



Board of Trustees – Policy Committee

May Butler Center
55 S. Rodney Ave

Tuesday February 5, 2019 – 12:00 p.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. 1.2.2019 Policy Committee Minutes

V. PRESENTATION OF POLICIES FOR SECOND REVIEW

- A. 3005 Harassment, Intimidation, Bullying and Hazing Prevention & Reporting
- B. 5015 Harassment, Intimidation and Bullying Prevention & Reporting
- C. 4050 School Resource Officer Program

VI. PRESENTATION OF POLICIES FOR FIRST REVIEW

- A. 1015 Goals, Mission & Vision
- B. 5105 Conflict of Interest

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
- 3005 – Harassment, Intimidation and Bullying
- 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:
Tuesday, March , 2019
May Butler Center
Noon – 1:00 p.m.**

Helena Public Schools Board of Trustees

Sarah Sullivan
Board Chair

Terry Beaver
Vice Chair

Tyler Emmert
Trustee

Luke Muszkiewicz
Trustee

Jeff Hindoién
Trustee

Libby Goldes
Trustee

Sanjay Talwani
Trustee

Jennifer Walsh
Trustee



Superintendent
Tyler Ream, Ed.D
324-2001

Business Manager
Janelle Mickelson
324-2040

Policy Committee Meeting

May Butler Center
55 South Rodney

Wednesday January 2, 2019

Noon – 1:00 p.m.

MINUTES

Committee:

Luke Muszkiewicz, Committee Chair/Trustee

Sanjay Talwani, Trustee

Terry Beaver, Trustee

Others:

Tyler Ream, Superintendent

Josh McKay, Assistant Superintendent

Barb Ridgway, Chief of Staff

Elizabeth “Bea” Kaleva, Attorney

I. INTRODUCTIONS

Committee Chair, Luke Muszkiewicz, called the meeting to order at 12:05 p.m.

II. REVIEW OF AGENDA

Luke Muszkiewicz mentioned wanting to bring back the two bullying and intimidation policies to the committee for a final review before taking them to the full board in February. Sanjay Talwani agreed and mentioned to go through it again.

III. GENERAL PUBLIC COMMENT

No public comment.

IV. REVIEW DECEMBER 4, 2018 BOARD POLICY MEETING MINUTES

Luke wanted to add context to his previous statement regarding striking gender identity and sexual orientation stating, “in favor of existing languages on lines 11 and 12 that states perceived or actual gender identity sexual orientation or disability

V. PRESENTATION OF POLICIES FOR FIRST REVIEW:

1000 Legal Status and Organization

“Due to creation of an East Helena high school district our policy needs to be amended,” Barb Ridgway stated. Luke pointed out line 8 to read, “outlined Elementary district” and strike “but”. Discussion about whether or not to keep Wolf Creek or Canyon Creek as a

geographical boundary. Bea Kaleva mentioned looking at the map that the County Superintendent has, “there are no overlapping districts”. “They don’t do it in Montana by county, they do it by area...If they reside within those boundaries and meet all of the other qualifications, they are able to run”, stated Bea. Luke asked Barb to reach out to the County Superintendent to make sure “it’s in line with our understanding”. This policy will go to the board for the first reading.

1070 School Board Meeting Procedures

Policy revised to add clarity to how an external entity adds an item to the Board agenda. Discussion on how to place on the board agenda properly. “The Superintendent does need to know exactly what is being discussed so it can be noticed up properly...”, Bea stated. Sanjay pointed out that it should be more specific “that we are not talking about general public comment”. Barb stated, “Individual or groups that would like to be on the agenda”. “After 48 hours and board packets are handed out, you cannot change it, by law.”, stated Bea. Discussion regarding the decision on what makes it on the agenda for board meetings. Terry asked, “are lines 10, 11, 12 in there in case the Superintendent rejects their proposal?”. Bea answered, “it’s to establish the chain of command...your grievance is set up to go through Tyler...two board members that are interested or agree with you on a certain topic, can call a special meeting...”. “Our agendas are posted the week before due to our meetings being on Tuesdays”, stated Superintendent Ream. Barb recapped with, “Individuals or groups that would like to address the board through an agenda item must submit a request to the Superintendent in writing at least seven days prior to the regular board meeting”. This policy will go to the board for the first reading.

