1610

Each year, the Board will formulate annual objectives for the School and have available a written comprehensive philosophy of education with goals which reflect the School’s philosophy of education. The philosophy of education and goals shall be in writing and shall be available to the staff and to the public.

At the conclusion of the year, the Superintendent shall submit a report to the Board which shall reflect the degree to which the annual objectives have been accomplished.

Legal Reference:  10.55.701, ARM   Board of Trustees

Policy History:
Adopted on:  11-04-05
Revised on:  07-18-14
Members of the Board, collectively and individually, are encouraged to attend school activities, social functions, and instructional programs, in order to view and observe such functions in operation. Attendance at such programs as musical presentations, speech activities, clubs, dramatic productions, and athletic events, indicates interest in school affairs and provides opportunity for more comprehensive understanding of the total school program. Administration will provide appropriate communications to trustees board members to keep them informed about activities they may wish to attend.

Legal Reference: 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: 11-04-05
Revised on: 07-18-14
Curriculum Development and Assessment 2120

The Board of Public Education is responsible for the oversite of curriculum adoption, including the adoption of new textbooks and new courses; duties which are delegated to the Superintendent. The curriculum shall be designed to accomplish the learning objectives and goals for excellence contained in the Montana School for the Deaf and the Blind’s educational philosophy, mission statement, objectives, and goals.

Development and Assessment

A written sequential curriculum shall be developed for each subject area. The curricula shall address learner goals, content and program area performance standards and School education goals, and shall be constructed to include such parts of education as content, skills, and thinking. A curriculum review cycle and time lines for curriculum development and evaluations shall be developed as well.

The staff and administration will suggest materials and resources, to include supplies, books, materials and equipment necessary for development and implementation of the curriculum and assessment that are consistent with the goals of the education program. These materials shall be reviewed at least every five (5) years.

In all program areas and at all levels, the School shall assess student progress toward achieving learner goals and program area performance standards including: the content and data; the accomplishment of appropriate skills; the development of critical thinking and reasoning; and attitude. The School will use assessment results to improve the education program, and use effective and appropriate tools for assessing such progress. This may include, but is not limited to: standardized tests; criterion-referenced tests; teacher-made tests; ongoing classroom evaluation; actual communication assessments such as writing, speaking, and listening assessments; samples of student work and/or narrative reports passed from grade to grade; samples of students’ creative and/or performance work; and surveys of carry-over skills to other program areas and outside of school.

Cross Reference: 2000 §.09 Instruction Goals
2010 §.04 Instruction Objectives

Legal Reference: § 20-3-324, MCA Powers and duties
§ 20-4-402, MCA Duties as district superintendent or county high school principal
§ 20-7-602, MCA Textbook selection and adoption
10.55.701, ARM Board of Trustees
10.55.603, ARM Curriculum development and assessment

Policy History:
Adopted on: 7-18-03
Revised on: 07-18-14
Library Materials 2310

The Montana School for the Deaf and Blind has a library and instructional materials center with the primary objective of implementing and supporting the educational programs in the Department for the Visually Impaired and Department for the Hearing Impaired as well as the Outreach Program. It is the objective of the library to provide a wide range of materials in mediums that are accessible to sensory impaired students at appropriate levels of difficulty, with diversity of appeal.

The provision of a wide variety of library materials at all reading levels and in a variety of mediums supports the School’s basic principle that the school assists all students to develop their literacy skills and interests fully so that they become capable of contributing to the further good of that society.

In support of these objectives, the Board of Public Education reaffirms the principles of intellectual freedom inherent in the First Amendment of the Constitution of the United States and expressed in the School Library Bill of Rights, endorsed by the American Association of School Librarians in 1969.

Although the Superintendent is responsible for the selection of library materials, the ultimate responsibility rests with the Board.

The Board, acting through the Superintendent, thereby delegates the authority for the selection of library materials to the principal. The principal further delegates that authority to the librarian in the school.

School library and classroom library books are provided primarily for use by MSDB students and staff. Library books may be checked out by either students or staff. Individuals who check out books are responsible for the care and timely return of those materials. The principal may assess fines for damaged or unreturned books.

Students, parents, public school personnel, family support specialists and community health providers who are served by any program of the Montana School for the Deaf and Blind may borrow books and materials from any part of the collection currently available at the MSDB library (excluding reference materials, journals and computer software). This includes students, parents and professionals served by the on-campus education program in Great Falls, as well as those served by off-site consultants and family advisors with the outreach program.

Community members and others not affiliated with MSDB may borrow books or materials from the professional collection only. Under special circumstances, exceptions may be made at the Librarian’s discretion. The use of the library books outside of the School or circumstances specified in this policy is prohibited except for inter-library loan agreements with other libraries.
(NOTE: BY STATUTE, THE SUPERINTENDENT HAS AUTHORITY AND IS RESPONSIBLE FOR SELECTION OF LIBRARY MATERIALS SUBJECT TO THE APPROVAL OF THE BOARD. THE SUPERINTENDENT AND BOARD MAY NOT WANT TO DELEGATE THE RESPONSIBILITY.)

Legal Reference:

§ 20-4-402(5), MCA  Duties of District Superintendent or County High School Principal
§20-7-203, MCA  Trustees' policies for School Library
§20-7-204, MCA  School Library Book Selection
ARM 10.55.701  Board of Trustees

Policy History:
Adopted on: 11-16-03
Revised on: 07-18-14
MSDB
INSTRUCTION

Procedure for Development of Library Media Collection 2310P

The selection of library materials is a professional task conducted by the library staff. In selecting library materials, the librarian will evaluate the existing collection; assess curricula needs; consult with teaching and cottage staff; and administration and examine materials and consult reputable, professionally prepared selection aids.

Materials Selection Procedures

1) Criteria for Selection

The following criteria will be used for the selection of materials, where applicable. Materials shall:

a. Support and be consistent with the general educational goals of the school.
b. Support and be consistent with the objectives of specific courses.
c. Be of a medium which is accessible and suitable for sensory impaired students.
d. Be current.
e. Have aesthetic, literary or social value.
f. Be appropriate for the subject area and for the age, emotional development, ability level and social development of those for whom the materials are selected.
g. Be created by competent and qualified authors and producers.
h. Be chosen to foster respect for and gain an understanding of the contributions made to our civilization by minority and ethnic groups.
i. Provide a stimulus to creativity.
j. Represent differing viewpoints on controversial subjects with the goal of providing a balanced collection.
k. Be of acceptable technical quality.
m. Be selected in multiple copies when demand warrants.

2.) Process of Selection

a. During the selection process, the librarian(s) will evaluate the existing collection and assess curriculum and recreational needs. The library(s) will consult:

1. Reputable, unbiased, professionally prepared selection aids.
2. Teachers from departments and/or grade levels.
3. Cottage Life Attendants.
5. Recommendations for purchase will be solicited from school personnel, students, and parents.

b. To insure proper quality in content and technical aspects, materials may be ordered for preview before purchase.
c. A list of proposed reading materials will be made available for review by parents, teachers, cottage life attendants and students prior to ordering.

d. Recreational reading materials that have been ordered and received will be available for preview by parents, teachers, cottage life attendants and students.

Parental Discretion

Parents may request in writing that their minor child/children not be allowed to check out specific book titles, authors, and/or subjects.

Weeding

When materials no longer meet the criteria for selection, they shall be weeded. Weeding is a necessary aspect of selection, since every library will contain works which may have answered a need at the time of acquisition, but which, with the passage of time, have become obsolete, dated, unappealing, or worn out.

Discarded materials will be clearly stamped:

"WITHDRAWL FROM MONTANA SCHOOL FOR THE DEAF AND THE BLIND LIBRARY"

Materials will be discarded in compliance with § 20-6-604, MCA and with State agency regulations.

Materials Reconsideration Procedures (complaint procedure)
If a complaint is made (a complaint is defined as a verbal or written statement of opposition to a resource, requesting that it be reconsidered), the steps to be followed are:

1. Each complainant should be directed to the principal.
2. The principal will invite the complainant to complete and return the prepared reconsideration form.
3. The principal will notify the librarian and the __________ of the complaint.
4. If a reconsideration form is completed the principal will organize a committee (the principal, two teachers and the librarian, at least one parent, and a student representative) to reconsider the material. The committee will make its recommendation within ten (10) school days.
5. The principal will notify the complainant of the committee decision. If the complainant requests further action, the reconsideration form and school committee decision will be directed to the Superintendent of schools.
6. The Superintendent will appoint a committee (the librarian, one parent, one teacher, one building administrator and a student representative) to re-evaluate the material being questioned and to make recommendations.

7. The Superintendent and the committee may call in representative citizens for consultation.

8. Materials will be reviewed and reconsidered in light of objections raised. The committee will make its recommendation to the Superintendent within ten (10) school days.

9. The committee’s recommendation will be sent in writing to the complainant by the Superintendent within five (5) school days.

10. Within ten school days after receipt of the committee’s decision, the complainant may appeal to the Board of Public Education. The chairperson of the Board may appoint a committee of, but not limited to, two Board members, one administrator, one teacher and the librarian. If appointed, the committee will submit a recommendation to the Board through the Superintendent for its consideration. In the alternative the Board may review the complaint as a body-of-the-whole.

Gifts

Gift materials may be accepted with the understanding that they must meet criteria set for book selection. All gifts will be received by the School through the MSDB Foundation, Inc.

Cross Reference: INSTRUCTION 2314 Textbook and Instructional Materials

Legal Reference:

School § 20-4-402(5), MCA Duties of District Superintendent or County High
School § 20-7-203, MCA Trustees’ Policies for School Library
School § 20-7-204, MCA School Library Book Selection
ARM 10.55.701 Board of Trustees

Policy History:
Adopted on: 11-16-03
Revised on: 07-18-14
Selection, Review and Removal of Textbooks and Instructional Materials

The Board of Public Education is responsible for the selection, approval and provision of textbook and instructional materials (not to include personal consumable materials) necessary for a free public education; duties which are delegated to the Superintendent.

Textbooks and instructional materials, for the purposes of this policy, shall be considered to be any material used in classroom instruction, library materials, software or any materials to which a teacher might refer a student as part of the course of instruction. This includes instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Items that may be recommended, but are not necessary, for the successful completion of required courses and items required for elective courses are to be purchased on an optional basis by the student.

Textbooks and instructional materials should provide quality learning experiences for students and:

- Provide for strong instructional support in core curriculum areas, particularly in the areas of reading and writing and the expanded core areas of vocational and life skills.

- Stimulate growth in knowledge, and skills for the functional application of that knowledge.

- Provide background information to enable students to make intelligent judgments.

- Present opposing sides of controversial issues.

- Be representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.

Basic instructional course material in the fundamental skill areas of language arts, mathematics, science, and social studies should be reviewed at intervals not exceeding five (5) years. All instructional materials must be sequential and must be compatible with previous and future offerings.
Instructional materials may be made available for loan to students when the best interest of the student and School will be served by such a decision. Students will not be charged for normal wear. They will be charged replacement cost, however, as well as for excessive wear, unreasonable damage, or lost materials. The professional staff will maintain records necessary for the proper accounting of all instructional materials.

Removal
Textbooks may be removed when they no longer meet the criteria for initial selection, when they are worn out, or when they have been judged inappropriate through the Learning Materials Review Process.

Parental Review of Textbooks and Instructional Material

A student’s parents/guardian(s) may, within a reasonable time of the request, inspect any instructional material used as part of their child’s educational curriculum.

Parents or community members objecting to specific materials used in the School are encouraged to submit a complaint in writing and discuss the complaint with the principal prior to pursuing a formal complaint pursuant to the Materials Reconsideration Procedures (complaint procedure) Policy Instruction 2310P.

Cross Reference:

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Policy History:
Adopted on: 11-16-03
Revised on: 07-18-14
Curriculum committees will generally be responsible to recommend textbooks and major instructional materials purchases. Recommendations will be made to the Superintendent. The function of the committee is to ensure that materials are selected in conformance with stated criteria and established School goals and objectives. A curriculum committee will consist of representatives of the teachers, administrators and parents of students from the department for which the materials are being purchased. The selection for committee membership should be open, fair and result in a constituency that can best represent the needs of the students.

Selection and Adoption

Textbooks shall be selected by a curriculum committee representing the various staff who will likely be using the text. In most, but not all cases, an administrator will chair the committee. Each committee should develop, prior to selection, a set of selection criteria against which textbooks will be evaluated. The criteria should include the following along with other appropriate criteria. Textbooks shall:

- Be congruent with identified instructional and curricular objectives,
- Be aligned with State adopted academic standards,
- Be appropriate to the instructional needs of sensory impaired students
- Present more than one viewpoint on controversial issues,
- Facilitate the sharing of cultural differences,
- Be priced appropriately.

Removal

Textbooks may be removed when they no longer meet the criteria for initial selection, when they are worn out, or when they have been judged inappropriate through the five (5) year curriculum review process.

Legal Reference: § 20-4-402, MCA, Duties of District Superintendent or County High School Principal
§ 20-7-602, MCA, Textbook Selection and Adoption
ARM 10.55.701, Board of Trustees

Policy History:
Adopted on: 11-14-03
Revised on: 07-18-14
The Montana School for the Deaf and Blind recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for unauthorized copying or using of audio. Visual, electronic or printed materials and computer software, unless the copying or using conforms to the “fair use” doctrine.

Under the “fair use” doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, new reporting, teaching, scholarship or research.

While MSDB encourages its staff to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of School staff to abide by MSDB’s copying procedures and obey the requirements of the law. Under no circumstances shall it be necessary to MSDB staff to violate copyright requirements in order to perform their duties properly.

Any staff member who is uncertain whether reproducing or using copyrighted material in a particular instance complies with the MSDB’s procedures or is permissible under the law should contact the Superintendent. The Superintendent will assist staff in obtaining proper authorization to copy or use protected materials when such authorization is required.

ARM 10.55.701 Board of Trustees

Policy History:
Adopted on: 07-18-03
Revised on: 07-18-14
MSDB
INSTRUCTION

Academic Freedom, Controversial Issues and Prayer in School

The Montana School for the Deaf and Blind shall offer courses of study which will afford learning experiences appropriate to the level of student understanding. The instructional program shall respect the right of students to face issues, to have free access to information, to study under teachers in situations free from prejudice, and to form, hold and express their own opinions without personal prejudice or discrimination.

Teachers shall guide discussions and procedures with thoroughness and objectivity to acquaint students with the need to recognize opposing viewpoints, importance of fact, value of good judgment and the virtue of respect for conflicting opinions.

The Board encourages and supports the concept of academic freedom, recognizing it as a necessary condition to aid in maintaining an environment conducive to learning and the free exchange of ideas and information.

In the study or discussion of controversial issues or materials, however, the Board directs the teaching staff to take into account the following criteria:

1. relative maturity of students;
2. School philosophy of education;
3. community standards, morals and values;
4. the necessity for a balanced presentation; and
5. the necessity to seek prior administrative counsel and guidance in such matters.

