



*The Helena Public Schools educate, engage, and empower each student to maximize his or her individual potential with the knowledge, skills and character essential to being a responsible citizen and life-long learner.*

## Board of Trustees – Policy Committee

May Butler Center  
55 S. Rodney Ave

Tuesday April 2, 2019 – 12:00p.m.

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### AGENDA

- I. **CALL TO ORDER / INTRODUCTIONS**
- II. **REVIEW OF AGENDA**
- III. **GENERAL PUBLIC COMMENT:** *This is the time for comment on public matters that are not on the agenda. Public matters do not include any pending legal matters, private personnel issues or private student issues. Please do not attempt to address such issues at this time or you will be ruled out of order. The Board cannot enter into a discussion during General Public Comment.*
- IV. **APPROVAL OF MINUTES**
  - A. March 5, 2019 Policy Committee Minutes (See Attached)
- V. **PRESENTATION OF POLICIES FOR FIRST REVIEW**
  - A. 5122 Criminal Background Investigations
  - B. 2333 Participation in Commencement Exercises
- VI. **PRESENTATION OF POLICIES FOR SECOND REVIEW**
  - A. None
- VII. **CONTINUE REVIEW OF POLICY MANUAL: Series 2000 and 3000**
  - 2070 – Network Information and Communication
  - 2080 – Grading, Progress Reports, and Promotion
  - 2090 – Credit Transfer Assessment for Placement Policy
  - 2115 – Community and Adult Education
  - 2120 – Wellness
  - 3000 – Equal Educational Opportunities
  - 3010 – School Admissions
  - 3015 – Attendance and Truancy

- 3020 – Education of Homeless Youth
- 3022 – Children of Military Families
- 3025 – Discretionary Nonresident Student Attendance
- 3035 – Student Appearance
- 3040 – Search and Seizure
- 3045 – Access to and Release of a Student During School Hours
- 3050 – Student Discipline
- 3055 – Student Due Process Rights
- 3060 – Misconduct by Students with Disabilities
- 3065 – Participation in Inter-Scholastic Athletics
- 3066 – Obligation of Students Participating in School Sponsored Activities
- 3067 – Academic Eligibility for Activities
- 3070 – Administration of Medication
- 3075 – Student Charges, Fines and Fees
- 3080 – Maintenance of Student Records
- 3085 – Transfer of Student Records
- 3090 – Receipt of Confidential Records
- 3097 – Use of Video Monitoring Cameras
- 3100 – Publications and Distribution or Posting of Materials
- 3105 – Student Use of Buildings – Equal Access
- 3110 – Concussion Management
- 3145 – Foreign Exchange Students
- 3150 – Tobacco Free Schools
- 3155 – Part-Time Attendance

**VIII. BOARD COMMENTS**

**IX. ADJOURNMENT**

**Next Meeting: May 7, 2019**

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**Superintendent**  
Tyler Ream, Ed.D  
324-2001

**Business Manager**  
Janelle Mickelson  
324-2040

## **Policy Committee Meeting**

May Butler Center  
55 South Rodney

**Tuesday March 5, 2019**

Noon – 1:00 p.m.

### **MINUTES**

*Committee:*

Luke Muszkiewicz, Committee Chair/Trustee

Sanjay Talwani, Trustee

Terry Beaver, Trustee

*Others:*

Josh McKay, Assistant Superintendent

Barb Ridgway, Chief of Staff

Stacy Collette, HR Administrator

Pat Boles, IT Administrator

Elizabeth “Bea” Kaleva, Attorney

#### **I. INTRODUCTIONS**

Chair Muszkiewicz called the meeting to order at 12:03 p.m.

Chair Muszkiewicz requested an update on Helena High water main break. Ms. Ridgway responded that she didn’t hadn’t spoken to Ms. Kind recently regarding the status of the Helena High water main break. She did explain that the break is the District’s responsibility not the city’s and that work on the break was progressing. The goal is to have students back in school tomorrow if possible.

#### **II. REVIEW OF AGENDA**

No Changes.

#### **III. GENERAL PUBLIC COMMENT**

No public comment.

