



*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 August 6, 2019 – 12:00p.m.

### **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. 6.4.2019 Policy Committee Minutes
- V. **PRESENTATION OF POLICIES FOR SECOND REVIEW**
  - A. 2090 – Credit Transfer Assessment for Placement Policy (Reserve second reading for September 2019 Policy Mtg)
- VI. **PRESENTATION OF POLICIES FOR FIRST REVIEW**
  - A. 1027 Board Member Conflict of Interest
  - B. 1030 Resignations and Other Vacancies
  - C. 3010 School Admissions
  - D. 3050 Student Discipline
  - E. 4015 Conduct on School Property
  - F. 5020 Tobacco Products, Drug, and Alcohol Free Workplace
  - G. 5032 Prohibition on Aiding and Abetting Sexual Abuse
- VII. **CONTINUE REVIEW OF POLICY MANUAL: Series 2000 and 3000**
- VIII. **SUPERINTENDENT’S REPORT / BOARD COMMENTS**
- IX. **ADJOURNMENT**

**Next Meeting:  
September 3, 2019  
MBC Conference Room**



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## Board of Trustees – Policy Committee

May Butler Center | 55 S. Rodney Ave

Tuesday May 7, 2019 – 12:00p.m.

# MINUTES

### *Committee:*

Libby Goldes, Committee Chair  
Terry Beaver, Committee Member  
John McEwen, Committee Member

### *Others:*

Luke Muszkiewicz, Board of Trustees Chair  
Tyler Ream, Superintendent  
Barb Ridgway, Chief of Staff  
Stacy Collette, HR Director

### I. CALL TO ORDER / INTRODUCTIONS

Meeting was called to order at 12:06pm by Chairperson, Ms. Libby Goldes.

### II. REVIEW OF AGENDA

There were no requested changes to the agenda.

### III. GENERAL PUBLIC COMMENT

There was no public comment.

### IV. POLICY COMMITTEE PROCESS

Ms. Ridgway gave an overview of the committee process, beginning by stating that the previous procedure for policies was to bring them before the committee to be reviewed twice before bring them before the board to be reviewed twice. Which meant that – if all went well – it took four months to adopt a policy. Under Luke’s leadership, the committee modified that process a little. Now, if a policy receives general consensus of approval at first reading in the committee, it is taken to full board for first reading, and then back to the policy committee for second reading. This reduces the number of rotations by one unless it’s a complex policy or the policy committee wants to spend more time with it. Once approved by the full board, Ms. Ridgway posts it to the website so it is available to the public. Ms. Ridgway added that Policy manuals typically aren’t printed except for distribution to committee members.

### Helena Public Schools Board of Trustees

Luke Muszkiewicz  
*Board Chair*  
Jeff Hindoién  
*Trustee*

Terry Beaver  
*Vice Chair*  
John E McEwen  
*Trustee*

Libby Goldes  
*Trustee*  
Sarah Sullivan  
*Trustee*

Siobhan Hathhorn  
*Trustee*  
Jennifer Walsh  
*Trustee*

Ms. Ridgway reiterated the importance of the committee and policy, stating it influences the district's day-to-day work, district staffing, and student handbooks. She will begin looking at all of the student handbooks this summer to confirm changes so they comply with the new and modified policies.

Ms. Ridgway continued by discussing the organization of the manuals, stating that the policy manual has gone through several iterations. She stated that while the district had its own numbering system at one time, it has moved to the series that MTSBA uses. Ms. Ridgway has spent some time trying to align the district's policy numbering to match MTSBA, though they don't match number for number, which has been a little challenging. She will continue to align ours with MTSBA when possible.

Ms. Ridgway proceeded to describe each policy series, beginning with Series One which is called Governance. It describes the Board's work; how committees are formed, how elections take place, how records are managed, and the uniform complaint procedure. Ms. Ridgway encouraged the committee to peruse that series first. She added that the Policy committee has reviewed this section recently and has made changes based on committee and Board recommendations. Ms. Ridgway said the committee members are working through the 2000 section, which is Student Instruction. It covers everything from the instructional program to limited English proficiency to library collections to field trips. Series 3000 is called Students. It includes student life, school admissions, student appearance, student due process rights, discipline, obligations students have if they're participating in school-sponsored activities, how school nurses administer medications or deal with concussions. It is a broad range of topics and all student related. The 4000 series is Community & Public – public relations, how visitors enter schools, parent engagement, and how the public can access facilities use. The new policy in that series includes the School Resource Officer program. Series 5000 is Staff and Employee Policies and relates to staff employment. Series 6000 is District Organization and only includes two policies right now. Series 7000 is Non-instructional Operations and includes food service, meal account, tuition, facilities – more the fiscal series of policies. Series 8000 includes the use of unmanned drones, how facilities get named, school closures, and the transportation contract.

Ms. Goldes addressed the issue of language inconsistency through the policy manual, and Ms. Ridgway agreed. Ms. Goldes recommended "shall" be removed from the manual. Ms. Ridgway addressed the inconsistent use of "superintendent and/or designee" sometimes has a comma and sometimes does not.

Ms. Goldes asked for any questions regarding the policy committee process and received none.

#### **V. REVIEW OF 5/7/2019 POLICY COMMITTEE MINUTES**

Mr. Muszkiewicz questioned the second page of the minutes and recommended the word "recommendation" be added after Superintendent. He was unsure whether he said that, and it was determined the minutes would be reviewed for clarification.

Mr. McEwen questioned the reference to state agency listed as "Human Rights Coalition." Ms. Ridgway said it should be changed to "Human Rights Commission."