4050 School Resource Officer Program

This is a new policy that “describes that we have a relationship that allows SROs to come into our schools...the defining lines are 16-18 that say while their duties are of law enforcement, the school administrator in partnership have the authority over school discipline.”, Barb stated. Bea mentioned, “we don’t ask them to take on the administration discipline because it muddies the water...there are certain things we can give them access to, but there are things they cannot have...”. “Typically, there are 4 officers assigned to the two middle schools and two high schools...on call for elementary schools...”, Barb stated. “This is a framework that makes sense...I would like to see what the proposed MOA looks like before asking a lot of questions...”, Sanjay stated. “They do keep logs and show how they interact with students...”, stated Bea. “They even work on community resource options in something completely separate from the school...it’s not about us interacting with them or the administrators...the school is the boss, if there is a parent that requests an SRO option, that’s a whole separate private meeting...”, stated Assistant Superintendent McKay. Discussion about the levy that the city ran on SROs. “We have 4 officers assigned...”, stated Bea. “Do we monetarily reimburse them in any way?”, Terry Beaver asked. “We do not compensate them at all...we cover their cell phones, and the conference in Bozeman...”, stated Barb. Discussion around the new MOA and different possibilities and opportunities to get questions answered. “This SRO

program is directed specifically to the city, but we need to create one to handle Rossiter, Jim Darcy, and Warren...we should be sending them to classes when we can...there is some concern about utilization of police officers at sporting events...", Terry addressed. Come back to this policy in February.

VI. CONTINUE REVIEW OF POLICY MANUAL – SERIES 2000 and 3000:
None.

VII. SUPERINTENDENTS' REPORT
None.

VIII. ADJOURNMENT
Committee Chair Muszkiewicz adjourned the meeting at 1:16 p.m.

NEXT MEETING:
February 5, 2019 – May Butler Center
Noon – 1:00 p.m.

STUDENTS

Bullying, Intimidation, Harassment & Hazing Prevention and Reporting Policy

The Board is committed to providing students with a safe and civil school environment free from harassment, intimidation and bullying. The Board and District will not tolerate harassment, intimidation or bullying in any form at school, school-related events (including off campus events), school sponsored activities, school buses or any event related to school business.

Bullying, harassment, intimidation or hazing by students, staff, or third parties, is strictly prohibited and shall not be tolerated. Inciting, aiding, encouraging, coercing or directing others to commit acts of harassment, intimidation or bullying is prohibited under this policy.

Intimidation, bullying and harassment include any gesture or written, verbal or physical act that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, creed, national origin, gender, sexual orientation, ~~sexual identity~~ gender identity, age, culture, social origin or condition, marital status, political affiliation or a mental, physical or sensory handicap, or by any other distinguishing characteristic.

Intimidation, bullying and harassment include acts that a reasonable person knew or should have known, under the circumstances the gesture or written or physical act (a) will have the effect of harming a student or damaging the student's property; or (b) will place a student in reasonable fear of harm to the student's person or damage to the student's property; or (3) has the effect of insulting or demeaning any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student.

Definitions:

1. "Third parties" include but are not limited to coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work program with the District, and others not directly subject to District control at inter-district and intra-District athletic competitions or other school events.
2. ~~"District" includes District facilities, District premises, and non-District property if the student or employee is at any District sponsored, District approved, or District-related activity or function, such as field trips or athletic events, where students are under the control of the District or where the employee is engaged in District business.~~
3. "Hazing" includes but is not limited to any act that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in or affiliation with any District-sponsored activity or grade-level attainment, including but not limited to forced consumption of any drink, alcoholic beverage, drug, or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep

deprivation, or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed, or other such activities intended to degrade or humiliate.