It is the policy of the Board not to prevent, or otherwise deny participation in, constitutionally protected prayer in any of the school’s facilities, consistent with guidance issued by the U.S. Department of Education and applicable judicial decisions interpreting the religion clause of the First Amendment of the U.S. Constitution, and (1) this policy supersedes any other Board policy that is consistent with it.

Cross Reference: Student Rights and Responsibilities
3200 Student

Legal Reference: Article X, Sec. 8, Montana Constitution
§ 20-3-324 (16) and (17), MCA
ARM 10.55.701 Board of Trustees

Policy History:
Adopted on: 07-18-03
Revised on: 07-18-14
The MSDB recognizes the distinct contributions of the deaf and blind communities, American Indians, and America’s other distinct cultures, to our traditional and contemporary art, literature, social structure, values, heritage, history and contemporary perspectives. The curriculum adopted or used by the Montana School for the Deaf and Blind incorporates knowledge of the distinct and unique heritage of these cultures into the school’s education goals. The school’s content and performance standards reflect the connections among these diverse groups present in our country and state’s rich past providing students the opportunity to develop the knowledge skills and process necessary to understand our historical and present cultures.

In furtherance of the School’s educational goals, the MSDB is committed to:

1. Working cooperatively with the Montana Association for the Deaf, the Montana Association for the Blind and Montana tribes that are in close proximity to the School, when providing instruction when implementing educational goals or adopting rules relating to the education of the students;

2. Periodically reviewing its curriculum to ensure the inclusion of the cultural heritage of the Deaf, the Blind and American Indians, which will include, but not necessarily be limited to:
   a. considering methods by which to provide books and materials which reflect authentic historical and contemporary portrayals of these cultures;
   b. taking into account individual and cultural diversity and differences among students;
   c. providing necessary training to school personnel, with the objective of gaining an understanding and awareness of the Deaf, the Blind and American Indian cultures which will assist the staff in its relations with deaf or blind parents, the deaf and blind communities in Montana and American Indian students and their parents.

Cross Reference:

Legal Reference: Art. X, Sec. 1(2), Montana Constitution
                  20-1-501, et seq., MCA Recognition of American Indian Cultural Heritage
                  – Legislative Intent Curriculum Development and Assessment
                  10.55.701, ARM Board of Trustees

Policy History:
Adopted on: 07-18-03
Revised on: 07-18-14
Overview
Upon request from a local district, MSDB will provide assistance in determining the educational needs of students identified, or suspected of having a qualifying disability of deafness, hearing or visual impairment (20-8-102, MCA), and determining whether placement at MSDB is most appropriate and least restrictive in meeting those identified needs. Any recommendation for evaluation or placement of a student at MSDB will be preceded by a review of the student’s file by the School’s intake committee.

The School shall follow the mandates of the Individuals with Disabilities Education Act (IDEA), and the Administrative Rules of Montana regarding the Child Student Team (CST) evaluation and determination of eligibility for services, development of the IEP, and placement of students. The School shall follow any mandates of Montana Law regarding admission of students. A birth certificate and an immunization record are required for admission to the School.

In accordance with the Montana Immunization Law, a student will not be admitted who has not been immunized against diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles. If the student qualifies for conditional attendance or an exemption is filed as defined by Montana law, immunization may not be required.

I. Referral and Evaluation

A. Referral of a student, for evaluation, is accomplished through the following procedures:
   1. The student must be an enrolled student in a local district. The student’s IEP team from his/her local district then makes a written recommendation for an evaluation by MSDB. A release of all student records, signed by the parent/guardian must accompany the recommendation.
   2. Before an evaluation is conducted, the MSDB intake committee, comprised of the school psychologist, audiologist, orientation mobility specialist, speech/language pathologist, occupational and/or physical therapist, classroom teacher, Braille instructor, education administrator and when appropriate, residential counselor, health services director and residential administrator will conduct a file review to determine if:
      a. the student has a qualifying disability of deafness, hearing or visual impairment,
      b. the hearing or vision loss is significant enough to preclude the local district from being able to provide an appropriate education to the student,
      c. the nature and scope of the student’s academic, social/emotional and behavioral needs can be met by the available services and programs, at the time of referral, and more specifically the goals and objectives in the student’s current IEP can be accommodated by MSDB.
B. The file review must consider all current and previous educational records including:
   1. Eligibility for hearing or vision impairment
      a. Audiological evaluation
      b. Eye examination
      c. Communication evaluation
   1. Eligibility documentation for additional disabilities, if applicable
   2. Other relevant health records
   3. Current CST and current and previous IEP including;
      a. Education/psychological evaluation
      b. Developmental/cognitive assessment
      c. Classroom based assessments
      d. Behavioral observations
      e. Functional vision, Braille, assistive technology or orientation and mobility
         assessments as necessitated by the disability
      f. Hearing, speech/language, communication or as determined by the specific
         disability
      g. Occupational/physical therapy as determined by the specific disability
   1. Functional behavior assessment/behavior intervention plan, if applicable
   2. Relevant psychological assessments and/or reports from treatment specialist
   3. Transition plan and/or vocational evaluation, if applicable
   4. High school transcript, if applicable
   5. Attendance record
   6. Discipline reports
   7. Most recent report card
   8. Achievement scores
   9. Individual state assessments

C. A video tape review of the student in his/her current educational setting may be requested
   to supplement the file review.

D. If the intake committee determines that:
   1. the student does have a qualifying disability,
   2. the programs and services of MSDB are sufficient to meet the student’s identified
      needs, i.e., the student’s academic, social/emotional and behavioral needs can be met
      within or by the existing:
      a. programs,
      b. curricula,
      c. student groupings,
      d. and available staff,
   2. the student is not a danger to self or others,
   3. the student presents no physical or medically related health or safety issues which are
      beyond the scope of appropriate care by the education and health services staff,
   4. the student does not present systemic behavior which is disruptive to the educational
      process of the other students,

E. A recommendation will be made to conduct an educational evaluation on the MSDB campus.

F. The purpose of this evaluation is to gather additional assessment data, in MSDB’s unique
   educational setting, that will provide useful information to the IEP team.
Additionally the following criteria must be met before an on-campus evaluation can occur:
1. The student demonstrates self-help skills that are developmentally appropriate for his/her chronological age; i.e., self-feed, chew and swallow most foods, assist in dressing self, cooperate in bathing and toileting, and indicate an awareness of being soiled or wet at the preschool level.
2. Before a student is evaluated on-campus, the parent or local district must provide a medical examination form signed by a physician, a copy of the child’s immunization record, and complete contact information for the parent/guardian and the local district. Additional permission forms and releases must be signed by the parent/guardian if the student is residing in the cottages while the evaluation is being conducted.

G. An evaluation typically will not exceed 10 school days. The components of an on-campus evaluation may include but are not limited to:
1. academic achievement, developmental and/or cognitive assessment
2. classroom based assessments and behavioral observation
3. functional vision, Braille/reading media, technology, and/or orientation mobility for visually impaired students
4. audiological, speech/language and communication for hearing impaired students
5. assistive technology when appropriate
6. assessment of social, emotional and behavioral adjustment to the cottage setting if the student will be living in the residential program

During the term of the on campus evaluation it is understood that the IEP written by the local district will remain in force and the responsibility for FAPE remains with the referring district.

H. Upon completion of the evaluation a report will be made to the local district which may include information related but not limited to:
1. determination of eligibility for special education services,
2. educational implications and recommendations,
3. recommendations for support services,
4. recommendations for placement.

II. Placement and Admission

A. Placement and admission of students at MSDB is accomplished through the following procedures:
1. If, after the evaluation, the student’s parents and the local district are interested in placement at MSDB, the local district will conduct and IEP meeting and invite a representative from MSDB to attend. Placement at MSDB is contingent on the outcome of the evaluation and a recommendation of the MSDB evaluation team that the school can provide the most appropriate educational services for the student and that this placement option is the least restrictive setting for the implementation of those services. In accordance with an interagency agreement between the Office of Public Instruction and MSDB, a student may not be placed at MSDB by an IEP team without the concurrence of the MSDB representative.
2. In order for a child to be admitted as a student to MSDB, and following an IEP team placement decision, a parent or legal guardian must complete an application for admission. As part of the admissions packet a health history, general and extra curricular permissions, media release, notices of intent to test and directory
information, athletic information, and Internet use agreement must be signed by a
parent or guardian. The parent or guardian must also provide a certified copy of the
child’s social security card, medical insurance/Medicaid information, and any
applicable documents concerning custody or guardianship.

B. Additionally, the following criteria must be met for a student to be admitted to the
residential program:
1. the student does not present a danger to him or herself or others.
2. the student lives cooperatively with other students.
3. the student accepts and takes direction from cottage staff.
4. the student demonstrates self-help skills that are developmentally
appropriate for his/her chronological age; i.e., self-feed, chew and swallow most
foods, assist in dressing self, cooperate in bathing and toileting, and indicate an
awareness of being soiled or wet at the preschool level.

The parent or guardian of a student must visit the school prior to admission of the student and
they must accompany the student at the time of admission. No student will be admitted to the
Education or Residential Programs until the application is complete and all required
documents, permissions and releases are signed and filed in the school’s administration office.

III. Admission to the Residential Program

A. Admission of children as residents in the cottages at MSDB shall be as follows:
1. Any child otherwise determined as appropriate for admission to MSDB, under the
IDEA and as determined by the IEP team, who resides outside the Great Falls Public
School transportation district may reside in the cottages during the regular school year
if the student does not pose a threat to others and if the residential services available at
MSDB are sufficient to meet the student’s needs.
2. Any child otherwise determined, as appropriate for admission to MSDB, under the
IDEA and as determined by the IEP team, who resides within the Great Falls Public
School transportation district, but is determined by the IEP, to need transitional, life
skill, or social development, may reside in the cottages during the regular school year.
3. A request for the placement of any Great Falls Public School student into the
residential program must be reviewed by the superintendent, dean of students and
principal.
4. Placement of any student in the residential program must be concurred in by the
student’s parent(s) or guardian and is subject to annual review at the time of the IEP
meeting.

IV. Program, Grade or Classroom Placement

Determination of program, grade and or classroom placement of any student admitted to the MSDB
for an initial evaluation will be made by the intake committee based on a review of the student file,
discussions with the referring school district, the student’s parent(s) or guardian and MSDB staff.
The final placement will be determined by the IEP team at the end of the initial evaluation period.
V. Credit Transfer for Secondary Student

Montana Accreditation Rules and Standard, in accordance with local alternate procedures for earning credit, shall be applied to all credit transfer reviews. Requests for transfer of credit and/or grade placement from any non-accredited, non-public or home school shall be subject to examination and approval by the IEP team before the student is accepted by MSDB. Any such credit will be posted to a student’s transcript by the referring LEA.

A. When reviewing coursework for credit evaluation the IEP team will:
   1. document that the student has spent approximately the same number of classroom hours in the non-accredited, non-public or home school as the student would have spent in a regular class at MSDB;
   2. document that the student followed a curriculum, which is substantially similar to that in the course for which they are requesting credit;
   3. document that in the event of a request for credit in a lab, industrial arts, or music course, the equipment and facilities were sufficient to meet the required learning activities of the course;
   4. require that the student has satisfactorily passed, in all courses in which a final exam is normally given, a final exam that was prepared and administered by a staff member in the MSDB.

The MSDB will give credit only for non-accredited, non-public or home school courses that have met all requirements as specified in Montana law. Credit from non-accredited, non-public or home school coursework will only be accepted when a like course is offered at MSDB.

The student’s MSDB transcript will record courses taken in non-accredited, non-public or home school settings by indicating the title of the course, location where the course was taken, and the grade earned.

For purposes of calculation of class rank, only those courses taken in an accredited school will be used.

VI. Transfer to Local Education Agency

School policies regulating pupil enrollment from other elementary and secondary schools are designed to protect the educational welfare of the child and of other children enrolled at the MSDB.

A. The transfer of students from the Montana School for the Deaf and Blind to another educational placement shall occur pursuant to:
   1. recommendation of the IEP team;
   2. concurrence by the parents; and
   3. consultation with and acceptance by the local education agency.

Legal Reference:

IDEA PL 94-142
10.16.3007, ARM
10.16.3320, ARM
10.16.3321, ARM
10.16.3322, ARM
10.16.3340, ARM

Eligible Students Under the IDEA
Referral
Comprehensive Evaluation
Composition of a Child Study Team
Individualized Education Program and
§ 20-5-101, MCA
§ 20-5-403, MCA

§ 20-5-404, MCA
§ 20-5-405, MCA
§ 20-5-406, MCA
10.55.601 et seq., ARM
10.55.714, ARM

Placement Decisions
Admittance of child to school
Immunization required – release and acceptance
of immunization records
Conditional attendance
Medical or religious exemption
Immunization record
Accreditation Standards

Policy History:
Adopted on: 10-14-92
Revised on: 11-14-03
11-04-05
07-18-14
Equal Education, Nondiscrimination and Sex Equity  3210

Equal educational opportunities shall be available for all students without regard to race, color, national origin, ancestry, sex, ethnicity, language barrier, religious beliefs, physical and mental handicap or disability, economic or social conditions, or actual or potential marital or parental status or status as a homeless child. Any student may file a discrimination grievance using the procedure that follows this policy.

MSDB will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence because of disability against students, staff, or volunteers with disabilities. MSDB considers this behavior to constitute discrimination on the basis of disability, in violation of state and federal law.

Inquiries regarding discrimination or intimidation should be directed to the MSDB Title IX Coordinator. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

In compliance with federal regulations, MSDB will notify annually all students, parents, staff, and community members of this policy and the designated coordinator to receive inquiries. Notification should include the name and location of the coordinator and will be carried in all handbooks.

Accommodating Individuals with Disabilities

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

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

The Superintendent shall designate the Americans With Disabilities Act, Title II Nondiscrimination Coordinator who is directed to:

1. Oversee the MSDB’s compliance efforts, recommend necessary modifications to the Board, and maintain MSDB’s final Title II self-evaluation document and keep it available for public inspection for at least three (3) years after its completion date.

2. MSDB plans to make information regarding Title II’s protection available to any interested party.
Individuals with disabilities should notify the Nondiscrimination Coordinator, principal or dean of students if they have a disability which will require special assistance or services and, if so, what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Title IX

The Board of Public Education hereby adopts as policy for the Montana School for the Deaf and the Blind, the following Title IX and sex discrimination statement:

Montana School for the Deaf and the Blind does not discriminate against any person on the basis of sex in the educational programs or activities which it operates in accordance with requirements of Title IX of the Educational Amendments of 1972.

(1) No person shall, on the basis of sex, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, or advantage, or denied equal access to educational and extracurricular programs and activities.

(2) The school may provide separate toilet, locker room and shower facilities on the basis of sex, but such facilities provided for a student of one sex shall be comparable to those provided for students of the other sex.