Ms. Goldes requested that page numbers be added to the minutes.

Ms. Goldes referred to the pages referenced earlier by Mr. Muszkiewicz, specifically the second to last paragraph, the second line, and requested clarification of "the definition of a building or not a building." Ms. Collette recommended that it be stricken from the minutes. Ms. Ridgway clarified that the phrase described whether a staff member is assigned to a specific building or they are part of the district at large.

Ms. Goldes requested clarification with regards to the “just above” phrase from line 11, questioning to where it refers.

Ms. Goldes stressed the importance of having trustees understand that they cannot comment on non-renewals. Ms. Ridgway asked whether Ms. Goldes was referring specifically to within a Board setting, and Ms. Goldes clarified she meant in any setting. Ms. Ridgway confirmed that because it was a personnel matter, no details could be discussed. Dr. Ream clarified that not commenting applies only to a specific situation, and Ms. Collette added that the topic, the procedure, the policy are fair game – just not the individual renewals or non-renewals or specific people.

Ms. Goldes asked if there there any more comments and received none. Ms. Goldes asked if the minutes needed to be approved, and Ms. Ridgway and Dr. Ream agreed that they did not need to be approved.

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

### **A. Policy 5025: Employment and Assignment**

According to Ms. Ridgway the only change was the recommendation on Page 9 to add Collective Bargaining Agreements. Originally it just listed “District Policy.” Ms. Goldes asked for clarification of the meaning of ARM as referenced on Line 26, inquiring into whether there was a glossary of terms.

Ms. Collette recommended, in reference to Line 11, the policy talks about “classified employees who are covered by the CBA are subject to the terms and conditions of the contract.” She requested the policy add – for clarification and because it was discussed with certified employees – that classified employees covered by a CBA are also subject to district policy and statute. She also requested that after a paragraph break, the paragraph begin with “classified employees whose positions are not covered by a CBA.” She suggested that since there are three distinct categories included in this policy, the policy should have three distinct paragraphs reflecting that. She also recommended adding the word “statute” in Line 15 after procedures because administrators and independent staff are also subject to district policies and procedures in the statute. Dr. Ream requested clarification that after that sentence the policy would add the phrase “subject to district policies.” He also requested clarification that the next paragraph will address classified staff who are not covered by a CBA. Ms. Ridgway read the sentences with proposed changes. Ms. Collette recommended the words “after which” be stricken from the policy since employees are subject to district policy at all times, and Ms. Ridgway confirmed it would be removed.

Mr. McEwen asked if there was a conflict between the CBA or the district policy, which one would apply. Ms. Collette answered that there is a potential for that, yes. We don’t put policy into contracts during negotiation. Mr. McEwen requested follow up on whether there was contract language in policy. Ms. Collette answered that there is similar language between the two but there is a little inconsistency. She wants make sure that there is a process for that melds things very well. She emphasized the importance of things looking as even and fair as possible across the board.

Mr. Beaver raised a question in regards to Lines 4 and 5, “What would happen if the majority of the teaching staff did not join the union next fall? Would they be under the extent of the Collective Brgaoning Agreement?” Ms. Collette answered that they would be covered until the status of the union was challenged by the employees, and added that as the employer, we stand by and apply the terms of the CBA. If hypothetically there would be a challenge, HEA would go through a process – typically taking 60-120 days with the board of personnel appeals – and we would maintain that status

of employment conditions until that issue was resolved amongst the teacher body. The district would maintain and uphold the terms and conditions then make changes as deemed necessary for the upcoming academic year. She stated that, "We would not participate in any of that activity." Mr. McEwen asked if it has ever happened in Montana, and Ms. Collette affirmed that it has. Ms. Ridgway added that it typically happens in smaller districts where they have a very small membership.

Ms. Goldes asked to refer back to ARM, and Mr. McEwen said it was on the Secretary of State's office website. Ms. Ridgway clarified that ARM is to state procedures as MCA is to state policies.

Ms. Collette confirmed, with regards to Line 20, "statute and policy" will be added.

Ms. Goldes asked the committee if they would like to see this policy again before it goes to the full board. Mr. Beaver suggested it be sent to the Board for the June 11, 2019, Board meeting, and the committee concurred.

## **B. Policy 5255: Disciplinary Action**

Ms. Collette began by addressing the additions to Line 17: "Superintendent and/or designee is authorized to immediately suspend a staff member with or without pay." She thought perhaps the policy was unclear as it includes that the Superintendent is also making recommendations on retentions or terminations of employment. Ms. Ridgway questioned the need for reiterating it in this policy since it was referenced in Policy 5025. Ms. Collette recommended that it be in this policy as well for clarification. Ms. Collette recommended the changes read, "After pay on Line 17, there should be a comma, followed by 'and recommend retention or termination of employment.'"

Ms. Goldes questioned Line 11, which reads "Superintendent or building principals...", and asked if that the statement includes administrators who are in charge of programs. Ms. Collette was unclear whether that was included. Ms. Ridgway recommended adding "or supervisors" to the statement.

Ms. Goldes asked for any other comments on the policy and asked if it should be forwarded to the board. Mr. Beaver made a recommendation that it be placed before the full board on June 11, 2019, and the committee concurred.

## **VII. PRESENTATION OF POLICIES FOR FIRST REVIEW**

### **A. Policy 2080: Grading, Progress Reports, and Promotion**

Ms. Ridgway stated that this policy was examined by the Academic Team, and they were not making any recommendations for change. Ms. Goldes asked how often a student is not promoted to the next grade. Dr. Ream answered that it doesn't happen very often and added that the Academic Team was examining the policy as it relates to early kindergarten admission.

