



Superintendent
Dr. Tyler Ream
324-200

Business Manager
Janelle Mickelson
324-2007

**BOARD OF TRUSTEES
POLICY COMMITTEE MEETING
May Butler Center | 55 South Rodney
Tuesday, March 2, 2021 | Noon – 1:00 p.m.**

- I. INTRODUCTIONS**
- II. REVIEW OF AGENDA**
- III. GENERAL PUBLIC COMMENT**
- IV. REVIEW FEBRUARY 2, 2021, BOARD POLICY MEETING MINUTES**
- V. PRESENTATION OF POLICIES FOR FIRST REVIEW:**
 - A. 1902 Alternative Grading
 - B. 1905 Face Coverings as Personal Protective Equipment
- VI. PRESENTATION OF 4000 POLICIES FOR GENERAL REVIEW – FIRST READING:**
 - A. 1000 Legal Status and Organization
 - B. 1005 Governance
 - C. 1010 Powers and Duties of the Board of Trustees
 - D. 1015 Goals, Mission and Vision
 - E. 1020 School Board Elections
 - F. 1025 Board Member Term of Office
 - G. 1027 Board Member Conflict of Interest
 - H. 1030 Resignations and Other Vacancies
- VII. SUPERINTENDENT OR BOARD COMMENTS**
- VIII. ADJOURNMENT**

**NEXT MEETING:
Tuesday, April 6, 2021 - May Butler Center
Noon – 1:00 p.m.**



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, February 2, 2021

MINUTES

Attendees

Committee:

Libby Goldes, Committee Chair
John McEwen, Committee Member

Others:

Tyler Ream, Superintendent
Josh McKay, Assistant Superintendent
Barb Ridgway, Chief of Staff
Janelle Mickelson, Business Services
Administrator
Elizabeth Kaleva, District Attorney
Jane Shawn, HEA President

I. CALL TO ORDER

The meeting was called to order at 12:04pm 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 01.05.2021 POLICY COMMITTEE MINUTES

The committee reviewed minutes from the previous committee meeting.

V. PRESENTATION OF POLICIES FOR GENERAL REVIEW – SECOND READING

A. Policy 4330: Community Use of School Facilities

Ms. Ridgway reported no changes since the board’s first reading of the policy. Ms. Goldes recommended adding “medical/recreational” prior to marijuana and “alcohol innovations” rather than

“powdered alcohol” for consistency with other policies. The committee agreed and determined to forward this policy to the board for a second reading.

i) 4330P: Community Use of School Facilities – Administrative Procedures

Ms. Ridgway reported no changes to this procedure from the board’s first reading. The committee agreed to forward the procedure to the board for a second reading, though it isn’t typical practice for the board to review administrative procedures.

B. Policy 4020: Visitors to the Schools

Having had no changes requested to this policy from the board, the committee determined to send it back to the board for a second reading.

VI. PRESENTATION OF 4000 SERIES POLICIES FOR GENERAL REVIEW – FIRST READING

A. Policy 4025: Accommodating Individuals with Disabilities

Ms. Ridgway told the committee this policy was adopted in 2016. Ms. Kaleva added no changes at the state or federal level since its adoption would necessitate changes to the policy. She recommended no changes. Mr. McEwen asked how the policy pertained to sports. Ms. Kaleva replied the pertinent laws stated individuals must be “otherwise qualified to participate.” Coaches kept records at try-outs with qualifications and completed rubrics. Since there were no changes to the policy, it was not forwarded to the board.

Ms. Ridgway told the committee she would start adding “reviewed on [date]” to policies that had been reviewed but not revised.

B. Policy 4030: Cooperative Programs with Other Districts and Public Agencies

Ms. Kaleva described this policy as allowing the district to form multi-district agreements. She continued that though the district didn’t often utilize cooperatives or multi-district agreements, the policy allowed for the practice. Ms. Mickelson added there was an existing interlocal agreement between the elementary district and the high school district. Mr. McEwen asked if the policy applied to the relationship with Helena College. Ms. Ridgway replied that relationship was outlined in a MOU. Since no changes were made to the policy, it was not sent to the board.

C. Policy 4035: Service Animals

Ms. Kaleva told the committee that although policy language was inconsistent between service animal and service dog, language was per statute. She explained the difference between service animals and comfort animals – detailed in Policies 4035 and 4036 – and said the distinction paralleled laws. Since there were no changes to this policy, it was not sent to the full board.