#### **IV. REVIEW FEBRUARY 5, 2019 BOARD POLICY MEETING MINUTES**

Trustee Sanjay Talwani moved approval of the February 5, 2019, Policy Committee Meeting minutes with no changes and no objections.

**V. PRESENTATION OF POLICIES FOR SECOND REVIEW:**

**A. 4050 School Resource Officer Program**

Ms. Ridgway explained this policy doesn't really need a third Policy Committee meeting reading. It was included on the agenda should there be anything to be discussed based on the discussion of the full board at the last regular meeting.

Discussion followed regarding the number of officers per school and the time devoted to each school. Ms. Ridgway shared a letter from Helena Police Chief McGee. The letter indicates the city wants to review the SRO agreement and consider the assignment of officers as well as the cost. Ms. Ridgway also shared that she was researching the Public Safety Levy run in 2000 that included a significant annual amount of funding for DARE which is no longer implemented. She will track down the actual levy language as it appeared on the ballot. A meeting will be scheduled with the city review the agreement and the concerns brought forward by the Chief.

Mr. Beaver asked about SRO coverage in the county schools. Ms. Ridgway indicated the county does provide coverage and schools have a particular officer they contact when they have issues. Ms. Kaleva shared that the original MOU which was created over ten years ago did not address SROs in county schools. Mr. Muszkiewicz it would be a good idea to develop an agreement with the county if they are in fact providing some level of service.

Discuss continued with an update regarding the legislative bill that is intended to support and expand school safety and security as well as mental health. There is no fiscal note as it would allow a local levy to support any these efforts.

Chair Muszkiewicz asked about the status of funding for SROs in other AA schools. Ms. Kaleva shared what Missoula does and noted the Missoula District covers approximately half of the cost. Discussion also centered on the type of training required. Chair Muszkiewicz noted it would be helpful to survey the other AAs.

Move forward to full Board for final reading.

**B. 5105 Conflict of Interest**

Chair Muszkiewicz asked if any comments were received at the last full Board meeting. Mr. Beaver noted there were none. Chair Muszkiewicz also asked if addressing personal, intimate relationships in Policy 5105 is the best place. Ms. Collette said she believes it is the best policy to include the new language. Ms. Kaleva recommended that a separate policy not be developed and that specific details should be included in the Employee Handbook. Ms. Collette explained HR has strategies for getting employees back on track when relationships go bad. Chair Muszkiewicz asked what would happen if a principal and a teacher developed a

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relationship. Ms. Collette explained that the supervisor would in most instances be moved. Moving a teacher is defined by the CBA therefore making it less difficult to move a supervisor. Mr. Beaver stated the language has two criteria to be in violation of the Policy – be in a supervisory position and be in a subordinate position. Mr. Beaver suggested changing and to or. Both Ms. Collette and Ms. Kaleva stated both criteria has to be in place. A supervisor at one school could have a relationship with a person in another school but has not supervisory or evaluative responsibilities with the person. Chair Muszkiewicz stated he appreciated the explanation which clarifies and makes sense.

Mr. Beaver stated he had problems with the first bullet which states, “Using public time, facilities, equipment, supplies, personnel, or funds for the employee’s private business purposes;”. He cited examples that raised concerns for him. It was noted the new Facilities Policy addresses many of his concerns. Discussion followed regarding Mr. Beaver’s concern about auto shop and how students get cars to work on and repair. In the past students worked on staff vehicles. Ms. Kaleva stated this is not permissible per state statute but if the Auto Department wanted to make an offer to the community and they accepted cars on a first come first served basis this would be fine.

Chair Muszkiewicz asked Mr. Beaver is he still concerned about the first bullet. Ms. Kaleva state if we charge the staff who are providing lessons or camps the same way we charge the public then the staff member is not receiving a public benefit.

Move forward to full Board for final reading.

**C. 1015 Goals, Mission and Vision**

Ms. Ridgway explained that the District mission was revised during the last Board retreat and is being used on District documents. The committee needs to update the actual policy. Mr. Talwani asked if anyone would be able to come forward and say their educational needs weren’t met. No, it is aspirational.