Mr. Beaver brought up an instance many years ago where teachers would enter grades, and principals would change them. He asked if that was legal. Dr. Ream answered that he was pretty sure state statute would say that no one would be allowed to change grades.

Ms. Goldes asked how this policy relates to weighted grades. Dr. Ream doesn't think colleges get into the minutiae of how grading systems are created. Ms. Goldes inquired into how weighted grades affect class ranking. Dr. Ream answered that there are a lot of districts who are going away from class rankings because it exists almost entirely for college admissions. He added that since grading scales are all over the place in Montana, colleges are looking more at what classes students took and how they performed in that class versus whether there was a weighted rigor to the class.

Ms. Ridgway concluded that since the Academic Team was not making any recommended changes to this policy, it did not need to be presented to the board.

**B. Policy 2090: Credit Transfer Assessment for Placement**

Ms. Goldes asked if this policy was intended solely for assessing credits from students coming into the district. Ms. Ridgway stated it is for students coming in from non-accredited and/or non-public schools. Ms. Goldes asked how often this happens, and Ms. Ridgway answered that it happens with some frequency, mainly students who have been homeschooled. Ms. Ridgway said the policy outlines the steps that schools go through to determine whether the credits are of exact value. Mr. McEwen requested clarification on the policy with regards to the high school section and whether homeschool was considered non-accredited, thus duplicate language. He suggested removing homeschool and leaving the language at non-accredited. Ms. Ridgway clarified that there are some homeschool situations who have gone through an accreditation process. Ms. Goldes mentioned a packet she downloaded off the OPI's website which describes what parents are supposed to do in order to homeschool. She questioned item 3 from the document, which says, "...document that in the event of a credit request in a lab, industrial, arts, or music course, equipment and facilities are sufficient to meet required learning activities of the course." Mr. McEwen added that state law reads if a student is taking music lessons from an accredited teacher, he/she can receive credit for the lessons.

Mr. Beaver asked if Items 3 and 4 are things that we do not do in practice, why they are included. He added that he has never seen a test for students coming into the district in his 37 years of teaching. Ms. Goldes answered that the packet says that any child coming from a non-accredited school must adhere to the following: 1. Adopt a district policy. Include in policy the following specific assessment for placement for any student.... and 2. Based on results of assessment, a hearing before the Board of Trustees if a parent disagrees with placement...

Dr. Ream added that the only place the district utilizes such an assessment is with early Kindergarten admission. He added that the district certainly has assessments that could be utilized. Mr. Beaver asked how the district currently assesses a student who may be going into the 10<sup>th</sup> grade but is reading at a 6<sup>th</sup> grade level, for instance. Dr. Ream answered it is a real challenge, especially with international students. In that case, the district looks at the whole picture of the student as "age appropriate." He added that our principals – by practice – look at what the student's age is and in which grade he/she is. He doesn't think the district holds incoming students from a non-accredited school to a different standard than from an accredited school.

Ms. Goldes requested that this policy comes back to the committee for further review.

**VIII. CONTINUE REVIEW OF POLICY MANUAL: Series 2000 and 3000**

Neither were discussed.

**IX. BOARD COMMENTS**

Mr. McEwen asked how it was determined which policies are brought before the committee meetings. Ms. Ridgway answered that it was driven by a variety of needs – legislative changes, practices that are no longer relevant, etc. She added her appreciation for the time and effort the committee put into the policies because they make a difference in how the district is run and what decisions are made at the district level. Mr. Muszkiewicz expressed his thanks to Libby and the committee for their dedication to the meetings. He added that with regards to the questions raised about approval of minutes, as a committee in the past, they decided not to approve minutes. He also offered an answer to Mr.

McEwen’s question regarding which policies were brought to the committee, stating that some issues were addressed by the committee as it related to similar processes, and suggested that some policies should be brought to the committee by the Board. Mr. Beaver suggested looking at reduction in force policies. Ms. Goldes added that it might be helpful to see what procedures are developed around a policy so the committee could see that the intent of the policies was reflected in the procedures. Mr. McEwen requested the committee members be added to the meeting notifications. Mr. McEwen questioned the need to publish “terminated” for district employees and whether it is appropriate to be in the public domain. Dr. Ream reference attorney, Bea Kaleva, who was very clear about having four classifications: retirement, resignation, non-renewal, and termination. Ms. Collette added that those classifications are listed for Board members because according to policy, the Board makes the final decisions on renewal, non-renewal, hiring, and termination.

Ms. Goldes concluded by saying that – with regards to the discussion on students from non-accredited schools – she wished to make it clear that, from her perspective, she welcomes those students in the district, but wants to make sure the district has a place for them.

#### **X. ADJOURNMENT**

Chair, Ms. Goldes, adjourned the meeting at 1:11pm.