D. Policy 4036: Facility/Therapy Dogs

Ms. Kaleva advised the committee that the allowance for service animals was required by both federal and state laws, but therapy animals were allowed only at the district’s discretion. She recommended no changes to the existing policy. Ms. Goldes recommended adding pertinent legal references. Ms. Kaleva agreed to add them. Ms. Ridgway agreed to cross-reference the two policies. No changes were requested to the policy, so it was not to the board.

E. Policy 4020: Visitors to the Schools

Ms. Kaleva informed the committee the only change to this policy since the previous year was updated legal references. Mr. McEwen referenced Line 19 and suggested “participation” rather than “preparation.” Ms. Kaleva confirmed “participation” was per statute. The committee agreed to the change in wording. This policy was not sent to the board since there were no changes.

VII. SUPERINTENDENT’S REPORT / BOARD COMMENTS

Ms. Ridgway recommended the committee next review Series 1000: School District Organization. The committee agreed.

VIII. ADJOURNMENT

Committee Chair, Ms. Goldes, adjourned the meeting at 12:38pm

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3 **THE BOARD OF TRUSTEES**

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5 Face Coverings as Personal Protective Equipment
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7 This policy applies during the COVID19 state of emergency declared by the Board of Trustees
8 or other local, state or federal agency, official, or legislative body. This policy is adopted,
9 implemented, and enforced in accordance with the supervisory authority vested with the Board
10 of Trustees in accordance with Article 10, section 8 of the Montana Constitution. The Board of
11 Trustees authorizes the Superintendent to develop and implement procedures to enforce this
12 policy.

13
14 The School District requires all staff, volunteers, visitors, and school-aged students to wear a
15 face covering while present in any school building, regardless of vaccination status. The School
16 District also requires all staff, volunteers, visitors, and school-aged students to wear a face
17 covering while present at any outdoor school activity with fifty (50) or more people where
18 physical distancing is not possible or is not observed. Face covering means disposable or
19 reusable masks that cover the nose and mouth. The School District will provide masks to
20 students, volunteers, and staff, if needed. If a student or staff wears a reusable mask, the School
21 District expects that the masks be washed on a regular basis to ensure maximum protection.

22
23 Students, staff, volunteers, and visitors are not required to wear a mask or face shield under this
24 provision when:

- 25 1. consuming food or drink;
26 2. engaged in strenuous physical activity;
27 3. communicating with someone who is hearing impaired;
28 4. identifying themselves;
29 5. receiving medical attention; or
30 6. precluded from safely using a face covering due to a medical or developmental condition.
31 The superintendent, building principal, or their designee shall request documentation
32 from a care provider when considering an exception to this provision for medical or
33 developmental reasons. The School District will comply with all applicable disability and
34 discrimination laws when implementing this provision.

35
36 When students and members of the public are not present, staff may remove their masks if they
37 are at their individual workstation and six feet of distance is strictly maintained between
38 individuals. If students are working in small groups, the students must be wearing masks.

39
40 All points of entry to any school building or facility open to the public shall have a clearly visible
41 sign posted stating the mask requirement.

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43 Allegations of harassment of any person wearing a mask or those with recognized and approved
44 exemptions to the face covering requirement will be promptly investigated in accordance with
45 District policy.
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Failure or refusal to wear a mask by a staff member or student not subject to an exception noted above may result in redirection or discipline in accordance with District policy and codes of conduct, as applicable.

Legal References: § Article X, Section 8 Montana Constitution
 § Section 20-3-324, MCA Powers and Duties

Cross References: 1900 Temporary COVID-19 Policy
 1901 Emergency Policy and Procedures
 1907 School District Declaration of Emergency

Policy History:

Adopted on:
Revised on:
Reviewed on:

2 SCHOOL DISTRICT ORGANIZATION

3 Legal Status and Organization

4 The Helena Public Schools is the governmental entity established by the State of Montana to
5 plan and direct all aspects of the District’s operations.

6 The District is governed by a Board of Trustees consisting of eight (8) members: seven (7)
7 members who are residents of and elected by qualified electors of the Elementary District and
8 one (1) member who is a resident of and elected by qualified electors of an outlying elementary
9 district within the High School District. Both the Elementary and the High School Districts are
10 classified as class one districts and are operated according to the laws and regulations pertaining
11 to a class one district.

