

**LEWISTOWN PUBLIC SCHOOLS  
BOARD OF TRUSTEES**

**LINCOLN BOARD ROOM**  
215 Seventh Avenue South  
Lewistown, Montana 59457

**MONDAY, September 14, 2020**

**REGULAR BOARD MEETING**

**PAGE 1 OF 2**

Meeting ID

[meet.google.com/kjs-nkvt-qeq](https://meet.google.com/kjs-nkvt-qeq)

Phone Numbers

(US)+1 405-353-0098

PIN: 508 935 758#

**CALL TO ORDER (6:00 p.m.)**

1. Pledge of Allegiance
2. Roll Call
3. Motion to Set Agenda
4. Recognition – Introduction of New Teachers
5. Recognition of FFA Officers
6. Report—Student Representative
7. Report—LEA
8. Report—Committees of the Board
9. Calendar Items, Concerns, Correspondence, Etc.

**SUPERINTENDENT'S REPORT**

10. Report—Investment
11. Report—Superintendent

**PUBLIC PARTICIPATION**

12. Recognition of Parents, Patrons, and Others Who Wish to Address the Board on Non-Agenda Items

**ACTION ITEMS**

**MINUTES**

13. Minutes of the August 12, 2020, Regular Board Meeting
- Minutes of the August 25, 2020, Special Board Meeting

**APPROVAL OF CLAIMS**

14. Claims

**INDIVIDUAL ITEMS**

15. Approve Purchase and Installation of a District Wide Phone System
16. Approve First Reading--Board Policy 3210 –Equal Education, Non-discrimination and Sex Equity
17. Approve First Reading—Board Policy 3225 –Sexual Harassment/Intimidation
18. Approve First Reading-- Board Policy 3225F –Harassment Complaint Report Form
19. Approve First Reading-- New Board Policy 3225P –Sexual Harassment Grievance Procedure
20. Approve First Reading-- Board Policy 3226 –Bullying/Hazing/Intimidation/Menacing
21. Approve First Reading-- Board Policy 5010 –Equal Employment Opportunity and Non-Discrimination
22. Approve First Reading-- Board Policy 5012 –Sexual Harassment/Sexual Intimidation in the Workplace

**LEWISTOWN PUBLIC SCHOOLS  
BOARD OF TRUSTEES**

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**REGULAR BOARD MEETING**

**-CONTINUED PAGE 2-**

- 23. Approve First Reading-- Board Policy 5012F –Harassment Complaint Form
- 24. Approve First Reading-- New Board Policy 5012P –Harassment Grievance Procedure
- 25. Approve First Reading-- New Board Policy 5015 –Bullying/Harassment/Intimidation for Employees
- 26. Approve Second Reading—Board Policy 1910 – COVID-19 Emergency Measures – Personnel Use of Leave
- 27. Approve Out-Of-District Student Attendance Agreement Requests for Placement inside/outside of the Lewistown Public Schools
- 28. Approve Additions to the Substitute List for the 2020-2021 School Year
- 29. Approve Personnel Report

**ADJOURNMENT**

***A hard copy of the complete Agenda is available at the LPS Central Office  
or on the Lewistown Public Schools Website:***

***<http://www.lewistown.k12.mt.us/content/266>***

## **PUBLIC PARTICIPATION**

The Board of Education encourages participation at public School Board meetings. Under normal circumstances it is desirable to allow everyone to address the Board. However, when there are many persons who wish to address the Board, the following rules shall apply to protect the public's right to be heard:

- Speaker must first be recognized by the Chair and identify him/herself.
- Comments may not infringe on the rights to privacy of another.
- Each speaker shall be allowed a presentation not to exceed three (3) minutes at the appropriate time on the Agenda.
- There will be a limit of one presentation per person.
- The Board requests that organizations and groups be represented by a single spokesperson. The spokesperson for each group shall be limited to a presentation of three (3) minutes. To save repetition and time, the Board also requests that persons not speak if a previous speaker has expressed a similar position on the same issue.
- Appropriate comments are welcome but no action is likely to be taken at this time to ensure that others have the opportunity to address the same issue also. Items discussed may, at the discretion of the Board, be placed on a later agenda.
- The Board will accept comments from the public on each agenda item as it is discussed.

By a majority vote of the Board, these rules may be suspended for special reasons at any particular meeting. Further, the Board may reserve the right to adjust the length of time.

**LEWISTOWN PUBLIC SCHOOLS**  
**Lewistown, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

09/14/2020

**Agenda Item No.**

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☐ Minutes/Claims    ☒ Board of Trustees    ☐ Superintendent's Report    ☐ Action – Consent  
☐ Action – Indiv.

**ITEM TITLE:** RECOGNITION – INTRODUCTION OF NEW TEACHERS

**Requested By:** Board of Trustees    **Prepared By:** Superintendent

**SUMMARY:**

School Board of Trustees are introduced to the new teachers at Lewistown Public Schools for the 2020-2021 School Year.

Chase Auger – Fergus High, Jr. High Band  
Paul Bartos – Fergus High, Assistant Principal/Athletic Director  
Carrie Bartos – Lewis and Clark, Special Ed  
Charles Cloud – Lewis and Clark 6<sup>th</sup> Grade  
Shannon Fisk – Fergus High, Special Ed  
Ashley Hankins – Highland Park, Special Ed  
Maria Henderson – Garfield, Kindergarten  
Julie Reesor – Lewis and Clark, Grade 6  
Rachel Swimley – Garfield, Grade 1  
Maida Walters – Jr. High, English

**SUGGESTED ACTION:** Informational

☐ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES**



LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/2020

Agenda Item No.

5

☐ Minutes/Claims    ☒ Board of Trustees    ☐ Superintendent's Report    ☐ Action – Consent  
☐ Action – Indiv.

ITEM TITLE: RECOGNITION – FERGUS HIGH SCHOOL FFA OFFICERS

Requested By: Board of Trustees    Prepared By: Superintendent

**SUMMARY:**

School Board of Trustees are introduced to the Fergus High School FFA Officers for the 2020-2021 School Year.

**SUGGESTED ACTION:** Informational

☐ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

NOTES

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/2020

Agenda Item No.

6

☐ Minutes/Claims    ☒ Board of Trustees    ☐ Superintendent's Report    ☐ Action – Consent  
☐ Action – Indiv.

ITEM TITLE: REPORT—STUDENT REPRESENTATIVE

Requested By: Board of Trustees    Prepared By: Cooper Birdwell

**SUMMARY:**

Fergus High School Student Representative to the Board of Trustees will provide a report on upcoming activities at Fergus High School.

**SUGGESTED ACTION:** Informational

☐ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

NOTES:

**LEWISTOWN PUBLIC SCHOOLS**  
**Lewistown, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

09/14/2020

**Agenda Item No.**

7

☐ Minutes/Claims    ☒ Board of Trustees    ☐ Superintendent's Report    ☐ Action – Consent  
☐ Action – Indiv.

**ITEM TITLE:** REPORT—LEWISTOWN EDUCATION ASSOCIATION (LEA)

**Requested By:** Board of Trustees    **Prepared By:** LEA REPRESENTATIVE

**SUMMARY:**

The Lewistown Education Association (LEA) would like to update the Board of Trustees on the activities and happenings for their organization.

**SUGGESTED ACTION:** Informational

☐ Additional Information Attached

**NOTES:**

**LEWISTOWN PUBLIC SCHOOLS**  
**Lewistown, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

09/14/2020

**Agenda Item No.**

8

☐ Minutes/Claims    ☒ Board of Trustees    ☐ Superintendent's Report    ☐ Action – Consent  
☐ Action – Indiv.

**ITEM TITLE:** REPORT—COMMITTEES OF THE BOARD

**Requested By:** Board of Trustees    **Prepared By:** Committee

**SUMMARY:**

The Board of Trustees has the opportunity to provide updates on their various committees.

Attached is the list for Standing Committees of the Board for the 2020-2021 School Year.

**SUGGESTED ACTION:** Informational Report

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

**STANDING COMMITTEES OF THE BOARD**  
**2020-2021 School Year**

Committee	Number on Comm.	CJ Bailey	Kris Birdwell	Doreen Heintz	Phil Koterba	Jeff Southworth	Jennifer Thompson	Monte Weeden
Building & Grounds	3	X			X			X
Insurance Risk Committee	2		X				X	
Transportation	3			X		X		X

**OTHER COMMITTEES WITH BOARD REPRESENTATION**  
**2020-2021 School Year**

Committee	Number on Comm.	CJ Bailey	Kris Birdwell	Doreen Heintz	Phil Koterba	Jeff Southworth	Jennifer Thompson	Monte Weeden
Activities	3			X		X		X
Curriculum Committees:								
English Language Arts	1				X			
Math	1			X				
Health Insurance Program	2					X	X	
School Calendar	1	X						
Vocational Advisory Council	1					X		
Gaining	3		X	X			X	
Policy Review	3	X			X		X	
Assessment	1			X				
Classified Salary/Benefit Review	2					X		X

**LEWISTOWN PUBLIC SCHOOLS**  
**Lewistown, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

09/14/2020

**Agenda Item No.**

9

☐ Minutes/Claims    ☒ Board of Trustees    ☐ Superintendent's Report    ☐ Action – Consent  
☐ Action – Indiv.

**ITEM TITLE:** CALENDAR ITEMS, CONCERNS, CORRESPONDENCE, ETC

**Requested By:** Board of Trustees    **Prepared By:** \_\_\_\_\_

**SUMMARY:**

Time is provided on the agenda for the Board to discuss calendar items, concerns, correspondence, future agenda items, and comments for the good of the district.

- Letter from OPI Superintendent, Elsie Arntzen
- MHSA Letter
- Donors Choose Project – STEM Projects Building Citizen Science Mindset – Mrs. Flentie...\$17,942, FULLY Funded
- Protocol for Student/Staff positive COVID-19 Test

**SUGGESTED ACTION:**

\_\_\_\_\_  
☐ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/2020

Agenda Item No.

10

☐ Minutes/Claims    ☒ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☐ Action - Indiv.

ITEM TITLE: REPORT—INVESTMENT

Requested By: Superintendent    Prepared By: Rebekah Rhoades

**SUMMARY:**

Interest for August 2020 will be reported as follows:

Elementary	\$3,367.10
<u>High School</u>	<u>\$3,611.13</u>
Total	\$6,978.23

**SUGGESTED ACTION:** Informational

☐ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

NOTES:

**LEWISTOWN PUBLIC SCHOOLS**  
**Lewistown, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

09/14/2020

**Agenda Item No.**

11

☐ Minutes/Claims    ☐ Board of Trustees    ☒ Superintendent's Report    ☐ Action - Consent  
☐ Action - Indiv.

**ITEM TITLE:** Report---Superintendent

**Requested By:** Superintendent    **Prepared By:** Thom Peck

**SUMMARY:**

Time is provided on the agenda for the Superintendent to discuss with the Board any calendar items, concerns, correspondence, future agenda items, and announcements.

- ❖ Current Enrollment: K-6 = 648 (-15) K=105, 7-8 =166 (-23), 9-12 = 339 (+29) TOTAL = 1154 (-8) 38 NEW Home School kids
- ❖ Board Tours – Set Date
- ❖ CTA – Bond Strategy re-visit at October Board Meeting
- ❖ MCEL—October 14-16, 2020—All Virtual - Agenda
- ❖ Out of District Students – 45 (-10) Total, 11 (+3, up 7 from 2018) at FHS
- ❖ 25 Students doing Distance Learning, slightly over 2%
- ❖ Summer Food Service Program – All K-12 kids eat FREE October through end of December, Higher Reimbursement
- ❖ Chris Russell Fundraiser – Thursday, Sept. 17<sup>th</sup> at Hockey Hut, Frank Day Park
- ❖ Homecoming Week—September 21 – September 26, 2020
  - Parade – Yes; NO Pep Assembly
- Picture Day Schedule:

Tuesday	September 15, 2020	LJH & FHS
Wednesday	September 16, 2020	Garfield Elementary
Thursday	September 17, 2020	Highland Park Elementary
Friday	September 18, 2020	L&C Elementary
- ❖ GO—Divisionals @ Billings, 9/24; State Class 'A' Tournament—October 1-2 - Butte
- ❖ Home Athletic Games/Meets:
  - 9/18 FB v. Custer Co. (Senior Night – FB, XC & Golf)
  - 9/18 XC v. Fergus Inv.
  - 9/25 VB v. Park
  - 9/25 FB v. Havre
  - 9/26 JHFB v Laurel
  - 9/26 JHVB
  - 9/26 HSVB v Custer County
  - 9/29 XC – Fergus Inv.
  - 10/1 VB v Havre
  - 10/5 Frosh FB v. Park
- ❖ Ministerial Breakfast was held Thursday, Sept. 10, 2020

**SUGGESTED ACTION:** Informational

☐ Additional Information Attached



LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

**Meeting Date**

09/14/2020

**Agenda Item No.**

12

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☐ Action - Indiv.

**ITEM TITLE:** RECOGNITION OF PARENTS, PATRONS, AND OTHERS WHO WISH TO ADDRESS  
THE BOARD ON NON-AGENDA ITEMS

**Requested By:** Board of Trustees    **Prepared By:** \_\_\_\_\_

**SUMMARY:**

Time is provided on the agenda for anyone who wishes to address the Board on non-agenda items.