**Next Meeting:  
August 6, 2019 | MBC Conference Room**

2  
3 SCHOOL DISTRICT ORGANIZATION

4  
5 Board Member Conflict of Interest

6 Board members are expected to be familiar with and observe those provisions of Montana law  
7 that define school board authority and govern conflict of interest. Board members shall not only  
8 to adhere to all laws regarding conflict of interest, but also to be alert to situations that may have  
9 the appearance of a conflict of interest and to avoid actions that might compromise himself or  
10 herself or the Board. Therefore, a trustee may not:

- 11 · engage in a substantial financial transaction for the trustee’s private business  
12 purpose with a person whom the trustee inspects or supervises in the course of  
13 official duties;
- 14 · perform an official act directly and substantially affecting, to its economic benefit,  
15 a business or other undertaking in which the trustee has a substantial financial  
16 interest or is engaged as counsel, consultant, representative or agent;
- 17 · act as an agent or solicitor in the sale or supply of goods or services to the  
18 District;
- 19 · have a pecuniary interest, directly or indirectly, in any contract made by the Board  
20 when the trustee has more than a 10% interest;
- 21 · **perform an official act directly and substantially affecting a business or**  
22 **undertaking to its economic detriment a business or other undertaking in**  
23 **which the trustee has a substantial personal interest in a competing firm or**  
24 **undertaking;**
- 25 · be employed in any capacity by the District, except to officiate at athletic  
26 competitions under the auspices of the Montana Officials Association; or
- 27 · take part in the appointment or employment of any person related or connected by  
28 blood within the 4<sup>th</sup> degree or by marriage within the 2<sup>nd</sup> degree, except as  
29 provided by statute.

30

31 Legal References:	<b><u>§ 2-2-105, MCA</u></b>	<b><u>Ethical Requirements for Public Officers and</u></b>
		<b><u>Public Employees</u></b>
	<b><u>§ 2-2-121, MCA</u></b>	<b><u>Rules of Conduct for Public Officers and Public</u></b>
		<b><u>Employees</u></b>
	§ 20-9-204, MCA	Conflict of interest
	§ 20-1-201, MCA	School officers not to act as agents
	§ 2-2-302, MCA	Appointment of relative to office of trust or
		emolument unlawful -- exceptions -- publication of
		notice.

40 Cross Reference:

41  
42 Policy History:

43 Adopted on: 2.8.2011

44 Revised on:

2  
3 SCHOOL DISTRICT ORGANIZATION

4  
5 Resignations and Other Vacancies

6  
7 Any elected trustee position shall be vacant whenever the incumbent:

- 8
- 9 (1) dies;
- 10 (2) resigns;
- 11 (3) moves his residence from the District, or from the nominating district in the case of
- 12 an additional trustee in a high school district;
- 13 (4) is no longer a registered elector of the District;
- 14 (5) is absent from the District for 60 consecutive days;
- 15 (6) fails to attend three consecutive meetings of the trustees without a good excuse;
- 16 (7) has been removed under the provisions of § 20-3-310, MCA; or
- 17 (8) ceases to have the capacity to hold office under any other provision of law.
- 18

19 A trustee position also shall be vacant when an elected candidate fails to qualify under the  
 20 provisions of § 20-3-307, MCA. A resignation of a trustee, for whatever reason, must be  
 21 submitted in writing to the Clerk of the District **and shall specify an effective date.** ~~A~~  
 22 ~~resignation is effective seventy-two (72) hours after its submission unless withdrawn during~~  
 23 ~~that period by the trustee in writing and delivered to the Clerk of the District.~~

24  
 25 When a trustee vacancy occurs, the remaining trustees shall declare the position vacant and shall  
 26 fill such vacancy by appointment. The Board may request applications from any qualified  
 27 persons seeking to fill the position, and may appoint one (1) candidate to fill the position.  
 28 Should the Board fail to fill a vacancy within sixty (60) days from the declaration of such  
 29 vacancy, the county superintendent shall appoint, in writing, a competent person to fill such  
 30 vacancy. An appointee shall qualify by completing and filing an oath of office with the county  
 31 superintendent with fifteen (15) days after receiving notice of appointment and shall serve until  
 32 the next regularly scheduled school election and a successor has qualified.

33

34 Legal Reference:	§ 2-16-502, MCA	Resignations
	§ 20-3-307, MCA	Qualification and oath
	§ 20-3-308, MCA	Vacancy of trustee position
	§ 20-3-309, MCA	Filing vacated trustee position – appointee qualification and term of office

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40 Cross References:

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42 Policy History:

43 Adopted on: 2.8.2011  
 44 Revised on:  
 45

2  
3 STUDENTS

4  
5 School Admissions

6  
7 *Age*

8  
9 No pupil may be enrolled in the kindergarten or first grade whose 5<sup>th</sup> ~~or 6<sup>th</sup>~~ birthday does not occur  
10 on or before September 10 of the school year in which child registers to enter school. A parent may  
11 request a waiver of the age requirement. All waivers are ~~in~~ at the discretion of and subject to the  
12 approval of the Board. ~~A student who meets the 6-year-old requirement to enter 1<sup>st</sup> grade, but~~  
13 ~~who has not completed a kindergarten program, will be tested and placed at the discretion of~~  
14 ~~the administration.~~ No pupil may be enrolled in the District if that pupil has reached his or her 19<sup>th</sup>  
15 birthday on or before September 10 of the school year in which the child registers to enter school. A  
16 student may request a waiver of the age limitation, which must be approved by the Board.

17  
18 *Entrance – Identity and Immunization*

19  
20 Students enrolling in the District for the first time must present a birth certificate or other reliable  
21 proof of identity and age within 40 days, as well as proof of residence, and immunization from  
22 disease as required by Montana. Students who are homeless, in foster care, or are the child of a  
23 military family are entitled to immediate enrollment regardless of presentation of the required  
24 documentation. If the parent of the student does not provide proof of identification within 40 days,  
25 the District shall notify the missing children information program and a local law enforcement  
26 authority of the fact that no proof of identity has been presented for the child. Nonresident students  
27 shall be admitted when required by law or as permitted by District policy. A student who transfers  
28 from one school district to another may photocopy immunization records in the possession of the  
29 school of origin. The District shall accept the photocopy as evidence of immunization. Within 30  
30 days after a transferring pupil ceases attendance at the school of origin, the District should have the  
31 original immunization records.

