



ADMINISTRATIVE RULES OF MONTANA



24.9.1003 TREATMENT OF STUDENTS

- (1) Unless an exception is based on reasonable grounds, no student shall, on the basis of sex, be denied equal access to programs, extracurricular activities or services or benefits or be limited in the exercise of any right, privilege, advantage or opportunity.
- (2) Because of the potential adverse impact upon female students of restrictions related to pregnancy or parental status, no student shall be discriminated against because of pregnancy or actual or potential parental status unless such action is based upon reasonable grounds.
 - (a) Unless an exception is based on reasonable grounds, pregnancy shall be treated as any other temporary disability.
 - (b) Unless an exception is based on reasonable grounds, pregnancy or parenthood shall not be considered cause for dismissal or exclusion from any program or activity.
 - (c) Participation in special programs provided for pregnant students or students who are parents shall be at the student's option.
 - (d) Educational institutions shall eliminate administrative and programmatic barriers to school attendance and school completion by pregnant students or students who are parents.
 - (e) Unless an exception is based on reasonable grounds, no student shall be discriminated against because of his or her actual or potential marital status.
- (3) No student shall be subjected to sexual intimidation or harassment by any school employee, or by the effect of any school policy or practice when any employee or agent of the educational institution knew or reasonably should have known of the activity, policy or practice. No student shall be subject to sexual harassment or sexual intimidation by another student on school-owned or controlled property or at any school sponsored or supervised functions or activities when any agent or employee of the educational institution knew or reasonably should have known of the activity.

Authorizing statute(s): 49-2-204, 49-3-106, MCA

Implementing statute(s): 49-2-307, 49-3-203, MCA

History: This rule is advisory only but may be a correct interpretation of the law, 2-4-308, MCA, Eff. 10/1/83.

NEW, 1987 MAR p. 312, Eff. 3/27/87.