**SUGGESTED ACTION:**

\_\_\_\_\_  
☐ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

**LEWISTOWN PUBLIC SCHOOLS**  
**Lewistown, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

09/14/2020

**Agenda Item No.**

13

☒ **Minutes/Claims**    ☐ **Board of Trustees**    ☐ **Superintendent's Report**    ☐ **Action - Consent**  
☐ **Action - Indiv.**

**ITEM TITLE:** MINUTES

**Requested By:** Board of Trustees    **Prepared By:** Rebekah Rhoades

**SUMMARY:**

The following minutes are attached for your approval:

- Minutes of the August 12, 2020, Regular Board Meeting
- Minutes of the August 25, 2020, Special Board Meeting

**SUGGESTED ACTION:** Approve Minutes as Presented

☒ **Additional Information Attached**    **Estimated cost/fund source** \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Southworth						
Thompson						
Heintz						
Weeden						

**MINUTES  
LEWISTOWN PUBLIC SCHOOLS  
BOARD OF TRUSTEES**

**LINCOLN BOARD ROOM and Via Google Meet**

215 7<sup>th</sup> Avenue South  
Lewistown, Montana 59457

**MONDAY, August 12, 2020**

**REGULAR BOARD MEETING**

**CALL TO ORDER (6:00 p.m.)**

1. ROLL CALL

TRUSTEES PRESENT:

Jennifer Thompson, Monte Weeden, Phil Koterba, Doreen Heintz, Jeff Southworth, Kris Birdwell, CJ Bailey

TRUSTEES ABSENT:

STAFF PRESENT:

Superintendent Thom Peck, Business Manager/District Clerk Rebekah Rhoades, and others via Google Meet

OTHERS PRESENT:

Heidi Weber—KXLO Radio and other interested parties both in person and via Google Meet.

2. PLEDGE OF ALLEGIANCE

The group recited the Pledge of Allegiance.

3. MOTION TO SET THE AGENDA – Approved Unanimously (Weeden/Thompson)

4. REPORT—COMMITTEES OF THE BOARD

There was an Activity Meeting on Tuesday, August 4, 2020 to discuss the evaluation of coaches, etc. Paul Bartos, Athletic Director, would like to meet with the Activities Committee for Thursday, August 20<sup>th</sup> at 7:00am. Rebekah will update the Standing Committees to include Doreen, Monte and Jeff on the Activities Committee.

There was a Building and Grounds Meeting to discuss projects that Jason Fry is currently working on.

5. CALENDAR ITEMS, CONCERNS, CORRESPONDENCE, ETC.

Superintendent Peck shared the following:

- Flow Charts for Student/Staff COVID Response
- MHSA Frequently Asked Questions
- A request has been made to have a Football Coop with Stanford Junior High
- Approved Plan from the County for the Staff Barbecue on Tuesday, August 25<sup>th</sup>

6. REPORT—INVESTMENT

Interest earned and distributed for July 2020 was reported with \$2,984.04 in the elementary funds and \$2,684.01 in the high school funds for a total of \$5,668.05.

7. **REPORT—SUPERINTENDENT**

Thom Peck, Superintendent, updated the Board on staffing throughout the District. There has been and will be numerous training sessions for staff taking place prior to the first day of school, most virtual. The back to school schedule and various dates and events taking place throughout the District were shared. MCEL will be virtual this year. CTA would like to attend the October Board Meeting. Mr. Peck notified the Board that we will be 1-to-1 with devices this year due to additional funding received.

**PUBLIC PARTICIPATION**

8. **RECOGNITION OF PARENTS, PATRONS, AND OTHERS WHO WISH TO ADDRESS THE BOARD ON NON-AGENDA ITEMS**

There was no public participation.

**ACTION ITEMS**

**MINUTES**

9. **MINUTES OF THE JULY 13, 2020, REGULAR BOARD MEETING WITH THE CORRECTION OF WEDNESDAY, AUGUST 12, 2020 AS THE NEXT BOARD MEETING – approved unanimously (Thompson/Weeden).**

**APPROVAL OF CLAIMS**

10. **CLAIMS – the claims referenced in the 2020-2021 Bill Schedule and submitted through August 7, 2020, were approved unanimously (Thompson/Bailey). The Finance Committee for July-September 2020 will be Board Chair Phil Koterba, CJ Bailey, Doreen Heintz, and Jennifer Thompson.**

**INDIVIDUAL ITEMS**

11. **APPROVE MEMORANDUM OF UNDERSTANDING WITH LEWISTOWN EDUCATION ASSOCIATION – motion defeated unanimously (Thompson/Koterba)**

Susie Flentie expressed that the teachers want to be back in the classroom and does not believe that the additional 5 days of Emergency Sick Leave is an unreasonable request. Mr. Birdwell expressed that the 5 days are not necessarily the issue, but the other broad language in the MOA concerns him.

Kris Birdwell and CJ Bailey will meet with the LEA to discuss a revised version.

12. **APPROVE CHANGES TO THE EXTRA-CURRICULAR CONTRACT LANGUAGE – approved unanimously (Birdwell/Southworth)**

13. **APPROVE FIRST READING OF POLICY 1910 – COVID-19 EMERGENCY MEASURES – PERSONNEL USE OF LEAVE – approved unanimously (Weeden/Thompson)**

14. **APPROVE RE-OPENING PLAN FOR LEWISTOWN SCHOOLS – approved unanimously (Heintz/Weeden)**

Mr. Peck read a statement from Ben Phillips, Director of Emergency Management and Disaster Services. He then gave information on the process for how the Plan was developed by the District and stated that the school is planning to start in Phase 2, 100% open with restrictions.

Mr. Koterba thanked the Administrators for their work on developing the Plan.

Mr. Lewis expressed his thanks to the teachers that served on the committee for the reopening plan. He also explained that a presentation will be sent out to parents in the near future and will hold Town Hall meetings to simplify communication to parents.

Mr. Peck clarified the role of Transportation in Phase 2 reopening.

Kendra Mihlfeld asked if staff will be tested and how often. Mr. Peck responded that staff cannot be mandated to test.

Christine Solheim asked what would happen as the County moves from more or less than 4 cases. She requested that the wording be changed in regards to band, PE in Phase 2 Reopening. She expressed concern regarding the lack of and confusing communication to parents. She also expressed concern regarding students wearing masks, how sanitization will take place, etc. Jeff Southworth responded that reopening will need adjustments, but not all scenarios can be anticipated. Mrs. Solheim recommended that the District open in Phase 3. It was explained that opening in Phase 3 is not an option per the County Health District. Mr. Peck explained the phases to Mrs. Solheim and how they were developed.

Susie Flentie explained the committees thought process and work done to put the Plan out to the Community.

Mr. Majerus shared that the Plan is meant to be a guide and that details will be discussed at Town Hall Meetings with each school.

15. APPROVE LEWISTOWN PUBLIC SCHOOLS 2019-2020 ANNUAL REPORT – approved unanimously (Weeden/Bailey).
16. APPROVE ELEMENTARY TRUSTEES' FINANCIAL SUMMARY FOR THE 2019-2020 FISCAL YEAR – approved unanimously (Birdwell/Weeden)
17. APPROVE HIGH SCHOOL TRUSTEES' FINANCIAL SUMMARY FOR THE 2019-2020 FISCAL YEAR – approved unanimously (Thompson/Heintz)
18. APPROVE ELEMENTARY BUDGET FOR THE 2020-2021 FISCAL YEAR WITH AMENDMENT AS APPROVED – approved unanimously (Weeden/Bailey)

AMEND MOTION TO ALLOW AN INCREASE IN THE TRANSPORTATION BUDGET TO TAKE ADVANTAGE OF THE STATE MONEY AS LONG AS THE DISTRICT DOES NOT INCREASE THE OVERALL MILLS – Approved Unanimously (Birdwell/Bailey)

19. APPROVE HIGH SCHOOL BUDGET FOR THE 2020-2021 FISCAL YEAR TO ALLOW AN INCREASE IN THE TRANSPORTATION BUDGET TO TAKE ADVANTAGE OF THE STATE MONEY AS LONG AS THE DISTRICT DOES NOT INCREASE THE OVERALL MILLS – approved unanimously (Birdwell/Bailey)
20. APPROVE IDEA PART B FEDERAL FLOW-THROUGH APPLICATION TO CMLRCC FOR SPECIAL EDUCATION EXPENSES – approved unanimously (Thompson/Bailey)
21. APPROVE SCHOOL FACILITY ASSESSMENT – approved unanimously (Bailey/Thompson)
22. APPROVE OUT-OF-DISTRICT STUDENT ATTENDANCE AGREEMENT REQUEST FOR PLACEMENT OUTSIDE/INSIDE OF LEWISTOWN PUBLIC SCHOOLS – approved unanimously (Heintz/Weeden)
23. APPROVE ADDITIONS TO THE SUBSTITUTE LIST FOR THE 2020-2021 SCHOOL YEAR – approved unanimously (Bailey/Thompson)
24. APPROVE PERSONNEL REPORT – See Exhibit A – approved unanimously (Weeden/Bailey)

**ADJOURNMENT**

The meeting was adjourned at 8:02 p.m. (Thompson). The next regular meeting will be held at 6:00 p.m. on Monday, September 14, 2020, at the Lincoln Board Room.

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**PHILIP KOTERBA**  
**BOARD CHAIR**

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**REBEKAH RHOADES**  
**BUSINESS MANAGER/CLERK**

**EXHIBIT 'A'**  
**LEWISTOWN PUBLIC SCHOOLS**  
**LEWISTOWN, MONTANA**

**Wednesday August 12, 2020**

<b>EMPLOYEE NAME</b>	<b>POSITION</b>	<b>LOCATION</b>	<b>RECOMMENDED ACTION</b>	<b>EFFECTIVE DATE</b>	<b>RECOMMENDED BY</b>	<b>COMMENTS</b>
<b>GRUENER, Matthew</b>	Driver Education Instructor	Fergus High School	Approve appointment at \$25.00 per hour as needed for behind-the-wheel driving instruction	August 26, 2020 -- May 28, 2021	Thom Peck	Matthew will be teaching in the classroom and assisting in the behind-the-wheel driving instruction
<b>HOGG, Terry</b>	Bus Driver	Lewistown Public Schools	Approve appointment on schedule --TRANS Step 0 for 5 days per week for up to 4 hours per day for up to 185 days	8/7/2019	Rob Odermann	Replacing Alex Schofield.
<b>OLDENBURG, Diane</b>	Hi-Set Examiner	Central Montana Education Center	Approve appointment on schedule --HI SET EXAMINER for up to 312 hours per year at \$20.00 per hour	8/26/2020	Rebekah Rhoades	
<b>RECOMMENDATIONS FOR ACTIVITIES AND ATHLETICS</b>	Extra Curricular Assignments	Jr. High School and Fergus High School	Approve appointment on schedule as recommended on attachment	8/7/2020	Paul Bartos and Jeff Friesen	See attached list
<b>RECOMMENDATIONS FOR EXTRA-DUTY CONTRACTS</b>	Bus Drivers	Lewistown Public Schools	Approve appointment on schedule as recommended on attachment	8/7/2020	Rob Odermann	See attached list
<b>SHELAGOWSKI, Brett</b>	Driver Education Instructor	Fergus High School	Approve appointment at \$25.00 per hour as needed for behind- the-wheel driving instruction	August 26, 2019 - May 28, 2021	Thom Peck	Bret will be teaching in the classroom and assisting in the behind-the-wheel driving instruction
<b>WIRTZBERGER, Danny</b>	Principal	Lewis and Clark School	Approve request to enroll in the Educational Leadership Program at Montana State University School Superintendent Certificate Courses for the purpose of moving across the salary matrix in the future	8/12/2020	Thom Peck	See Attached Letter

**MINUTES  
LEWISTOWN PUBLIC SCHOOLS  
BOARD OF TRUSTEES**

Lincoln Board Room  
215 Seventh Avenue South  
Lewistown, Montana 59457

**Tuesday, August 25, 2020**

**SPECIAL BOARD MEETING**

**CALL TO ORDER (7:00 A.M.)**

1. ROLL CALL

TRUSTEES PRESENT:

Board Chair Phil Koterba, Doreen Heintz, Jennifer Thompson, Kris Birdwell, CJ Bailey, Jeff Southworth

TRUSTEES ABSENT:

Monte Weeden

STAFF PRESENT:

Superintendent Thom Peck, Business Manager Rebekah Rhoades and others via Google Meet

OTHERS PRESENT:

Heidi Weber – KXLO Radio, Dusty Rixford and others via Google Meet

2. PLEDGE OF ALLEGIANCE

The group recited the Pledge of Allegiance.

**PUBLIC PARTICIPATION**

3. RECOGNITION OF PARENTS, PATRONS, AND OTHERS WHO WISH TO ADDRESS THE BOARD

Dusty Rixford, parent, requested that distance learning students be able to participate in sports. She is willing to provide education to her daughters to bring them up to the number of credits necessary to compete in athletics. She spoke with MHSA and other schools where athletics and distance learning is supported.

Mr. Peck responded that the District has chosen to take a more stringent approach to distance learning than MHSA.

Mr. Majerus read a memo that he sent to the Board after speaking with MHSA and MTSBA. In that memo it clarified the approach to reviewing the risk to students that have chosen distance learning and want to participate in distance learning.

Jeremy England addressed the Board regarding the FFA program being limited in activities that they are allowed to participate in and requested that the Board reconsider that.



## **BOARD OF TRUSTEES**

### **ACTION ITEMS**

4. Approve Memorandum of Agreement between Lewistown Public Schools and the Lewistown Education Association. – Approved Unanimously (Birdwell/Bailey)
5. Approve Changes to the Extra-Curricular Contract Language – Approved Unanimously (Bailey/Thompson)
6. Approve Additions to Substitute List for the 2020-2021 School Year – Approved Unanimously (Heintz/Southworth)
7. Approve Personnel Report – See Exhibit A – with the additions of Mikayla Hensen at 7.5 hours per day as a Paraprofessional and Dennis Flesch at 8 hours per day as a Custodian – Approved Unanimously (Birdwell/Baily)

### **ADJOURNMENT**

The meeting was adjourned at 7:21 a.m. (Thompson – unanimous).