(3) The school shall not provide any course or carry out any education program or activity separately, or require or refuse participation therein by any of its students, on the basis of sex. This includes health, physical education, industrial, business, vocational, technical, home economics, music, and adult education courses. (NOTE: With respect to physical education classes, the schools must comply with the regulations as soon as possible but in no more than one year for elementary schools and in no more than three years for secondary schools.)

Students in physical education classes may be grouped by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

Students may be separated by sex within physical education classes during participation in sports which involve bodily contact.

Where a of a single standard of measuring skill or progress in a physical education class has an adverse effect on members of one sex, the school shall use appropriated standards which do not have that effect.

Portions of classes which deal exclusively with human sexuality may be conducted in separate sessions for boys and girls.
(4) Schools shall not discriminate against any person on the basis of sex in the counseling or guidance of students. Where a school finds that a particular class contains a substantially disproportionate number of individuals of one sex, it shall take steps necessary to assure that such disproportion is not the result of discrimination in counseling.

(5) A school shall not discriminate on the basis of sex in providing financial assistance to any student.

(6) A school shall not apply any rule concerning a student's actual or potential parental, family or marital status which treats students differently on the basis of sex.

A school shall not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, unless the student requests voluntarily to participate in a separate program.

(7) No person shall be discriminated against on the basis of sex in any interscholastic, club or intramural athletics offered by the school, and the school shall not provide any such athletics separately on such basis.

A school may operate or sponsor separate teams for members of each sex where selection for the teams is based on competitive skill or the activity involved is a contact sport. However, in noncontact sports, where the school sponsors a team for one sex but not for the other and athletic opportunities for the other have previously been limited, members of the excluded sex must be allowed to try out for the team offered.

A school which operates or sponsors interscholastic, club or intramural athletics shall provide equal athletic opportunity for members of both sexes.

Schools are granted a one (elementary) or three (secondary) year adjustment period to comply with these requirements.


Cross Reference: Student Uniform Grievance Procedure – Student 3215P

Policy History:
Adopted on: 10-14-92
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07-18-14
MSDB
STUDENTS

Sexual Harassment/Intimidation 3225

1 PURPOSE AND PHILOSOPHY

1.1 Sexual harassment is abusive and illegal behavior that harms victims and negatively impacts the school culture by creating an environment of fear, distrust, and intolerance. Because the School is committed to provide a safe, healthy environment for all students which promotes respect, dignity, and equality, it is the purpose of this policy to create and preserve an educational environment free from unlawful sexual harassment and discrimination on the basis of sex.

2 REFERENCES

2.1 20 U.S.C. §1681, Education Amendments of 1972, Title IX. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

2.2 34 C.F.R. §§106.1-106.71, U.S. Department of Education Office for Civil Rights Regulations Implementing Title IX. Requires designation of Title IX Coordinator, grievance procedure, and public notice of Title IX policies and procedures.

2.3 42 U.S.C. §2000e, Civil Rights Act of 1964, Title VII. Prohibits employers from discriminating on the basis of sex.

2.4 29 C.F.R. § 1604.11, Equal Employment Opportunity Commission (EEOC) Regulations Implementing Title VII. Provides guidelines on sexual harassment in the workplace.

3 MONITORING RESPONSIBILITY

The School Compliance Officer and Title IX/EEO Coordinator, as designated by the Superintendent of Schools, will be responsible for ensuring compliance with this policy. The Compliance Officer will yearly evaluate, among other things: The frequency and nature of complaints under this policy; staff and student compliance with the policy; the degree and success of parental involvement with the policy; staff, student, and parent perceptions of the policy’s effectiveness. Results of the evaluation will be used to modify or update the policy as appropriate, with an emphasis on remedying deficiencies.

4 POLICY

4.1 In order to provide a safe and healthy environment that encourages respect, dignity and equality it is School policy to provide an educational environment free from sexual harassment and discrimination on the basis of sex. Under both Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, the School considers sexual harassment to be unlawful discrimination on the basis of sex. In addition, discrimination on the basis of sex is prohibited by the State Constitution. Finally, sexual harassment/assault by any individual may constitute a sexual crime or child abuse under the State Criminal Code.
4.2 The School strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events including those that take place at locations outside the School. The School also strictly prohibits any forms of sexual harassment against individuals associated with the school whether or not the harassment occurs on school grounds.

4.3 Because sexual harassment can occur adult to student, student to adult, student to student, male to female, female to male, male to male or female to female, it shall be a violation of this policy for any student, employee, or third party (school visitors, vendors, etc.) to sexually harass any student, employee, or any other individual associated with the school (i.e. parents, contractors, maintenance workers, consultants, etc.).

4.4 The School encourages all victims of sexual harassment and persons with knowledge of sexual harassment to report the harassment immediately. Any complainants have the right to be free from retaliation of any kind.

4.5 The School will promptly investigate any formal, informal, verbal and written complaints of sexual harassment, and take prompt corrective action to end the harassment.

5 DEFINITIONS

5.1 "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, whether initiated by students, school employees, or third parties when:

5.1.1 Submission to the conduct is made explicitly or implicitly a term or condition of a student's education (including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education);

5.1.2 Submission to or rejection of the conduct is used as the basis for decisions affecting a student's academic performance, participation in school-sponsored activities, or any other aspect of a student's education;

5.1.3 The conduct has the purpose or effect of unreasonably interfering with a student's academic performance or participation in school-sponsored activities or creating an intimidating, hostile or offensive education environment.

6 UNACCEPTABLE CONDUCT

6.1 Complaints received will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the definitions in 5.1 and should be treated as sexual harassment. Unacceptable conduct may not constitute sexual harassment. Normally, unacceptable behavior must be severe or pervasive to be considered sexual harassment.

In evaluating the totality of the circumstances and making a determination of whether conduct constitutes sexual harassment, faculty and staff who observe unacceptable behavior, as well as administrators conducting an investigation, should consider:

6.1.1 Is the conduct sexual in nature?
6.1.2 Is the conduct derogatory toward one gender?
6.1.3 Is the conduct unwelcome?
6.1.4 Would the behavior be offensive to a reasonable person of the same gender as the victim?
6.1.5 The nature, severity, and scope of the incidents;
6.1.6 The number of students or staff involved directly or indirectly;
6.1.7 The ages of the parties involved;
6.1.8 The relationship of the parties involved (i.e., staff/student, fellow students, etc.) and whether there is equal power between the parties;
6.1.9 The past discipline history of the parties involved;
6.1.10 The frequency and duration of the behavior;
6.1.11 Whether there is a pattern of behavior;
6.1.12 Whether the conduct is verbal or physical.
EXAMPLES: School-related conduct that the School considers unacceptable and often a part of sexual harassment includes, but is not limited to, the following:
6.1.13 Rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender-based activity of a criminal nature as defined under the State Criminal Code.
6.1.14 Unwelcome sexual invitations or requests for sexual activity in exchange for grades, promotions, preferences, favors, selection for extracurricular activities or job assignments, homework, etc.;
6.1.15 Unwelcome and offensive public sexual display of affection, including kissing, making out, groping, fondling, petting, inappropriate touching of one's self or others, sexually suggestive dancing and massages.
6.1.16 Any unwelcome communication that is sexually suggestive, sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities; sexual jokes; sexual gestures; public conversations about sexual activities or exploits; sexual rumors and "ratings lists;" howling, catcalls, and whistles; sexually graphic computer files, messages or games, etc.;
6.1.17 Unwelcome and offensive name, calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions, or that is based on sexual stereotypes or sexual preference;
6.1.18 Unwelcome physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating such as the unwelcome touching of another's body parts, cornering or blocking an individual, or standing too close, spanking, pinching, following, stalking, frontal body hugs, etc;
6.1.19 Unwelcome and sexually offensive physical pranks or touching of an individual's clothing, such as hazing and initiation, "streaking," "mooning," "snuggies" or "wedgies" (pulling underwear up at the waist' so it goes in between the buttocks), bra-snapping, skirt "flipups," "spiking" (pulling down someone's pants or swimming suit); pinching; placing hands inside an individual's pants, shirt, blouse, or dress, etc.;
6.1.20 Unwelcome leers, stares, gestures, or slang that are sexually suggestive, sexually degrading or imply sexual motives or intentions;
6.1.21 Clothing with sexually obscene or sexually explicit slogans or messages;
6.1.22 Unwelcome and offensive skits, assemblies, and productions that are sexually suggestive, sexually degrading, or that imply sexual motives or intentions, or that are based on sexual stereotypes;
6.1.23 Unwelcome written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films, Internet material, etc;  
6.1.24 Any other unwelcome gender-based behavior that is offensive, degrading, intimidating, demeaning, or that is based on sexual stereotypes and attitudes.

7 COMPLAINT PROCEDURES  
7.1 In compliance with applicable federal and state law, it is the policy of the school to investigate promptly and resolve equitably all complaints of sexual harassment and discrimination on the basis of sex.  
7.2 Victims of sexual harassment shall be afforded avenues for filing complaints which are free from bias, collusion, intimidation, or reprisal. Upon filing complaints, victims may request an investigator of their same gender and may be represented by any person of their choice.  
7.3 Victims of sexual harassment should document the harassment as soon as it occurs. In order to assist investigators, victims should document the harassment with as much detail as possible, including: the nature of the harassment; dates, times, and places it has occurred; name of harasser(s); witnesses of the harassment; and the victim's response to the harassment.  
7.4 To the extent they feel safe and comfortable doing so, victims are first encouraged to confront the harasser, verbally or in a letter and/or with an advocate present, and tell the harasser to stop the conduct because it is unwelcome. Victims should document the incident(s) of harassment, and any conversations they have with the harasser, noting such information as time, date, place, what was said or done, and other relevant circumstances surrounding the incident(s) and the effect/impact of the behavior on the victim.  
7.5 If the victim's concerns are not resolved satisfactorily by communicating with the harasser, or if the victim feels he/she cannot discuss the concerns with the harasser, the victim should directly inform school staff of the complaint and should clearly indicate what action he/she wants taken to resolve the complaint.  
7.6 Any school employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint to the school administration, and then shall immediately notify the principal, dean of students and/or the school Title IX coordinator.  
7.7 Employees who fail to report student complaints of sexual harassment to appropriate administrators or law enforcement authorities may face disciplinary action, up to and including reprimand, probation, or termination.  
7.8 School administrators, including principal and dean of students, Title IX coordinators, or school officials who fail to report or investigate student complaints of sexual harassment may also face disciplinary action, including reprimand, probation, or termination.  
7.9 Victims who contact school staff with a complaint are encouraged to submit the complaint in writing. However, complaints may be filed verbally. Alternate methods of filing complaints (such as tape recorders, scribes, etc.) shall be made available to individuals with disabilities or small children who need accommodation.
7.10 Complaints are encouraged to be reported as soon as possible, i.e., within ninety (90) days after the incident, in order to be effectively investigated and resolved.

7.11 Reports/Complaints to Law Enforcement Authorities

7.11.1 Consistent with the School Safe and Orderly Schools Policy, where 3, complaint contains evidence of violence or criminal activity, the principal, dean of students and/or school Title IX coordinator shall refer the complaint to the school and appropriate child protection and/or law enforcement authorities for investigation.

7.1.1.2 The School encourages any individual who has knowledge of sexual harassment of a violent or criminal nature to independently report the information to child protection and/or law enforcement authorities.

7.12 Child Abuse Any sexual harassment complaint containing evidence of child abuse shall be immediately referred to State child protection authorities and/or local law enforcement authorities according to the reporting requirements of State law (e.g., mandatory reporting of physical or sexual abuse of students; mandatory reporting of child abuse). Nothing in this policy prohibits the School from taking immediate action to protect victim(s) of alleged child abuse. The accused employee shall be placed on administrative leave pending the outcome of the investigation.

8 CONFIDENTIALITY

8.1 It is School policy to respect the privacy and anonymity of all parties and witnesses to complaints brought under this policy. However, because an individual's need for confidentiality must be balanced with the School’s obligations to cooperate with police investigations or legal proceedings, to prove due process to the accused, to conduct a thorough investigation, or to take necessary action to resolve a complaint, the School retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know.

8.2 Where a complaint involves allegations of child abuse, the complaint shall be immediately reported to appropriate child protection and/or law enforcement authorities and the anonymity of both the complainant and school officials involved in the investigation will be strictly protected as required by State law.

9 INITIAL (INFORMAL) INVESTIGATION AND RESOLUTION PROCEDURES

9.1 The principal, dean of students and/or Title IX coordinator has the responsibility to conduct a preliminary review when they receive a verbal or written complaint of sexual harassment, or if they observe sexual harassment. Except in the case of severe or criminal conduct, the principal, dean of students and/or Title IX coordinator should make all reasonable efforts to resolve complaints informally at the school level. The goal of informal investigation and resolution procedures is to end the harassment and obtain a prompt and equitable resolution to a complaint.

9.2 As soon as possible but not later than three (3) working days following receipt of a complaint, the principal, dean of students and/or Title IX coordinator should commence an investigation of the complaint according to the following steps:
9.2.1 Interview the victim and document the conversation. Instruct the victim to have no contact or communication regarding the complaint with the alleged harasser. Ask the victim specifically what action he/she wants taken in order to resolve the complaint. Refer the victim, as appropriate, to school social workers, school psychologists, crisis team managers, other school staff, or appropriate outside agencies for counseling services.

9.2.2 Review any written documentation of the harassment prepared by the victim. If the victim has not prepared written documentation, instruct the victim to do so, providing alternative formats for individuals with disabilities and small children who have difficulty writing and need accommodation.

9.2.3 Interview the alleged harasser regarding the complaint and inform the alleged harasser that if the objectionable conduct has occurred, it must cease immediately. Document the conversation. Provide the alleged harasser an opportunity to respond to the charges in writing.

9.2.4 Instruct the alleged harasser to have no contact or communication regarding the complaint with the victim and to not retaliate against the victim. Warn the alleged harasser that if he/she makes contact with or retaliates against the victim, he/she will be subject to immediate disciplinary action.

9.2.5 Interview any witnesses to the complaint. Where appropriate, obtain a written statement from each witness. Caution each witness to keep the complaint and his/her statement confidential.

9.2.6 Review all documentation and information relevant to the complaint.

9.2.7 Where appropriate, suggest mediation as a potential means of resolving the complaint. In addition to mediation, utilize appropriate informal methods to resolve the complaint, including but not limited to:

9.2.7.1 discussion with the accused, informing him or her of the School’s policies and indicating that the behavior must stop;
9.2.7.2 suggesting counseling and/or sensitivity training;
9.2.7.3 conducting training for the department or school in which the behavior occurred, calling attention to the consequences of engaging in such behavior;
9.2.7.4 requesting a letter of apology to the complainant;
9.2.7.5 writing letters of caution or reprimand; 9.2.7.6 separating the parties.

9.2.8 Parent/Student/Employee Involvement and Notification
9.2.8.1 Parents of both victim and accused shall be notified within one school day of allegations that are serious or involve repeated conduct.

