



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 Meeting

Tuesday, November 3, 2020

MINUTES

Attendees

<i>Committee:</i>	<i>Others:</i>
Libby Goldes, Committee Chair	Tyler Ream, Superintendent
John McEwen, Committee Member	Josh McKay, Assistant Superintendent
Jennifer McKee, Committee Member	Barb Ridgway, Chief of Staff
Terry Beaver, Trustee	Janelle Mickelson, Business Services Administrator
	Stacy Collette, Human Resources Director
	Kalli Kind, Facilities Director
	Tim McMahon, Activities Director
	Joslyn Davidson, Curriculum & Instruction Administrator
	Elizabeth Kaleva, District Attorney
	Jane Shawn, HEA President

I. CALL TO ORDER

The meeting was called to order at 12:02pm by Committee Chair, Libby Goldes.

II. REVIEW OF AGENDA

No changes were requested to the agenda.

III. GENERAL PUBLIC COMMENT

There was no public comment.

IV. REVIEW OF THE 10.06.2020 POLICY COMMITTEE MINUTES

The minutes were reviewed from the 10.06.2020 committee meeting.

V. PRESENTATION OF POLICIES FOR SECOND REVIEW

A. Policy 5000: Equal Employment Opportunity and Non-Discrimination

Ms. Ridgway reported no requested changes to the policy from the full board's first reading and recommended sending it to the board for a second review. The committee agreed.

B. Policy 5005: Sexual Harassment

Ms. Ridgway reported no requested changes to the policy from the full board's first reading and recommended sending it to the board for a second review. The committee agreed.

VI. PRESENTATION OF POLICIES FOR THIRD REVIEW

A. Policy 3000: Equal Educational Opportunities

Ms. Ridgway reminded the committee that questions were raised at the last board meeting regarding how this policy related to gender identity and expression. Ms. Kaleva detailed how the policy pertained to extracurricular activities. Per MSHA (Montana High School Association), individuals participated in activities based on the gender as which they were born. This would continue unless the 9th Circuit Court determined otherwise or until MSHA changed their rule. Ms. Ridgway asked for clarification that individuals could use the locker room and bathroom designated for their preferred gender. Ms. Kaleva confirmed generally they could, adding individuals could be offered general-neutral options, but they were not required to accept the offer.

Ms. Goldes asked if there were gender-specific activities other than sports. Mr. McMahon answered he was unsure if there were any gender-specific clubs since they were organized at the schools. He added there were gender-specific music groups. Ms. Kaleva answered if the activity was sanctioned by MHSA, it must comply with MHSA rules; guidance would come from the association. Ms. Kaleva added this would be an issue across the nation, and Montana would benefit from seeing what happened in other states.

Mr. Beaver clarified the board's concern at the last meeting was – per the policy – there could be no gender-specific activities. However, girls could wrestle or play football, but boys were prohibited from playing volleyball. He recalled Title IX was discussed in relation to this policy and relevant language had been requested to be added. Ms. Kaleva provided clarification that the purpose of Title IX was to ensure the historically unrepresented gender – females – had the same or more opportunities in activities as males. If the district allowed males to participate in female activities, it would run into a Title IX issue.

Mr. Beaver added for clarification on how the policy pertained to males participating in activities that were traditionally for girls. Ms. Kaleva clarified participation was based on whether physicality affected tryouts, which was not an issue for cheer or dance teams. Mr. McMahon added that MSHA viewed dance and cheer teams as “supervised but not regulated” activities; they were not identified as gender-specific activities.

Several editing changes were discussed and approved.

Ms. Goldes requested the policy be brought back to the committee at the next meeting and asked that additional information be provided related to activities that were part curricular and part extra-curricular, like music.

Ms. Ridgway asked for clarification on a student using their preferred chosen name. Ms. Kaleva clarified permanent records – like a transcript – must be in the student's legal name; however, teachers were

required to use the pronoun and name for which the student identified. Ms. Kaleva stated records must be in a student's legal name until the district received a court order, adding it was not a gender issue but a legal issue.

VII. PRESENTATION OF POLICIES FOR FIRST REVIEW

A. Policy 4330: Community Use of School Facilities and Policy 4330P: Administrative Procedures
Ms. Ridgway provided background context on the development of Policy 4330. Ms. Kaleva provided recommended changes based on tiered rental system. She outlined a few of the rules included in the policy for the committee. She added while the district insurance covers the property, uses and restrictions could not invalidate that coverage.

Ms. Ridgway asked if recreational marijuana became legal, it needed to be in the policy. Ms. Kaleva clarified it would be included in "drugs" which were prohibited under existing language.

Ms. Goldes asked if "and alcohol innovations" should be included after "alcohol." Ms. Kaleva recommended simply "alcohol" rather than "alcoholic beverages."

Ms. Kaleva added the purpose of reexamining the policy was to establish consistency across the district and to ensure the district remained a good steward of its assets.

Ms. Goldes asked Mr. McMahon if he had suggestions for or concerns about the policy. Mr. McMahon emphasized the need to be consistent and clear across the district.

Ms. Mickelson and Ms. Ridgway provided clarification on the process to reserve a facility. Ms. Kind added a significant change in procedure had been limiting the maximum length of increments that could be reserved by one group to 90-days. She added the importance of balancing being accommodating and creating opportunities with protecting investments.

Several edits were requested to the policy from the committee.

Mr. Beaver expressed concern over language describing when facilities were not available. Ms. Kind replied when the district was closed, no employees were working to service the facility use. She clarified the district was closed mainly for holidays and "district closure" did not refer to summer, during which the district was open.

Ms. Goldes asked the committee if they would like to bring the policies back for the next meeting or send them to the full board for a first reading. The committee decided to review them again it at the next committee meeting.

VIII. SUPERINTENDENT'S REPORT / BOARD COMMENTS

There was neither a superintendent's report nor board comments.

IX. ADJOURNMENT

Committee Chair, Ms. Goldes, adjourned the meeting at 1:04pm.