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**PHILLIP KOTERBA**  
**BOARD CHAIR**

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**REBEKAH RHOADES**  
**BUSINESS MANAGER**

**EXHIBIT 'A'**  
**LEWISTOWN PUBLIC SCHOOLS**  
**LEWISTOWN, MONTANA**

**Tuesday August 25, 2020**

<i>EMPLOYEE NAME</i>	<i>POSITION</i>	<i>LOCATION</i>	<i>RECOMMENDED ACTION</i>	<i>EFFECTIVE DATE</i>	<i>RECOMMENDED BY</i>	<i>COMMENTS</i>
<b>EVANS, Julie</b>	Food Server	Highland Park School	Approve appointment on schedule--FOOD SERVER KITCHEN AIDE Step 0, Breakfast Server 2 days per week for 2 hours per day and Lunch Server 5 days per week for 2.5 hours per day for 187 days per year	8/24/2020	Amie Friesen	Replacing Cheryl (Dennise) Richardson
<b>HODGE, Emily</b>	Special Ed Paraprofessional	Garfield School	Accept Letter of Resignation	8/12/2020	Matt Lewis	See Attached Letter
<b>MCGOWAN, Tina</b>	Bus Driver	Transportation	Approved appointment on schedule-- TRANS Step 0 for up to 4 hours per day for up to 185 days	8/24/2020	Rob Odermann	Replacing Tommy Victor
<b>SANDERS, Milford (Jeff)</b>	Paraprofessional	Lewis & Clark School	Approve appointment on schedule--PARA EDUCATOR-CERT Step 0 for up to 7.5 hours per day for up to 186 days	8/24/2020	Danny Wirtzberger	Replacing Amber Arntzen
<b>SRAMEK, Stacey</b>	Bus Driver	Transportation	Approve appointment on schedule--TRANS Step 0 for up to 4.5 hours per day for up to 185 days	8/24/2020	Rob Odermann	Replacing Teresa Victor
<b>VICTOR, Teresa</b>	Bus Driver	Transportation	Accept Letter of Resignation	8/12/2020	Rob Odermann	See Attached Letter
<b>VICTOR, Tommy</b>	Bus Driver	Transportation	Accept Letter of Resignation	8/12/2020	Rob Odermann	See Attached Letter
<b>WYMAN, Michael</b>	Custodian	Fergus High School	Accept Letter of Resignation	8/18/2020	Jason Fry	See Attached Letter
<b>FLESCH, Dennis</b>	Custodian	Fergus High School	Approve appointment on schedule--MAINT II Step 0 for up to 8 hours per day for up to 215 days	8/31/2020	Jason Fry	New Position - COVID
<b>HENSEN, Mikayla</b>	Paraprofessional	Garfield School	Approve appointment on schedule--PARA EDUCATOR-CERT Step 0 for up to 7.5 hours per day for up to 182 days	8/31/2020	Matt Lewis	Replacing Emily Hodge

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/2020

Agenda Item No.

14

☒ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☐ Action - Indiv.

ITEM TITLE: CLAIMS

Requested By: Board of Trustees    Prepared By: LuAnn Schrauth

**SUMMARY:**

Approve claims paid through September 11, 2020, as approved by the Finance Committee.

Members of the Finance Committee for July-September 2020 include: Board Chair Phil Koterba, CJ Bailey, Doreen Heintz, and Jennifer Thompson.

**\*\*Need to select new Finance Committee members for October-December 2020.**

**SUGGESTED ACTION:** Approve Claims as Presented

☐ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Southworth						
Thompson						
Heintz						
Weeden						

**LEWISTOWN PUBLIC SCHOOLS**  
**Lewistown, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

09/14/2020

**Agenda Item No.**

15

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE PURCHASE AND INSTALLATION OF DISTRICT WIDE PHONE SYSTEM

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the purchase and installation of a new district wide phone system. Funds used to purchase the new system would be paid for primarily out of the Funds below, with the option to take a portion out of the Transportation Fund, Metal Mines Fund or Flex Fund if desired.

Fund 161 (permissive levy):    \$70,000 Elementary  
Fund 282 (interlocal fund):    \$21,000 Elementary  
  \$49,000 High School  
  \$130,000 Total (Includes \$20,000 for the necessary intercom system upgrade)

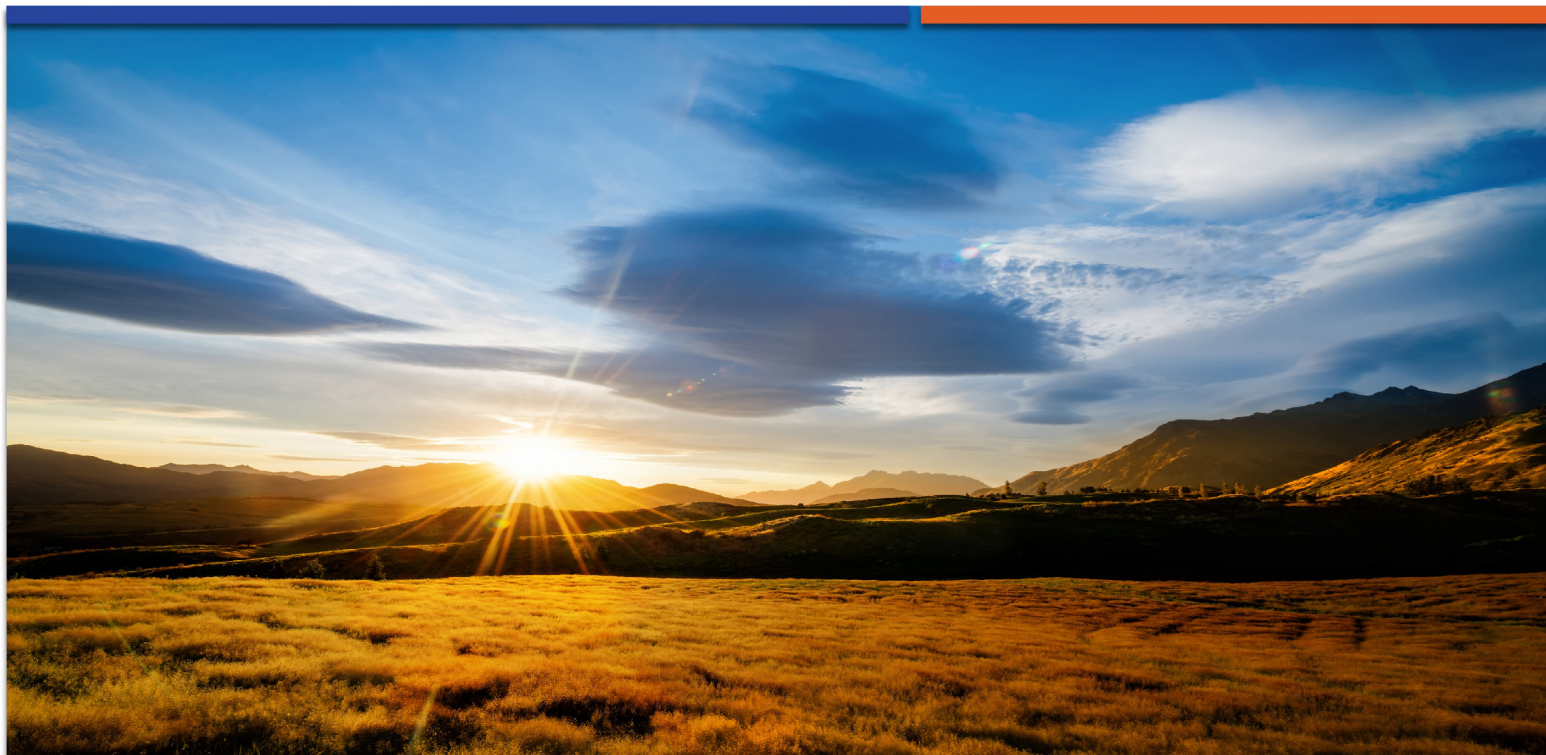
**SUGGESTED ACTION:** Approve Purchase and Installation of District Wide Phone System

☒ **Additional Information Attached**    **Estimated cost/fund source** \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

# PROPOSAL



**PROPOSAL NAME:** Mitel Phone System

**PROPOSAL DATE:** August 31, 2020



**PREPARED FOR:**

Lewistown School District #1  
Scott Baldwin

215 7th Ave S  
Lewistown, MT 59457

[scott.baldwin@lewistown.k12.mt.us](mailto:scott.baldwin@lewistown.k12.mt.us)



**PREPARED BY:**

Mike Felten  
High Point Networks, LLC.

Direct/Mobile/Fax: 406-281-7222

[mike.felten@highpointnetworks.com](mailto:mike.felten@highpointnetworks.com)



877.850.6459



[www.HighPointNetworks.com](http://www.HighPointNetworks.com)



[sales@highpointnetworks.com](mailto:sales@highpointnetworks.com)

## Mitel Phone System



### Summary

High Point Networks is happy to provide **Lewistown School District #1** with a proposal for a Mitel Connect Solution. Our system details are defined below and included in the datasheets attached to this proposal. If there are any questions or concerns please let us know.

**Completion Date:** TBD

**P.O.C(s):** Scott Baldwin

**Site Address:** 215 7th Ave S, Lewistown, MT 59457

**Project Brief:** Customer is looking to replace their existing systems and install a single system into their environment. This would include a PRI T1 at the High School site, and all inbound/outbound call traffic would come from there. We would deploy ST Voice switches at all locations for local survivability. Solution includes Emergency notification for up to 5 Alertees.

#### System Configuration Summary:

Sites: 6, High School, Junior High, Lewis and Clark, Lincoln / Bus Barn, Highland Park, Garfield  
IP Stations: 168 (22 – 485g, 146 – 420g, Conference phone)  
Analog Stations: Unknown  
T1-PRI/SIP Trunks: Designed to handle either a new PRI or SIP Trunks, which will need to be ordered and install / cutover coordinated  
POTs - Analog Trunks: 29 Total, 2) GA, 3) HP, 2) LC, 3) JH, 6) HS, 1) SF, 4) BB, 5 LC, 3) CMEC  
Fax Line: Outside of phone system

#### Hardware Configuration

Server: Virtual (VMWare 5.5 – 6.5) customer provided  
Virtual Appliances: Virtual Spare Phone, Virtual Service Appliance  
Physical Hardware: 1 – ST100DA, 5 – ST50A

#### User Licenses

Connect Advanced: 8 – Includes Extension & Mailbox, Connect desktop and mobile client, Connect Telephony for Microsoft and Connect for Chrome. Also includes Web and App dialer, Remote Phone, CRM integration, WG Agent, WG Supervisor and Operator.  
Connect Standard: 1 – Includes Extension & Mailbox, Connect desktop and mobile client, Connect Telephony for Microsoft and Connect for Chrome. Also includes Web and App dialer, Remote Phone and CRM client integration.  
Connect Essentials: 161 – Includes Extension & Mailbox, Connect desktop and mobile client, Connect Telephony for Microsoft and Connect for Chrome. Also includes Web and App dialer.  
Connect Telephony: 2 - Includes Extension & Mailbox with no Connect client capability.  
Connect Courtesy: 1 – Includes Extension Only with no Connect client capability.

#### Advanced Applications

Conferencing Bridge: Virtual SA deployed to be used just for IM and Presence

# Mitel Phone System

Emergency Notification: Up to 5 Alertees

## **Methodology**

Installation: 5 Phase Installation plan – Discovery, Development, Installation, Train, Cutover

Admin/End User Training: Included in professional services estimate and will be scheduled during the Project Kick-off call.

## **Scope of Work:**

### **HPN Responsibilities:**

Project Management

#### Discovery Activities

- Project Kick off Call with customer and HPN Project Team
- Discovery Discussions – Users, trunks, site and other information gathering
- Call Flow discussion - How calls work today vs how you want them tomorrow
- Build Implementation documentation to provide to customer for approval

#### Development activities

- Spin up Windows 2016 Server and provision for Mitel Connect Director
- Download and install Mitel Director software
- Configure Mitel voice switch(s)
- Configure call flow based on the baseline config document
- Configure site, users and trunks based on project spreadsheet documentation
- Configure Emergency Notification and assist customer with deploying client
- Prep all hardware and phones to be installed
- Run backups
- Creation of voice VLAN setup and DHCP scope option

#### Installation Activities

- Rack/Stack Mitel controller(s) to network, test connectivity at each of the school locations
- Complete phone assignment based on MAC #'s provided by customer
- Assist Customer with PC client deployment and assignment
- Verify / test telephone facilities to ensure successful system cutover
- Identifying termination blocks, analog device(s), paging, MOH, etc
- Recording greetings for call flow
- Testing / prep for system cutover
- Connect paging to Mitel Connect to all ready paging system (PA-1)

#### Training Activities

- Onsite end user training IP phone / client (up to 8 - 90min training sessions)
- System administration training (2hr session)

#### System Trunk cutover Activities

- Transition of phone lines / IP phones end points
- Transition of analog end points
- Testing of system operation
- Testing of all endpoints

## Mitel Phone System

- Next Day support (up to 4 hours onsite)

HPN provides a 10-day post install support of moves/adds/changes which will need to be coordinated thru the Project Manager

### **Client Responsibilities:**

Provide detailed site / user / trunk Information

Provide detailed call flow information

Provide a voice to record all system greetings / announcements

Provide building layout map for phone placement and client installation

Customer will be responsible for phone placement and provide MAC address list

Customer will be rolling out all PC clients

Environmental Recommendations

- Power Source - Dedicated or UPS power to ensure all equipment is on UPS power.
- Rack Space – Mitel Gateway(s) are 1U height
- Trunk location will need to be extended to location of new Mitel equipment
- Analog termination blocks will need to be located near or extended to new Mitel equipment
- Music on hold source or files, or standard MiConnect MOH can be used.