9.2.8.2 The parents or advocates of students who file complaints are welcome to participate at each stage of both informal and formal investigation and resolution procedures. Employees bringing complaints shall be informed of their right to be represented by union officials or other professional representatives.

9.2.8.3 If either the victim or the accused is a disabled student receiving special education services under an IEP, or 504/Americans with Disabilities Act accommodations, all members of the student's IEP or 504 team will be consulted to determine the degree to which the student's disability either caused or is affected by the discrimination or policy violation. In addition, due process procedures required for persons with disabilities under state and federal law shall be followed.
9.2.9 Submit a copy of all investigation and interview documentation to the School Compliance Officer/Title IX Coordinator, and to the Human Resources Department if the complaint involves a School employee.

9.2.10 Report back to both the victim and the accused, notifying them in writing, and also in person as appropriate regarding the outcome of the investigation and the action taken to resolve the complaint. Instruct the victim to report immediately if the objectionable behavior occurs again or if the alleged harasser retaliates against him/her.

9.2.11 Notify the victim that if he/she desires further investigation and action, he/she may request a School level investigation by contacting the School Title IX coordinator. Also notify the victim of his/her right to contact the U.S. Department of Education’s Office for Civil Rights, the State Human Rights/Civil Rights agencies, and/or a private attorney.

9.3 Whenever a sexual harassment complaint is made, school administrators must take action to investigate the complaint or to refer the complaint for investigation even if the student does not request any action or withdraws the complaint.

9.4 If the initial investigation results in a determination that sexual harassment did occur, and the harasser repeats or retaliates against the victim, the site administrator will take prompt disciplinary action and will notify the School Compliance Officer/Title IX Coordinator or the Director of Human Resources.

9.5 The principal, dean of students and school Title IX coordinator must consider the sexuality or pervasiveness of the conduct and exercise discretion in determining whether a School level investigation is necessary. If a complaint contains evidence or allegations of serious or extreme harassment, such as adult to student harassment, criminal touching, quid pro quo (e.g., offering an academic reward or punishment as an inducement for sexual favors), or acts which shock the conscience of a reasonable person, the complaint shall be referred promptly to School administrators, i.e., the appropriate Program Administrator, Human Resources Director, or Compliance Officer/Title IX Coordinator. In addition, where the principal or dean of students has reasonable suspicion that the alleged harassment involves criminal activity, he/she should immediately contact appropriate child protection and law enforcement authorities. Where criminal activity is alleged or suspected, the accused employee shall be placed on administrative leave pending the outcome of the investigation.

10 SCHOOL LEVEL INVESTIGATION
School administrators shall promptly investigate and resolve all sexual harassment complaints that are referred to the School by the school principal, dean of students and Title IX coordinators, as well as those appealed to the School by parties to the complaint. Any party who is not satisfied with the outcome of the initial investigation may request a School level investigation by submitting a written complaint to the appropriate program administrator or Compliance Officer/Title IX Coordinator.

10.1 Important male and female contact persons at the School are as follows: Compliance Officer and Title IX/EEO Coordinator, and Director of Human Resources, Montana School for the Deaf and the Blind.
10.2 The School level investigation should commence as soon as possible but not later than three (3) working days following receipt of the complaint by the School administrator.

10.3 In conducting the School level investigation, the School will use investigators who have received formal training in sexual harassment investigations or that have previous experience investigating sexual harassment complaints.

10.4 If a School investigation results in a determination that sexual harassment did occur, prompt corrective action will be taken to end the harassment. Where appropriate, School investigators may suggest mediation as a means of exploring options of corrective action and informally resolving the complaint.

10.5 No later than thirty (30) days following receipt of the complaint, the School will notify the victim and alleged harasser, in writing, of the outcome of the investigation. If additional time is needed to complete the investigation or take appropriate action, the School will provide all parties with a written status report within thirty (30) days following receipt of the complaint.

10.6 Any victim or accused who still is not satisfied with the outcome of School investigations, or who feels that his/her civil rights have been violated, may file a request for a review by a neutral panel by submitting a written appeal to the Superintendent of Schools within ten (10) working days following receipt of School findings.

11 RIGHT TO REPRESENTATION AND OTHER LEGAL RIGHTS
The victim and the alleged harasser have the right to be represented by a person of their choice, at their own expense, during sexual harassment investigations and hearings. Students who file complaints may elect to be accompanied by another student of their choice at each stage of the complaint procedure. Victims also have the right to register sexual harassment complaints with the U.S. Department of Education’s Office for Civil Rights (OCR):

U.S. Department of Education
Office for Civil Rights, Region VIII Federal Office Building
1244 Speer Boulevard, Suite # 310 Denver, CO 80204
(303) 844-5695

Nothing in this policy shall be construed to limit the right of the complainant to file a lawsuit in either state or federal court.

12 RETALIATION PROHIBITED
Any act of retaliation against any person who opposes sexually harassing behavior, or who has filed a complaint, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a sexual harassment complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension, exclusion, probation or termination.
13 DISCIPLINE

13.1 Any individual, including an individual with disabilities, who violates this policy will be subject to appropriate disciplinary action under applicable school discipline policies, School human resource policies, and the School Safe and Orderly Schools Policy. Disciplinary measures available to school authorities include, but are not limited to, the following:

13.1.1 verbal warnings/reprimands;
13.1.2 written warning/reprimand in employee or student files;
13.1.3 detention or in-school suspension; 13.1A behavior contracts;
13.1.5 requirement of verbal and/or written apology to victim;
13.1.6 mandatory education and training on sexual harassment by means of reading assignments, videos, classes, or other presentations; 13.1.7 requiring a written paper on the topic of sexual harassment;
13.1.8 referral for psychological assessment or treatment;
13.1.9 requiring parents to attend school with perpetrator;
13.1.10 involvement of police and other law enforcement authorities;
13.1.11 community service.

13.2 In addition, if the harassment is severe or persistent, an individual who violates this policy may be subject to alternate placement, suspension, exclusion, probation or termination. Moreover, students who violate this policy may lose the privilege of participating in extra-curricular activities such as athletics, music programs, student government, cheerleading, graduation ceremonies, etc. These penalties may be imposed even for first offenses which are severe or extreme.

13.3 In determining what disciplinary or corrective action is appropriate, school officials shall consider the totality of the circumstances, including but not limited to:

13.3.1 the number of victims and harassers involved;
13.3.2 the ages of the victims and harassers; 13.3.3 the prior disciplinary record of the harasser;
13.3.4 the disability status of the victim and/or harasser;
13.3.5 the threatened or actual harm caused by the harassment;
13.3.6 the frequency and/or severity of the harassment.

13.4 If school administrators have reasonable suspicion that the harassment involves sexual assault, rape, or any other activity of a criminal nature, they shall notify appropriate law enforcement authorities and immediately initiate appropriate due process proceedings to remove the accused party from the situation.

13.5 If the alleged harasser is a student with a disability whose education involves services under the Individuals with Disabilities Education Act (IDEA) or accommodations under Section 504 of the Rehabilitation Act or the Americans with Disabilities Act, no suspension or expulsion longer than ten (10) school days or change of placement, or other steps shall be imposed until a School multi-disciplinary team meets to determine the extent to which the harassing behavior is or is not a manifestation of the student's disability.
14 FALSE COMPLAINTS
False or malicious complaints of sexual harassment may result in corrective or disciplinary action taken against the complainant.

15 TRAINING
15.1 All students shall be informed of this policy in student handbooks, folders and registration materials. A poster summarizing the policy shall also be posted in a prominent location at each school. All secondary school student-body officers shall receive school training about the policy at the beginning of each school year.
15.2 All new employees shall receive information about this policy at new employee orientation. All other employees shall be provided information at least once a year regarding this policy and the School's commitment to a harassment-free learning and working environment.
15.3 The principal, dean of students or Title IX/EOO Coordinator, and other administrative employees who have specific responsibilities for investigating and resolving complaints of sexual harassment shall receive yearly training on this policy and related legal developments.
15.4 The principal and dean of students shall be responsible for informing students and staff on a yearly basis of the terms of this policy, including the procedures established for investigation and resolution of complaints, general issues surrounding sexual harassment, the rights and responsibilities of students and employees, and the impact of sexual harassment on the victim.

16 RECORDS
Separate confidential records of sexual harassment complaints and school-level investigations shall be maintained in the principal or dean of student's office. Records of school investigations shall be maintained in the office of the Compliance Officer/Title IX Coordinator and/or in the Superintendent’s office.
16.1 Records of school-level (informal) investigations and resolutions shall be retained for at least one (1) year.
16.2 Records school investigations shall be retained for at least three (3) years.
16.3 Records of complaints and investigations of blatant violations involving criminal touching, quid pro quo, other criminal acts, or acts which shock the conscience of a reasonable person shall be retained permanently.

17 POLICY DISSEMINATION AND REVIEW
17.1 A summary of this policy and related materials shall be posted in a prominent place in each School facility. The policy shall also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications as directed by the School Compliance Officer/Title IX Coordinator. In addition, notification shall be sent annually to each local newspaper for publication.
17.2 A committee of administrators, teachers, parents, enforcement authorities, and attorneys shall be convened annually to review this policy's effectiveness and compliance with applicable state and federal law, and to update the policy accordingly.
Legal Reference:
2.1 20 U.S.C. §1681, Education Amendments of 1972, Title IX.
2.2 34 C.F.R. §§106.1-106.71, U.S.
2.3 42 U.S.C. §2000e, Civil Rights Act of 1964, Title VII.
2.4 29 C.F.R. § 1604.11
Montana Constitution Article X, Section 1;
Montana Human Rights Act MCA, 49-2-101 et. seq.;
Implementing State and Federal Regulations; MCA 49-3-101, et. seq.

ARM, 10.55.701    Board of Trustees
ARM, 10.55.719    Student Protection Procedures

Policy History:
Adopted on: 01-27-04
Revised on: 05-11-06
07-18-14
A student with a disability (one of the disabilities defined in the Individuals with Disabilities Education Act (IDEA)) is subject to suspension or expulsion (removal from his or her current educational placement and the cessation of educational services by MSDB) from school for 10 school days or less per school year on the same basis as a student without a disability.

If a student with a disability is endangering him/herself and/or others, to include teaching and cottage staff, the school shall take emergency action to protect the student and/or others from harm. This may, in extreme cases, involve calling the police.

The school may not suspend a student with disabilities for more than 10 school days during a school year--keeping in mind that the Gun-Free Schools Act does not amend or create any exception to federal civil rights laws. Students with disabilities are still protected under 504 and IDEA and may be suspended for no more than 10 school days unless 1) the parent consents to an interim change in placement with educational services to be provided in an alternative placement; or 2) a temporary restraining order is issued by a court of competent jurisdiction; or 3) a Child Study Team (CST) determines that the misconduct is not a direct manifestation of the student's disability and the Individualized Education Program (IEP) team determines that the current placement is appropriate and the school continues to provide educational services; or 4) an IEP team determines that cumulative suspensions beyond 10 school days in one school year does not constitute a change in placement. If the court denies the TRO and the parent refuses to consent to a change in placement, the student shall be returned to his/her placement and appropriate services provided immediately after the 10th day of suspension unless the misconduct involves violation of the Gun Free Schools Act. Changes in program or placement must be made by an Individualized Education Program (IEP) team in accordance with IDEA procedures.

The following procedure shall be followed if an incident occurs which may require suspension of the student with disabilities for more than ten (10) school days in one school year.

On the day of the incident the school shall suspend the student with disabilities in the same manner as students without disabilities and immediately advise the parents or guardians of the suspension, reason for the suspension and provide a copy of MSDB policy procedures for suspension and due process.

After completion of the above, the Crisis Prevention Team will review records of the student with disabilities to determine if the suspension will result in a change in placement.

On the day after the incident the school shall notify the parents that the school will hold a meeting to determine if the misconduct of the student is directly related to the student's disability and review the student's educational records including special education assessments and disciplinary referrals to determine if evaluation information is current and whether additional assessment of the student's abilities is warranted at this time. Before the tenth day the school shall convene the evaluation team.
meeting and placement team meeting to determine causal relationship between the student's misconduct and the student's disability and appropriateness of the student's current educational program placement.

On the eleventh day of suspension the school must review the process to ensure that the student with disabilities is receiving a free appropriate public education in accordance with proper procedures and determinations.

The Crisis Management Team shall have drawn up a prescriptive behavior management plan which will be thoroughly explained to the parents/guardians and child which will constitute the basis for the child's re-admittance to school and may become part of the child's IEP. If this is not successful, MSDB will pursue judicial relief to have the student removed permanently (expelled) from residential and school placement.

Cite: "Suspension in Special Education", OPI 1995
MCA 20-5-202, 20-4-302, 20-4-402, 20-4-403
Administrative Rules of Montana 10.16.2711-Student's Status During Exclusion from School
ARM 10.61.205-206 Suspension, Expulsion of Students from the Montana School for the Deaf and the Blind
10.55.701, ARM Board of Trustees

Policy History:
Adopted on: 04-13-76
Revised on: 03-06-97
07-18-14
Emergency Illness/Accidents 3415

In the event of injury or illness, the Board of Public Education recognizes that MSDB is responsible for providing first aid or emergency treatment, notifying the parent or guardian and in serious instances, summoning a doctor and/or arranging for hospitalization. In the case of day students, aid, care and communication with parents and monitoring of health care services will be provided by the staff of the health services program.

All accidents that occur on school property or during school activities should be reported to the principal and/or dean of student’s office.

The Director of Health Services will develop uniform procedures for giving first aid and delegate necessary authority for arranging for medical attention and/or hospitalization, notifying parents, and officially reporting accidents. These procedures will be posted in the School and the staff will be informed of them.

The Board encourages its faculty and staff to become trained in first aid. The treatment of minor injuries or administering of medicine will only be performed by licensed health services staff and only when permission has been granted by the parent or guardian.

In the event a child is injured in school, first aid will be administered by the education or cottage staff until licensed health services staff reach the scene. If a child becomes acutely ill or is seriously injured, the school will inform the parents/guardian, who will make the decision whether to pick up the child at the School or meet the child at a health care facility when it is feasible for the parent to be in attendance. If the School is unable to reach the parents or if they choose to meet the child at the health care facility, the child may be transported by School personnel or by ambulance at the discretion of the Director of Health Services. If the School is unable to reach the parents, an attempt will be made to contact the child’s personal physician as designated on the student’s record.

Legal Reference: 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: 10-14-92
Revised on: 07-18-14
MSDB
COMMUNITY RELATIONS

Public Complaint  4310

The Board is interested in receiving valid complaints and suggestions. Public complaints and suggestions shall be submitted by the Uniform Grievance Procedure 4310P to the appropriate-level staff member or school administrator. Each complaint or suggestion shall be considered on its merits.

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

Any parent or student who believes that the Board of Public Education, its employees or agents have violated their rights guaranteed by the State or Federal constitution, State or Federal statute, or Board policy may use the Uniform Grievance Procedure 4310P.

