



ADMINISTRATIVE RULES OF MONTANA



24.9.1002 DEFINITIONS

- (1) "Admission" means selection for part-time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculation in or at an education program or activity operated by an educational institution.
- (2) "Auxiliary services" for students includes but is not limited to: health care, food services, playing fields, public accommodations on campus, speech therapy, remedial programs, mental health programs, and special programs.
- (3) "Educational institution" means a public or private institution and includes an academy; college; elementary or secondary school; extension course; kindergarten; nursery; school system; university; business, nursing, professional, secretarial, technical or vocational school; or agent of an educational institution.
- (4) "Extracurricular activity" includes school-sponsored or supported clubs, teams, or activities of general or specific interest not part of classroom instruction.
- (5) "Housing accommodation" means a building or portion of a building whether constructed or to be constructed, which is or will be used as the sleeping quarters of its occupants.
- (6) "Person" means one or more individuals, and includes applicants for admission as well as students.
- (7) "Physical education activities involving bodily contact" means boxing, wrestling, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.
- (8) "Public accommodation" means a place which is operated by an educational institution as defined in section 49-2-101 (17), MCA.
- (9) "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.
- (10) "Sexual intimidation" means any unreasonable behavior, verbal or nonverbal, which has the effect of subjecting members of either sex to humiliation, embarrassment or discomfort because of their gender.
- (11) "Student" means a person who has gained admission and is currently engaged in the program of an educational institution.

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.