Training Recommendations

- Training schedules to be published for users to sign up
- Training room big enough for 15-20 Users
- Will be using some of purchased phones for training class

### **Exclusions:**

- Any other work requested outside of this Scope of Work
- Cabling services are not included in this scope, if cabling is required an additional quote will need to be approved
- PC updates or patches for Mitel client, these will need to be done prior to our initial onsite visit
- All IP phones ship with a desktop bracket, wall brackets do NOT come standard, if additional brackets are needed, they will be billed separately
- Paging bell / PA System
- Legacy system / wiring disposal
- All IP phones include 7-foot patch cord, if longer cable(s) required they will be invoiced separately
- Additional / all fees for dedicated fax lines and analog trunks from carrier

### **Change Control:**

- In the event that it becomes necessary to alter the scope of work, High Point Networks will initiate contact with the company's point of contact to work out the details associated with impacts to schedules, deliverables and/or financial commitments. No changes to the scope of work will occur without prior written authorization.

**All Projects exceeding 10 hours of service will require a 50% down payment of the total project due upon acceptance of the quotation and the remainder due within 30 days of completion.**



# Mitel Phone System

NASPO Contract AR627

## High School

Qty	Item	Description	Price	Ext. Price
1	10582	Mitel Voice Switch ST100DA	\$4,193.75	\$4,193.75
1	10223	Rack Mount Tray Kit for SG switch 1U half width, holds two 1U half width voice switches	\$65.00	\$65.00
62	10574	Mitel IP Phone IP420g Includes 14 extra for spares	\$129.74	\$8,043.88
9	10578	Mitel IP Phone IP485G Includes 5 extra for spares	\$253.85	\$2,284.65
2	10575	Mitel Button Box BB424 for IP485g phones	\$236.92	\$473.84
<b>Subtotal:</b>				\$15,061.12

## Junior High

Qty	Item	Description	Price	Ext. Price
1	10580	Mitel Voice Switch ST50A, 1U half-width. Max Capacities: 50 IP Phones, 4 Analog Exts, 8 SIP Trunk, 4 LS Trks. Made in USA. Requires ShoreTel Connect; not supported with ShoreTel 14 or older. Use Dual Switch Tray (SKU 10223) for rack mounting.	\$1,410.26	\$1,410.26
1	30044	Additional Site License	\$279.23	\$279.23
1	10223	Rack Mount Tray Kit for SG switch 1U half width, holds two 1U half width voice switches	\$65.00	\$65.00
25	10574	Mitel IP Phone IP420g	\$129.74	\$3,243.50
2	10578	Mitel IP Phone IP485G	\$253.85	\$507.70
1	10575	Mitel Button Box BB424 for IP485g phones	\$236.92	\$236.92
<b>Subtotal:</b>				\$5,742.61

## Lewis and Clark

Qty	Item	Description	Price	Ext. Price
1	10580	Mitel Voice Switch ST50A, 1U half-width. Max Capacities: 50 IP Phones, 4 Analog Exts, 8 SIP Trunk, 4 LS Trks. Made in USA. Requires ShoreTel Connect; not supported with ShoreTel 14 or older. Use Dual Switch Tray (SKU 10223) for rack mounting.	\$1,410.26	\$1,410.26
1	30044	Additional Site License	\$279.23	\$279.23
1	10223	Rack Mount Tray Kit for SG switch 1U half width, holds two 1U half width voice switches	\$65.00	\$65.00
22	10574	Mitel IP Phone IP420g	\$129.74	\$2,854.28
2	10578	Mitel IP Phone IP485G	\$253.85	\$507.70

## Mitel Phone System

### Lewis and Clark

Qty	Item	Description	Price	Ext. Price
1	10575	Mitel Button Box BB424 for IP485g phones	\$236.92	\$236.92
			<b>Subtotal:</b>	<b>\$5,353.39</b>

### Garfield

Qty	Item	Description	Price	Ext. Price
1	10580	Mitel Voice Switch ST50A, 1U half-width. Max Capacities: 50 IP Phones, 4 Analog Exts, 8 SIP Trunk, 4 LS Trks. Made in USA. Requires ShoreTel Connect; not supported with ShoreTel 14 or older. Use Dual Switch Tray (SKU 10223) for rack mounting.	\$1,410.26	\$1,410.26
1	30044	Additional Site License	\$279.23	\$279.23
1	10223	Rack Mount Tray Kit for SG switch 1U half width, holds two 1U half width voice switches	\$65.00	\$65.00
20	10574	Mitel IP Phone IP420g	\$129.74	\$2,594.80
2	10578	Mitel IP Phone IP485G	\$253.85	\$507.70
1	10575	Mitel Button Box BB424 for IP485g phones	\$236.92	\$236.92
			<b>Subtotal:</b>	<b>\$5,093.91</b>

### Highland Park

Qty	Item	Description	Price	Ext. Price
1	10580	Mitel Voice Switch ST50A, 1U half-width. Max Capacities: 50 IP Phones, 4 Analog Exts, 8 SIP Trunk, 4 LS Trks. Made in USA. Requires ShoreTel Connect; not supported with ShoreTel 14 or older. Use Dual Switch Tray (SKU 10223) for rack mounting.	\$1,410.26	\$1,410.26
1	30044	Additional Site License	\$279.23	\$279.23
1	10223	Rack Mount Tray Kit for SG switch 1U half width, holds two 1U half width voice switches	\$65.00	\$65.00
21	10574	Mitel IP Phone IP420g	\$129.74	\$2,724.54
2	10578	Mitel IP Phone IP485G	\$253.85	\$507.70
1	10575	Mitel Button Box BB424 for IP485g phones	\$236.92	\$236.92
			<b>Subtotal:</b>	<b>\$5,223.65</b>

### Lincoln and Bus Barn

Qty	Item	Description	Price	Ext. Price
1	10580	Mitel Voice Switch ST50A, 1U half-width. Max Capacities: 50 IP Phones, 4 Analog Exts, 8 SIP Trunk, 4 LS Trks. Made in USA. Requires ShoreTel Connect; not supported with ShoreTel 14 or older. Use Dual Switch Tray (SKU 10223) for rack mounting.	\$1,410.26	\$1,410.26

## Mitel Phone System

### Lincoln and Bus Barn

Qty	Item	Description	Price	Ext. Price
1	30044	Additional Site License	\$279.23	\$279.23
1	10223	Rack Mount Tray Kit for SG switch 1U half width, holds two 1U half width voice switches	\$65.00	\$65.00
10	10574	Mitel IP Phone IP420g	\$129.74	\$1,297.40
10	10578	Mitel IP Phone IP485G	\$253.85	\$2,538.50
1	10575	Mitel Button Box BB424 for IP485g phones	\$236.92	\$236.92
1	10384	Shoretel IP930D DECT Phone, includes base, handset and charger.	\$337.90	\$337.90
1	10389	ShoreTel Handset : IP930D DECT Phone (Add-on) - includes handset charger - Requires ST 14 or later	\$112.26	\$112.26
1	2200-15600-001	SoundStation IP 6000 (SIP) conference phone. 802.3af Power over Ethernet. Expandable. Includes 25ft/7.6m Cat5 shielded Ethernet cable. Does not include China, Russia.	\$644.11	\$644.11
<b>Subtotal:</b>				\$6,921.58

### Mitel Software/Licensing

Qty	Item	Description	Price	Ext. Price
1	30145	Connect ONSITE Courtesy license. Includes Extension Only with no Connect client capability.  Also includes license for analog paging/intercom system connectivity.	\$55.85	\$55.85
2	30146	Connect ONSITE Telephony license. Includes Ext+Mbx with no Connect client capability.	\$89.69	\$179.38
161	30147	Connect ONSITE Essentials license bundle. Includes Ext+Mbx, Connect desktop client with IM, collaboration, softphone and video. Also includes Web and App dialer licenses.	\$112.26	\$18,073.86
8	30149	Connect ONSITE Advanced license bundle. Includes Ext+Mbx, Connect desktop and mobility client with IM, collaboration, softphone and video. Also includes Web and App Dialer, Remote Phone, CRM client integration and Operator.	\$281.49	\$2,251.92
1	30148	Connect ONSITE Standard license bundle. Includes Ext+Mbx, Connect desktop and mobility client with IM, collaboration, softphone and video. Also includes Web and App Dialer, Remote Phone and CRM client integration.	\$168.67	\$168.67
1	18008	ShoreWare Emergency Notification, 5 or fewer	\$0.00	\$0.00
1	30053	SIP Device License (License to allow a SIP device .	\$16.92	\$16.92
<b>Subtotal:</b>				\$20,746.60

### MISC Equipment

Qty	Item	Description	Price	Ext. Price
3	10304	Mitel Voice Mail Quick Reference, Doc. Pack, Qty 25	\$9.41	\$28.23

## Mitel Phone System

### MISC Equipment

Qty	Item	Description	Price	Ext. Price
3	10502	ShoreTel 420 IP Phone Quick Reference, Doc. Pack, Qty 25	\$12.24	\$36.72
3	10504	Mitel 485g IP Phone Quick Reference, Doc. Pack, Qty 25	\$12.24	\$36.72
6	60153	Wall Mount Kit for IP Phone IP420	\$17.41	\$104.46
6	60229	Paging Adapter PA-1. With contact closure support.	\$56.25	\$337.50
6	M1-50R	50PR Block 25PR Female Connection	\$35.00	\$210.00
6	25-3-PC-10-GY	AllenTel 25PAIR TELCO MF 10FT	\$19.00	\$114.00
			<b>Subtotal:</b>	<b>\$867.63</b>

### Support 3 Years (no phones)

Qty	Item	Description	Price	Ext. Price
1	91307	Partner Support with annual billing, add on to existing 3 year term, NP (phones not included). Penalty fee applies for early cancellation. Add ons are pro-rated to the end of the term and billed once.	\$14,492.23	\$14,492.23
Total amount for 3 year of support. 1/3rd of this amount to be paid annually				
			<b>Subtotal:</b>	<b>\$14,492.23</b>

### HPN Service Bundle

Qty	Item	Description	Price	Ext. Price
1	PROSERVE-PKG	High Point Networks Professional Services defined in the pdf online or above in this document	\$31,600.00	\$31,600.00
			<b>Subtotal:</b>	<b>\$31,600.00</b>

### Shipping

Qty	Item	Description	Price	Ext. Price
1	SH	Final shipping costs will be reflected on your final invoice from High Point Networks	\$0.00	\$0.00
All shipping and handling costs are passed through to the customer at cost and will be reflected in the final invoice				

## Mitel Phone System

### Prepared for:

**Lewistown School District #1**

Attn: Scott Baldwin

215 7th Ave S

Lewistown, MT 59457

### Prepared by:

**High Point Networks, LLC**

Mike Felten

Direct: 406-281-7222

mike.felten@highpointnetworks.com



## Quote Summary

Description	Amount
High School	\$15,061.12
Junior High	\$5,742.61
Lewis and Clark	\$5,353.39
Garfield	\$5,093.91
Highland Park	\$5,223.65
Lincoln and Bus Barn	\$6,921.58
Mitel Software/Licensing	\$20,746.60
MISC Equipment	\$867.63
Support 3 Years (no phones)	\$14,492.23
HPN Service Bundle	\$31,600.00

**Total:** \$111,102.72

For questions related to your quotation, please contact us using the information above. By signing below, the undersigned accepts High Point Networks Master Service Agreement and represents that he or she is authorized to execute the agreement on behalf of the customer. Acceptance of the quote online is considered acceptance of an offer and binding. All quotes are subject to shipping costs that may not be listed on the quote. Prices quoted are valid for 30 days from Quotation Date. Limitation of Liability for Consequential Damages. High Point Networks, LLC shall not be liable for any indirect, incidental, consequential, exemplary, or punitive damages of any kind or nature. All projects exceeding 10 hours of service will require a 50% down payment of the total project due upon acceptance of the quotation and the remainder due within 30 days of completion. All licensing and subscription orders will be invoiced immediately upon customer approval. Payment for all other orders are due in 30 days subject to credit approval. Credit card usage as a form of payment may be accepted on pre-approval basis and may be subject to a convenience fee. "Optional" items on the above quote are not included in the total pricing at the bottom of the quote. This offer to sell the listed products is subject to product availability and High Point Networks standard terms and condition and prices are subject to change without notice. Please consult your Account Representative prior to placing an order for timely, updated pricing. High Point Networks reserves the right to adjust pricing based on any error or omission.

Note: Once product is ordered and shipped there is NO right of return and may be subject to a restocking fee. Product cannot be returned if ordered in error. Product cannot be returned if next generation product has been released. Note: Once product is ordered and shipped there is NO right of return and may be subject to a restocking fee. Product cannot be returned if ordered in error. Product cannot be returned if next generation product has been released.

Signature

Date

# Connect with Mitel | Gold Support



## CONTACT

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[sales@highpointnetworks.com](mailto:sales@highpointnetworks.com)



## GOLD PARTNER SUPPORT | Partner Support Defined

### HARDWARE

Advanced hardware replacement is vital to minimizing the customer's business-crippling downtime. In the unlikely event a High Point Network's customer experiences a hardware failure, our on-line request for a Mitel controller is immediately logged and shipped for next-business-day delivery to the address we designate.

- ▶ Next Business Day (best efforts) Replacement of Mitel Controllers
- ▶ Onsite Labor to Install Replacement Mitel Controllers
- ▶ Spare Equipment in Fargo, Bismarck, Grand Forks & Sioux Falls

### SOFTWARE

Software updates and upgrades keep customers on the leading edge of technology. When new software is released, the detailed notes explaining the new features help customers & High Point Networks determine when to install the upgrade. Software files and documentation will be downloaded from the Mitel web site and distributed to customers under the terms of this support agreement.

- ▶ New Software Versions / Releases Plus Patches & Service Packs
- ▶ High Point Networks Remote Installation of Software Version / Release Upgrade (1 Per Year) (I.E. Major Releases 7.X To 8.X)
- ▶ All Minor Releases (X.1 To X.2) Remote Installation

### TECHNICAL SUPPORT

All Technical Support is handled by High Point Networks Certified Mitel Engineers. High Point Networks Engineers are available via phone, email and our web portal 24 hours a day, 7 days a week. Major system issues are responded to within 4 hours. Minor issues are responded to by end of business day. In all support cases, software & hardware must be at manufacturer-supported levels.