Move forward to full Board for first reading.

**VI. PRESENTATION OF POLICIES FOR SECOND REVIEW:**

None.

**VII. CONTINUE REVIEW OF POLICY MANUAL – SERIES 2000 and 3000:**

**A. 2070 – Network Information and Communication**

Mr. Talwani asked about the statement, “Network access is a privilege and access to network services may be suspended or withdrawn from students and staff who do not act in accordance with the District’s Acceptable Use Procedures.” He stated that for many not having access would mean not being able to do a particular job or for students it could deny access to resources necessary for learning. Mr. Boles explains that rarely if ever is access denied. He equates it to taking a pencil away from a

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student who writes a bad word. Rather he stated there are a wide range of options for disciplining inappropriate behavior. As an example, a student who misuses email may learn that all of his school email is being screened by his/her teacher or principal. Mr. Talwani shares the city has language that states the system can't be used to send abusive emails. Ms. Kaleva notes that this is addressed in the staff and student handbooks. She also suggests that this policy be considered for a total overhaul and notes this particular policy is included in the 2000 Student Instruction series and we may want it to be more specifically describe how technology is integrated into instruction. We may want to consider what instructional internet policies should look like. Mr. Boles should be able to describe how educators and students are using are systems to further instruction. Chair Muszkiewicz stated he would be interested in what other districts are doing. Ms. Kaleva noted this is an old MTSBA policy which is no longer in the MTSBA Policy Manual. Chair Muszkiewicz asked if we would ever require the use of technology for instruction. Ms. Kaleva stated probably not. This policy is philosophical in nature. Ms. Ridgway explained the original intent of this policy was to establish there is no guarantee of privacy on a public network. Mr. Boles shared examples of technology use in the Seattle Public Schools and further stated that as a parent he would like to see more consistency in the use of digital tools. Chair Muszkiewicz suggested it is probably Mr. Boles perspective as an IT Administrator too and further suggested we may want to consider data privacy requirements of various tools. A discussion followed regarding how digital tools are vetted. Ms. Ridgway explained we don't vet every web site but we do review any resources that all teachers will be expected to use. Chair Muszkiewicz said tools that are being proposed by teachers for use in a school should go through some type of review process. Mr. Talwani said we should be careful about trying to vet everything. Going to Pinterest for an instructional idea is different in his view that using a program to collect student data. Chair Muszkiewicz said the committee would be open to any suggested revisions.

Discussion followed on the best way to move forward in reviewing policies. Ms. Ridgway suggested she would take policies back to the Academic Leadership to identify those for which they recommend changes. Chair Muszkiewicz suggested that each policy should make it onto the agenda in case committee members disagree or would like to consider a policy that may not be recommended for review by administration. In April we will be working on Criminal Background checks. At the May meeting Ms. Ridgway will bring back four to five policies from the 2000s that have revisions recommended by the Academic Leadership team.

## **VIII. SUPERINTENDENTS' REPORT**

None.

## **IX. ADJOURNMENT**

Committee Chair Muszkiewicz adjourned the meeting at 1:03 p.m.

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3 PERSONNEL

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5 Criminal Background Investigations

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7 *Paid Full & Part-time Employees / Certified and Classified Substitutes*

8  
9 It is the policy of the Board that any finalist recommended for hire to a paid position with the  
10 District shall authorize in writing their agreement to a comprehensive criminal background  
11 check, which will include a fingerprint background check. The criminal background check will  
12 be conducted by the appropriate state and/or federal agencies. Any offer of employment or  
13 appointment shall be contingent upon the results of the comprehensive criminal background  
14 check. The employee will not be allowed to begin work until the District has received and  
15 approved the results of the criminal background check. The cost for the criminal background  
16 check shall be borne by the District.

17  
18 The District will accept the report of a previous fingerprint-based background check completed  
19 within the six (6) months before for the non-licensed substitute teacher applied if it is submitted  
20 by a Montana university or college where the applicant is currently or was formerly enrolled in  
21 an accredited Montana professional educator program or from a public or nonpublic state-  
22 accredited school that previously employed the applicant.

