


<p>BOZEMAN PUBLIC SCHOOLS 404 West Main, PO Box 520 Bozeman, MT 59771-0520 www.bsd7.org</p>		<p>CASEY BERTRAM Superintendent casey.bertram@bsd7.org 406-522-6001</p>
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February 28, 2024

[REDACTED]

[REDACTED]

[REDACTED]

**Notification of Restricted Access
(E-Mailed 2.28.2024, Mailed 2.28.2024)**

[REDACTED]

Consistent with Board Policy #4315, *Visitor and Spectator Conduct* (attached), the superintendent is authorized to temporarily restrict access to school buildings or property based upon inappropriate conduct of an individual.

On February 26, 2024 student members of the *BSD7 Sunrise Hub* posted on their public Instagram account advertising a "Rally At The Willson" beginning at 5:30 pm. The BSD7 Board of Trustees meeting was scheduled for 5:45 pm on the same evening and at the same location. Members of the *BSD7 Sunrise Hub* have consistently attended board meetings and made public comments regarding matters of importance to them over the past nine months.

On February 26, 2024 student members of the *BSD7 Sunrise Hub* didn't attend the board meeting but rather gathered outside the Willson and in the lobby areas. I left the Willson building around 7:00 pm, at the conclusion of the board meeting. While proceeding to a vehicle in the West parking lot, a group of students quickly approached me and a colleague, and with camera phones began recording and asking me a barrage of questions, most of which were tied to *why I was denying them a livable future*. I did not respond and simply got in the vehicle and shut the door. The students remained in front of the vehicle and proceeded to chant pre-arranged chants that were negative and directed at me. For example, "Casey Casey you can't hide, we can see your greedy side." After a few minutes of chants and yelling specifically directed at me as the superintendent of Bozeman Public Schools, they left the premises.

Bozeman High School administration and SRO Barbao investigated this incident and determined your child, [REDACTED], was part of the group that harassed me in the Willson parking lot on the evening of February 26, 2024. The harassing behavior exhibited by your child as part of the *BSD7 Sunrise Hub* "rally" violates multiple District policies regarding behaviors at a school event such as a BSD7 Board of Trustees Meeting. Specifically, Policy #4315 (attached) *Visitor and Spectator Conduct*, and Policy #4332 (attached) *Conduct on School Property*. The behaviors directed at me in the parking lot by your child were negative, disrespectful, and disruptive to the orderly operation of the District, and went above and beyond appropriate expressions of free speech.

In consultation with SRO Sergeant Scott McCormick, Board Leadership, and District legal counsel, the behaviors exhibited by your child also warrant consideration for criminal citation via disorderly conduct MCA 45-8-101. I will not be pursuing those citations for your child, nor any child, in this current matter.

This letter serves to notify you that I am temporarily restricting your child's access to the Willson Building and associated district property at 404 W. Main St. for one calendar year, through February 28, 2025. Failure to honor this directive will result in a report to law enforcement for possible violation of sections 45-6-201 and 45-6-203, MCA, in accordance with Policy #4332.

The Board of Trustees will be notified of this temporary restriction of access and may choose to extend the restrictions beyond February 28, 2025. You would be notified of that process via certified mail consistent with Board Policy #4315. Feel free to reach out if you have any questions or concerns.

As I have consistently communicated publicly, the District is very appreciative of students who are engaged in their education and on topics of importance to our community, such as climate change. The District has informally and formally engaged with students and student leaders in the *BSD7 Sunrise Hub* to find common ground and shared goals and to provide the fiscal realities associated with the *demands* made by the group. The link below will take you to a recent (2.12.2024) board education presentation that outlines the District's ongoing work related to the matters of interest to the group.

<https://drive.google.com/file/d/11nEwAjJA0b8b9lLwZ2YvhVaO-uacJxGC/view?usp=sharing>

Civil engagement within the boundaries of board policy, as well as local, state, and federal law is necessary for any student advocacy to be effective. I appreciate the passion and engagement of your child on these topics and ask for your support in steering the group toward positive and appropriate expressions of advocacy.