- ▶ Technical Support on System Hardware And Software Problems (Diagnosis / Resolution)
- ▶ Programming Moves, Adds or Configuration Changes/Assistance (time & materials)
- ▶ Onsite Assistance by High Point Networks Technician (travel charges may apply)
- ▶ Emergency Issue Priority Response - (an emergency is an event that affects 25% or more of trunks and/or stations)

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/2020

Agenda Item No.

16

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE FIRST READING OF DISTRICT POLICY 3210 – EQUAL EDUCATION, NON-DISCRIMINATION AND SEX EQUITY

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the first reading of the revision of Board Policy # 3210 – and consider adoption of said policy.

Information being changed has been highlighted.

**SUGGESTED ACTION:** Approve Revision of Board Policy

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						



**STUDENTS**

3210

Equal Educational Opportunity, Nondiscrimination, and Sex Equity

The District will make equal educational opportunities available for all students without regard to race, color, national origin, ancestry, sex, ethnicity, language barrier, religious belief, physical or mental handicap or disability, economic or social condition, actual or potential marital or parental status. No student will 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.

Inquiries regarding sexual harassment, sex discrimination, or sexual intimidation should be directed to the District Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both. The Board designates the following individual to serve as the District's Title IX Coordinator:

Title: \_\_\_\_\_

Office address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone number: \_\_\_\_\_

Inquiries regarding discrimination on the basis of disability or requests for accommodation should be directed to the District Section 504 Coordinator. The Board designates the following individual to serve as the District's Section 504 Coordinator:

Title: \_\_\_\_\_

Office address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone number: \_\_\_\_\_

Any individual may file a complaint alleging violation of this policy, Policy 3200-Student Rights and Responsibilities, Policy 3225/3225P-Sexual Harassment, or Policy 3226-Bullying/Harassment/Intimidation/Hazing by following those policies or Policy 1700-Uniform Complaint Procedure.

The District, in compliance with federal regulations, will notify annually all students, parents, staff, and community members of this policy and the designated coordinator to receive inquiries. This annual notification will include the name and location of the coordinator and will be included in all handbooks.

The District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence against students, staff, or volunteers with disabilities. The District will consider such



behavior as constituting discrimination on the basis of disability, in violation of state and federal law.

Cross Reference:     1700   Uniform Complaint Procedure  
                          3200   Student Rights and Responsibilities  
                          3225   Sexual Harassment/Intimidation of Students  
                          3226   Bullying/Harassment/Intimidation/Hazing

Legal Reference:     Art. X, Sec. 7, Montana Constitution- Nondiscrimination in education  
                          § 49-2-307, MCA                     Discrimination in education  
                          24.9.1001, et seq., ARM         Sex Discrimination in Education  
                          Title IX of the Educational Amendments, 20 U.S.C. § 1681, et seq.  
                          34 CFR Part 106                 Nondiscrimination on the basis of sex in  
  education programs or activities receiving  
  Federal financial assistance

Policy History:

Adopted on:

Reviewed on:

Revised on:

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/2020

Agenda Item No.

17

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE FIRST READING OF BOARD POLICY 3225 – SEXUAL HARASSMENT/INTIMIDATION OF STUDENTS

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the first reading of the revision of an updated board Policy # 3225 – and consider adoption of said policy.

Information being changed has been highlighted.

**SUGGESTED ACTION:** Approve Revision of Board Policy

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

**STUDENTS**

3225

Sexual Harassment of Students

(Page 1 of 3)

The District does not discriminate on the basis of sex in any education program or activity that it operates. The District is required by Title IX of the Education Amendments of 1972 and the regulations promulgated through the U.S. Department of Education not to discriminate in such a manner. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The Board designates the following individual to serve as the District's Title IX Coordinator:

Title: \_\_\_\_\_

Office address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone number: \_\_\_\_\_

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made in person, by mail, by telephone or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the District's education program or activity or
3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8) or "stalking" as defined in 34 USC 12291(a)(30).

When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator directs the individual to the applicable sex discrimination process for investigation.

An individual is not required to submit a report of sexual harassment involving the Title IX coordinator. In the event the Title IX Coordinator is responsible for or a witness to the alleged

harassment, the individual may report the allegations to the building principal or superintendent or other unbiased school official.

#### Retaliation Prohibited

The District prohibits intimidation, threats, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

#### Confidentiality

The District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any individual who has been alleged to be the victim or perpetrator of conduct that could constitute sexual harassment, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing or judicial proceeding arising thereunder.

#### Notice Requirements

The District provides notice to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees and the union(s) with the name or title, office address, email address and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the District website and in all handbooks made available by the District.

#### Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an

investigation and grievance process including hearings, appeals and informal resolution processes, when applicable, and how to serve impartially including by avoiding prejudgment of

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3

the facts at issue, conflicts of interest and bias. The District also ensures that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All materials used to train individuals who receive training under this section must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment and are made publicly available on the District's website.

#### Conflict of Interest and Bias

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

#### Determination of Responsibility

The individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment is presumed not responsible for alleged conduct. A determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation in accordance with the process outlined in Policy 3225P. No disciplinary sanctions will be imposed unless and until a final determination of responsibility is reached.

Cross Reference: Policy 3210 - Equal Education, Nondiscrimination and Sex Equity  
Policy 3225P – Sexual Harassment Procedures

Legal References: Art. X, Sec. 1, Montana Constitution – Educational goals and duties  
§§ 49-3-101, et seq., MCA Montana Human Rights Act  
Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, Title VII; 42 USC 2000e et seq.  
Education Amendments of 1972, Title IX; 20 USC 1681 et seq.  
34 CFR Part 106 Nondiscrimination on the basis of sex in  
education programs or activities receiving  
Federal financial assistance  
10.55.701(1)(f), ARM Board of Trustees  
10.55.719, ARM Student Protection Procedures  
10.55.801(1)(a), ARM School Climate

Policy History:

Adopted on:

Reviewed on:



LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/2020

Agenda Item No.

18

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE FIRST READING OF BOARD POLICY 3225F – SEXUAL HARASSMENT COMPLAINT REPORT FORM -STUDENTS

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the first reading of the revision of an updated board Policy # 3225 – and consider adoption of said policy.

Information being changed has been highlighted.

**SUGGESTED ACTION:** Approve Revision of Board Policy

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

3

**Sexual Harassment Reporting/Intake Form for Students**

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7 School \_\_\_\_\_ Date \_\_\_\_\_

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9 Student's name \_\_\_\_\_

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11 • Who was responsible for the harassment or  
incident(s)? \_\_\_\_\_

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14 • Describe the incident(s). \_\_\_\_\_

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• Date(s), time(s), and place(s) the incident(s)  
occurred. \_\_\_\_\_

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22 • Were other individuals involved in the incident(s)? ☐ yes ☐ no

23 If so, name the individual(s) and explain their roles. \_\_\_\_\_

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• Did anyone witness the incident(s)? ☐ yes ☐ no

If so, name the witnesses. \_\_\_\_\_

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45 Signature of complainant \_\_\_\_\_

46 \_\_\_\_\_

47 Signatures of parents/legal guardians \_\_\_\_\_

48 \_\_\_\_\_

49 *Retaliation is prohibited by federal law and district policy. The identity of the individual signing this form will* 50  
*remain confidential in accordance with law and policy.*

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/20209

Agenda Item No.

19

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE FIRST READING OF BOARD POLICY 3225P – SEXUAL HARASSMENT GRIEVANCE PROCEDURE

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the first reading of the new board Policy # 3225P – and consider adoption of said policy.

**SUGGESTED ACTION:** Approve Board Policy 3225P Sexual Harassment Grievance Procedure

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

**STUDENTS**

3225P  
page 1 of 9

Sexual Harassment Grievance Procedure - Students

The Board requires the following grievance process to be followed for the prompt and equitable resolution of student complaints alleging any action that would be prohibited as sexual harassment by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

Definitions

The following definitions apply for Title IX policies and procedures:

“Actual knowledge:” notice of sexual harassment or allegations of sexual harassment to the District’s Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary or secondary school.

“Education program or activity:” includes locations, events or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, and the context in which the sexual harassment occurs.

“Complainant:” an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent:” an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Formal complaint:” a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation of sexual harassment.

“Supportive measures:” non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

District Requirements

When the District has actual knowledge of sexual harassment in an education program or activity of the District, the District will respond promptly in a manner that is not deliberately indifferent.

When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator will direct the individual to the applicable sex discrimination process for investigation.

The District treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sexual harassment equitably by offering supportive measures. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, changes in work locations and other similar measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. If the District does not provide the Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

### Timelines

The District has established reasonably prompt time frames for the conclusion of the grievance process, including time frames for filing and resolving appeals and informal resolution processes. The grievance process may be temporarily delayed or extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the event the grievance process is temporarily delayed for good cause, the District will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

### Response to a Formal Complaint

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or other means designated by the District. The District must follow the formal complaint process before the imposition of any disciplinary sanctions or other actions that are not

supportive measures. However, nothing in this policy precludes the District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. A period of removal may include the opportunity for the student to continue instruction in an offsite capacity. The District may also place a non-student employee Respondent on administrative leave during the pendency of the grievance process. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. A period of removal may include the opportunity for the student to continue instruction in an offsite capacity. The District may also place a non-student employee Respondent on administrative leave during the pendency of the grievance process. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Upon receipt of a formal complaint, the District must provide written notice to the known parties including:

1. Notice of the allegations of sexual harassment, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;
2. An explanation of the District's investigation procedures, including any informal resolution process;
3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence; and
5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice initially provided, notice of the additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

### Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties’;
2. Provide an equal opportunity for the parties to present witnesses and evidence;
3. Not restrict either party’s ability to discuss the allegations under investigation or to gather and present relevant evidence;
4. Allow the parties to be accompanied with an advisor of the party’s choice who may be,  
but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate, with sufficient time for the party to prepare to participate;
6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;
7. Objectively evaluate all relevant evidence without relying on sex stereotypes;
8. Ensure that Title IX Coordinators, investigators, decision-makers and individuals who facilitate an informal resolution process, do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
9. Not make credibility determinations based on the individual’s status as Complainant, Respondent or witness;
10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

### Dismissal of Formal Complaints

If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. a Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;
2. the Respondent is no longer enrolled or employed by the District or;
3. specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties.

#### Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

#### Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the Title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.



Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must

hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting sexual harassment;
2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Include the findings of fact supporting the determination;
4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;
5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant; and
6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination of responsibility for sexual harassment has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may implement disciplinary sanctions in accordance with State or Federal law and or/the negotiated agreement. For students, the sanctions may include disciplinary action, up to and including permanent exclusion.

### Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time that could affect the outcome and
3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent that affected the outcome.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision

must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

#### Informal Resolution Process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:
  - A. The allegations;
  - B. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint; and
  - C. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days, unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.

#### Recordkeeping

The District must maintain for a period of seven years records of:

1. Each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies

4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

<b>Cross Reference:</b>	<b>Policy 3210</b>	<b>Equal Education, Nondiscrimination and Sex Equity</b>
	<b>Policy 3225</b>	<b>Sexual Harassment</b>
	<b>Policy 3310</b>	<b>Student Discipline</b>

**Legal References:** Art. X, Sec. 1, Montana Constitution – Educational goals and duties  
 Section 49-3-101, et seq., MCA, Montana Human Rights Act  
 Civil Rights Act, Title VI; 42 USC 2000d et seq.  
 Civil Rights Act, Title VII; 42 USC 2000e et seq.  
 Education Amendments of 1972, Title IX; 20 USC 1681 et seq.  
 Section 20-5-201, MCA, Duties and Sanctions  
 Section 20-5-202, MCA, Suspension and Expulsion  
 34 CFR Part 106 Nondiscrimination on the basis of sex in  
 education programs or activities receiving  
 Federal financial assistance  
 10.55.701(1)(f), ARM Board of Trustees  
 10. 55.719, ARM Student Protection Procedures  
 10.55.801(1)(a), ARM School Climate

### Policy History:

**Adopted on:**

Reviewed on:

Revised on:

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/20209

Agenda Item No.

20

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE FIRST READING OF BOARD POLICY 3226 – BULLYING/HAZING/INTIMIDATION  
MENACING -STUDENTS

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the first reading of the revision of an updated board Policy # 3226 – and consider adoption of said policy.

Information being changed has been highlighted.

**SUGGESTED ACTION:** Approve Revision of Board Policy

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

## STUDENTS

The Board will strive to provide a positive and productive learning and working environment. Bullying, harassment, intimidation, or hazing, by students, staff, or third parties, is strictly prohibited and shall not be tolerated.

### Definitions

1. "Third parties" include but are not limited to coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-District athletic competitions or other school events.
2. "District" includes District facilities, District premises, and non-District property if the student or employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events, where students are under the control of the District or where the employee is engaged in District business.
3. "Hazing" includes but is not limited to any act that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in or affiliation with any District-sponsored activity or grade-level attainment, including but not limited to forced consumption of any drink, alcoholic beverage, drug, or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation, or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes, or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed, or other such activities intended to degrade or humiliate.
4. "Bullying" means any harassment, intimidation, hazing, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic communication ("cyberbullying") or threat directed against a student that is persistent, severe, or repeated, and that substantially interferes with a student's educational benefits, opportunities, or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, or anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a student or staff member or an interference with school purposes or an educational function, and that has the effect of:
  - a. Physically harming a student or damaging a student's property;
  - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
  - c. Creating a hostile educational environment, or;
  - d. Substantially and materially disrupts the orderly operation of a school.
6. "Electronic communication device" means any mode of electronic communication, including but not limited to computers, cell phones, PDAs, or the internet.