32  
33 When a parent signs and files with the District, prior to the commencement of attendance each  
34 school year, a notarized affidavit on a form prescribed by the State of Montana stating that  
35 immunization is contrary to the religious tenets and practices of the parent, immunization of the  
36 student seeking to attend in the District will not be required prior to attendance. The statement must  
37 be maintained as part of the student's immunization records. The District will also accept medical  
38 exemptions as required by law.

39  
40 *Placement*

41  
42 The goal of the District shall be to place students at levels and in settings that will enhance the  
43 probability of student success. Developmental testing, together with other relevant criteria,  
44 including but not limited to, health, maturity, emotional stability, and developmental disabilities,  
45 may be considered in the placement of all students. Final disposition of all  
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placement decisions rests with the Principal, subject to review by the Superintendent and the Board. If a student is assigned to a school in the District outside of the adopted school boundaries applicable to that student, this decision is subject to the District's Uniform Grievance Procedure. Upon completion of these procedures, the Board's decision regarding the assignment is final.

*Transfer Students*

Resident students seeking to transfer to a District school will be admitted and placed pursuant to the terms of this policy. The District will request the student's records from the prior school district prior to making any final decision on placement.

Elementary students shall be placed at their current grade level on a probationary basis for a period of two weeks. Should any doubt exist with the teacher and/or Principal as to grade and level placement of the student, the student shall be subject to an educational assessment to determine appropriate grade and level placement

High school students shall be placed according to the number of credits earned in their previous accredited school districts, subject to Montana Accreditation Rules and Standards and local alternate procedures for earning credit.

Legal References:	§ 1-1-215, MCA	Residence -- rules for determining
	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-403, MCA	Immunization requirements
	§ 20-5-404, MCA	Conditional attendance
	§ 20-5-405, MCA	Medical or religious exemption
	§ 20-5-406, MCA	Immunization record
	§ 20-5-502, MCA	Enrollment by caretaker relative -- residency -- affidavit
	§ 20-7-117, MCA	Kindergarten and preschool programs
	§ 44-2-511, MCA	School enrollment procedures for missing children
	10.55.701, ARM	Board of Trustees
	10.55.906, ARM	High School Credit

Cross References:	Policy 1085	Uniform Grievance Procedure
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Policy History:

Adopted on:	2.12.2013
Revised on:	10.8.2013

2  
3 STUDENTS

4  
5 Student Discipline

6  
7 Students are expected to conduct themselves within the bounds set by the Board and the  
8 administrative regulations set forth by the Superintendent. Consideration for the rights and well-  
9 being of others, cooperation with all members of the school community and respect for oneself and  
10 others are the basic principles guiding student behavior.

11  
12 The primary responsibility for student discipline within the school rests with the Principal. The  
13 primary responsibility for the maintenance of discipline within the classroom lies with the individual  
14 classroom teacher. Corporal punishment shall not be used. Corporal punishment does not include  
15 reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose  
16 of self-defense or defense of property.

17  
18 Disciplinary action may be taken against any student in violation of the Student Code of Conduct.  
19 Disciplinary action may range from conferring with a teacher to expulsion from school. Continued  
20 infractions will have a cumulative effect in terms of disciplinary action.

21  
22 A student is in violation of the Student Code of Conduct if the student engages in any inappropriate  
23 behavior, including but not limited to:

- 24
- 25 · Using, possessing, distributing, purchasing, or selling tobacco **products, ~~or~~-vapor products,**  
26 **or alternative nicotine products** (tobacco includes, but is not limited to, cigarettes, cigars,  
27 snuff, smoking tobacco, smokeless tobacco, ~~alternative nicotine product~~, or any other  
28 tobacco or nicotine innovation);
  - 29 · Using, possessing, distributing, purchasing, or selling alcoholic beverages.
  - 30 · Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances,  
31 including medical marijuana, look-alike drugs, and drug paraphernalia.
  - 32 · Using, possessing, controlling, or transferring a weapon in violation of the “Possession of a  
33 Weapon in a School Building” section of this policy.
  - 34 · Using, possessing, controlling, or transferring any object that reasonably could be considered  
35 or used as a weapon.
  - 36 · Disobeying directives from staff or disobeying rules governing student conduct.
  - 37 · Using violence, force, coercion, intimidation or other comparable conduct toward anyone or  
38 urging other students to engage in such conduct.
  - 39 · Causing or attempting to cause damage to, or stealing or attempting to steal, school property  
40 or another person’s property.
  - 41 · Engaging in any activity that constitutes an interference with school purposes or an  
42 educational function or any other disruptive activity.
  - 43 · Unexcused absenteeism.
  - 44 · Misconduct of any sort on any means of District transportation.
  - 45 · Hazing or bullying, including cyberbullying.