12 The policies of the Board define the organization of the Board and the manner of conducting its
13 official business.

- 14 Legal References: § 20-3-323 MCA District policy and record of acts
- 15 § 20-3-324 MCA Powers and duties
- 16 § 20-3-341 MCA Number of trustee positions in elementary school
- 17 districts
- 18 §20-3-351 MCA Number of trustee positions in high school district
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20 Cross References:

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22 Policy History:

- 23 Adopted on: 2.8.2011
- 24 Revised on: 2.12.2019

2 SCHOOL DISTRICT ORGANIZATION

3 Powers and Duties of the Board of Trustees

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5 The Board establishes a structure in order to deliver educational services that comply with the
6 mission, philosophy, goals, standards, and policies of the District. In order to accomplish this
7 duty, the Board retains all powers and duties, statutory and inherent, as provided by law. The
8 specific powers and duties listed in Section 20-3-234, MCA, are the foundation for all actions of
9 the Board. Except as herein provided, the powers and duties of the Board shall also include the
10 power and duty to:

- 11
- 12 (1) Direct employees;
- 13 (2) Employ, dismiss, promote, transfer, assign, and retain employees;
- 14 (3) Relieve employees from duties because of lack of work or funds under conditions
15 where continuation of such work would be inefficient and non-productive;
- 16 (4) Maintain the efficiency of District operations;
- 17 (5) Determine the methods, means, job classifications, and personnel by which District
18 operations area to be conducted;
- 19 (6) Take whatever actions may be necessary to carry out the mission of the District in
20 situations of emergency; and
- 21 (7) Establish the methods and processes by which work is performed.

22 The Board may delegate any of these duties to appropriate staff members as provided by law.

23 Legal References:	§ 20-3-324, MCA	Powers and duties
24	§ 39-31-303, MCA	Management rights of public
25		employees

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27 Cross Reference:

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29 Policy History:

30 Adopted on: 2.8.2011

31 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 for life.

6 **Mission Statement**

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

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

14 **Guiding Principles**

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

23 **Board Goals**

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

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

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

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

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.

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.

Legal Reference:

Cross Reference:

Policy History:

Adopted on: 8.8.2011
Revised on 5.14.2019

2 SCHOOL DISTRICT ORGANIZATION

3 School Board Elections

4 School board elections are non-partisan elections governed by the general election laws of the
5 State of Montana and include election of board members, various public policy propositions, and
6 advisory questions.

7 Board elections shall be held on the first Tuesday after the first Monday in May of each year. In
8 years when the legislature meets in regular session or in a special session that affects school
9 funding, the trustees may order the election on a date other than the regular school election day
10 in order for the electors to consider a proposition requesting additional funding under § 20-9-
11 353, MCA.

12 Any person who is a qualified voter of the District is legally qualified to become a trustee. Some
13 persons may be ineligible for board membership by reason of other public offices held or certain
14 types of State or federal employment. A Declaration of intent to be a candidate shall be
15 submitted to the Election Administrator at least forty (40) days before the regular school election
16 day. If there are different terms to be filled, the term. the position for which each candidate is
17 filing must also be indicated.

18 Any person seeking to become a write-in candidate must file a declaration of intent on the 26th
19 day before the election. If the number of candidates filing for vacant positions or filing a
20 declaration of intent to be a write-in candidate is equal to or less than the number of positions to
21 be elected, the Trustees may give notice that a Trustee election will not be held. Notice of the
22 cancellation must be given no later than 30 days before the election date. If the election is not
23 held, the trustees shall declare the candidates elected by acclamation and issue of “certificate of
24 election” to each candidate.

25 A candidate intending to withdraw from the election shall send a statement of withdrawal to the
26 clerk of the district containing all information necessary to identify the candidate and the office
27 for which the candidate filed. The statement of withdrawal must be acknowledged by the clerk
28 of the district. A candidate may not withdraw after 5:00p.m. the day before the election ballot
29 certification deadline in 20-20-401. MCA.

30 Except in the event of an unforeseen emergency occurring on the date scheduled for the election,
31 a proposition requesting additional funding pursuant to § 20-9-353, MCA, may be submitted to
32 the electors only once each calendar year – on the regular school election day.