### Reporting

All complaints about behavior that may violate this policy shall be promptly investigated. Any student, employee, or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, or bullying in violation of this policy is encouraged to immediately report his/her concerns to the building principal or the District Administrator, who have overall responsibility for such investigations. A student may also report concerns to a teacher or counselor, who will be responsible for notifying the appropriate District official. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent or District Administrator shall be filed with the Board.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

### Exhaustion of administrative remedies

A person alleging violation of any form of harassment, intimidation, hazing, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic communication, as stated above, may seek redress under any available law, either civil or criminal, after exhausting all administrative remedies.

### Responsibilities

The District Administrator shall be responsible for ensuring notice of this policy is provided to students, staff, and third parties and for the development of administrative regulations, including reporting and investigative procedures, as needed.

When an employee has actual knowledge that behavior in violation of this policy is sexual harassment, the employee must contact the Title IX Coordinator. The Title IX sexual harassment grievance process will be followed, if applicable, prior to imposing any discipline that cannot be imposed without resolution of the Title IX process.

### Consequences

Students whose behavior is found to be in violation of this policy will be subject to discipline up to and including expulsion. Staff whose behavior is found to be in violation of this policy will be subject to discipline up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the District Administrator or the Board. Individuals may also be referred to law enforcement officials.

### Retaliation and Reprisal

Retaliation is prohibited against any person who reports or is thought to have reported a violation, files a complaint, or otherwise participates in an investigation or inquiry. Such retaliation shall be considered a serious violation of Board policy, whether or not a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.



## Sexual Harassment

Legal Reference	§ 20-5-207, MCA “Bully-Free Montana Act”	
	§ 20-5-208, MCA	Definition
	§ 20-50-209, MCA	Bullying of student prohibited
1		§ 20-5-210, MCA
2		Enforcement – exhaustion of administrative remedies
3		10.55.701(2)(f),
4		ARM Board of Trustees
		10.55.719,
		ARM Student Protection Procedures
		10.55.801(1)(d),
		ARM School Climate
5	<u>Policy History:</u>	
6	Adopted on:	
7	Reviewed on:	
8	Revised on:	

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/20209

Agenda Item No.

21

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE FIRST READING OF BOARD POLICY 5010 – EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the first reading of the revision of an updated board Policy # 5010 – and consider adoption of said policy.

Information being changed has been highlighted.

**SUGGESTED ACTION:** Approve Revision of Board Policy

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Ave	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

## PERSONNEL

5010

Equal Employment Opportunity, Non-Discrimination, and Sex Equity

The District will provide equal employment opportunities to all persons, regardless of their race, color, religion, creed, national origin, genetic information, sex, age, ancestry, marital status, military status, citizenship status, use of lawful products while not at work physical or mental disability. The District will make reasonable accommodation for an individual with a disability known to the District, if the individual is otherwise qualified for the position, unless the accommodation would impose undue hardship on the District.

Inquiries regarding sexual harassment, sex discrimination, or sexual intimidation should be directed to the District Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both. The Board designates the following individual to serve as the District's Title IX Coordinator:

Title: \_\_\_\_\_

Office address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone number: \_\_\_\_\_

Inquiries regarding discrimination on the basis of disability or requests for accommodation should be directed to the District Section 504 Coordinator. The Board designates the following individual to serve as the District's Section 504 Coordinator:

Title: \_\_\_\_\_

Office address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone number: \_\_\_\_\_

Any individual may file a complaint alleging violation of this policy, Policy 5012/512P – Sexual Harrassment, or Policy 5015-Bullying/Harassment/Intimidation/Hazing by following those policies or Policy 1700-Uniform Complaint Procedure.

The District, in compliance with federal regulations, will notify annually all students, parents, staff, and community members of this policy and the designated coordinator to receive inquiries. This annual notification will include the name and location of the coordinator and will be included in all handbooks.

The District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence against students, staff, or volunteers with disabilities. The District will consider such behavior as constituting discrimination on the basis of disability, in violation of state and federal law.

All complaints about behavior that may violate this policy shall be promptly investigated.

Retaliation against an employee who has filed a discrimination complaint, testified, or participated in any manner in a discrimination investigation or proceeding is prohibited.

Legal Reference: Age Discrimination in Employment Act, 29 U.S.C. §§ 621, *et seq.*  
Americans with Disabilities Act, Title I, 42 U.S.C. §§ 12111, *et seq.*  
Equal Pay Act, 29 U.S.C. § 206(d)  
Immigration Reform and Control Act, 8 U.S.C. §§ 1324(a), *et seq.*  
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, *et seq.*  
Genetic Information Nondiscrimination Act of 2008 (GINA)  
Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000(e), *et seq.*; 29 C.F.R.,  
Part 1601  
Title IX of the Education Amendments, 20 U.S.C. §§ 1681, *et seq.*; 34  
C.F.R., Part 106  
Montana Constitution, Art. X, § 1 - Educational goals and duties  
§ 49-2-101, *et seq.*, MCA      Human Rights Act  
§ 49-2-303, MCA      Discrimination in Employment  
§ 49-3-102, MCA      What local governmental units affected  
§49-3-201, MCA      Employment of state and local government  
personnel

Policy History:

Adopted on:

Reviewed on:

Revised on:

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/20209

Agenda Item No.

22

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE FIRST READING OF BOARD POLICY 5012 – SEXUAL HARASSMENT/ SEXUAL INTIMIDATION IN THE WORKPLACE

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the first reading of the board policy # 5012 – and consider adoption of said policy.

Information being changed has been highlighted.

**SUGGESTED ACTION:** Approve Revision of Board Policy

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

## PERSONNEL

5012

Page 1 of 3

Sexual Harassment of Employees

The District does not discriminate on the basis of sex in any education program or activity that it operates. The District is required by Title IX of the Education Amendments of 1972 and the regulations promulgated through the U.S. Department of Education not to discriminate in such a manner. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The Board designates the following individual to serve as the District's Title IX Coordinator:

Title: \_\_\_\_\_

Office address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone number: \_\_\_\_\_

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made using the attached form, in person, by mail, by telephone or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8) or "stalking" as defined in 34 USC 12291(a)(30).

When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator shall direct the individual to the applicable sex discrimination process for investigation.

An individual is not required to submit a report of sexual harassment involving the Title IX coordinator. In the event the Title IX Coordinator is responsible for or a witness to the al



47 harassment, the individual may report the allegations to the building principal or  
48 superintendent or other unbiased school official.

#### 50 Retaliation Prohibited

51  
52 The District prohibits intimidation, threats, coercion or discrimination against any  
53 individual for the purpose of interfering with any right or privilege secured by Title IX  
54 or this policy, or because the individual has made a report or complaint, testified,  
55 assisted, or participated or refused to participate in any manner in an investigation  
56 proceeding or hearing, if applicable. Intimidation, threats, coercion, or discrimination,  
57 including charges against an individual for code of conduct violations that do not  
58 involve sex discrimination or sexual harassment, but arise out of the same facts or  
59 circumstances as a report or complaint of sex discrimination, or a report or formal  
60 complaint of sexual harassment, for the purpose of interfering with any right or privilege  
61 secured by Title IX or this part, constitutes retaliation.

#### 63 Confidentiality

65 The District must keep confidential the identity of any individual who has made a report  
66 or complaint of sex discrimination, including any individual who has made a report or  
67 filed a formal complaint of sexual harassment, any individual who has been alleged to be  
68 the victim or perpetrator of conduct that could constitute sexual harassment, and any  
69 witness, except as may be permitted by Family Educational Rights and Privacy Act  
70 (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations,  
71 including the conduct of any investigation, hearing or judicial proceeding arising  
72 thereunder.

#### 74 Notice Requirements

76 The District provides notice to applicants for admission and employment, students, parents  
77 or legal guardians of elementary and secondary school students, employees and the  
78 union(s) with the name or title, office address, email address and telephone number of the  
79 Title IX Coordinator and notice of the District grievance procedures and process, including  
80 how to report or file a complaint of sex discrimination, how to file a formal complaint of  
81 sexual harassment and how the District will respond. The District also posts the Title IX  
82 Coordinator's contact information and Title IX policies and procedures in a prominent  
83 location on the District website and in all handbooks made available by the District.

#### 85 Training Requirements

86

87 The District ensures that Title IX Coordinators, investigators, decision-makers, and any  
88 person who facilitates an informal resolution process, receives training on the definition of  
89 sexual harassment, the scope of the District's education program or activity, how to  
90 conduct an investigation and grievance process including hearings, appeals and informal  
91 resolution processes, when applicable, and how to serve impartially including by avoiding  
92 prejudgement of the facts at issue, conflicts of interest and bias. The District also ensures  
93 that decision-makers and investigators receive training on issues of relevance of questions  
94 and evidence, including when questions and evidence about the complainant's sexual  
95 predisposition or prior sexual behavior are not relevant as set forth in the formal procedures  
96 that follow, and training on any technology to be used at a live hearing, if applicable.  
97 Investigators also receive training on issues of relevance to create an investigative report  
98 that fairly summarizes relevant evidence. All materials used to train individuals who  
99 receive training under this section must not rely on sex stereotypes and must promote  
100 impartial investigations and adjudications of formal complaints of sexual harassment and  
101 are made publicly available on the District's website.

102

#### 103 Conflict of Interest and Bias

104

105 The District ensures that Title IX Coordinators, investigators, decision-makers, and any  
106 person who facilitates an informal resolution process do not have a conflict of interest  
107 or bias for or  
108 against complainants or respondents generally or an individual complainant or  
109 respondent.

#### 110 Determination of Responsibility

111

112 The individual who has been reported to be the perpetrator of conduct that could constitute  
113 sexual harassment is presumed not responsible for alleged conduct. A determination  
114 regarding responsibility will be made by the decision-maker at the conclusion of the  
115 investigation in accordance with the process outlined in Policy 5012P. No disciplinary  
116 sanctions will be imposed unless and until a final determination of responsibility is  
117 reached.

119 Cross Reference: Policy 5010 - Equal Employment and Non-Discrimination

120 Policy 5012P – Sexual Harassment Procedures

121

122 Legal References: Art. X, Sec. 1, Montana Constitution –

123 Educational goals and duties

124 §§ 49-3-101, et seq., MCA Montana Human Rights Act

125

126 Civil Rights Act, Title VI; 42 USC 2000d et seq.

127 Civil Rights Act, Title VII; 42 USC 2000e et seq.

128 Educational Amendments of 1972, Title IX; 20 USC 1681 et seq.



129 CFR Part 106 Nondiscrimination on the basis of sex in education  
130 programs or activities receiving Federal financial assistance  
131 0.55.701(1)(f), ARM Board of Trustees  
132 10.55.719, ARM Student Protection Procedures 10.55.801(1)(a  
133 ARM School Climate  
134

Policy History:

Adopted on:

Reviewed on:

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/20209

Agenda Item No.

23

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE FIRST READING OF BOARD POLICY 5012F – HARASSMENT COMPLAINT FORM

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the first reading of the revision of an updated board Policy # 5012F – and consider adoption of said policy.

Information being changed has been highlighted.

**SUGGESTED ACTION:** Approve Revision of Board Policy

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

**Sexual Harassment Reporting/Intake Form for Employees**

This form is not required. Complaints may be submitted in any manner noted in Policy 5012. The form may be used by the Title IX Coordinator to document allegations.

School \_\_\_\_\_ Date \_\_\_\_\_

Employee's name \_\_\_\_\_

• Who was responsible for the harassment or incident(s)? \_\_\_\_\_

• Describe the incident(s). \_\_\_\_\_

• Date(s), time(s), and place(s) the incident(s) occurred. \_\_\_\_\_

• Were other individuals involved in the incident(s)? ☐ yes ☐ no

If so, name the individual(s) and explain their roles. \_\_\_\_\_

• Did anyone witness the incident(s)? ☐ yes ☐ no

If so, name the witnesses. \_\_\_\_\_

• Did you take any action in response to the incident? ☐ yes ☐ no

If yes, what action did you take? \_\_\_\_\_

• Were there any prior incidents? ☐ yes ☐ no

If so, describe any prior incidents. \_\_\_\_\_

Signature of complainant

*Retaliation is prohibited by federal law and district policy. The identity of the individual signing this form will remain confidential in accordance with law and policy.*

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/2020

Agenda Item No.

24

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE FIRST READING OF THE NEW BOARD POLICY 5012P – SEXUAL HARASSMENT GRIEVANCE PROCEDURE

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the first reading of the new board Policy # 5012P Sexual Harassment Grievance Procedure – and consider adoption of said policy.

**SUGGESTED ACTION:** Approve New Board Policy 5012P Sexual Harassment Grievance Procedure

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

**Lewistown School District #1****R****PERSONNEL**

5012P

Page 1 of 9

**Sexual Harassment Grievance Procedure - Employees**

The Board requires the following grievance process to be followed for the prompt and equitable resolution of employee complaints alleging any action that would be prohibited as sexual harassment by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

**Definitions**

The following definitions apply for Title IX policies and procedures:

“Actual knowledge:” notice of sexual harassment or allegations of sexual harassment to the District’s Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary or secondary school.

“Education program or activity:” includes locations, events or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, and the context in which the sexual harassment occurs.

“Complainant:” an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent:” an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Formal complaint:” a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation of sexual harassment.

“Supportive measures:” non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.



## District Requirements

4 When the District has actual knowledge of sexual harassment in an education program or  
activity of the District, the District will respond promptly in a manner that is not deliberately  
indifferent. When the harassment or discrimination on the basis of sex does not meet the definition of  
sexual harassment, the Title IX Coordinator will direct the individual to the applicable sex  
discrimination process for investigation. The District treats individuals who are alleged to be the  
victim (Complainant) and perpetrator

5 (Respondent) of conduct that could constitute sexual harassment equitably by offering  
supportive

6 measures. Supportive measures are designed to restore or preserve equal access to the  
District's

7 education program or activity without unreasonably burdening the other party, including

8 measures designed to protect the safety of all parties or the District's educational environment,  
or

9 deter sexual harassment. Supportive measures may include counseling, extensions of deadlines

10 or other course-related adjustments, modifications of work or class schedules, mutual  
restrictions

11 on contact between the parties, leaves of absence, increased security and monitoring of certain  
12 areas of the District's property, campus escort services, changes in work locations and other 13  
similar measures.