- 46 · Forging any signature or making any false entry or attempting to authorize any document  
47 used or intended to be used in connection with the operation of a school.  
48

49 These grounds stated above for disciplinary action apply whenever a student’s conduct is reasonably  
50 related to school or school activities, including, but not limited to the circumstances set forth below:

- 51 · On, or within sight of, school grounds before, during, or after school hours or at any other  
52 time when school is being used by a school group;  
53 · Off school grounds at a school-sponsored activity or event or any activity or event that bears  
54 a reasonable relationship to school;  
55 · Travel to and from school or a school activity, function, or event;  
56 · Anywhere if conduct may reasonably be considered to be a threat or an attempted  
57 intimidation of a staff member, an interference with school purposes or an educational  
58 function, a threat to the safety and welfare of the student population, or conduct that  
59 detrimentally effects the climate or efficient operations of the school.  
60

### 61 *Gun Free Schools*

62  
63 The Board is obligated to expel any student who uses, possesses, controls, or transfers a firearm for a  
64 definite period of time of at least one (1) calendar year, except that the Board may permit the  
65 Superintendent to modify the disciplinary action. The Board hereby authorizes the Superintendent to  
66 modify the disciplinary action on a case-by-case basis.  
67

### 68 *Possession of a Weapon in a School Building*

69  
70 The District will refer to law enforcement any person who possesses, carries, or stores a weapon in a  
71 school building, except as provided below. For the purposes of this section only, “school building”  
72 means all buildings owned or leased by the District that are used for instruction or for student  
73 activities; "weapon" means any type of firearm, a knife with a blade 4 or more inches in length, a  
74 sword, a straight razor, a throwing star, nun-chucks, brass or other metal knuckles, or any other  
75 article or instrument possessed with the purpose to commit a criminal offense. The Board may grant  
76 persons advance permission to possess, carry, or store a weapon in a school building. All persons  
77 who wish to possess, carry, or store a weapon in a school building must request permission of the  
78 Board at a regular meeting. The Board has sole discretion in deciding whether to allow a person to  
79 possess, carry, or store a weapon in a school building.  
80

### 81 Legal References:

82 § 16-11-302, MCA	Definitions
83 § 20-1-220, MCA	Use of tobacco products in public school building or on public 84 school property prohibited
85 § 20-4-302, MCA	Discipline and punishment of pupils
86 § 20-5-202, MCA	Suspension and Expulsion
87 § 45-8-361, MCA	Possession of a weapon in school building
88 § 45-8-317, MCA	Exceptions
89 §§ 50-46-301 et seq., MCA	Montana Marijuana Act
90 20 USC §§ 7101 et seq.	Safe and Drug-Free Schools & Communities Act
91 20 USC § 7961	Gun-Free requirements

92  
93 Cross References:  
94  
95 Policy History:  
96 Adopted on: 3.26.2013  
97 Revised on: 8.15.2017  
98  
99

2  
3 SCHOOL/COMMUNITY RELATIONS

4  
5 Conduct on School Property

6  
7 In addition to prohibitions stated in other District policies, no person on school property shall:

- 8
- 9 · Injure or threaten to injure another person;
- 10 · Damage another’s property or that of the District;
- 11 · Violate any provision of the criminal law of the state of Montana or town or
- 12 county ordinance;
- 13 · Smoke or otherwise use a tobacco product, ~~or~~ vapor products, or alternative
- 14 nicotine product (tobacco includes, but is not limited to, cigarettes, cigars, snuff,
- 15 smoking tobacco, smokeless tobacco, ~~alternative nicotine product~~, or any other
- 16 tobacco or nicotine innovation);
- 17 · Consume, possess, or distribute alcoholic beverages, illegal drugs, including
- 18 medical marijuana, or possess dangerous weapons at any time;
- 19 · Impede, delay, or otherwise interfere with the orderly conduct of the District’s
- 20 educational program or any other activity occurring on school property;
- 21 · Use vulgar or obscene language or gestures;
- 22 · Disregard the directives of school officials or security personnel;
- 23 · Enter upon any portion of school premises at any time for purposes other than
- 24 those which are lawful and authorized by the Board; or
- 25 · Violate other District rules and regulations.

26

27 “School property” means within school buildings, in vehicles used for school purposes, or on

28 owned or leased school grounds. These regulations are in effect year round, and during all

29 District extra or co-curricular activities. District administrators will take appropriate action as

30 circumstances warrant, up to an including recommending that the individual violating this policy

31 be denied access to District property. If a recommendation is made to the Board to deny access

32 to District property to an individual, that individual will be notified of date, time and place of the

33 meeting of the Board as well as of the specific allegations to be presented to the Board.

34

35 Legal References:

36 § 16-11-302, MCA	Definitions
37 § 20-1-206, MCA	Disturbance of school
38 § 20-1-220, MCA	Use of tobacco products in public school building or on
39 § 45-8-361, MCA	Possession of a weapon in a school building
40 §§ 50-46-301 et seq., MCA	Montana Marijuana Act
41 20 USC §§ 7101 et seq.	Safe and Drug Free Schools & Communities Act

42  
43 Cross References:

44  
45 Policy History:

46 Adopted on: 12.9.2014

47 Revised on:

2  
3 PERSONNEL

4  
5 **Tobacco Product, Drug, and Alcohol Free Workplace**

6  
7 All District workplaces are **tobacco product**, drug and alcohol free. All employees are prohibited  
8 from:

- 9
- 10 · **Smoking or otherwise using a tobacco product, vapor product, or alternative**
- 11 **nicotine product (tobacco includes, but is not limited to, cigarettes, cigars,**
- 12 **snuff, smoking tobacco, smokeless tobacco, or any other tobacco or nicotine**
- 13 **innovation) while on District premises or while performing work for the**
- 14 **District;**
- 15 · Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under
- 16 the influence of a controlled substance while on District premises or while performing
- 17 work for the District; and
- 18 · Distributing, consuming, using, possessing, or being under the influence of alcohol
- 19 while on District premises or while performing work for the District.