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

Legal Reference: 10.55.701, ARM      Board of Trustees

Policy History:
Adopted on: 11-16-03
Revised on: 07-18-14
MSDB
COMMUNITY RELATIONS

Uniform Grievance Procedure 4310P

Page 1 of 2

Level 1: Informal

An individual with a complaint is encouraged to first discuss it with the staff person, department supervisor, or program administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be addressed in Section 7, Complaint Procedures, MSDB Personnel Policy 5012, Sexual Harassment/Intimidation in the Workplace.

Level 2: Principal or Dean of Students

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating: 1) the nature of the grievance and 2) the remedy requested. It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the principal if the complaint arises in the education program or with the dean of students if the complaint arises in the residential program. The grievance must be filed within thirty (30) days of the event or incident.

If the complaint alleges a violation of Board policy or procedure, the principal or dean of students shall investigate and attempt to resolve the complaint. A decision on the grievance shall be made in writing within 20 days after it was filed. If either party is not satisfied with the principal or dean’s decision, the grievance may be advanced to Level 3 by requesting in writing that the Superintendent review the principal or dean’s decision. This request must be submitted to the Superintendent within fifteen (15) days of the principal or dean’s decision.

MSDB has appointed a Nondiscrimination Coordinator to assist in the handling of discrimination complaints if a complaint alleges a violation of Title IX, Title II, section 504 of the Rehabilitation Act, or sexual harassment, the principal or dean shall turn the complaint over to the Nondiscrimination Coordinator for investigation of the complaint. The Coordinator will complete the investigation and file the report with the Superintendent within thirty (30) days after receipt of the written grievance. The Coordinator may request the services of an outside investigator. If the Superintendent agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Superintendent rejects the recommendation of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal to the Board of Public Education seeking a hearing. The request for a hearing must be received by the Executive Secretary of the Board of Public Education within fifteen (15) days of receiving the report of the Coordinator.

Level 3: Superintendent

Upon receipt of the request for review, the Superintendent shall schedule a meeting between the parties and the principal or dean. The parties shall be afforded the opportunity to either dispute or concur with the principal or dean’s report. The Superintendent shall decide the matter within ten (10 days of the meeting and shall notify the parties in writing of the decision. If the
Superintendent agrees with the recommendation of the principal or dean, the recommendation will be implemented. If the Superintendent rejects the recommendation of the principal or dean, the matter may either be referred to an outside investigator for further review or resolved by the Superintendent.

If either party is not satisfied with the decision of the Superintendent, the Board of Public Education is the next avenue for appeal. A written appeal must be received by the Executive Secretary of the Board within fifteen (15) days of receiving the Superintendent’s decision. The Board is the policymaking body of the School, however. Appeals to that level are limited solely to the issue of whether or not policy has been followed. Any individual appealing a decision of the Superintendent to the Board bears the burden of proving a failure to follow Board policy.

Level 4: The Board of Public Education

Upon receipt of a written appeal of the decision of the Superintendent, and assuming the appeal alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration at their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final, unless appealed within the period provided by law.

Waiver of Time Limit

The parties may in writing jointly waive any time limit in this policy.

The Montana School for the Deaf and the Blind is an Affirmative Action/Equal Opportunity Employer (EOE). MSDB will not discriminate in its educational programs, activities, or employment practices, based on race, color, national origin, sex, disability, age, religion, ancestry, union membership or any other legally protected classification. Announcement of this policy is in accordance with state and federal laws, including Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

Employees and participants who have an inquiry or complaint of harassment or discrimination, or who need information about accommodations for persons with disabilities, should contact the School Compliance Officer and Title IX/EOO Coordinator, Montana School for the Deaf and Blind, 3911 Central Avenue, Great Falls, Montana 59405. Phone (406) 771-6000.

Legal Reference: 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: 11-14-03
Revised on: 05-11-06
07-18-14
Community Use of School Facilities 4330

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

Student and School-related organizations shall be granted the use of School facilities at no cost. Other organizations granted the use of the facility shall pay fees and costs. The Superintendent shall develop procedures to manage community use of School facilities. Use of School facilities requires the Superintendent’s approval and is subject to the procedures.

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

Legal Reference: § 20-7-805, MCA  Recreational Use of School Facilities Secondary 
Lamb’s Chapel v. Center Moriches Union Free School Dist., 113 S. Ct. 2141
ARM 10.55.701  Board of Trustees

Cross Reference: COMMUNITY RELATIONS4330P  Rules and Regulations for
Building Use
COMMUNITY RELATIONS4330F  Facility Use Form

Policy History:
Adopted on: 10-14-92
Revised on: 10-18-95
11-14-03
07-18-14
1. Applications requesting use of the school facility must be presented to the Superintendent’s Office at least ten (10) days in advance of the time desired and must be signed by a qualified representative of the organization desiring to use the building.

2. Rental fees schedules are outlined in the “Application and Permit for Use of MSDB Facilities.”

3. Fees may be waived for private nonprofit groups that do not charge admission fees and provide a benefit to the students served by the School. All other profit or nonprofit groups or organizations will be charged rental fees as listed above.

4. The use of the school premises will be denied when, in the opinion of the Superintendent, such use may be construed to be solely for commercial purposes, there is a probability of damage or injury to school property, or the activity is deemed to be improper to hold in school buildings or on school property.

5. In case of loss or damage to school property, the organization and/or individual signing the request shall be fully responsible and liable.

6. A certificate of liability insurance, as outlined in the “Application and Permit for Use of MSDB Facilities,” will be required from the renting agency. This requirement may be waived by the Superintendent when the risk of injury or property damage by certain activities for some groups or organizations is not present.

7. No furniture or apparatus shall be moved or displaced without permission.

8. No access to other rooms in the building shall be permitted unless designated by agreement.

9. There shall be no smoking within the school buildings. There shall be no narcotics, drugs, stimulants, or alcohol used or sold in or about school buildings and premises, nor shall profane language, quarreling, fighting, or gambling be permitted. Violations of this rule by any organization during occupancy shall be sufficient cause for denying further use of school premises to the organization.

10. Wax, or other preparations ordinarily used on dance floors, is not to be used on gymnasium floors.
11. The Superintendent may require a school employee to be present during use of the building by the non-school organization. In such case, the requesting organization will pay for the employee expense (i.e., custodians, overtime).

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

13. There may be additional rules or conditions for the use of specific buildings on campus.

Legal Reference: ARM 10.55.701 Board of Trustees

Cross Reference: 4330 Community Use of School Facilities
4330F Application and Permit for Use of MSDB Facilities

Procedure History:
Adopted on: 07-16-04
Revised on: 07-18-14
MSDB
COMMUNITY RELATIONS

Cooperative Use of Community Resources 4500

The MSDB strives to develop community partnerships based on the needs of its students and the vision and mission of the School. Whenever it appears the cooperative use of resources will result in a stronger school, stronger families, a stronger community and most importantly improved student learning, it is in the best interest of the School to participate in cooperative programs with other units of local or state government, community organizations and private sector business.

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

The School may enter into interlocal agreements with a unit of the Montana University System, public community college, and/or tribal college, that would allow enrolled 11th and 12th grade students to attend and earn credit for classes not available through the School. Tuition and fees, if assessed, will be provided for in the interlocal government.

Legal Reference: §§ 7-11-101 et. Seq., MCA Interlocal Cooperation Act
ARM 10.55.701 Board of Trustees

Policy History:
Adopted on: 11-14-03
Revised on: 07-18-14
Any employee who believes that the Board of Public Education or its agents have violated their rights guaranteed by the State or Federal constitution, State or Federal statute, or Board policy may seek complaint resolution as outlined in Montana Operations Manual, Volume III, Policy 3-0125 “Grievances”. It is the objective of this policy to provide minimum standards for the procedure to be used to adjust grievances filed by eligible employees.

The Montana School for the Deaf and the Blind will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The request of an employee to prompt and equitable resolution of the complaint filed outside of MOM, Policy 3-0125 shall not impair the employee’s pursuit of other remedies. Use of the grievance procedure as outlined in Grievance Procedure, 2.21.8017, ARM, is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

It is the policy of the state of Montana that employees who have attained permanent status may file a grievance as provided in these rules, unless the employee is covered by a grievance procedure provided under a collective bargaining agreement or a statutory grievance procedure.

Incidents of sexual harassment must be reported using the procedure in MSDB Policy 5012 Sexual Harassment/Intimidation in the Workplace, also found at ARM 2.21.1305 (also found at policy 3-0620, Montana Operations Manual, Volume III).

Incidents that are alleged to be in violation of the Americans with Disabilities Act (ADA) of 1990 must be reported using an ADA complaint resolution procedure if such a procedure has been adopted by a department. Otherwise, the employee shall proceed under this policy.

A job classification appeal must be resolved through the procedure adopted by the Board of Personnel Appeals at ARM 24.26.501 et seq., and may not be filed under any other grievance procedure.

Nothing in this policy precludes an employee who is alleging unlawful discrimination from concurrently exercising any statutorily-protected right to timely file a complaint with a civil rights enforcement agency.

_The Montana School for the Deaf and the Blind is an Affirmative Action/Equal Opportunity Employer (EOE). MSDB will not discriminate in its educational programs, activities, or employment practices, based on race, color, national origin, sex, disability, age, religion, ancestry, union membership or any other legally protected classification. Announcement of this policy is in accordance with state and federal laws, including Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990._
Employees and participants who have an inquiry or complaint of harassment or discrimination, or who need information about accommodations for persons with disabilities, should contact the School Compliance Officer and Title IX/EO Coordinator, Montana School for the Deaf and Blind, 3911 Central Avenue, Great Falls, Montana 59405. Phone (406) 771-6000.

Legal Reference:
- 3-0125, MOM - Grievances
- 2.21.8017, ARM - Grievance Procedure
- 2.21.1305, ARM - Sexual Harassment Prevention Policy History
- ADA, 1990 - Americans with Disabilities Act
- 24.26.501, ARM - Wage and Classification Appeals
- 10.55.701, ARM - Board of Trustees

Policy History:
Adopted on: 11-15-03
Revised on: 5-11-06
07-18-14
Advertising in Schools/Revenue Enhancement

Revenue enhancement through a variety of School-wide and School-approved marketing activities, including, but not limited to, advertising, corporate sponsorship, signage in or on School facilities, etc., is a Board-approved venture. The Board, acting through the Superintendent may approve such opportunities subject to certain restrictions in keeping with the contemporary standards of good taste. Advertising will model and promote positive values for MSDB students through proactive educational messages and not be simply traditional advertising of a product. Preferred advertising includes messages encouraging student achievement and establishment of high standards of personal conduct.

All sponsorship contracts will allow the School to terminate the contract on at least an annual basis, if it is determined that it will have an adverse impact on implementation of curriculum or the educational experience of students.

The revenue derived should:

1. Enhance student achievement;
2. Assist in maintenance of existing School athletic and activity programs; and
3. Provide scholarships for students participating in athletic, academic, and activity programs, who demonstrate financial need and merit.

Appropriate opportunities for marketing activities include but are not limited to:
1. Banners or signage of a non-fixed nature.
2. School-level publications including the School website or other electronic media.
3. Athletic facilities, including the gymnasium and athletic fields.

Other than corporate-sponsored curriculum materials approved subject to Board policy, advertising will not be allowed in academic buildings or cottage facilities.

The following restrictions will be in place when seeking revenue enhancement. Revenue enhancement activities will not:
1. Promote hostility, disorder, or violence,
2. Attack ethnic, racial, or religious groups,
3. Discriminate, demean, harass, or ridicule any person or group of persons on the basis of gender,
4. Be libelous,
5. Inhibit the functioning of the School,
6. Promote, favor, or oppose the candidacy of any candidate for election, adoption of any legislative or budget issues, or any public question submitted at any general, county, municipal, state or national election,
7. Be obscene or pornographic, as defined by prevailing community standards,
8. Promote the use of drugs, alcohol, tobacco, firearms, or certain products that create community concerns,
9. Promote any religious or political organization, or
10. Use any School logo without prior approval.

Legal Reference: ARM 10.55.701 Board of Trustees

Cross Reference: 2120 Curriculum Development and Assessment
2309 Library Materials
2311 Instructional Materials

Policy History:
Adopted on: 05-11-06
Revised on: 07-18-14
Lease, Rental, Sale or Other Disposition of Real Property

There shall be no lease, sale or other disposition of School property without the approval of the Board of Public Education. For property jointly owned by the State of Montana and the Montana School for the Deaf and the Blind Foundation, Inc., the approval of the Board and the MSDB Foundation, Inc., is required.

Legal Reference:
§20-8-110, MCA  Property vested in school
§20-8-111, MCA  Duty of board of public education as to property of school
ARM 10.55.701  Board of Trustees

Policy History:
Adopted on: 10-14-92
Revised on: 07-18-14
New and revised policies/procedures to meet accreditation standards resulting from revisions in ARM 10.55.701, 10.55.719, 10.55.602, 10.55.714, and 10.55.804.

New policy –
2166 Gifted Program
4100 Family Engagement

Revised language –
2130 Program Evaluation and Student Assessment
2169 Distance, Online, and Technology Delivered Learning
5222 Evaluation of Non-Administrative Staff
5000 Board Goals
5600 Professional Development
6000 Goals

Citation change only –
1000 Legal Status and Operation
1100 Organization
1521 Board-Superintendent Relationship
1640 Board Participation in Activities
2120 Curriculum Development and Assessment
2310 Library Materials
2310P Procedure for Development of Library Media Collection
2311 Selection, Review and Removal of Test books and Instructional Materials
2311P Procedure for Selection, Adoption and Removal of Textbooks and Instructional Materials
2312 Copyright
2330 Academic Freedom, Controversial Issues and Prayer in School
2340 Recognition of Unique Cultural Heritages
3110 Referral and Evaluation Procedures for Placement and Admission and Transfer Procedures
3210 Equal Education, Nondiscrimination and Sex Equity
3225 Sexual Harassment/Intimidation
3311 Student Suspension and Expulsion
3415 Emergency Illness/Accidents
4310 Public Complaint
4310P Uniform Grievance Procedure
4330 Community use of School Facilities
4330P Rules and Regulations for Building Use
BOPE Policy Review – Continued

4500 Cooperative Use of Community Resources
5240 Resolution of Staff Complaints/Problem Solving
7332 Advertising in Schools/Revenue Enhancement
9261 Lease, Rental, Sale or Other Disposition of Real Property

Revised policy and procedure for Employee Sign Language Skill Rating

5124 Employee Sign Language Skills
5123F2 Sign Language Entry/Target Skill Level Waiver Request
The Board of Public Education strives to achieve efficiency and effectiveness in all facets of its operations. In order to achieve this goal, the Board shall strive to set forth:

1. A clear statement of expectations and purposes for the School's instructional program

2. A provision for staff, resources, and support to achieve the state expectations and purposes; and

3. A plan for evaluating instructional programs and services to determine how well expectations and purposes are being met. Evaluation of the education program is based in part on the results of norm referenced and/or criterion referenced tests administered to students on no less than an annual basis.