4. “Bullying” means any harassment, intimidation, hazing, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic communication (cyberbullying) or threat directed against a student that is persistent, severe, or repeated, and that substantially interferes with a student’s educational benefits, opportunities, or performance, that take place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, or anywhere conduct may be reasonable be considered to be a threat or an attempted intimidation of a student or staff member or an interference with school purposes or an educational function, that has the effect of:
 - a. Physically harming a student or damaging a student’s property;
 - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property;
 - c. Creating a hostile educational environment, or;
 - d. Substantially and materially disrupts the orderly operation of a school.
5. “Electronic communication device” means any mode of electronic communication, including but not limited to computers, cell phones, PDAs, or the internet.

Reporting

All complaints about behavior that may violate this policy shall be promptly investigated. Any student, employee, or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, or bullying in violation of this policy is encouraged to immediately report his/her concerns to the building principal or the District Administrator, who have overall responsibility for such investigations. A student may also report concerns to a teacher or counselor, who will be responsible for notifying the appropriate District official. Students who have concerns about bullying or harassment from staff members are encouraged to report their concerns to the building principal. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent or District Administrator shall be filed with the Board.

All staff are obligated to address bullying, harassment and intimidation as described in Board policy, administrative procedures and / or staff and student handbooks.

Exhaustion of Administrative Remedies

A person alleging violation of any form of harassment, intimidation, hazing, or threatening, insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or electronic communication, as stated above, may seek redress under any available law, either civil or criminal, after exhausting all administrative remedies.

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95 **Responsibilities**
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97 The District Administration shall be responsible for ensuring that notice of this policy is provided
98 to staff and third parties and for the development of administrative regulations, including reporting
99 and investigative procedures, as needed.
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102 ***Consequences***
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104 Students whose behavior is found to be in violation of this policy will be subject to discipline up
105 to and including expulsion. Staff whose behavior is found to be in violation of this policy will be
106 subject to discipline up to and including dismissal. Third parties who behavior is found to be in
107 violation of this policy shall be subject to appropriate sanctions as determine and imposed by the
108 District Administrator or the Board. Individuals may also be referred to law enforcement
109 officials.
110

111 ***Retaliation and Reprisal***
112

113 Retaliation is prohibited against any person who reports or is thought to have reported a
114 violation, files a complaint, or otherwise participates in an investigation or inquiry. Such
115 retaliation shall be considered a serious violation of Board policy, whether or not a complaint is
116 substantiated. False charges shall also be regarded as a serious offense and will result in
117 disciplinary action or other appropriate sanctions.
118

119 Cross Reference: 5010 PERSONNEL: Harassment / Intimidation / Bullying
120

121 Legal Reference: § 20-5-207, MCA “Bully-Free Montana Act”
122 § 20-5-208, MCA Definition
123 § 20-5-209, MCA Bullying of student prohibited
124 § 20-5-210, MCA Enforcement – exhaustion of administrative
125 remedies
126

127 10.55.701(2)(f), ARM Board of Trustees
128 10.55.719, ARM Student Protection Procedures
129 10.55.801(1)(d), ARM School Climate
130

131 Policy History:

132 Adopted on:

133 Revised on: 12.11.1990, 6.10.2003

PERSONNEL**Bullying/Harassment/Intimidation Prevention and Reporting**

The Helena Public School District strives to provide a safe and civil working and learning environment. Bullying, harassment, intimidation, between employees or by third parties, are strictly prohibited and shall not be tolerated. This includes bullying, harassment, or intimidation via electronic communication devices (“cyberbullying”).

Definitions

The District expressly prohibits any form of harassment, intimidation or bullying based on but not limited to the following: race, color, religion, ancestry, creed, national origin, gender, sexual orientation, sexual gender identity, age, culture, social origin or condition, marital status, political ideas affiliation, or perceived or actual gender identity, sexual orientation or a mental, physical or a sensory handicap, or by any other distinguishing characteristic. ~~disability~~.