20  
21 **Nothing herein prohibits an employee from using a smoking cessation product on school**

22 **property. Upon prior notice and approval by a building administrator, a teacher or other**

23 **employee may possess a tobacco product, vapor product, or alternative nicotine product in a**

24 **classroom or otherwise on school property as part of a lecture, demonstration, or educational**

25 **forum concerning the risks associated with the use of a tobacco product, vapor product, or**

26 **alternative nicotine product.**

27  
28 For purposes of this policy, a controlled substance is one that is not legally attainable, being used in  
29 a manner other than as prescribed, legally obtainable but has not been legally obtained or referenced  
30 in federal or state controlled-substance acts. For purposes of this policy, a controlled substance  
31 includes medical marijuana. Any employee must notify his or her supervisor of his or her  
32 conviction under any criminal drug statute, for a violation occurring on District premises or while  
33 performing work for the District, no later than five (5) days after such conviction.

34  
35 In order to make employees aware of dangers of drug and alcohol abuse, the District will endeavor  
36 to:

- 37
- 38 · Provide each employee with notice of the District drug- and alcohol-free workplace
- 39 policy;
- 40 · Enlist the aid of community and state agencies with drug and alcohol informational
- 41 and rehabilitation programs, to provide information to District employees; and
- 42 · Inform employees of available drug and alcohol counseling, rehabilitation, reentry,
- 43 and any employee-assistance programs.

44  
45 An employee who violates this policy may be subject to disciplinary action, including termination.

46 Should District employees be engaged in the performance of work under a federal contract or grant,  
47 or under a state contract or grant of \$5,000 or more, the Superintendent will notify the appropriate  
48 state or federal agency from which the District receives contract or grant moneys of an employee's  
49 conviction, within ten (10) days after receiving notice of the conviction

50  
51 Legal References: 20 USC 7101 Safe and Drug Free Schools & Community Act  
52 **§ 20-1-220, MCA** **Use of tobacco products in public school**  
53 **building or on public school property**  
54 **prohibited**  
55 § 50-46-101 *et al.*, MCA Montana Medical Marijuana Act  
56 10.57.601a, ARM Definition of Immoral Conduct

57  
58 Cross References:

59  
60 Policy History:

61 Adopted on: 8.12.2013

62 Revised on:

63

2  
3 PERSONNEL

4  
5 Prohibition on Aiding and Abetting Sexual Abuse

6  
7 The District prohibits any individual who is a school employee, **trustee, officer,** contractor, or  
8 agent from assisting a **current or former** school employee, contractor, or agent in obtaining a  
9 new **job employment** who knows or has probable cause to believe that such person engaged in  
10 sexual misconduct regarding a minor or student in violation of law. Assisting a person in  
11 obtaining a new **job employment** does not include the routine transmission of administrative or  
12 personnel files.

13 This prohibition does not apply if the information giving rise to probable cause:

- 14 1. Has been properly reported to a law enforcement agency with jurisdiction over the
- 15 alleged misconduct and any other authorities required by federal, state or local law,
- 16 including, but not limited to Title IX; and
- 17 2. One of the following three circumstances has occurred:
  - 18 a. the matter has been officially closed or the prosecutor or police with jurisdiction
  - 19 over the alleged misconduct has investigated the allegations and notified school
  - 20 officials there is insufficient information to establish probable cause that the
  - 21 school employee, contractor, or agent **engaged committed or attempted,**
  - 22 **solicited, or conspired to commit the violation of local, state, and/or federal**
  - 23 **law involving in sexual misconduct regarding** a minor or student **in violation**
  - 24 **of law;**
  - 25 b. the school employee, contractor, or agent has been charged with, and acquitted or
  - 26 otherwise exonerated of the alleged misconduct; or
  - 27 c. the case or investigation remains open and there have been no charges filed
  - 28 against or indictment of the school employee, contractor, or agent more than four
  - 29 years from the date the information was reported to law enforcement.

30  
31  
32 Legal References: §§ 8038, 8556 Every Student Succeeds Act

33  
34 **Title IX, 20 U.S.C. 1681 et seq.**  
35 **§ 20-4-110, MCA Letter of reprimand, suspension, revocation, and denial**  
36 **of certificate**  
37 **§45-5-501, MCA et seq. Definitions**  
38 **§41-3-101, MCA et seq. Declaration of Policy**  
39 **Senate Bill 132**

40  
41  
42 Cross References:

43  
44 Policy History:

45 Adopted on: 5.28.2018

46 Revised on:

*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

Trustee	Term
Luke Muszkiewicz, Board Chair	2017-2020
Terry Beaver, Board Vice Chair	2018-2021
Sarah Sullivan, Past Chair	2018-2021
Libby Goldes	2019-2022
Siobhan Hathhorn	2019-2022
Jeff Hindoién	2017-2020
John McEwen	2019-2022
Jennifer Walsh	2017-2020

## at a Glance

### Student Representatives

Representative	Term
Zyanne Cervantes, CHS	2019-2020
Hannah Muszkiewicz, HHS	2019-2020