Parents who wish to examine any assessment materials may do so by contacting the Superintendent. Parental approval is necessary before administering an individual intelligence, developmental, communication, assistive technology, speech and language, English proficiency, observational or social-emotional, behavioral or classroom based assessments, academic achievement tests, norm referenced and/or criterion referenced tests, local assessments or vocational evaluations. No tests or measurement devices containing any questions about a student's or the student's family's personal beliefs and practices in family life, morality, and religion shall be administered, unless the parent gives written permission for the student to take such test, questionnaire, or examination.

The Superintendent shall prepare an annual report which reflects the degree to which school goals and objectives relate to the instructional program have been accomplished. The Superintendent shall annually review the assessment processes and procedures to determine if the purposes of the evaluation program are being accomplished.

Cross Reference: 3111 Student Procedures for Evaluation and Determination of Eligibility
3601 Student Confidentiality of Personally Identifiable Information
3114 Student Procedural Safeguards
2000 Instruction Goals

Legal Reference: 20 U.S.C. § 1232h Protection of Pupil Rights
10.55.603, ARM Curriculum Development and Assessment
10.56.101, ARM Student Assessment
10.55.701, ARM Board of Trustees
PL 105-17, Sec.615 Procedural Safeguards
Policy History:
Adopted on: 11-16-03
Revised on: 07-18-14
For purposes of this policy, “distance learning” is defined as: instruction in which students and teachers are separated by time and/or location with synchronous or asynchronous content, instruction, and communication between student and teacher (e.g., correspondence courses, online learning, video conferencing, or streaming video).

The School may receive and/or provide distance, online, and technology delivered learning programs, provided the following requirements are met:

1. The distance, online, and technology delivered learning programs and/or courses shall meet the learner expectations adopted by the School and be aligned with state content and performance standards;
2. The School shall provide a report to the Superintendent of Public Instruction documenting how it is meeting the needs of students under the accreditation standards who are taking a majority of courses during each grading period via distance, online, and/or technology-delivered programs;
3. The School will provide qualified instructors and/or facilitators as described in ARM 10.55.907(3)(a)(b)(c);
4. The School will ensure that the distance, online, and technology delivered learning facilitators, receive in-service training on technology delivered instruction as described in ARM 10.55.907(3)(d); and
5. The School will comply with all other standards as described in ARM 10.55.907(4)(5)(a-e).

The School will permit a student to enroll in an approved distance learning course, in order that such student may include a greater variety of learning experiences within the student’s educational program. Credit for distance learning courses used to meet graduation requirements may be granted, provided the following requirements are met:

1. Prior permission has been granted by the principal;
2. The program fits the Individual Education Plan submitted by the student’s IEP team;
3. The course does not replace a required course offered by the School;
4. The course is needed as credit retrieval and cannot fit into the student’s schedule; and
5. Credit is granted for schools and institutions approved by the School after evaluation for a particular course offering.

Individual student circumstances may be evaluated by a team established by the principal. The School will not be obligated to pay for a student’s distance learning courses.
Legal Reference: ARM 10.55.602 Definitions
ARM 10.55.701 Board of Trustees
ARM 10.55.705 Administrative personnel; Assignment of School Administrators/Principals
ARM 10.55.906 High School Credit
ARM 10.55.907 Distance, Online, and Technology Delivered Learning

Policy History:
Adopted on: 12-03-10
Revised on: 07-18-14
The human resources of the Montana School for the Deaf and the Blind are valuable and significant in creating an effective educational program and learning residential environment. MSDB functions most efficiently and successfully when highly qualified individuals are employed to staff the needs of the students. Duties and qualifications of personnel employed by the school are delineated in position descriptions which form the basis for professional development plans and staff evaluations. Position descriptions are reviewed on a regular basis by the administration to ensure that they accurately represent the qualifications and skills of staff needed to meet the needs of students served by the education, residential, and outreach programs.

Opportunities for staff development should be planned and provided regularly. Supervision is a necessary, ongoing function of MSDB's leadership. The Board seeks to promote an efficient and positive school and residential climate in all educational and cottage life endeavors, in order that students may work toward their greatest potential for independence and success, and the community will be proud of its investment.

Nothing contained in the policies or administrative procedures included herein is intended to limit the legal rights of the Board or its agents except as expressly stated.

Should any provision of Board policy or administrative procedure be held to be illegal by a court of competent jurisdiction, all remaining provisions shall continue in full force and effect.

Legal Reference: 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: 3-15-03
Revised on: 7-18-14
The employee’s direct supervisor shall evaluate each non-administrative employee’s job performance in accordance with ARM 2.21.6401 and MOM Section 3-0115 “Performance Management and Evaluation.” The administration and employees and/or members of a collective bargaining agreement shall collaboratively develop the evaluation procedure including forms or other instruments used for assessment. The evaluation procedure will be conducted using a process and forms applicable to the job classification and description and day-to-day appraisals based on the performance and competence of the individual employee. The evaluation procedure will be non-discriminatory and uniformly applied. The evaluation system for staff licensed by the Office of Public Instruction will comply with the provisions of ARM 10.55.701 (4) including but not limited to:

a) alignment with application school goals and standards of the school’s mentorship and induction program as required under ARM 10.55.701 (5) (b),
b) skill sets to be evaluated,
c) formative and summative components, and
d) assessment of the educators effectiveness in supporting every student in meeting rigorous learning goals through performance of the educator’s duties.

1. The evaluation process includes scheduled performance evaluations at each of the following points:
   a) During the first six-months of an initial, 12-month probationary period, ARM 2.21.6401,
   b) before the end of a full academic year, for certified and non-certified staff in the education program, or before the end of a full 12-months for classified staff in the residential and administration programs,
      i. no formal employee evaluations will be conducted during the first two or last two weeks of the school year,
      ii. the written summative evaluation will be shared with the employee no less than 5 working days prior to the summative evaluation conference,
      iii. the written summative evaluation conference will be held with the employee no less than 20 working days prior to the end of the school year,
   c) annually for the next two years, before the end of each academic year,
   d) once every three years for all subsequent years of employment, as part of a 3 year cycle of evaluation and professional development activities:
      i. Year 1 – formative evaluation to develop job targets for performance improvement.
      ii. Year 2 – identify professional goals for career track development.
      iii. Year 3 – summative evaluation to assess job performance.
   e) anytime an employee’s performance is determined, by the immediate supervisor, to be substandard.

2. The probationary period may be extended for a maximum of 6 additional, consecutive calendar months in accordance with ARM 2.21.3809 MOM 3-160 Probation Requirements Policy. A probationary employee may be dismissed at any time during the probationary period whether or not a formal performance evaluation has been conducted.
3. The dismissal of certified staff under permanent employment status shall conform with all procedures outlined in MCA 20.4.204 “Termination of Tenure Teacher Services” and/or MCA 20.4.207 “Dismissal of Teacher Under Contract.”

4. Initiation of formal or informal disciplinary actions under MOM-section 3-0120 ARM 2.21.6509 is not-dependent on completion of the performance evaluation process.

5. The supervisor shall provide a copy of the completed evaluation to the employee and shall provide an opportunity to discuss the evaluation.

6. The original evaluation form shall be signed by the employee and filed with the Superintendent to be placed in the employees’ personnel file. If the employee refuses to sign the evaluation, the supervisor should note the refusal and submit the evaluation to the Superintendent.

7. An employee shall have the right to submit a written response to an evaluation, which shall be retained with the evaluation in the employee’s personnel record. The response shall be submitted to the employee’s supervisor or another person designated in an agency policy within 10 working days of the evaluation.

8. Procedural errors that are subject to the filing of a grievance pursuant to ARM 2.21.8011 et seq., grievances are failure of an evaluator to:

   a) inform an employee of the performance management plan at the start of an evaluation period or of changes to the plan made during the evaluation period;
   b) provide an employee with the completed evaluation and any reviewer’s comments; and
   c) advise an employee of the right to submit a written response.

9. No employee may file a grievance based on the content of a performance management plan, the evaluation or reviewer’s comments.

10. An employee who has not attained permanent status may not file a grievance under ARM 2.21.8011 et seq., involving any aspect of the performance management and evaluation process.

11. Initiation of informal or formal disciplinary actions under the discipline handling policy, ARM 2.21.6501 et seq. ARM 2.21.6509 et seq., is not dependent on completion of the performance evaluation process.
Legal References:
ARM 2.21.6401 et seq.
MSDB Personnel 3.07
ARM 2.21.3809 et seq.
MCA 20.4.204
MCA 20.4.207
MOM sec. 3-0430
MOM sec. 3-0160
ARM 2.21.8011 et seq.
ARM 2.21.6501 et seq
ARM 2.21.6509.
ARM 10.55.701

Policy History:
Adopted on: 03-15-02
Revised on: 06-27-12
07-18-14
MSDB
PERSONNEL

Professional Development 5600

In accordance with the commitment of the Board of Public Education and the requirements of A.R.M. 10.55.714 for professional development of School personnel, all employees will have opportunities to participate in short-term, job-related training programs for the purpose of upgrading skills. When M.S.D.B. requires the training, all costs of the programs will be covered by the School. However, the School does not pay costs involved for teachers to secure or maintain certification or endorsements.

The Board shall establish an advisory committee to evaluate the school's current school year professional development plan; and develop and recommend a plan for the subsequent school year.

(a) The advisory committee shall include, but not be limited to, trustees, administrators, and teachers. A majority of the committee shall be teachers.

(b) Each school year the Board shall adopt a professional development plan for the subsequent school year based on the recommendation of the advisory committee.

(c) The plan recommended by the advisory committee and adopted by the Board shall outline how, when, and from whom teachers and specialists shall meet their professional development PIR day expectations.

(d) The plan adopted by the Board must take into consideration the advisory committee's recommendations and include two professional development PIR days in October during which the school must close in order to permit teachers and specialists to attend the annual professional development meetings of state professional associations.

(e) The adopted plan may include alternatives but shall not interfere with or prohibit teacher and specialist attendance at the annual October professional development meetings of state professional associations.

(f) Teachers and specialists who do not attend the annual professional development October meetings of state professional associations or school approved alternative professional development PIR days shall not be paid for the days they are absent.

(g) Teachers, specialists, administrators, and school districts shall not substitute for professional development PIR day purposes professional development opportunities not specifically outlined in the school district's adopted professional development plan.

(h) The Board shall make their plan available to employees and the public.

Legal Reference: ARM 10.55.714

Policy History:
Adopted on: 10-14-92
Revised on: 07-18-14
MSDB
ADMINISTRATION

Goals

The administrative staff's primary functions are to manage the School and to facilitate the implementation of a quality educational and residential programs and outreach services. It is the goal of the Board that the administrative organization:

1. provide for efficient and responsible supervision, implementation, evaluation, and improvement of the instructional, residential and outreach programs, consistent with the policies established by the Board;

2. provide effective and responsive communication with staff, students, parents, constituents in the public schools and other citizens; and

3. foster staff initiative and rapport.

The School's administrative organization shall be designed so that all programs and departments of the School are part of a single system guided by Board policies which are implemented through the Superintendent. The Principal, Dean of Students, Director of Outreach, Business Manager, and other Supervisors are expected to administer their facilities in accordance with Board policy and the Superintendent's rules and procedures.

Duties and qualifications of administrative personnel employed by the school are delineated in position descriptions which form the basis for professional development plans and staff evaluations. Position descriptions are reviewed on a regular basis by the administration to ensure that they accurately represent the qualifications and skills of staff needed to meet the needs of students served by the education, residential, and outreach programs, and business services. And opportunities for staff development should be planned and provided on a regular basis.

Legal Reference: ARM 10.55.714

Policy History:
Adopted on: 07-14-04
Revised on: 07-18-14
“Questions and Answers”

“Questions and Answers”

About:

**MSDB's Sign Language Skill Standard**

Sign Language Proficiency Interview
American Sign Language
(SLPI:ASL)

[Developed by NTID and Gallaudet]

- What is the communication philosophy here at MSDB? (pg 2)
- What are “Total Communication” and “Sim-Com” (pg 3)
- Why do we have a sign language rating system? (3-6)
- Why did you choose ASL as the sign language to be evaluated? (pg 6)
- How do you account for staff members who use PSE, SEE or other forms of manually coded English and communicate effectively with deaf students and staff? (pg 7)
- What is SLPI? (pg 7-8)
- Is SLPI a peer evaluation system? (pg 8)
- What are the steps to the SLPI:ASL interview process? (pg 8-9)
- What happens if I don’t want someone on the SLPI Team to be my interviewer or rater? (pg 10)
- How is bias or conflict addressed when a SLPI Team member interviews or rates a person they work with or take direction from in the classroom or cottage? (pg 10)
- What happens with my interview tape and rating sheets? (pg 10)
- How are raters chosen and trained? (pg 11)
- How were the rating targets determined? (pg 12)
- Will my SLPI rating be used in my job evaluation? (pg 12)
- Will I be fired if I don’t make my proficiency target in 3 years? (pg 12)
- How can I learn ASL or improve my ASL skills to meet my target skill level? (pg 12-14)
- What if I try to improve my skills but my rating doesn’t improve? (pg 14)
- Communication A – Z “Total Communication” reprinted from Hands and Voices (pg 15-16)
What is the communication philosophy here at MSDB?

**MSDB’s Communication Philosophy (Student Policy 3010):**

MSDB’s communication philosophy is based on (a) full access to all communication in the school environment; (b) the importance of a child’s self-expression; and (c) respect for each individual’s communicative needs. Each child, regardless of age and ability, is a communicator, with preferred modes of receptive and expressive communication. Each student is encouraged to use his/her preferred communication modes for demonstrating understanding and expressing wants and interests during academic and social interactions. Staff is dedicated to enabling and respecting the communication modes used by each student.

**Principles:**

1. MSDB recognizes and values the importance of the early acquisition of the English language, literacy skills and concept development for education and communication purposes. The acquisition of these skills is a primary educational goal. There is a vital connection between literacy skills and the early and frequent exposure to large print or Braille, American Sign Language (ASL), Signed English (SEE), speech reading, or use of residual hearing. The school is responsible to have all needed written and spoken information available in accessible modalities. In addition, MSDB values and is dedicated to education the community of the importance of the appropriate media for our students.

2. For students to have full access to the curriculum, at MSDB and in the mainstream classes in the Great Falls Public Schools, concepts must be comprehensible. That is, not only understandable on the surface, but presented with language and concrete experiences which enhance through their depth of meaning and cognitive and educational development of deaf, blind, or visually impaired students. Therefore, central to effective communication is the issue of what modality is used to interact with and instruct Deaf and Hard of Hearing students as well as interpreting environments and presenting concrete experiences to students who are blind or visually impaired. The school will provide sufficient staff training in the diverse communication modes used by the students, support services, technical assistance and sufficient time for staff to collaboratively develop the student’s language and communication system.