Sincerely,



Casey Bertram
Superintendent
Bozeman Public Schools

Copy:
BSD7 Board of Trustees
Dan Mills, Bozeman High School Principal
Scott McCormick, SRO Sergeant
Harlee Barbao, BHS SRO
Student File
Bozeman Public Schools

COMMUNITY RELATIONS
Policy 4315

Visitor and Spectator Conduct

Any person, including an adult, who behaves in an unsportsmanlike or inappropriate manner during a visit to the school or a school event may be ejected from the event and/or denied permission to access school buildings or property or school events as determined by the Board of Trustees. Examples of unsportsmanlike or inappropriate conduct include but are not limited to:

- Using vulgar or obscene language or gestures;
- Possessing or being under the influence of any alcoholic beverage or illegal substance;
- Possessing a weapon or firearm in violation of Policy 4332;
- Fighting or otherwise striking or threatening another person;

- Failing to obey instructions of a security officer or District employee; and
- Engaging in any illegal or disruptive activity;
- Other violations of District Policy.

The Superintendent is authorized to restrict access to school buildings or property for violations of this policy. Notification of restricted access will be made in writing and delivered by certified mail. Notification will include a description of the behavior triggering the restriction, as well as the specific duration and details related to restricted access.

Cross Reference: 4301 Visitors to School

Legal Reference: § 20-1-206, MCA Disturbance of school – penalty
 § 20-4-303, MCA Abuse of teachers
 § 45-8-101, MCA Disorderly conduct
 § 45-8-351, MCA Restriction on Local Government Regulation of Firearms
 Article X, section 8 Montana Constitution

Policy History

Adopted on: 11/19/2020

Revised on: 6/14/2021, 10/24/2022

Bozeman Public Schools

COMMUNITY RELATIONS

Policy 4332

Conduct on School Property

District students are prohibited from possessing firearms and other weapons in accordance with District Policy 3311. District employees are prohibited from possessing firearms and other weapons in accordance with District Policy 5223. In addition to prohibitions stated in other District policies, visitors to the school not covered by Policies 3311 and 5223 shall not:

1. Injure or threaten to injure another person;
 2. Damage another's property or that of the District;
 3. Violate any provision of the criminal law of the state of Montana or town or county ordinance;
 4. Smoke or otherwise use tobacco or nicotine products, and alternative nicotine and vapor products as defined in 16-11-302, MCA, or other similar products;
 5. Consume, possess, or distribute alcoholic beverages, illegal drugs, or possess weapons (as defined in Policy 3310/3311) at any time;
 6. Impede, delay, or otherwise interfere with the orderly conduct of the District's educational program or any other activity occurring on school property;
 7. Possess a non-firearm weapon as defined in this policy;
 8. Enter upon any portion of school premises at any time for purposes other than those which are lawful and authorized by the Board; or 9.
- Violate other District rules and regulations.

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

Firearms and Weapons

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

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

For purposes of this policy, "non-firearm weapon" means any object, device, or instrument designed as a weapon or through its use is capable of intimidating, threatening or producing bodily harm or which may be used to inflict injury, including but not limited to air guns; pellet guns; BB guns; fake or facsimile weapons; all knives; blades; clubs; metal knuckles; nunchucks; throwing stars; explosives; fireworks; mace or other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

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

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

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

Definitions

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

Cross Reference: 3310 Student Discipline
3311 Firearms and Weapons

Legal Reference: Pro-Children Act of 1994, 20 U.S.C. § 6081 Smoke Free School Act of 1994

16-11-302, MCA Definitions

§ 20-1-220, MCA Use of tobacco product in public school building or on public school property prohibited

§ 20-1-206, MCA Disturbance of School

§ 20-5-410, MCA Civil penalty

§ 45-6-201, MCA Definition of enter or remain unlawfully

§ 45-8-101, MCA Disorderly conduct

§ 45-8-102, MCA Failure of disorderly persons to disperse

§ 45-8-351, MCA Restriction on Local Government Regulation of Firearms Article X,
section 8 Montana Constitution

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

Article X, section 8 Montana Constitution

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

Policy History:

Adopted on: 3/22/2010

Revised on: 9/09/2013, 11/11/2013, 8/10/2015, 6/14/2021