23  
24 The Superintendent may determine that a critical staffing need exists and in such cases the  
25 Superintendent and/or his or her designee may allow the employee to begin work after the  
26 District has approved a name-based background check. Such employment will be temporary,  
27 pending completion of the comprehensive criminal background check, including a fingerprint  
28 background check.

29  
30 *Volunteers*

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32 All volunteers who work in the District's school buildings will be required to provide two forms  
33 of identification, (driver's license and social security card). In addition, all volunteers will be  
34 required to submit to a criminal background check, which will include a name-based background  
35 check. Volunteers who have unsupervised access to students or who serve as chaperones for  
36 school-sponsored trips are required to submit to a comprehensive criminal background check  
37 including a fingerprint background check and will not be able to serve until the District has  
38 received and approved the results of the criminal background check.

39  
40 The District may, at its discretion, waive criminal background checks for volunteers who assist  
41 with events similar in nature to bake sales and book sales and who do not have unsupervised  
42 access to students.

47 *Other*

48

49 The following applicants for employment shall be required as a condition of any offer of  
50 employment to authorize, in writing, a comprehensive criminal background investigation to  
51 determine if he or she has been convicted of certain criminal or drug offenses:

- 52 • Education support personnel seeking full- or part-time employment within the
- 53 District;
- 54 • Any employee of a person or firm holding a contract with the District;

55

56 Any requirement of an applicant or employee of a contractor to submit to a fingerprint  
57 background check will be in compliance with the National Child Protection Act and applicable  
58 state and federal regulations. If an applicant has any prior record of arrest or conviction by any  
59 local, state, or federal law enforcement agency for an offense other than a minor traffic violation,  
60 the facts must be reviewed by the Superintendent or his/her designee, who shall decide whether  
61 the applicant shall be declared eligible for appointment or employment.

62

63 Arrests resolved without conviction shall not be considered in the hiring process unless the  
64 charges are pending and prohibit the individual from working as an employee.

65

66 The Superintendent shall keep all criminal record information confidential as required by law.

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69 Cross Reference:

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71	Legal Reference:	42 USC 5119a	National Child Protection Act
72		10.55.716, ARM	Substitute Teachers
73		10.57.201a, ARM	Criminal History Background Check
74		§ 44-5-301, MCA	Dissemination of public criminal justice information
75		§ 44-5-302, MCA	Dissemination of criminal history record information
76			that is not public criminal justice information
77		§ 44-5-303, MCA	Dissemination of confidential criminal justice
78			information – procedure for dissemination through
79			court

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81 Policy History:

82 Adopted on:

83 Revised on:

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3 **STUDENT INSTRUCTION**

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5 Participation in Commencement Exercises

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7 A student’s right to participate in the Helena Public Schools commencement exercise is an  
8 honor. Participation in the commencement ceremony is reserved for those members of the  
9 graduating class who have completed all state and local requirements. The principal may allow  
10 participation in the ceremony due to extenuating circumstances in cases where the student will  
11 complete their requirements during the summer semester following their senior year.

12  
13 The Helena Public Schools will permit students to honor their American Indian heritage through  
14 the display of culturally significant tribal regalia at commencement ceremonies.

15  
16 Prohibited items that may not be worn or incorporated into the graduation ceremony include but  
17 are not limited to; items that promote drug use, weapon use, threats of violence, sexual  
18 harassment, bullying or other intimidation, or violates a district policy, state or federal law.

19  
20 The school administration may review student presentations and specific content, and may  
21 advise participants about appropriate language for the audience and occasion.

22  
23 **Cross Reference:**

24	<b>Legal Reference:</b>	Art. II, Sec. 5	Montana Constitution – Freedom of religion
25		Art. X, Sec. 1(2)	Montana Constitution – Educational Goals and Duties
26		Art. X, Sec. 7	Montana Constitution – Nondiscrimination in education
27		§ 20-5-201(3), MCA	Duties and Sanctions
28		§ 20-7-112, MCA	Sectarian publications prohibited and prayer permitted
29			
30			

31 **Policy History:**

32 Adopted on:

33 Revised on:

34