3. In order to ensure that the communication environment is open and accessible, it is mandatory that the appropriate visual, manual, tactile, voice, picture or technological communication modes which are adequate for full inclusion and participation be utilized at all times when deaf, blind or visually impaired persons are present. Toward this end, professional training which support MSDB’s communication philosophy and principles are part of staff development. Classes on ASL, Braille, Braille production, and assistive communication devices are offered to staff as appropriate to their positions and are a requirement for all new employees.
What are “Total Communication” and “SimCom”?

Definition of Total Communication: Total Communication (TC) is a philosophy to Deaf education that aims to make use of a number of modes of communication: formal signs, natural gestures, fingerspelling, body language, lip reading, oral, auditory/listening, written, and visual aids, depending on the particular needs and abilities of the child. Total Communication was originally developed by David Denton at the Maryland School for the Deaf in 1967, although the term “total communication” was first used by Roy Holcomb in California and was adopted by the Maryland school as the official name for their educational philosophy. TC was supposed to find a middle ground in age-old disputes between oralism and manualism, and as an alternative to Simultaneous Communication (Sim-Com). TC is truly a philosophy rather than a methodology. As a result, the use of the TC philosophy will vary from individual to individual. TC is often confused with “Simultaneous Communication” which is a methodology.

Definition of Sim-Com (Simultaneous communication), or sign supported speech (SSS): Simultaneous Communication is a methodology which is sometimes used by deaf, hard-of-hearing or hearing persons in which both a spoken language and a manual variant of that language (such as English and Manually Coded English) are used simultaneously. While the idea of communicating using two modes of language seems ideal in a hearing/deaf setting, in practice the two languages are rarely relayed perfectly. Often the native language of the user (usually spoken language for the hearing person and sign language for the deaf person) is the language that is strongest, while the non-native language degrades in clarity. In an educational environment this is particularly difficult for deaf children as a majority of teachers who teach the deaf are hearing. The completeness of the sign component of Sim-Com is dependent on the skills of the signer.

Why do we have a sign language rating system?

1. State Law - Montana Code Annotated (MCA) 20-8-120

20-8-120. Communication skills required for certain employees. (1) Each permanent employee of the school who works with deaf children or works for or with a fellow employee who is deaf shall acquire acceptable total communication skills as prescribed by the board of public education by the end of the first year of employment. (2) Upon request to the board of public education by the superintendent, an exception to this requirements may be make for an employee not working directly with deaf children.  

History: En. Sec. 13, Ch. 151, L. 1983; amd. Sec. 311, Ch. 56. L., 2009. Provided by Montana Legislative Services

- The board of public education adopted Policy #5124 to ensure the school and employees are in compliance with the law. The policy describes purpose and procedure that holds the school administration and employees accountable.
2. **MSDB Personnel Policy 5124 - Employee Sign Language Skills**

It shall be required that all permanent employees at the School have sign language skill commensurate with the requirements of their positions. This policy and related procedures applies to staff hired into or voluntarily transferred to positions with Sign Language Skill Standards (SLSS) after July 1, 2012. Job position SLSS either established or raised after staff members’ job entry dates will not apply to these staff. The requirement for a professional development plan to increase sign language skills applies to all staff hired before July 1, 2012 and who have not achieved their Target Skill Level Standard in two consecutive Sign Language Proficiency Interview (SLPI) ratings.

**Purpose**

The Montana School for the Deaf and the Blind (MSDB) recognizes the fundamental need and purpose of clear, consistent, and dependable communication as (1) a foundation for the development of language skills, (2) the basis for the development of interpersonal skills, and (3) critical to the sharing of information among all of the members of the MSDB campus community.

For some members of the MSDB community, the primary and most efficient method of communication is American Sign Language (ASL), Manually Coded English such as Signing Exact English (SEE) or some other form of manual communication, speech reading, or use of residual hearing. The primary purpose of the Employee Sign Language Skill policy is to encourage and support an optimal setting of signed communication for all students and staff across the MSDB campus. In recognition of and respect for the diversity of the MSDB student and staff population, MSDB staff need to possess the skills and knowledge needed to communicate and work effectively with all students and staff. MSDB recognizes that the level of these skills and the importance of acquiring these skills vary across MSDB staff. Procedures for implementing this policy include a process for determining reasonable accommodations that may be needed for staff.

**Rating Standards and Process**

The Superintendent shall establish a sign language skill review system which specifies the required skill level for each position at the School. Frequency, length, and type of communication required for interaction with students and staff who are deaf or hard of hearing are primary factors used in determining sign language skill level standards for selected MSDB staff positions. These standards are based on the Sign Language Proficiency Interview (SLPI:ASL) Rating Scale. SLPI:ASL entry and target skill level standards for MSDB staff positions and the SLPI Rating Scale are listed in Employee Sign Language Skills 5124P2 and Employee Sign Language Skills 5124P.

MSDB Job Position Skill Level Standards are included in staff position descriptions. For selected new positions or for potential changes to current skill level standards, the immediate supervisors, program administrators and Coordinating Interpreter meet to discuss standards for these positions. The administrators and Coordinating Interpreter make their recommendations for standards to the Superintendent. The Superintendent makes final decisions for standards and informs the immediate supervisors and administrators for positions and the Coordinating Interpreter of his/her decisions.
All MSDB Staff members, regardless of their date of hire, who have achieved their Target Skill Level Standard in two (2) consecutive SLPI:ASL ratings will not be required to be reassessed and will not be required to have a professional development plan for sign language skill development.

MSDB staff, hired after July 1, 2012, who are not at their SLPI Target Skill Level Standard at job entry are required to take the SLPI: ASL within 60 days of job entry dates unless they sign a statement indicating that they have no sign language skills.

All employees, regardless of their date of hire, not at their SLPI Target Skill Level Standard are required to have a professional development plan for skill development approved by their immediate supervisor. A professional development plan may include participation in MSDB-supported sign language skill development training and activities during duty time as well as participation in training and activities during non-duty time.

Employees hired after July 1, 2012 who are not within one level of their Target Skill Level Standard are required to take the SLPI:ASL annually until they achieve their target skill level. Employees hired after July 1, 2012 who are within one level of their target skill level are required to take the SLPI:ASL every three years until they achieve their standards.

If a d/Deaf staff member is hired into a department/program and the current staff’s Target Skill Level is less than “Intermediate,” staff in that department will be required to improve the sign language skills to at least the “Intermediate Level” in compliance with the process outlined in this section of the policy.

Performance Requirement and Waivers for Employees hired after July 1, 2012
Competency in sign language may be required to successfully perform the duties in some positions. Sign language skill development toward the target skill level must be demonstrated during the initial 3 year period after hire. For employees who have not achieved their sign language skill target, lack of participation in a professional development plan to improve sign language skills during this period may constitute grounds for termination. Employees who have a professional development plan in place but have not achieved their target skill level after 3 years may apply for a waiver to the target skill level, “Sign Language Entry/Target Skill Level Waiver Request” 5124F2 and submit it to their immediate supervisor. All waivers must be approved by the program administrator and superintendent. Waivers may be renewable.

Recruitment and Hiring
MSDB will extend every effort to recruit and hire people with sign language communication skills, taking into consideration other expertise and skills required for each job position. For positions with sign language skill level standards, efforts will be extended to recruit people who are at or above the target skill level at time of hire. If there are no applicants who possess both the entry skill level and other needed job qualifications, the program administrator may submit a “Sign Language Entry/Target Skill Level Waiver Request” 5124F2 to the superintendent. The waiver must be approved by the superintendent prior to an offer of employment being extended to a new employee or the transfer of an existing employee.
Why did you choose ASL as the sign language to be evaluated?

- Of the visual communication methodologies/languages listed in MSDB's Communication Philosophy and of those systems used in the classrooms and cottages only American Sign Language (ASL) and English are languages.
- All manual communication systems evolved from ASL, a natural language, so it is logical to utilize ASL as the foundation for the rating of signed communication regardless of the sign system being used by staff. And from a practical perspective we needed a rating system that has already been developed and tested in the field.

- ASL is the language from which all signed communication systems/methodologies ie., MCE, SEE, PSE, etc.) are derived. Therefore, we need to be proficient in ASL and build on those skills in order to use other signing systems and ASL effectively.
- A Sign Language Assessment Taskforce (SLAT), including staff and administration from both the Education and Student Services program, was appointed in 2011 and worked for about 9 months to research, review and develop recommendations for policies and a sign language skill rating and review system. The SLAT committee looked at the Signing Exact English “Educational Signed Skills Rating ” or ESSE, and the Sign Language Proficiency Interview, SLPI:ASL. The committee made recommendation in February of 2012 to use the SLPI:ASL. The SLPI was proven to be a good tool that measured ASL Skills. There were no tools that measured Pidgon Sign Language (PSE) or any other sign system. The SLPI had been used successfully at the South Carolina and Florida Schools for the Deaf and Blind and the Texas School for the Deaf for a number of years and came highly recommended by those schools.
How do you account for staff members who use PSE, SEE or other forms of manually coded English and communicate effectively with deaf students and staff?

As outlined in MSDB’s communication philosophy, for information and instruction to be accessible to each student we must use the communication modality or modalities that work best for the student. Whether you use ASL, or any other manually coded sign system the way to account for the effectiveness of your communication is through an assessment. When communicating with adults and older students we rely on feedback to determine if we’ve communicated our message effectively so that it is clearly understood. Younger students may not provide enough feedback to know whether our message was understood. In some situations both in and out of the classroom we might need to do formal or informal assessments to measure the understanding of our communication. The responsibility for determining whether information is being communicated clearly and accurately and being understood correctly lays with the person who is doing the signing. Whether that signing is in ASL or another coded system, if you’re sure you are being understood then you are being accountable for your communication.

When deaf people communicate with other deaf people in ASL they don’t have to code switch. If hearing people use PSE, SEE or other forms of manually coded English when communicating with deaf people they are making a choice which may not be the preferred method of communication. Code-switching and accommodation should be the responsibility of both parties in an environment where accountability for effective communication is the goal.

What is SLPI?


- The Sign Language Proficiency Interview (SLPI), a conversational approach to sign language communication skills assessment, is based on the Oral Proficiency Interview (OPI) (also known as the Language Proficiency Interview/LPI). Like the O/LPI, the SLPI permits interview content to vary according to the job responsibilities, background, and interests of each person interviewed. Consistent with the O/LPI, the goal of the SLPI is to assess how well people are able to use sign language for their communication needs, and, as appropriate, to assist people in development of their sign language communication skills.

- The SLPI involves a one-to-one conversation between the interviewer and the interviewee, with each interviewee recorded and subsequently rated independently by SLPI raters. The basis for ratings is the SLPI Rating Scale, a standard scale based on highly skilled, knowledgeable native/native-like signers.

- The SLPI:ASL assesses American Sign Language (ASL) as it is used among skilled sign language communicators in the United States. This includes a full range of ASL from pure, linguistic descriptions of ASL to English influenced signing. This full range is characterized by (a) meaning-based sign language vocabulary selection consistent with standardized signs in current use by skilled language users, and (b) a variety of grammatical features that are consistent with effective use of gestural/visual language for communication. These grammatical features include: (a) space, indexing, eye gaze, sign movement directionality, and body shifts to separate ideas and to identify and discuss persons, places, and objects present and not present; (b) classifiers for describing and representing persons, places, and objects and their movements; (c) sign-word order which
facilitates effective communication in gestural-visual language; and (d) facial expressions and other body movements (non-manual signals) to support and add to information communicated. In addition to vocabulary and grammatical features, clarity of sign production, fluency, and comprehension are important to effective communication when using a gestural-visual language, and therefore are considered in ASLPI:ASL ratings. Further explanation of what is assessed by the SLPI is provided in the *SLPI Notebook, Section 5, Skills Important for Effective Sign Language Communication and SLPI:ASL Rating Levels*. Copies of this paper are available from your SLPI Coordinator and in the Training Materials section of the SLPI website: [http://www.ntid.rit.edu/slpi](http://www.ntid.rit.edu/slpi).

- The SLPI rates an individual’s use of the signs and features of ASL. It does not and is not intended to rate the use of ASL in the context of classroom instruction. ASL is a language and is the only thing that is being rated through the interview process.
- Follow-up is critical to successful use of the SLPI. Thus, SLPI interviewees are encouraged to schedule SLPI Follow-Up Meetings. During follow-up meetings interviewees have the opportunity to meet with sign language specialists to review and discuss their SLPI videos as a basis for planning skill development activities based on their individual communication skills and needs.
- The SLPI was referred to as the Sign Communication Proficiency Interview (SCPI) from 1983 to May 2006.

**Is SLPI a peer evaluation system?**

- Peer evaluation is a review of skills or work by one or more people of similar competence. It constitutes a form of self-regulation for the purpose of maintaining standards of quality, or to improve performance.
- It might seem that SLPI is a form of peer evaluation but it is not. Each SLPI candidate’s performance is compared to the SLPI rating scale, not the ratings of other candidates; the SLPI is a criterion referenced assessment.
- Though some employees may be native users of ASL or they may have a skill rating of Superior, SLPI team members are chosen because they meet specific criteria under the SLPI training guidelines. They have a SLPI rating in the Advanced Plus-Superior Plus Range or a score on the EIPA of 4.0 or higher.
- SLPI rating team members received formal training in August of 2012 by qualified trainers of the National SLPI:ASL Leadership Board.

**What are the steps to the SLPI:ASL interview process?**

1- Appointment and Information Memo:

- Each interview candidate will be given a “Memo” that will state the place, date, and time of the scheduled SLPI:ASL Interview.
- The “Memo” will also include: (1) The SLPI:ASL - A brief Description; (2) SLPI:ASL - Information for Candidates; (3) SLPI:ASL - Tips for Candidates; (4) The SLPI:ASL - Rating Scale; and (5) a SLPI:ASL - Candidate Questionnaire.
2- The Interview:
- The interview usually runs 5-25 minutes and is conducted in sign language (no voice).
- It will be a two-way conversation about social and work topics.
- The interview will be recorded.
- One of the SLPI:ASL raters will conduct your interview.
- The purpose of the recorded interview is to get an idea of where your ASL sign language skills are in order for you to plan skill development activities based on your own individual communication skills and needs.
- All interviews are confidential.
- The recorded interview is then given to the SLPI:ASL Team Coordinator/Rater to be transferred onto a DVD for the rating team.

3- Interview Rating Process:
- The interview DVD is given to 3 members of the SLPI:ASL Rating Team to rate. (The 'interviewer' is not allowed to rate the interview).
- The rating team has been trained to rate the full range of ASL as it is used among skilled sign language communicators in the United States. (This includes vocabulary, grammatical features, clarity of sign production, fluency, and comprehension).
- The 3 raters must be in agreement (all within one level of one another), raters follow procedures for preparing a report that provides an official rating (requires all raters to agree on a single rating), a description of the interviewee’s sign language communication skills, and suggestions for improving these skills if appropriate. This typically takes the 3 raters about 2 hours to complete.
- The rating criterion is objective in terms of what features are analyzed. It is not a subjective rating process. All Official Ratings are confidential.