14

15 The Title IX Coordinator is responsible for coordinating the effective implementation  
of

16 supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must  
promptly

17 contact the Complainant to discuss the availability of supportive measures, consider the

18 Complainant's wishes with respect to supportive measures, inform the Complainant of  
the

19 availability of supportive measures with or without the filing of a formal complaint, and  
explain

20 to the Complainant the process for filing a formal complaint. If the District does not  
provide the 21 Complainant with supportive measures, then the District must document the  
reasons why such a 22 response was not clearly unreasonable in light of the known  
circumstances.

23

24 Timelines

25

26 The District has established reasonably prompt time frames for the conclusion of the grievance  
27 process, including time frames for filing and resolving appeals and informal resolution  
processes. 28 The grievance process may be temporarily delayed or extended for good cause. Good  
cause may 29 include considerations such as the absence of a party, a party's advisor, or a witness;  
concurrent 30 law enforcement activity; or the need for language assistance or accommodation of  
disabilities.

31 In the event the grievance process is temporarily delayed for good cause, the District will 32 32  
32 provide written notice to the Complainant and the Respondent of the delay or extension and the  
33 reasons for the action.

#### 35 Response to a Formal Complaint

36  
37 At the time of filing a formal complaint, a Complainant must be participating in or  
attempting to  
38 participate in the education program or activity of the District with which the formal  
complaint  
39 filed. A formal complaint may be filed with the Title IX Coordinator in person, by  
mail, by  
40 electronic mail, or other means designated by the District.

41  
42 The District must follow the formal complaint process before the imposition of any disciplinary  
43 sanctions or other actions that are not supportive measures. However, nothing in this policy  
44 precludes the District from placing a non-student employee Respondent on  
administrative leave  
45 during the pendency of the grievance process. The District may also remove a student  
46 Respondent alleged to have harassed an employee Complainant from the education  
setting. The  
47 student may receive instruction in an offsite capacity during the period of removal. This  
48 provision may not be construed to modify any rights under the Individuals with Disabilities 6 49  
49 Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities  
50 Act.

51 Upon receipt of a formal complaint, the District must provide written notice to the known parties  
52 including:

53  
54 1. Notice of the allegations of sexual harassment, including information about the  
55 identities of the parties involved in the incident, the conduct allegedly constituting  
56 sexual harassment, the date and location of the alleged incident, and any sufficient  
57 details known at the time. Such notice must be provided with sufficient time to  
58 prepare a response before any initial interview;



2. An explanation of the District's investigation procedures, including any informal resolution process;

3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;

4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence; and

5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice initially provided, notice of additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

#### Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the 'parties';

2. Provide an equal opportunity for the parties to present witnesses and evidence;

3. Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;

4. Allow the parties to be accompanied with an advisor of the party's choice who

97 may be, but is not required to be, an attorney. The District may establish restrictions 108  
98 regarding the extent to which the advisor may participate in the proceedings, as long  
99 as the restrictions apply equally to both parties;  
100

101 5. Provide written notice of the date, time, location, participants, and purpose of  
102 any interview or meeting at which a party is expected to participate, with sufficient  
103 time for the party to prepare to participate;  
104

105 6. Provide the parties equal access to review all the evidence collected which is  
106 directly related to the allegations raised in a formal complaint and comply with the  
107 review periods outlined in this process;  
108

109 7. Objectively evaluate all relevant evidence without relying on sex stereotypes;  
110

111 8. Ensure that Title IX Coordinators, investigators, decision-makers and individuals  
112 who facilitate an informal resolution process, do not have a conflict of interest or  
113 bias for or against Complainants or Respondents generally or an individual  
114 Complainant or Respondent;  
115

116 9. Not make creditability determinations based on the individual's status as  
117 Complainant, Respondent or witness;  
118

119 10. Not use questions or evidence that constitute or seek disclosure of privileged  
120 information unless waived;

### Dismissal of Formal Complaints

If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;
2. the Respondent is no longer enrolled or employed by the District; or
3. specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties.

### Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

### Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the Title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for



their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.

#### Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold a hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting sexual harassment;
2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Include the findings of fact supporting the determination;
4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;
5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant; and

6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination of responsibility for sexual harassment has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may implement disciplinary sanctions in accordance with State or Federal law and or/the negotiated agreement. For employees, the sanctions may include any form of responsive discipline, up to and including termination.

### Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time that could affect the outcome and
3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent that affected the outcome.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

#### Informal Resolution Process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:
  - A. The allegations;
  - B. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint; and
  - C. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days, unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.



### Recordkeeping

The District must maintain for a period of seven years records of:

1. Each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

Cross Reference: Policy 5010 Equal Employment and Non-Discrimination  
Policy 5012 Sexual Harassment  
Policy 5255 Employee Discipline

Legal References: Art. X, Sec. 1, Montana Constitution – Educational goals and duties  
Section 49-3-101, et seq., MCA, Montana Human Rights Act  
Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, Title VII; 42 USC 2000e et seq.  
Education Amendments of 1972, Title IX; 20 USC 1681 et seq.  
34 CFR Part 106 Nondiscrimination on the basis of sex in  
education programs or activities receiving  
Federal financial assistance  
10.55.701(1)(f), ARM Board of Trustees  
10.55.719, ARM Student Protection Procedures  
10.55.801(1)(a), ARM School Climate

Policy History:

Adopted on:

Reviewed on:

Revised on:



LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/20209

Agenda Item No.

25

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE FIRST READING OF NEW BOARD POLICY 5015 – BULLYING/ HARASSMENT/ INTIMIDATION

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the first reading of the new board Policy # 5015 – and consider adoption of said policy.

**SUGGESTED ACTION:** Approve New Board Policy 5015 Bullying/Harassment/Intimidation

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

## Lewistown School District #1

### PERSONNEL

5015

Page 1 of 2

#### Bullying/Harassment/Intimidation

The Board will strive to provide a positive and productive working environment. Bullying, harassment, or intimidation between employees or by third parties, are strictly prohibited and shall not be tolerated. This includes bullying, harassment, or intimidation via electronic communication devices.

#### Definitions

- “Third parties” include but are not limited to coaches, school volunteers, parents, school visitors, service contractors, or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-District athletic competitions or other school events.
- “District” includes District facilities, District premises, and non-District property if the employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events, where the employee is engaged in District business.
- “Harassment, intimidation, or bullying” means any act that substantially interferes with an employee’s opportunities or work performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, or anywhere such conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member or an interference with school purposes or an educational function, and that has the effect of:
  - a. Physically harming an employee or damaging an employee’s property;
  - b. Knowingly placing an employee in reasonable fear of physical harm to the employee or damage to the employee’s property; or
  - c. Creating a hostile working environment.

#### Reporting

All complaints about behavior that may violate this policy shall be promptly investigated. Any employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of harassment, intimidation, or bullying in violation of this policy is encouraged to immediately report his/her concerns to the building principal or the District Administrator, who have overall responsibility for such investigations. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent

5015

or District Administrator shall be filed with the Board, via written communication to the Board Chair.

The complainant may be provided a summary of the findings of the investigation and, as appropriate, that remedial action has been taken.

### Responsibilities

The District Administrator shall be responsible for ensuring that notice of this policy is provided to staff and third parties.

When an employee has actual knowledge that behavior is in violation of this policy is sexual harassment, the employee must contact the Title IX Coordinator. The Title IX sexual harassment grievance process will be followed, if applicable, prior to imposing any discipline that cannot be imposed without resolution of the Title IX process.

### Consequences

Staff whose behavior is found to be in violation of this policy will be subject to discipline up to and including termination of employment. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the District Administrator or the Board. Individuals may also be referred to law enforcement officials.

### Retaliation and Reprisal

Retaliation is prohibited against any person who reports or is thought to have reported a violation, files a complaint, or otherwise participates in an investigation or inquiry. Such retaliation shall be considered a serious violation of Board policy, whether or not a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

### Legal Reference:

10.55.701(3)(g), ARM  
10.55.801(1)(d), ARM

Board of Trustees  
School Climate

### Policy History:

Adopted on:

Reviewed on:

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/20209

Agenda Item No.

26

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE SECOND READING OF BOARD POLICY 1910– COVID-19 EMERGENCY MEASURES – PERSONNEL USE OF LEAVE

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the second reading of the revision of an updated board Policy # 1910 – and consider adoption of said policy.

Information being deleted from this policy has been marked with a ~~strike through~~; information being added has been highlighted.

**SUGGESTED ACTION:** Approve Revision of Board Policy

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Ave	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

## **Lewistown School District**

### **COVID-19 Emergency Measures**

1910

#### Personnel Use of Leave

The School District has adopted the protocols outlined in this policy to govern during the term of the declared public health emergency to inform School District staff about leave options. The supervising teacher, principal, superintendent or designated personnel are authorized to implement this policy.

#### District Leave

School District staff may utilize accumulated leave granted in accordance with Montana law, District policy, a Collective Bargaining Agreement, or applicable Memorandum of Understanding through the regular procedures governing the type of leave requested.

Staff members not covered by a memorandum of understanding are eligible for one week of paid sick leave capped at 40 hours in addition to that leave provided by federal law, district policy, or employment contract. The employee may utilize the 80 hours of additional leave during the 2020-2021 school year in the event the employee satisfies the criteria for Emergency Paid Sick Leave under the Families First Coronavirus Response Act and as outlined in this policy.

#### Federal Law Controls Federal Leave Provisions

The Board of Trustees has adopted this policy and related forms on the referenced date based on the law and available federal and state guidance as of the date of such adoption. Federal and state guidance can change following adoption of this policy and forms. To the extent that any subsequently adopted guidance or federal regulation or other controlling interpretation of the law results in a conflict between such guidance, regulation or controlling interpretation and this policy or forms, the provisions of the guidance, regulation or controlling interpretation controls to the extent of any such conflict. The School District shall take reasonable steps to ensure that staff are notified of any change in guidance or federal regulation or other controlling interpretation of the law that creates a conflict with any provision of this policy or forms.

#### Emergency Paid Sick Leave

In accordance with Federal law, employees may be eligible for two weeks of paid sick leave capped at 80 hours paid at the employee's regular rate of pay when the employee is unable to work because the employee is quarantined in accordance with a Federal, State, or local government order or advice of a health care provider, and/or experiencing COVID-19 symptoms and seeking a medical diagnosis.

Employees may be eligible for two weeks of paid sick leave capped at 80 hours paid at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine in accordance with a Federal, State, or local government order or advice of a health care provider, or to care for a child under 18 years of age whose school or child care provider is closed or unavailable for reasons related to

COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

Eligible employees may request leave available under the Families First Coronavirus Response Act by completing Policy 1910F1 – Emergency Paid Sick Leave  
Emergency Family Medical Leave

Employees may be eligible for up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay when the employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Eligible employees may request leave available under the Families First Coronavirus Response Act by completing Policy 1910F2 – Emergency Family Medical Leave.

Legal Reference: Families First Coronavirus Response Act

Cross Reference: Policy 1910F1 – Emergency Paid Sick Leave Form  
Policy 1910F2 - Emergency Family Medical Leave Form  
Policy 1909 – Human Resources and Personnel  
Policy 5321 – Leaves of Absence  
Policy 5328 – Family Medical Leave Act  
Policy 5329 – Long Term Illness  
Policy 5330 – Maternity and Paternity Leave  
Policy 5334 - Vacations

Policy History:

Adopted on: 5/11/2020

Reviewed on: 7/13/2020

Revised on:

Terminated on:

**LEWISTOWN PUBLIC SCHOOLS**  
**Lewistown, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

09/14/2020

**Agenda Item No.**

27

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

**ITEM TITLE:** APPROVE OUT-OF-DISTRICT STUDENT ATTENDANCE AGREEMENT REQUEST FOR PLACEMENT OUTSIDE/INSIDE OF LEWISTOWN PUBLIC SCHOOLS

**Requested By:** Board of Trustees    **Prepared By:** Thom Peck

**SUMMARY:**

The Board of Trustees needs to approve the attached request for out-of-district and inside-of-district student attendance.