1. “Third parties” include but are not limited to students, coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as School District Trustees, employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-District athletic competitions or other school events.
2. ~~“District” includes District facilities, District premises, and non-District property if the employee is at any District sponsored, District approved, or District related activity or function, such as field trips or athletic events, where the employee is engaged in District business.~~
3. “Harassment, intimidation, or bullying” means any act that substantially interferes with an individual’s opportunities, work or learning performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation, or anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member / third party ~~or an interference with school purposes~~ or an interference with educational function, and that has the effect of:
 - A. Physically harming an individual or damaging an individual’s property;
 - B. Knowingly placing an individual in reasonable fear of physical harm to the individual or damage to the individual’s property; or
 - C. Creating a hostile working environment.
4. “Electronic communication device” means any mode of electronic communication, including, but not limited to, computers, cell phones, PDAs, or the Internet.

Reporting

If an employee feels that he or she has been the subject of harassment, intimidation or bullying or has witnessed or become aware of harassment, intimidation or bullying in violation of these policies, ~~he or she is encouraged to~~ should immediately report his/her concerns to the building principal or the District Administrator, who has overall responsibility for such investigations. Complaints against the building principal or other supervisors shall be filed with the Superintendent. Complaints against the Superintendent or District Administrator shall be filed with the Board.

All complaints about behavior that may violate this policy shall be promptly investigated. Upon receipt of the complaint alleging harassment, Human Resources will take appropriate action to prevent the alleged conduct from continuing pending completion of the investigation. All complaints of harassment will be investigated as discreetly and confidentially as possible, but the District cannot promise anonymity to any individual. Employees are required to participate fully in investigations related to harassment, intimidation and bullying. No employee will be retaliated against for making a complaint in good faith or for participating in an investigation regarding a violation of District policy.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

Responsibilities

The District Administrator shall be responsible for ensuring that notice of this policy is provided to staff and third parties and for the development of administrative regulations, including reporting and investigative procedures, as needed.

All staff have the responsibility to maintain a safe environment for students to academically and socially develop. Further, staff have a responsibility to report incidents. Educators and school staff can help prevent bullying by building strong relationships with students, intervening when signs of bullying are witnessed, or reported and supporting a bullying prevention climate in the school.

Consequences

Staff whose behavior is found to be in violation of this policy will be subject to discipline up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the District Administrator or the Board. Individuals may also be referred to law enforcement officials.

Retaliation and Reprisal

Retaliation is prohibited against any person who reports or is thought to have reported a violation, files a complaint, or otherwise participates in an investigation or inquiry. Such retaliation shall be considered a serious violation of Board policy, whether or not a complaint is substantiated. False

84 charges shall also be regarded as a serious offense and will result in disciplinary action or other
85 appropriate sanctions.
86

87 Legal References: 10.55.701(1)(g), ARM Board of Trustees
88 10.55.801(1)(d), ARM School Climate
89

90 Cross References: 3005 Harassment, Intimidation and Bullying Prevention
91 Title IX
92 504
93

94 Policy History:
95 Adopted on:
96 Revised on:

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4 **SCHOOL / COMMUNITY RELATIONS**

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6 School Resource Officer Program

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9 The Helena Public School District believes that positive relationships and a supportive
10 school culture are critical in maintaining safety and security in all schools. The district has a
11 partnership with local law enforcement that enables school resource officers (SROs) to assist
12 in supporting a safe learning environment in district schools.
13

14 The goal of the School Resource Officer program is to improve school/law enforcement
15 collaboration, perceptions and relations between students, staff and law enforcement.
16 School Resource Officers perform all functions and duties expected of a sworn law
17 enforcement officer while school administrators, in partnership with parents, have exclusive
18 authority over school discipline issues.
19