33 Legal References:

- 34 § 20-3-304, MCA Annual election
- 35 § 20-3-305, MCA Candidate qualification and nomination
- 36 § 20-3-344, MCA Nomination of candidates by position in first class elementary district
- 37 § 20-20-301, MCA Qualifications of elector
- 38 § 20-3-313, MCA Election by acclamation – notice

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§ 20-9-353, MCA Additional financing for general fund-election for authorization to impose
§ 20-20-105, MCA Regular school election and special school elections

Cross References:

Policy History:

Adopted on: 2.8.2011
Revised on: 7.12.2016

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2 SCHOOL DISTRICT ORGANIZATION

3 Board Member Term of Office

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5 A newly elected trustee shall take office as soon as the election results have been certified and
6 the newly-elected trustee has taken and subscribed to an oath that the trustee will faithfully and
7 impartially discharge the duties of the office to the best of the trustee’s ability. The oath shall be
8 administered by the county superintendent, the superintendent’s designee, or any person who is
9 authorized to take testimony or has the power to administer oaths. Such oath must be filed with the
10 county superintendent within fifteen (15) days after the receipt of the certificate of election.

11
12 Except as otherwise provided by law, trustees shall hold office for terms of three (3) years, or
13 until their successors are elected and qualified. Terms of trustees are staggered as provided by
14 law.

15	Legal Reference:	§ 20-1-202, MCA	Oath of Office
		§ 20-3-307, MCA	Qualification and oath
		§ 20-3-301, MCA	Election and term of office

Cross References:

Policy History:

Adopted on:	2.8.2011
Revised on:	3.9.2016

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2 SCHOOL DISTRICT ORGANIZATION

3 Board Member Conflict of Interest

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

- 10 • engage in a substantial financial transaction for the trustee’s private business
- 11 purpose with a person whom the trustee inspects or supervises in the course of
- 12 official duties;
- 13 • perform an official act directly and substantially affecting, to its economic benefit,
- 14 a business or other undertaking in which the trustee has a substantial financial
- 15 interest or is engaged as counsel, consultant, representative or agent;
- 16 • act as an agent or solicitor in the sale or supply of goods or services to the
- 17 District;
- 18 • have a pecuniary interest, directly or indirectly, in any contract made by the Board
- 19 when the trustee has more than a 10% interest;
- 20 • perform an official act directly and substantially affecting a business or other
- 21 undertaking to its economic detriment a business or other undertaking in which
- 22 the trustee has a substantial personal interest in a competing firm or undertaking;
- 23 • be employed in any capacity by the District, except to officiate at athletic
- 24 competitions under the auspices of the Montana Officials Association; or
- 25 • take part in the appointment or employment of any person related or connected by
- 26 blood within the 4th degree or by marriage within the 2nd degree, except as
- 27 provided by statute.
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Legal References:	§ 2-2-105, MCA	Ethical Requirements for Public Officers and Public Employees
	§ 2-2-121, MCA	Rules of Conduct for Public Officers and Public Employees
	§ 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.

Cross Reference:

Policy History:

Adopted on:	2.8.2011
Revised on:	9.10.2019

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2 SCHOOL DISTRICT ORGANIZATION

3 Resignations and Other Vacancies

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5 Any elected trustee position shall be vacant whenever the incumbent:

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

17 A trustee position also shall be vacant when an elected candidate fails to qualify under the
18 provisions of § 20-3-307, MCA. A resignation of a trustee, for whatever reason, must be
19 submitted in writing to the Clerk of the District and shall specify an effective date.

20
21 When a trustee vacancy occurs, the remaining trustees shall declare the position vacant and shall
22 fill such vacancy by appointment. The Board may request applications from any qualified
23 persons seeking to fill the position and may appoint one (1) candidate to fill the position.
24 Should the Board fail to fill a vacancy within sixty (60) days from the declaration of such
25 vacancy, the county superintendent shall appoint, in writing, a competent person to fill such
26 vacancy. An appointee shall qualify by completing and filing an oath of office with the county
27 superintendent with fifteen (15) days after receiving notice of appointment and shall serve until
28 the next regularly scheduled school election and a successor has qualified.

29	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

Cross References:

Policy History:

Adopted on:	2.8.2011
Revised on:	9.10.2019