**SUGGESTED ACTION:** Approve Out-of-District Student Attendance Agreement Request for Placement Outside/Inside of Lewistown Public Schools

☒ **Additional Information Attached**

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Southworth						
Thompson						
Heintz						
Weeden						

## OUT OF DISTRICT STUDENTS 2020-2021

### STUDENTS ENTERING LEWISTOWN PUBLIC SCHOOLS/FERGUS HIGH SCHOOL

Student G	3rd Grade	District of Residence: King Colony Public Schools
Student H	5 <sup>th</sup> Grade	District of Residence: King Colony Public Schools
Student I	2 <sup>nd</sup> Grade	District of Residence: King Colony Public Schools
Student J	9 <sup>th</sup> Grade	District of Residence: Moore Public Schools
Student K	12 <sup>th</sup> Grade	District of Residence: Moore Public Schools
Student L	9 <sup>th</sup> Grade	District of Residence: Moore Public Schools
Student M	1 <sup>st</sup> Grade	District of Residence: Roy Public Schools
Student N	10 <sup>th</sup> Grade	District of Residence: Roy Public Schools
Student O	3 <sup>rd</sup> Grade	District of Residence: Roy Public Schools
Student P	5 <sup>th</sup> Grade	District of Residence: Moore Public Schools
Student Q	7 <sup>th</sup> Grade	District of Residence: Moore Public Schools
Student R	11 <sup>th</sup> Grade	District of Residence: Moore Public Schools
Student S	10 <sup>th</sup> Grade	District of Residence: Moore Public Schools
Student T	10 <sup>th</sup> Grade	District of Residence: Winifred Public Schools
Student U	11 <sup>th</sup> Grade	District of Residence: Winifred Public Schools
Student V	5 <sup>th</sup> Grade	District of Residence: King Colony Public Schools
Student W	2 <sup>nd</sup> Grade	District of Residence: King Colony Public Schools
Student X	4 <sup>th</sup> Grade	District of Residence: King Colony Public Schools
Student Y	3 <sup>rd</sup> Grade	District of Residence: King Colony Public Schools
Student Z	7 <sup>th</sup> Grade	District of Residence: King Colony Public Schools
Student AA	3 <sup>rd</sup> Grade	District of Residence: King Colony Public Schools
Student AB	6 <sup>th</sup> Grade	District of Residence: King Colony Public Schools
Student AC	7 <sup>th</sup> Grade	District of Residence: King Colony Public Schools
Student AD	1 <sup>st</sup> Grade	District of Residence: Grass Range Public Schools
Student AE	6 <sup>th</sup> Grade	District of Residence: King Colony Public Schools
Student AF	7 <sup>th</sup> Grade	District of Residence: King Colony Public Schools
Student AG	8 <sup>th</sup> Grade	District of Residence: King Colony Public Schools
Student AH	1 <sup>st</sup> Grade	District of Residence: King Colony Public Schools
Student AI	10 <sup>th</sup> Grade	District of Residence: Moore Public Schools
Student AJ	9 <sup>th</sup> Grade	District of Residence: Grass Range Public Schools
Student AK	8 <sup>th</sup> Grade	District of Residence: Grass Range Public Schools
Student AL	6 <sup>th</sup> Grade	District of Residence: Grass Range Public Schools
Student AM	5 <sup>th</sup> Grade	District of Residence: Grass Range Public Schools
Student AN	3 <sup>rd</sup> Grade	District of Residence: King Colony Public Schools
Student AO	7 <sup>th</sup> Grade	District of Residence: King Colony Public Schools
Student AP	8 <sup>th</sup> Grade	District of Residence: Winifred Public Schools
Student AQ	6 <sup>th</sup> Grade	District of Residence: Winifred Public Schools
Student AR	3 <sup>rd</sup> Grade	District of Residence: Winifred Public Schools
Student AS	9 <sup>th</sup> Grade	District of Residence: Grass Range Public Schools



LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/2020

Agenda Item No.

28

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

ITEM TITLE: APPROVE ADDITIONS TO THE SUBSTITUTE LIST FOR THE 2020-2021 SCHOOL YEAR

Requested By: Board of Trustees    Prepared By: Christy Rogers

**SUMMARY:**

The Board of Trustees needs to approve the additions to the substitute list for the 2020-2021 School Year as listed below. \*(All approved substitutes are approved pending the results of their background check):

Substitute Teacher

Mary Kepler  
Mikaela Olson  
Jenny Gertge  
Beverly Myers  
Anna Graham  
Zachary Manning\*  
Julie Sherrodd-Brant\*  
Shila Fischer\*

Substitute Bus Driver

Claude White  
Scott Baldwin  
Gidget Sannar\*

**SUGGESTED ACTION:** Approve Additions to the Substitute List for the 2020-2021 School Year

☐ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

**NOTES:**

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Southworth						
Thompson						
Heintz						
Weeden						

LEWISTOWN PUBLIC SCHOOLS  
Lewistown, Montana

**BOARD AGENDA ITEM**

Meeting Date

09/14/2020

Agenda Item No.

29

☐ Minutes/Claims    ☐ Board of Trustees    ☐ Superintendent's Report    ☐ Action - Consent  
☒ Action - Indiv.

ITEM TITLE: APPROVE PERSONNEL REPORT

Requested By: Board of Trustees    Prepared By: Thom Peck

**SUMMARY:**

Attached is the Personnel Report for your review.

**SUGGESTED ACTION:** Approve All Items

☒ Additional Information Attached    Estimated cost/fund source \_\_\_\_\_

NOTES:

	Motion	Second	Aye	Nay	Abstain	Other
<b><i>Board Action</i></b>						
Bailey						
Birdwell						
Koterba						
Thompson						
Southworth						
Heintz						
Weeden						

**LEWISTOWN PUBLIC SCHOOLS  
LEWISTOWN, MONTANA**

**Monday September 14, 2020**

<b>EMPLOYEE NAME</b>	<b>POSITION</b>	<b>LOCATION</b>	<b>RECOMMENDED ACTION</b>	<b>EFFECTIVE DATE</b>	<b>RECOMMENDED BY</b>	<b>COMMENTS</b>
<b>BRADSHAW, Cynthia</b>	Food Server/Kitchen Aide	Fergus High School	Approve appointment on schedule-FOOD SERVER/KITHCEN AIDE Step 0 for up to 3 hours per day for 5 days per week for up to 162 days	9/15/2020	Amie Friesen	Replacing Lynette Scott
<b>EVANS, Julie</b>	Food Server/Kitchen Aide	Highland Park School	Accept Letter of Resignation	9/10/2020	Amie Friesen	Letter of Resignation Received
<b>FLESCHE, Dennis</b>	Custodian	Fergus High School	Approve appointment on schedule-MAINTENANCE II ACTIVITY CUSTODIAN-Step 0 for up to 8 hours per day for 5 days per week for up to 217 days	8/31/2020	Jason Fry	New Position
<b>HENSON, McKayla</b>	Special Ed Paraprofessional	Garfield School	Approve appointment on schedule-PARA EDUCATOR- Step 0 for up to 7.5 hours per day for 5 days per week for up to 186 days	8/26/2020	Matt Lewis	Replacing Jenaye Phillips
<b>HUTCHINS-GAFFNEY, Mandie</b>	Special Ed Aide	Highland Park School	Accept Letter of Resignation	9/11/2020	Matthew Ventresca	See Attached Letter
<b>RECOMMENDATIONS FOR ACTIVITIES AND ATHLETICS</b>	Extra Curricular Assignments	Jr. High School	Approve appointment on schedule as recommended on attachment	8/26/2020	Paul Bartos and Jeff Friesen	See Attached Letter
<b>ROBERTSON, Faith</b>	Food Server/Kitchen Aide	Garfield School	Approve appointment on schedule-FOOD SERVER/KITHCEN AIDE Step 0 for up to 3.75 hours per day for 5 days per week for up to 180 days	9/2/2020	Amie Friesen	Replacing Tosha Grammond
<b>SAUNDERS, Benjamin</b>	Paraprofessional	Jr. High School and Fergus High School	Approve appointment on schedule-PARA EDUCATOR- Step 0 for up to 7.5 hours per day for 5 days per week for up to 158 days	9/28/2020	Jeff Friesen/Tim Majerus	New Position
<b>WRIGHT, Elizabeth</b>	Classroom Volunteer	Jr. High School	Volunteer Position: No Contract	9/8/2020	Jeff Friesen	

LEWISTOWN PUBLIC SCHOOLS  
LEWISTOWN, MONTANA

Monday September 14, 2020

EMPLOYEE NAME	POSITION	LOCATION	RECOMMENDED ACTION	EFFECTIVE DATE	RECOMMENDED BY	COMMENTS
ZIMBELMAN, Devin	Custodian	Fergus High School	Approve appointment on schedule -MAINTENANCE II-Step 0 for up to 8 hours per day for 5 days per week for up to 203 days	9/21/2020	Jason Fry	Replacing James Wright who transferred to Central Office and Jr. High



Thom Peck <thom.peck@lewistown.k12.mt.us>

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## Letter of Resignation

1 message

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**Mandie Hutchins** <mhutchins@lewistown.k12.mt.us>

Thu, Aug 27, 2020 at 8:53 AM

To: Thom Peck <thom.peck@lewistown.k12.mt.us>, Matthew Ventresca <matthew.ventresca@lewistown.k12.mt.us>

*Dear Matt and Thom,*

*Please accept this letter as formal notification that I am resigning from my position as paraprofessional with Lewistown Public Schools. My last day will be September 11 2020.*

*Thank you so much for the opportunity to work in this position for the past 13 years. I've greatly enjoyed and appreciated the opportunities I've had. I have met and built relationships with some pretty extraordinary children and coworkers and I've learned so many wonderful things, and have had once in a lifetime moments with the kids I work with through the years all of which I will take with me throughout my career.*

*Not only was I lucky enough to be a 1995 Fergus High School Graduate, but then I was lucky enough to come back and work with teachers that taught me! I mean really how cool is that? LPS has been my family for years and will continue to be so. This decision was not made easily, but I am lucky to have the support from people that Family does come first.*

*I wish the Lewistown Public Schools, it's students, it's staff continued success, and I hope to stay in touch in the future.*

*Sincerely,*

*Mandie Hutchins-Gaffney*

Sent from my iPhone

## **STUDENT ACTIVITY EXTRA-CURRICULAR CONTRACT CHANGES AND RECOMMENDATIONS**

### **Junior High School**

Jean Irish - Volleyball - Head Coach - .065 - \$2,258.62 (was First Assistant)  
Gina Armstrong - Volleyball - First Assistant - .057 - \$1,980.64 (was Head Coach)  
Derek Lear – Boys Basketball - Head Coach - .07 - \$2,432.36  
Mariah Patterson – Track - First Assistant - .057 - \$1,980.64

### **Fergus High School**

Meggan Cirrincione - Student Government - Assistant - .023 - \$799.20

## School District #1 Mission Statement:

### *Excellence Today, Success Tomorrow*

## Core Values of the Lewistown Public Schools:

1. **High Standards:** Lewistown Public Schools upholds high standards and expectations for the Board, staff and students of the district. We strive to provide challenging curriculum taught by innovative leaders in the field of education, utilizing research-based curriculum and implementing best practices.
2. **Student-Centered:** The motivation for everything we do is based upon what is right and best for the children of our community. We ensure the development, well-being and education of students through a variety of academic and extracurricular activities. We assist students in overcoming challenges and help them celebrate their successes, all as part of a plan to maximize the potential of each student.
3. **Effective and Efficient Practices:** Lewistown Public Schools is committed to effective and efficient stewardship of our resources.
4. **Accountability:** Lewistown Public Schools is accountable for all that we do from fiscal management to the performance of students, staff, administration and the Board.
5. **Community Support:** Lewistown Public Schools understands that community support is vital, earned and continually renewed through consistent dedication to quality service. We believe the key to success is found through mutual engagement of the community and the schools, effective interaction between parents, students, staff, administrators, trustees and all elements of the Lewistown Community. We value the trust the community has invested in our public schools and we strive to earn and maintain that trust.
6. **Communication:** Lewistown Public Schools values effective and open communication with parents, students, staff, trustees and the community.

PUPIL INSTRUCTION	First Semester				89 days	Second Semester				90 days
	FIRST QUARTER				DAYS	THIRD QUARTER				DAYS
	First Week	Aug 26	to	Aug 28	3	First Week	Jan 19	to	Jan 22	4
	Second Week	Aug 31	to	Sept 4	5	Second Week	Jan 25	to	Jan 29	5
	Third Week	Sept 8	to	Sept 11	4	Third Week	Feb 1	to	Feb 5	5
	Fourth Week	Sept 14	to	Sept 18	5	Fourth Week	Feb 8	to	Feb 12	5
	Fifth Week	Sept 21	to	Sept 25	5	Fifth Week	Feb 15	to	Feb 19	5
	Sixth Week	Sept 28	to	Oct 2	5	Sixth Week	Feb 22	to	Feb 25	4
	Seventh Week	Oct 5	to	Oct 9	5	Seventh Week	March 1	to	March 5	5
	Eighth Week	Oct 12	to	Oct 14	3	Eighth Week	March 8	to	March 12	5
	Ninth Week	Oct 19	to	Oct 23	5	Ninth Week	March 15	to	March 19	5
	Tenth Week	Oct 26	to	Oct 30	5					
					<b>45</b>					<b>43</b>
	SECOND QUARTER				DAYS	FOURTH QUARTER				DAYS
	First Week	Nov 2	to	Nov 4	3	First Week	March 22	to	March 26	5
	Second Week	Nov 9	to	Nov 13	5	Second Week	March 29	to	April 1	4
	Third Week	Nov 16	to	Nov 20	5	Third Week	April 6	to	April 9	4
	Fourth Week	Nov 23	to	Nov 25	3	Fourth Week	April 12	to	April 16	5
	Fifth Week	Nov 30	to	Dec 4	5	Fifth Week	April 19	to	April 23	5
	Sixth Week	Dec 7	to	Dec 11	5	Sixth Week	April 26	to	April 30	5
	Seventh Week	Dec 14	to	Dec 18	5	Seventh Week	May 3	to	May 7	5
	Eighth Week	Dec 21	to	Dec 23	3	Eighth Week	May 10	to	May 14	5
	Ninth Week	Jan 4	to	Jan 8	5	Ninth Week	May 17	to	May 21	5
	Tenth Week	Jan 11	to	Jan 15	5	Tenth Week	May 25	to	May 28	4
					<b>44</b>					<b>47</b>
										<b>Total Days 179</b>

PUPIL INSTRUCTION-RELATED DAYS (PIR)	August 17	New Staff Orientation	
	August 24-25	All Staff Orientation/PIR	2.0
	October 15-16	Staff Development Days <i>Teachers Convention</i>	2.0
	November 4-5	Parent-Teacher Conferences <i>Evening Nov. 4, All Day Nov. 5</i>	1.5
	March 25	Parent-Teacher Conferences <i>Conferences Evening Only Full School Day for Students</i>	.5
	May 24	PIR Day	1.0
		Floating PIR Day	<u>1.0</u>
			<b>8.0</b>

HOLIDAYS & VACATIONS <i>Dates Inclusive</i>	September 7	Labor Day
	November 6	Vacation Day
	November 26-27	Thanksgiving Vacation
	Dec 24-Jan 3	Winter Break
	January 18	Vacation Day
	February 26	Vacation Day
	April 2-5	Spring Break
	May 31	Memorial Day
	July 5	Vacation Day (12-mo employees)