### Superintendent

Dr. Tyler Ream

BOARD OF TRUSTEES 2019-2020



### Policy Committee

1st Tuesday of each month

#### COMMITTEE MEMBERS

Libby Goldes, Chair  
Terry Beaver  
John McEwen



### Budget Committee

1st Friday of each month

#### COMMITTEE MEMBERS

Jeff Hindoién, Chair  
John McEwen  
Sarah Sullivan



### Executive Committee

Occur each Tuesday prior to a Board Meeting or Work Session

#### COMMITTEE MEMBERS

Luke Muszkiewicz, Chair  
Terry Beaver, Vice Chair  
Sarah Sullivan, Past Chair



### Facilities/Demographics Committee

meet as deemed necessary

#### COMMITTEE MEMBERS

Terry Beaver, Chair  
Jeff Hindoién  
Siobhan Hathhorn



### Strategic Planning Committee

meet as deemed necessary

#### COMMITTEE MEMBERS

Sarah Sullivan, Chair  
Libby Goldes  
Siobhan Hathhorn



### Other Representation

MTSBA Municipal Director  
Luke Muszkiewicz

Health Benefits Committee Representative  
Libby Goldes

Bond Committee Representatives  
Libby Goldes, Jeff Hindoién

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 Meetings

## Board Meetings\* Ray Bjork Learning Center, 1600 8th Ave | 5:30pm



Tuesday, August 13, 2019	Tuesday, December 10, 2019	Tuesday, April 14, 2020
Tuesday, September 10, 2019	Tuesday, January 14, 2020	Tuesday, May 12, 2020
Tuesday, October 8, 2019	Tuesday, February 11, 2020	Tuesday, June 9, 2020
Tuesday, November 12, 2019	Tuesday, March 10, 2020	

## Budget Committee Meetings\* May Butler Center, 55 S. Rodney St. | 12:00pm



Friday, August 2, 2019	Friday, December 6, 2019	Friday, April 3, 2020
Friday, September 6, 2019	Friday, January 10, 2020	Friday, May 1, 2020
Friday, October 4, 2019	Friday, February 7, 2020	Friday, June 5, 2020
Friday, November 1, 2019	Friday, March 6, 2020	

## Policy Committee Meetings\* May Butler Center, 55 S. Rodney St. | 12:00pm



Tuesday, August 6, 2019	Tuesday, December 3, 2019	Tuesday, April 7, 2020
Tuesday, September 3, 2019	Tuesday, January 7, 2020	Tuesday, May 5, 2020
Tuesday, October 1, 2019	Tuesday, February 4, 2020	Tuesday, June 2, 2020
Tuesday, November 5, 2019	Tuesday, March 3, 2020	

## Board Work Sessions\* 3:30pm tour of school | 4:00pm meeting



Tuesday, September 24, 2020 Central School	Tuesday, January 28, 2020 Ray Bjork Learning Center	Tuesday, April 28, 2020 Helena Middle School
Tuesday, October 22, 2019 Bryant School	Tuesday, February 25, 2020 Kessler School	Tuesday, May 26, 2020 Four Georgians School
Tuesday, November 19, 2019 Jim Darcy School	Tuesday, March 24, 2020 Warren School	

### Parent Advisory Councils

Each meeting takes place  
September—May on  
the second Tuesday of the month.

### Teaching Advisory Councils

Each meeting takes place  
September—May on  
the second Wednesday of the month.

*Apply for these councils at your applicable school.*

\*meeting dates and times are subject to change.

BOARD OF TRUSTEES 2019-2020



**July 2019**

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

**August 2019**

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**September 2019**

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

**October 2019**

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

**November 2019**

S	M	T	W	T	F	S
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

**December 2019**

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 26 & 27 Staff Orientation  
 August 28 First Day of School  
 August 29 First Day of School  
 Grades 1-5, Grade 6 CRA & HMS, Grades 10-12 PAL, Grade 9 CHS & HHS  
 Grades 7-8 CRA & HMS, Grades 10-12 CHS & HHS

September 2 Labor Day - No School - District Closed  
 September 3 First Day of School for Kindergarten  
 October 17 & 18 State Conventions - No School  
 November 4 2nd Quarter Begins  
 November 27-29 Thanksgiving Break - No School  
 November 28-29 District Closed  
 December 23-January 3 Winter Break - No School  
 December 24, 25 & January 1 District Closed

January 20 Martin Luther King Day - No School  
 January 21-23 High School Semester Testing  
 January 23 K-8 12:00 p.m. Early Dismissal  
 January 24 HS Staff in Service Records Day, No School K-12  
 January 27 3rd Quarter Begins  
 February 17 President's Day - No School - District Closed  
 March 30 - April 3 Spring Break - No School

April 6 4th Quarter Begins  
 April 13 No School (make-up snow day if needed)  
 May 1 Vigilante Parade - No School Grades 9-12/11:00 a.m. Dismissal K-8  
 May 25 Memorial Day - No School - District Closed  
 June 6 High School Graduation  
 June 8-10 High School Semester Testing  
 June 10 Last Day & 12:00 p.m. Early Dismissal Students K-8  
 P.M. K-8 Staff Records Day  
 Last Day for Staff K-8  
 Last Day for Students 9-11  
 High School Staff In-Service-Records Day  
 Last Day for Staff 9-12

June 10 Last Day for Staff K-8  
 June 11 High School Staff In-Service-Records Day  
 Last Day for Staff 9-12

Every Monday are Professional Release days for Helena School District staff. School will dismiss early. Please see below for your school's Professional Release schedule.

- \*Elementary: 8:30 a.m. - 2:30 p.m.
- \*Middle School: 8:05 a.m. - 2:15 p.m.
- \*High School: 8:20 a.m. - 2:30 p.m.

\*\*Buses will run according to the above schedule on Mondays.

- Holiday/Break - No School - All Grades
- Staff Orientation
- Last Day of School 9-11 Students
- High School Semester Testing
- Early Dismissal Students K-8 Records Day
- HS Staff in-service- records day - No School K-12
- Vigilante Day - K-8 released 11:00 a.m./High School -No School

**January 2020**

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**February 2020**

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						1
2	3	4	5	6	7	8
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16	17	18	19	20	21	22
23	24	25	26	27	28	29

**March 2020**

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**April 2020**

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

**May 2020**

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**June 2020**

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Board Approval:  
 January 22, 2019