4- Interview Results:
- The interview DVD, rater's paperwork, and Official Rating Sheet is returned to the SLPI:ASL Team Coordinator/Rater.
- The SLPI:ASL Team Coordinator/Rater will review the paperwork and DVD, and write-up suggestions and give feedback for skill development activities based on the individual communication skills and needs.

5- “Results” Follow-up Meeting:
- The SLPI:ASL Team Coordinator/Rater will contact you to set up a meeting time when your interview results are completed and suggestions for your skill development have been written-up.
- At this meeting, you will review your DVD, Official Rating Sheet, recommendations for your individual skill development, and be able to ask questions, etc.
- At the conclusion of the meeting, you’ll be given your interview DVD and a copy of the Official Rating along with your recommendations of skill development activities.
- At this time, your taped interview will be deleted and you will have the only copy of the interview. (You do have the option of allowing your SLPI interview to be used for training by signing a form stating so – your decision).
- A copy of the Official Rating will be kept in a locked file cabinet.
- Your official rating will be reported to your supervisor. All official ratings are kept confidential.
- If you are not in agreement with your final rating, you may request a new team of raters or re-do the interview.
What happens if I don't want someone on the SLPI Team to be my interviewer or rater?

- The candidate does have the option of picking the interviewer if you want.
- SLPI requires Deaf raters to interview Deaf staff.
- The candidate does not have a choice of who the raters will be. The rating is based solely on ASL skills and is not subjective in any way. There is more than one rater for each SLPI candidate. The candidate may request re-rating if not satisfied with their results. The names of raters rating the interview for SLPI candidates are confidential; that is, raters' names are not shared. The interview, rating, and results are all confidential (the only way others will know your results is if you tell them). Our raters have been trained and are qualified. However, if you have any concerns about raters please share them with your supervisor.

How is bias or conflict addressed when a SLPI Team member interviews or rates a person they work with or take direction from in the classroom or cottage?

- It is (almost) impossible to setup a SLPI assessment process for which both the interviewers and raters do not know persons taking the SLPI. The major reasons for this include the fact that the SLPI procedures, as developed by us, involves local interviewers and raters. However raters from the MSDB staff are skilled in, knowledgeable about, and accepting of the local/program sign language dialect. And SLPI procedures work best when SLPI Follow-Up Meetings are conducted in a timely manner by persons who are able to connect SLPI results to local opportunities for sign language communication skill development.
- The SLPI process is designed to reduce bias in three ways:
  - Raters have been trained on the specific features of ASL that they are rating.
  - Three raters must follow a procedure using an objective rubric, and
  - The raters must agree on the results.

What happens with my interview tape and rating sheets?

- At the conclusion of the Results Follow-Up Meeting, you'll be given your interview DVD and a copy of the Official Rating along with your recommendations of skill development activities.
- At this time, your taped interview will be deleted and you will have the only copy of the interview. (You do have the option of allowing your SLPI interview to be used for training by signing a form stating so - your decision).
- A copy of the Official Rating will be kept in a locked file cabinet.
- Your official rating will be reported to your supervisor. All official ratings are kept confidential.
- If you are not in agreement with your final rating, you may request a new team of raters to re-rate your interview or re-do the interview.
How are raters chosen and trained?

- The Sign Language Assessment Taskforce made recommendations as to whom were qualified to be on the SLPI:ASL Rating Team. The staff members chosen demonstrated a high understanding of Deaf Culture, sign language ability and knowledge of ASL linguistics.

- The SLPI:ASL Rating Team attended a SLPI:ASL Training Workshop held at MSDB August 7-10, 2012. This training was lead by Keith Cagle Ph.D, Prof. ASLTA & Molly Estes Prof. ASLTA, -SLPI:ASL Trainers of National SLPI:ASL Leadership Board.

- Staff selected as raters were chosen because they were either Deaf, or hearing signers, Children of Deaf Adults (CODA's) or other staff, all of whom had extensive training and experience using ASL either in the natural environment or in an educational or professional setting. MSDB’s raters were selected through the suggestions set forth by RIT. Suggestions included: children of Deaf parents, Deaf of Deaf, experience in a residential school, certified interpreters, and active participants in the greater Deaf community.

- The primary goal for SLPI use is to support effective sign language communication among Deaf/Hard-of-Hearing, and Hearing people by: (a) providing information on how well people are able to use sign language for their communication needs; and (b) as appropriate, supporting people in development of their sign language communication skills. We believe that these goals can be best accomplished via integrated sign language communication skills assessment and development programs that are implemented and conducted on a local basis.

- Reasons we support locally trained SLPI Teams providing sign language assessment services include the following: (1) Allows skills assessment-development programs to be implemented and adapted in a manner that is consistent with and sensitive to local resources and needs. (2) Allows assessment and follow-up services to occur in a timely and cost effective manner. (3) Allows sensitivity and respect for local sign language dialectical variations. This is especially important for languages such as ASL that have developed and are used in bilingual communities. (4) Allows opportunities for people to review and discuss their assessment results with people knowledgeable about both the assessment tool and local options for developing and refining sign language communication skills. A follow-up meeting to review and discuss assessment results, and suggestions for improving skills if appropriate, is a critical part of an integrated language skills assessment-development program. (5) Allows programs to take into consideration assessment results when planning courses, workshops, and other options to support sign language communication skills development, thus allowing for assessment and opportunities for skills development to be closely linked. (6) Reliable use of the SLPI Rating Scale requires that raters have shared perspectives on applying SLPI ratings to sign language communication and that raters have shared perspectives on interpreting SLPI ratings as they apply to local sign language communication. Since the SLPI is a criterion based assessment, with the anchor or highest criterion point of the SLPI Rating Scale being highly skilled native/native-like signers, it is important that this training involve rating of local signers, including highly skilled local native/native-like signers.
How were the rating targets determined?

- Many factors were considered, including the goals of the policy, entry skill level expectations and standards, and allocation of resources.
- The Sign Language Assessment Taskforce (SLAT), considered each job position, description and the amount of contact each job might have with D/HH students or staff and they put together the list of SLPI rating for each job position. The first rating is for the minimum skill level newly hired employees should possess. The second rating is for acceptable proficiency and is a goal to work toward within a 3-year cycle after the employee is initially evaluated. The rating scale has five levels (1-Novice; 2-Survival; 3-Intermediate; 4-Advanced; 5-Superior). Here is a link that shows examples of the sign language proficiency of each level. [http://www.rit.edu/ntid/slpi/team/video](http://www.rit.edu/ntid/slpi/team/video).

Will my SLPI rating be used in my job evaluation? Will I be fired if I don’t make my proficiency target in 3 years?

- Competency in sign language and at the target skill level may be required to successfully perform the duties of some positions. Sign language skill development toward the target skill level must be demonstrated during the initial 3 years of employment if hired after July 1, 2012.
- For employees hired after July 1, 2012, who have not achieved their sign language skill target during the first 3 years of employment, lack of participation in a professional development plan to improve sign language skills may constitute grounds for termination.
- In cases where an employee has participated in a plan of professional development to improve skills during the first 3 year period of employment, but is still unable to achieve the target skill level, the immediate supervisor will be responsible for determining if the employee can provide for effective communication with students/staff at their current SLPI rating level, and meet the essential duties of the assigned position.
- The supervisor and staff member may request to continue employment under a "Sign Language Entry/Target Skill Level Wavier" form 5124F2. The determination must be made during the first 3 years of employment. All waivers must be approved by the program administrator and the superintendent. Employees working under a waiver must continue with training under a plan of professional development until they achieve their target rating. Based on evidence of improvement, waivers may be renewable.

How can I learn ASL or improve my ASL skills to meet my target skill level?

- MSDB staff had opportunity during the spring of 2014 to participate in the following trainings/events:

  **“Snack Shack Tuesday Signing with Sharon”**  
  (1–2 p.m.) in the Bitterroot Bldg, Rm 37  
  {Open to all staff}
A 'match your needs' sign class, geared for each participant! Come with your questions and be ready to sign!
This class will meet every Tuesday afternoon in the Snack Shack.

Contact Sharon Denniston for more information.

“Tuesday Night Sign Class at MSDB”
(7–8 p.m.) in the Bitterroot Bldg, IMC
(Sponsored by MDHHS and open to the public)
These are 10-week classes, one in the fall and one in the spring, includes the book, "1,000 Signs of Life Basic ASL for Everyday Conversation" by the editors of Gallaudet University Press ($20). This Spring's session runs 01/07/14 to 03/11/14. There is a 'beginners' and an 'intermediate' class offered.

Contact Brenda LeMieux for more information.

“Bus Depot Thursday Signs”
(8–9 a.m.) in the Bitterroot Bldg, Rm 24
(Open to all staff)
This class is covering basic ASL vocabulary using the "Fairview Learning Links to Reading and Language" program. It will focus on ASL Development, multiple meaning words, using the 5 Parameters of Sign. It is for all levels and a great place to practice your signs and learn new ones. This class will meet every Thursday morning there is school.

Contact Gary Shular and/or Sheryl Lute for more information.

“ASL for Families and Professionals”
(3:15–4:15 p.m.) in Aspen Hall, Donna’s Office in Aspen Gym
(Open to all staff)
This beginning ASL class will be a live feed (iTV) and videotaped to be put on our MSDB network. It will be happening on various Thursday afternoons, 3:15–4:15. The first class will be Feb. 20th. It will be a fun interactive class. Come ready to learn! The following class dates are: Feb. 20; March 6, 13, 20, 27; April 3, 10, 17, 24; and May 1, 8, 15, 22.

Contact Donna Sorensen for more information.

“Signing Fun Sessions”
Travel Home Days (2–2:45) in the Bitterroot Bldg, Conference Room
(Open to all staff)
This is an interactive 'no voice' sign class. Be ready to laugh and try different activities that will enhance your ASL skills and vocabulary. Dates are: Jan. 17, 31; Feb. 14; March 7, 28; and May 9.

Contact Donna Sorensen and/or Sheryl Lute for more information.
"Saturday Signs"

One Saturday each month in the Bitterroot Bldg, IMC

{Open to all staff}

This will be a time to practice your signs, ASL skills, and to learn new vocabulary. We will review ASL vocabulary on 03/08 and on 05/10 (10 a.m. - 12 p.m.). The EIPA Video Conference Workshops will be (9 a.m.-1 p.m.) on 02/08 "Using Process Time" and 04/05 "Charting the Course ...Learn Effective Discourse Mapping".

- You can have a mentor work with you to develop your skills. (one-on-one).
- There are numerous online ASL resources you can access.
- There are numerous materials (books, DVD's, etc.) in our MSDB library you can check out and use.
- Socializing with the Deaf Community (ie. Great Falls Club of the Deaf, activities, etc.) - a great way to improve your ASL skills.
- Attend formal workshops and trainings when available.
- Practice! Practice! Practice! Sign! Sign! Sign!
- Be open to discuss ASL features and parameters with those who are knowledgeable on the subject.
- Ask questions, ask for clarification,
- More training/events will be planned for the 2014-2015 school year for staff to join.

What if I try to improve my skills but my rating doesn’t improve?

- In cases where employees are not at their target level, they will work with their supervisor and the SLPI Coordinator to write a professional development plan with specific training and supports that will help them achieve their target rating.
- Employees hired after July 1, 2012 who have a professional development plan in place but have not achieved their target skill level after their first 3 years of employment may apply for a waiver to the target skill level (Sign Language Entry/Target Skill Level Waiver Request - 5124F2) and submit it to their immediate supervisor. All waivers must be approved by the program administrator and superintendent. Waivers may be renewable.

Answers Compiled by:
Steve Gettel, MSDB Superintendent;
Sheryl Lute, MSDB Coordinating Interpreter, SLPI:ASL Team Coordinator/Rater
May 2014
Total Communication

1. What is (total communication)?

Total Communication (TC) is a philosophy of educating children with hearing loss that incorporates all means of communication: formal signs, natural gestures, finger spelling, body language, listening, lipreading and speech. Children in TC programs typically wear hearing aids or cochlear implants. The goal is to optimize language development in whatever way is most effective for the individual child. Total Communication is truly a philosophy rather than a methodology. As a result, the implementation of the TC philosophy with one child may look entirely different than its implementation with another child.

2. What issues are at the forefront of (total communication)?

The term Total Communication is often confused with "Simultaneous Communication" or "Sim-Comm," which, unlike TC, is a methodology, not a philosophy. Simultaneous Communication refers simply to the simultaneous use of sign and spoken language. It is driven by the natural word order of English, and most often does not include function words and word endings. The completeness of the sign component of Sim-Comm is dependent on the skills of the signer.

Although flexibility is at the very core of the TC philosophy and teachers are encouraged to use whatever communication tools are most effective for the individual child, it is often the predisposition, skills and experience of the teacher rather than the needs of the child that determines how Total Communication is implemented. An individual teacher may be very committed to the use of sign language, and in their enthusiasm to sign may neglect a child's auditory and speech potential. Conversely, a teacher may...
Communication Considerations A-Z™

Total Communication

lean toward the auditory/oral aspects of Total Communication and may not provide a child with sufficient sign support to optimize language development. The reality of Total Communication is often an “anything goes” methodology, lacking in objective measures, guidelines and strategies.

A significant area of concern related to the simultaneous use of sign and spoken language is that the child does not get a clear representation of either English or American Sign Language (ASL). Given that ASL does not follow English word order, it cannot be “spoken.” Spoken language is, by nature, difficult to see on the lips, so the child is not getting the complete English message either. Some feel that is more effective to use either ASL without voice, or spoken English without sign. However, when used appropriately, sign can effectively facilitate the development of spoken language.

3. What should every parent or professional know about Total Communication?

The original intent of the Total Communication philosophy was to provide each child with the communication tools needed for that child to develop language competence. This should continue to be the goal of every teacher for every child. However, the philosophy of Total Communication has often been over-simplified and has been confused with the Simultaneous Communication methodology that simply combines sign and spoken language. Sign and spoken language can be effectively combined, but parents and professionals need to be sure that language competence is being developed optimally taking into consideration the strengths and needs of the individual child.

Where else can I find information about (total communication)?

Schwartz, Sue; (Editor) Choices in Deafness: A Parents’ Guide to Communication Options; Woodbine House, 1996 (2nd Edition)


Communication Considerations A to Z™ is a series from Hands & Voices that’s designed to help families and the professionals working with them access information and further resources to assist them in raising and educating children who are deaf or hard of hearing. We’ve recruited some of the best in the business to share their insights on the many diverse considerations that play into communication modes & methods, and so many other variables that are part of informed decision making. We hope you find the time to read them all!
FUTURE AGENDA ITEMS
September 11-12th, 2014

Set Annual Agenda Calendar
Election of Board Officers
Committee Appointments – C
BPE Goal Review
MACIE Update
Superintendent Goals
Assessment Update
MACIE Renewal (Even Years) – C
Accreditation Report