20 The Superintendent will develop a Memorandum of Agreement (MOA) outlining roles,
21 responsibilities and procedures for the SRO program. In partnership with law enforcement
22 representatives, the SRO Memorandum of Agreement will be reviewed annually to
23 determine the effectiveness of existing policies and procedures and to determine necessary
24 revisions.
25

26 Legal Reference:

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28 Cross References:

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30 Policy History:

31 Adopted on:

32 Revised on:
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2 **SCHOOL DISTRICT ORGANIZATION**

3 Goals, Mission and Vision

4 **Vision**

5 Helena Public Schools foster dynamic educational experiences that prepare all students
6 for life.

7 **Mission Statement**

8 The mission of the Helena Public Schools is to challenge and empower each student to
9 maximize individual potential and become a competent, productive, responsible, caring
10 citizen.

11 This mission will be supported through the wise use of resources to meet students' needs,
12 regardless of interests and talents. Students, families, educators and the community are
13 committed to sharing the responsibility for creating a student-centered educational
14 community that acknowledges learning as a life-long process.

15 **Guiding Principles**

- 16 • Each student enters school healthy and learns about and practices a healthy lifestyle.
- 17 • Each student learns in an intellectually challenging environment that is physically and
- 18 emotionally safe for students and adults.
- 19 • Each student is actively engaged in learning and is connected to the school and broader
- 20 community.
- 21 • Each student has access to personalized learning and to qualified, caring adults.
- 22 • Each graduate is prepared for success in college or further study and for employment in
- 23 a global environment.
- 24

25 **Board Goals**

26 **Curriculum / Learning** – Provide relevant, integrated and meaningful learning
27 experiences for students that will prepare them for life.

28 **Staff Support and Relationships** – Enhance the learning opportunities for students by
29 providing professional development for all employees and encouraging innovative
30 instructional practices.

31 **Environment** – All schools and work sites will be safe and foster positive and productive
32 environments for students and staff.

33 **Technology** – Implement technology in Helena Schools to enrich student learning and
34 deliver more efficient administrative services.

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1015 Continued

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Community Partnerships – Encourage excellence in our schools by maintaining a positive and productive relationship with parents, employers, community members and members of the higher community.

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Fiscal Planning – A budget development process is established so the allocation of resources has the greatest positive impact on the performance of students and staff.

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43 Legal Reference:

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45 Cross Reference:

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47 Policy History:

48 Adopted on: 8.8.2011

49 Revised on:

2 **PERSONNEL**

3 **Conflicts of Interest**

4 Employees shall refrain from any activity that can be reasonably seen as creating a conflict of
5 interest with their duties and responsibilities as employees of the District.

6 The following conduct is specifically prohibited:

- 7 • Using public time, facilities, equipment, supplies, personnel, or funds for the
8 employee's private business purposes;
- 9 • Engaging in a substantial financial transaction for the employee's private business
10 purposes with a person whom the employee inspects or supervises in the course of
11 official duties;
- 12 • Assisting any person for a fee, contingent fee, or other compensation in obtaining
13 a contract, claim, license, or other economic benefit from the District;
- 14 • Performing an official act directly and substantially affecting to its economic
15 benefit a business or other undertaking in which the employee either has a
16 substantial financial interest or is engaged as counsel, consultant, representative,
17 or agent; ~~or~~
- 18 • Soliciting or accepting employment, or engaging in negotiations or meetings to
19 consider employment, with a person whom the employee regulates in the course
20 of official duties without first giving written notification to the employee's
21 supervisor and Superintendent; or
- 22 • Engaging in a personal relationship with another employee who is in a
23 subordinate position and for whom one employee has supervisory and evaluation
24 responsibility.
25

26 Employees who violate this policy will be subject to disciplinary action, up to and including
27 termination from employment.

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29 Cross Reference:

30 Legal Reference: § 2-2-121, MCA Rules of conduct for public officers and public
31 employees

32 Policy History:

33 Adopted on: 12.10.2013

34 Revised on: