



Board of Trustees – Executive Committee Meeting

May Butler Center
55 S. Rodney Ave

Tuesday, September 14th, 2021 – 11:00 a.m.

Members of the public are able to attend remotely by clicking the link below:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

AGENDA

- I. CALL TO ORDER
- II. 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.*
- III. APPROVAL OF MINUTES
 - A. Review of 08.10.21 Executive Committee Meeting Minutes (See Attached)
- IV. REVIEW OF 9-14-21 BOARD MEETING AGENDA
- V. BOARD COMMENTS
- VI. ADJOURNMENT

Helena Public Schools Board of Trustees

Luke Muszkiewicz
Board Chair

Siobhan Hathhorn
Vice Chair

Libby Goldes
Trustee

Terry Beaver
Trustee

Janet Armstrong
Trustee

John E McEwen
Trustee

Jennifer McKee
Trustee

Jennifer Walsh
Trustee



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 – Executive Committee Meeting

Tuesday, August 10th, 2021

12:00 PM

MINUTES

ATTENDEES

Committee

Luke Muszkiewicz, Chair

Siobhan Hathhorn, Vice Chair

Jennifer McKee, Committee Member

Others

Rex Weltz, Superintendent

Josh McKay, Assistant Superintendent

Stacy Collette, Human Resources Administrator

Janelle Mickelson, Business Office Administrator

Barb Ridgway, Chief of Staff

Gary Myers, Director of Educational Technology

Joslyn Davidson, Curriculum, and Instruction
Administrator

Tim McMahon, Activities Director

Jane Shawn-HEA President

I. CALL TO ORDER

Board Chair, Luke Muszkiewicz, called the meeting to order at 12:00 pm.

II. REVIEW OF AGENDA

No changes were requested to the committee meeting agenda.

III. GENERAL PUBLIC COMMENT

No public comment was offered.

IV. REVIEW OF MINUTES

Minutes from the June 08, 2021, Executive Committee meeting were reviewed. No changes were made.

V. REVIEW OF 8.10.21 BOARD MEETING AGENDA

The committee reviewed the agenda for the 8.10.21 board meeting. It was discussed that the Superintendent's report would be moved to item II on the agenda. Mr. Weltz said he would spend some time on recognition and his first 30 days as Superintendent.

The committee then discussed that the board would be certifying the trustees' financial summary for elementary and high school and would be adopting the final budget for elementary and high school for the fiscal year of 2021-22.

It was then discussed that the board would be reviewing Policy 1905 Student, Staff, and Community Health and Safety Needs. The revisions being recommended are noted below:

If the number of active COVID-19 cases in the county increases to the point of being considered a "substantial" or "high" rate of transmission as defined by the Centers for Disease Control (CDC), the Board of Trustees authorizes the Superintendent to implement a requirement for face coverings to be worn in all Elementary District PreK-8 schools and PreK-8 programs. The Superintendent may also consult with local health experts to include but not be limited to: St. Peter's Health, Lewis and Clark Public Health and other local health providers.

In the event it is determined face coverings are required, the Superintendent shall announce the face covering requirement to students, parents, staff, and visitors for the immediate successive school week by 3:00 pm on Friday of the previous week. If the Superintendent determines masks are required, signs will be installed to inform students, parents, staff, and visitors of mask requirements while present in the identified District buildings.

All points of entry to any school building or facility open to the public shall have a clearly visible sign posted stating whether masks are required or recommended.

Lastly, it was noted that in the agenda the Student Representative Report was left out of Section C under reports, and that would be included in the board meeting.

VI. BOARD COMMENTS

No board comments were offered.

VII. ADJOURNMENT

The meeting was adjourned at 1:00 pm.



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 Meeting

Capital High School | 100 Valley Dr | Helena MT. 59601

Tuesday, September 14th, 2021 - 5:30 p.m.

AGENDA

I. CALL TO ORDER /PLEDGE OF ALLEGIANCE

II. SUPERINTENDENT'S REPORT (See Attached)

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. NEW BUSINESS

- A. Items for Information-Policy Background (See Attached) *(The Board of Trustees will not take public comment on items for information unless specifically noted with the agenda item; discussion only/no voting will occur).*
 - 1. 2016 Human Sexuality Instruction
 - 2. 3000 Equal Educational Opportunities
 - 3. 3022 Children of Military Families
 - 4. 5000 Equal Employment Opportunity and Non-Discrimination
 - 5. 5100 Breastfeeding in the Workplace
 - 6. 7062 Outdoor Air Quality
- B. Consent Action Items (See Attached)
 - 1. Approval of 8.10.21 Board Meeting Minutes
 - 2. Approval of Personnel Actions
 - 3. Approval of Warrants
 - 4. Approval of Out of District Attendance Agreement
 - 5. Acknowledgment of Out of District Attendance Agreement
- C. Items for Action (See Attached)
 - 1. 1027 Board Member Conflict of Interest
 - 2. 1035 Board Development and Self Evaluation
 - 3. 1040 Board Members Expenses
 - 4. 1055 Communication to and From the Board
 - 5. 1060 Committees

D. Reports

1. Helena Education Association Report
2. Budget & Finance Committee Report
3. Teaching & Learning Committee Report
4. Policy Committee Report
5. Facilities & Maintenance Committee Report
6. Health Benefits Committee Report
7. Montana School Boards Association Report
8. Student Representatives Report

V. BOARD COMMENTS

VI. ADJOURNMENT

Next Regular Board Meeting: October 12, 2021

HELENA SCHOOL DISTRICT #1
OFFICE OF THE SUPERINTENDENT

To: Board Chair Mr. Muszkiewicz

Board of Trustees

FROM: Mr. Wetz, Superintendent

RE: Superintendent Report

DATE: September 10, 2021

- Recognition –
 - Labor Day
 - First Weeks of School – Proud of:
 - Administration
 - Staff
 - Nurses
 - Students
 - Community
 - Capital High Volleyball Team
 - Mr. Franco – Open Enrollment (HR)
 - Kessler Elementary – 1st Central Office Site Visit
 - Helena Education Foundation-Fabulous Firsts
- New Business
 - Covid Focus & Planning
 - Busing/Drivers/Routes – Planning
 - Leader as Coach – Growth Coaching/Instructional Coaching
 - District Priorities – Update for October
 - Fall District Wide Benchmarking Initiated
- Outreach/Meetings
 - New Educator Breakfast – 45 new teachers
 - Jeremy Bullock Safe Schools Summit – Butte
 - AA Superintendent Weekly
 - Hometown Helena Speaker
 - Teacher Advisory Council
 - Carroll College President Meeting

HELENA SCHOOL DISTRICT #1
OFFICE OF THE SUPERINTENDENT

- Shodair CEO Meeting
 - Transportation Meetings
 - OPI Federal Programs Director
 - HEA Meetings
 - St. Peters Health
 - LCPH
 - Site Visits Across the District – Start-Up
 - All Sites, Facilities, IT, MBC
- Other

Policy Background – Items for Information

Board of Trustees Meeting

September 14, 2021

BACKGROUND:

The first five policies listed below are part of an overall review of Series 1000, “School District Organization” being conducted by the Policy Committee. These five policies were presented for information in May of 2021 and are now presented for action.

The last six policies are being presented for information (first reading). These are either existing or new policies that need to be revised or adopted as a result of recent legislation.

FOR ACTION:

1027 Board Member Conflict of Interest

Additional language is being recommended to clarify what is meant by connected by blood within the 4th degree or by affinity to the 2nd degree. Included is a chart that provides clarity, but the chart is not being recommended for inclusion in the policy.

1035 Board Development and Self Evaluation

There is a significant change to this policy. New language establishes the Board will conduct an annual self-assessment. Current language states the Board may conduct a self-evaluation.

1040 Board Members Expenses

Updated and clarifying language is being recommended as noted.

1055 Communication To and From the Board

The Policy Committee is recommending that “digital communication” be used rather than electronic mail.

1060 Committees

Language is being recommended establishing that trustees who are members of committees may participate remotely while retaining the same privileges, rights and responsibilities as if the trustee were physically present.

FOR INFORMATION:

2016 Human Sexuality Instruction

This new policy is required by Senate Bill 99 which set forth specific requirements for the content of human sexuality curriculum. The policy allows a parent or guardian to withdraw a child from instruction or an organized school function regarding human sexuality instruction and classifies the withdrawal as an excused absence. The policy requires parents and guardians to be notified no less than 48 hours prior to holding an event or assembly or introducing materials for instructional use. The policy also requires school districts to notify parents or guardians in advance of instruction of 1) the basic content of the district's or school's human sexuality instruction; and 2) the right to withdraw the student from the instruction. The policy requires school districts to make curriculum materials used in human sexuality instruction available for public inspection before use and prohibits a school district or its personnel from offering, sponsoring, or furnishing any course materials or instruction relating to human sexuality or sexually transmitted diseases if the person or entity provides abortion services. The policy also defines "human sexuality instruction." We will be providing a template annual notice soon for the required annual notice.

3000 Equal Educational Opportunities

This policy has been revised to add language describing how the district will not prevent students in private or homeschool from participating in extracurricular activities. Also addresses new requirements in House Bill 702 which prohibits discrimination based on vaccine status. (Senate Bill 157- Allow nonpublic students to participate in public school extracurriculars).

3022 Children of Military Families

This policy has been revised to add language on how the district will not prevent students in private or homeschool from participating in extracurricular activities. Also incorporates language from House Bill 68 which allows school enrollment for children of relocated military families.

5000 Equal Employment Opportunity and Non-Discrimination

Revised to add language about how Covid-19 vaccine status will not be used as a basis to deny or allow equal opportunity to employment in line with new requirements in House Bill 702 which prohibits discrimination based on vaccine status.

5100 Breastfeeding in the Workplace

Changed to reflect regulatory changes governing appropriate and suitable accommodation of breastfeeding students, employees, and visitors.

7062 Outdoor Air Quality

Changes reflect recent regulatory changes governing outdoor activities during periods of poor air quality.

2
3 **STUDENT INSTRUCTION**

4
5 **Human Sexuality Instruction**

6
7 The District recognizes the right of a parent or guardian to withdraw a child from instruction or
8 an organized school function regarding human sexuality instruction. Such withdrawals will be
9 classified as an excused absence.

10
11 “Human sexuality instruction” means teaching or otherwise providing information about human
12 sexuality, including intimate relationships, human sexual anatomy, sexual reproduction, sexually
13 transmitted infections, sexual acts, sexual orientation, gender identity, abstinence, contraception,
14 or reproductive rights and responsibilities.

15
16 *48 Hour Notice*

17
18 Parents and guardians will be notified within 48 hours prior to holding an event or assembly or
19 introducing material for instructional use.

20
21 This notice will contain:

- 22 1) the basic content of the district's or school's human sexuality instruction; and
23 2) the right to withdraw the student from the instruction
24

25 *Annual Availability of Materials*

26
27 The District will make curriculum materials used in human sexuality instruction available for
28 public inspection before use. This will occur on an annual basis.

29
30 *No Abortion Curriculum*

31
32 In compliance with Montana law, the District will not allow personnel to offer, sponsor, or
33 furnish any course materials or instruction relating to human sexuality or sexually transmitted
34 diseases if the person or entity provides abortion services.

35
36
37 Legal References: Senate Bill 99 Parameters for K-12 Human Sexuality Education
38 § 20-5-103, MCA Compulsory attendance and excuses (*Revised by*
39 *Senate Bill 99*)
40 10.55.701, ARM Board of Trustees
41

42 Cross References: Policy 2015 Curriculum Development, Content, and Assessment
43
44

45 **Policy History:**

46 Adopted on:

47 Revised on:

STUDENTS

Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to race, color, religion, creed, national origin, sex, age, gender, sexual orientation, gender identity and expression, ancestry, marital status, military status, citizenship status, culture, social origin or condition, political affiliation, mental, physical or sensory handicap, or by any other distinguishing characteristic and other legally protected categories.

The District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status. Any student may file a complaint by using the Section 504 / ADA Grievance Procedures for claims relating to disability discrimination, the Title IX Sexual Harassment Grievance Procedures for claims of sexual harassment, or the Uniform Grievance Procedure for all other claims.

Students in private or homeschool have the right to participate in extracurricular activities in public schools. The District will not restrict extracurricular participation of students in private school or home school based on their enrollment at the public school.

No student shall, on the basis of sex, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities pursuant to Title IX and its regulations. Any student may file a sex equity complaint by using the District's Uniform Grievance Procedures.

Inquiries regarding discrimination of any kind should be directed to the building administrator or District's Title IX Coordinator, who shall provide information and, if necessary, direct the individual to the appropriate grievance procedures. Inquiries regarding sex discrimination or sexual harassment may also be directed to the District's Title IX Coordinator, the Assistant Secretary for the U.S. Department of Education, or both. The District will annually publish notice of these rights to students and parents.

The District will not deny or allow educational opportunity based on vaccine status, except those vaccines required by law.

Legal References:	§ 49-2-307, MCA	Discrimination in education
	§ 49-3-201, MCA et seq	Governmental Code of Fair Practices
	20 USC 1681 et seq	Title IX
	42 USC § 12111 et seq.	Americans with Disabilities Act
	29 USC § 791 et seq.	Rehabilitation Act of 1973
	28 CFR 35.107	Nondiscrimination on the Basis of Disability in State and Local Government Services
	34 CFR 104.7	Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance
	34 CFR Part 106	Nondiscrimination on the Basis of Sex in Education
	10.55.701, ARM	Board of Trustees

51	<u>Senate Bill 157</u>	<u>Allow nonpublic students to participate in</u>
52		<u>public school extracurriculars</u>
53	<u>§ 20-5-109, MCA</u>	<u>Nonpublic school requirements for compulsory</u>
54		<u>enrollment exemption (<i>Revised by House Bill</i></u>
55		<u>702)</u>
56	<u>House Bill 702</u>	<u>Prohibits Discrimination Based on Vaccine</u>
57		<u>Status</u>
58		
59		

60 Cross References:

61
62 Policy History:

63 Adopted on: 2.10.2015

64 Revised on: 2.09.2021

65 Reviewed on:

2
3 STUDENTS

4
5 Children of Military Families

6
7 It is the intention of the District to remove barriers to educational success imposed on children of
8 military families transitioning to and from school because of frequent moves and/ deployment of
9 a parent on active duty in the regular Armed Forces, National Guard, or Reserves.

10
11 Educational Records and Enrollment

12
13 In the event that official education records cannot be released prior to the transfer of a child of a
14 military family to another school district, the District shall prepare and furnish to the parent a
15 complete set of unofficial educational records, including but not limited to records encompassing
16 all material maintained in the student's permanent and cumulative files (general identifying data,
17 records of attendance and academic work completed, records of achievement and results of
18 evaluative tests, health data, disciplinary status) and special education records. The District shall
19 process and furnish the official educational records to the school in which the child of a military
20 family has transferred within 10 days.

21
22 In the event that a child of a military family seeks to enroll in the District, the District shall enroll
23 and appropriately place the student as quickly as possible based upon information in the
24 unofficial educational records pending receipt of the official records. The trustees shall assign
25 and admit a child whose parent or guardian is being relocated to Montana under military orders
26 to a school in the district and allow the child to preliminarily enroll in classes and apply for
27 programs offered by the district prior to arrival and establishing residency.

28
29 Tuition

30
31 The District shall not charge tuition in relation to a child of a military family transferring into the
32 District who has been placed in the care of a noncustodial parent or other person through a
33 special power of attorney so long as that noncustodial parent or other person resides within the
34 District.

35
36 Placement

37
38 The District will initially honor the placement of a child of a military family transferring into the
39 District in the educational courses and educational programs based on the child's enrollment in
40 the previous school or educational assessments of the previous school provided the courses and
41 programs are offered and space is available. Course placement includes, but is not limited to,
42 honors, international baccalaureate, advanced placement, vocational, technical, and career
43 pathways courses. Educational programs include, but are not limited to, gifted and talented
44 programs. If appropriate, the District may perform subsequent evaluations to ensure the child
45 continues to be appropriately placed.

The Superintendent may waive course or program prerequisites or other preconditions for a child of a military family's placement in any courses or programs.

Extracurricular Activities

The District shall facilitate the opportunity for a child of a military family transferring into the District to participate in extracurricular activities, regardless of application deadlines, provided that the child is otherwise qualified.

Graduation

The District may waive specific courses required for graduation of a child of a military family who has transferred into the District if similar coursework has been satisfactorily completed at the child's previous schools. If the District refuses a request for a waiver from a child of a military family who has transferred into the District regarding courses required for graduation, it shall provide a reasonable justification for the denial and shall provide an alternative means of acquiring the required coursework so that the child may graduate on time.

In the event a child of military family who transfers at the beginning of or during the child's senior year and is ineligible to graduate from a school within the District despite alternative means being offered, the District shall coordinate with the school from which the child transferred for the child to receive a diploma from that school.

Children of Military Families with Disabilities

The District shall initially provide comparable services to a child of a military family transferring into the District who is receiving special education and related services pursuant to an individual education program under Individuals with Disabilities Education Act. The District shall make appropriate accommodations and modifications to address the educational needs of children of military families transferring into the District who qualify for services under Section 504 of the Rehabilitation Act, subject to any existing Section 504 plan. If appropriate, the District may perform subsequent evaluations to ensure the child continues to be appropriately placed.

Legal References: § 20-1-230, MCA

Interstate Compact on Educational
Opportunity for Military Children
Admittance of child to school (Revised by
House Bill 68)

§ 20-5-101, MCA

House Bill 68

Early school enrollment for children of
relocated military families

Cross Reference: 2040

Special Education and Accommodations
Section 504 Procedural Safeguards
High School Graduation
Credit Transfer/Assessment for
Placement

2050

2085

2090

93	3010	School Admissions
94	3015	Attendance and Truancy
95	3025	Discretionary Nonresident Student
96		Attendance Policy
97	3065	Co-Curricular Participation Code
98	3085	Transfer of Student Records
99		

100		
101	<u>Policy History:</u>	
102	Adopted on:	10.22.2013
103	Revised on:	
104		
105		
106		
107		
108		

2
3 **PERSONNEL**

4
5 **Equal Employment Opportunity and Non-Discrimination**

6
7 As required by federal law, including but not limited to the Civil Rights Act of 1964, Title IX,
8 and Section 504 and the Americans with Disabilities Act and their regulations The District will
9 provide equal employment opportunities and will not discriminate in its educational programs or
10 activities, including in the area of employment, with respect to all persons, regardless of their
11 race, color, religion, creed, national origin, sex, age, gender, sexual orientation, gender identity
12 and expression, ancestry, marital status, military status, citizenship status, culture, social origin
13 or condition, use of lawful products while not at work, political affiliation or a mental, physical
14 or sensory handicap, or by any other distinguishing characteristic if otherwise able to perform
15 essential functions of a job with reasonable accommodations, and other legally protected
16 categories

17
18 The District shall not retaliate against any employee for complaining about not receiving equal
19 employment opportunities or other unlawful discriminatory practices, participating in a
20 proceeding regarding the denial of equal employment opportunities, or otherwise opposing
21 discrimination.

22
23 The District will make reasonable accommodation for an individual with a disability known to
24 the District, if the individual is otherwise qualified for the position, unless the accommodation
25 would impose undue hardship on the District. Covid-19 vaccine status will not be used as a basis
26 to deny or allow equal opportunity to employment.

27
28 Persons who believe they have not received equal employment opportunities or have been
29 retaliated against should report their claims to the building principal or department supervisor.
30 Inquiries regarding sex discrimination or sexual harassment may also be directed to the District's
31 Title IX Coordinator, the Assistant Secretary for the U.S. Department of Education, or both.
32 Claims of sexual harassment will be handled through the District's Title IX Sexual Harassment
33 Grievance Procedures. Claims of disability discrimination will be handled through the District's
34 Section 504 and ADA Grievance Procedure. All other claims will be handled through the
35 Uniform Complaint Procedure.

36
37 No employee or applicant will be discriminated against because he or she initiated a complaint,
38 was a witness, supplied information or otherwise participated in an investigation or proceeding
39 involving an alleged violation of this policy or State or federal laws. The District reserves the
40 right to take action against any individual who knowingly makes false accusations or knowingly
41 provides false information.

42
43 Retaliation against an employee who has filed a discrimination complaint, testified or
44 participated in any manner in a discrimination investigation or proceeding is prohibited.

45
46 Cross Reference: 1085 Uniform Complaint Procedure

Title IX Sexual Harassment Grievance Procedure
Section 504 and ADA Grievance Procedure

Legal Reference: 29 U.S.C. §§ 621, *et seq.* Age Discrimination in Employment Act
42 U.S.C. §§ 12111, *et seq.* Americans with Disabilities Act, Title I
29 U.S.C. § 206(d) Equal Pay Act
8 U.S.C. §§ 1324(a), *et seq.* Immigration Reform and Control Act
29 U.S.C. §§ 791, *et seq.* Rehabilitation Act of 1973
20 U.S.C. §§ 1681, *et seq.*; Title IX of the Education Amendments
34 C.F.R. Part 106 Nondiscrimination on the Basis of Sex in Education,
Montana Constitution, Art. X, § 1 - Educational goals and duties

§ 49-2-101, *et seq.* MCA Human Rights Act
§ 49-2-301, MCA Retaliation Prohibited
§ 49-1-102, MCA Freedom from discrimination
§ 49-2-303, MCA Discrimination in employment
§ 49-3-201, MCA *et seq.* Governmental Code of Fair Practices

§ 49-2-101, *et seq.*, MCA Human Rights Act
House Bill 702 Prohibits Discrimination Based on Vaccine Status
§ 50-16-502, MCA Legislative findings (Cited by House Bill 702)
Bostock v. Clayton County, 140 S. Ct. 1731 (2020)

Policy History:
Adopted on: 8.13.2013
Revised on: 11.10.2020

PERSONNEL

Breastfeeding in the Workplace

The District supports and encourages breastfeeding and the expression of breastmilk by employees who are breastfeeding when they return to work or school.

Discrimination and harassment of breastfeeding ~~mothers~~ staff members or students in any form is unacceptable and will not be tolerated at the Helena School District. Any incident of harassment of a breastfeeding ~~employee~~ staff member or student will be addressed in accordance with the District's Uniform Grievance Procedure.

Time to Express Milk or Breastfeed (Lactation Time)

Lactation times shall be established for each ~~employee~~ staff member or student based on ~~her~~ their work or school schedule. If possible, the lactation time is to run concurrently with times when the ~~employee~~ staff member is not responsible for direct student supervision or the student is not in class. If a break time is not provided, the District shall consider each case and make accommodations as possible. ~~Lactation time beyond the regular break time is unpaid.~~

Space and Equipment for Expressing Milk or Breastfeeding

The school will provide reasonable accommodations for students and staff on the school campus to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. ~~Employees~~ Staff members and students shall be provided the use of a clean, comfortable space or "Lactation Area." A restroom shall not serve as the lactation area.

The lactation area will:

- provide the basic necessities of privacy, lighting, and electricity for the pump apparatus.
- be shielded from view and free from intrusion from the public, students, and other staff.
- have access to a place to store expressed breast milk safely.
- be in close proximity to the employee's work area, if possible and
- contain comfortable seating.

Legal References:	§ 39-2-215, MCA	Public employer policy on support of women and breastfeeding – unlawful discrimination
	§ 39-2-216, MCA	Private place for nursing mothers
	§ 39-2-217, MCA	Break time for nursing
	§ 50-19-501, MCA	Nursing mother and infant protection
	<u>37.111.811(1)(g) ARM – Physical Requirements</u>	

Cross References:	Policy 1085	Uniform Grievance Procedure
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Policy History:

Adopted on: 5.12.2015

Revised on:

2
3 OPERATIONAL SERVICES

4
5 Outdoor Air Quality

6 The District will work to ensure the safety of students participating in physical education, recess,
7 practices or athletic contests. The District Board of Trustees and school administration will use
8 the *Recommendations for Outdoor Activities Based on Air Quality for Schools* guidelines,
9 developed by the Montana Department of Environmental Quality (DEQ) and the DEQ's Air Data
10 Map, as the determining factor when making a decision to allow or not allow students to
11 participate in outdoor activities and contests.

12 The Superintendent will develop procedures to be used when deciding whether students will be
13 allowed to participate in outdoor activities when Air Quality Restrictions have reached the
14 Unhealthy for Sensitive Groups or higher categories as indicated on the DEQ guidelines.

15 Legal References: 37.111.827, ARM Outdoor Air Quality
16 10.55.701(q), ARM Board of Trustees

17 Cross References:
18
19
20

21 Policy History:

22 Adopted on:

23 Revised on:
24



Superintendent
Rex Weltz
324-2001

Business Manager
Janelle Mickelson
324-2040

Board of Trustees Meeting

Capital High School
100 Valley Dr, Helena, MT 59601
And on TEAMS

Tuesday, August 10, 2021
5:30 p.m.

MINUTES-DRAFT

ATTENDANCE – Present unless otherwise noted.

Luke Muszkiewicz, Board Chair
Siobhan Hathhorn, Board Vice Chair
Jennifer Walsh, Trustee
John McEwen, Trustee
Terry Beaver, Trustee
Elizabeth “Libby” Goldes, Trustee
Janet Armstrong, Trustee
Jennifer McKee, Trustee
Rylie Schoenfeld, Helena High School Representative
Eliza Lay, Capital High School Representative

Rex Weltz, Superintendent
Josh McKay, Assistant Superintendent
Brian Cummings, Assistant Superintendent
Janelle Mickelson, Business Manager
Barb Ridgway, Chief of Staff
Gary Myers, Technology Administrator
Stacy Collette, Human Resources Administrator
Jane Shawn, HEA President

Many guests of the Helena Community

I. CALL TO ORDER/INTRODUCTIONS

Board Chair Luke Muszkiewicz called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

II. SUPERINTENDENT'S REPORT

Superintendent Rex Weltz recognized Reg Hagerman, a Health and Physical Education Teacher at Capital High. Mr. Hagerman received the David Oberly Striving for Excellence Award from the Society of Health and Physical Educators (SHAPE MT). Mr. Weltz went on to recognize the members of his administrative team, as well as our IT and facilities staff. Mr. Weltz recognized our Food Services staff for serving the children of our community over 100,000 meals this summer. That's averaging 15 to 16,000 meals per week. Recognition was also given to the teachers and staff members that participated in the school's summer school program, Camp Asension. Mr. Weltz then shared an overview of his first thirty days as Superintendent, including community outreach that he has done.

Mr. Weltz recognized Ms. Janelle Mickelson, Business Office Administrator. He commented that this was by far the most thorough and detailed budget report he had ever seen. Ms. Mickelson then recognized each member of her team in the Business Office.

III. GENERAL PUBLIC COMMENT

A Central school parent, Zoey Bernard, commented via TEAMS. Ms. Bernard said she is concerned with the safety at the drop off and pick up area at Central. She believes there is no safe location for parents to pick up their children at Central due to traffic concerns.

There was no further public comment.

IV. NEW BUSINESS

A. Items for Action

1. Certify the Trustees' Financial Summary-Elementary Fiscal Year 2020-21

Ms. Mickelson explained how ESSER funds were used, and discussed interest revenues, free and reduced numbers, rental income, and technology expenditures. She said she would need to add in the teacher's retirement summary.

Motion: Trustee Libby Goldes moved to approve to Certify the Trustee's Financial Summary-Elementary Fiscal Year 2021-21. Board vice chair Siobhan Hathhorn seconded the motion.

Public Comment: None.

Vote- 8-0 The motion carried.

2. Certify the Trustees' Financial Summary-High School Fiscal Year 2020-21

Motion: Trustee John McEwen moved to approve to Certify the Trustees' Financial Summary-High School Fiscal Year 2020-21. Trustee Libby Goldes seconded the motion.

Public Comment: None.

Vote: 8-0 The motion carried.

3. Final Budget Adoption-Elementary Fiscal Year 2021-22

Motion: Trustee Terry Beaver moved to approve the Final Budget Adoption-Elementary Fiscal Year 2021-22. Board vice chair Siobhan Hathhorn seconded the motion.

Public Comment: None.

Vote: 8-0 The motion carried.

4. Final Budget Adoption-High School Fiscal Year 2021-22

Motion: Trustee John McEwen moved to approve the Final Budget Adoption-High School Fiscal Year 2021-22. Trustee Terry Beaver seconded the motion.

Public Comment: None.

Vote: 8-0 The motion carried.

5. Policy 1905 Student, Staff, and Community Health and Safety Needs

Chief of Staff Barb Ridgway asked the trustees to consider revisions to Policy 1905 Student, Staff, and Community Health and Safety Needs. The revisions being recommended are noted below.

If the number of active COVID-19 cases in the county increases to the point of being considered a "substantial" or "high" rate of transmission as defined by the Centers for Disease Control (CDC), the Board of Trustees authorizes the Superintendent to implement a requirement for face coverings to be worn in all Elementary District PreK-8 schools and PreK-8 programs. The Superintendent may also consult with local health experts to include but not be limited to: St. Peter's Health, Lewis and Clark Public Health and other local health providers.

In the event it is determined face coverings are required, the Superintendent shall announce the face covering requirement to students, parents, staff, and visitors for the immediate successive school week by 3:00 pm on Friday of the previous week. If the Superintendent determines masks are required, signs will be installed to inform students, parents, staff, and visitors of mask requirements while present in the identified District buildings.

All points of entry to any school building or facility open to the public shall have a clearly visible sign posted stating whether masks are required or recommended.

Motion: Trustee John McEwen moved to approve the revisions to Policy 1905 Student, Staff, and Community Health and Safety Needs. Board vice chair Siobhan Hathhorn seconded the motion.

Public Comment: There were many parents that commented publicly as well as online. About 27 parents commented in favor of the motion, and about 26 were against the motion.

Braden Burkholder is a parent of students in the district. Mr. Burkholder commented. I am in favor of keeping teachers and families safe. I am asking you to require masks for all ages regardless of vaccination status. Masks are a safe way to keep our schools open. The policy is

not adequate, it is reactionary. Students won't know if it is mask week or not. What science is this based on when all the guidance refers to universal indoor masking. The easiest solution is masking. Not masking can have a very negative impact on our communities. It is best for our students. Please amend this proposal to help our students stay in school.

Jaimie Bright is a parent of students in our district. Ms. Bright commented. This is a virus that is not going away. Our personal freedoms are gone. When masks were mandated outbreaks still occurred. Please listen, my solution might be the answer for all interests. Make it personal choice. Let users wear masks that protect the user. KN95 masks should be used. Will there be a survey about putting mask mandates in place? This will allow you to see where everyone stands. Parents are stirring and tensions are high. You have proven that you don't listen to the community and parents are angry. We are ready to take action and our kids will remove masks in the schools. Please allow personal freedom.

Dr. Todd Wampler is president of St Peter's Health Medical Group, family medicine physician and parent of a high schooler in Helena. Dr. Wampler commented. Masks are effective in preventing Covid 19 and other respiratory illness. We have seen a spike in respiratory illness since masks have been removed. We are uncertain of the long-term effects of Covid. We are seeing a new strain and the delta strain is far more transmissible. It is crucial we take additional steps. Our hospital has been at capacity for the past several weeks due to Covid. We need to flatten the curve and masks are an important part of that. I support your efforts keeping our schools open by having children wear masks.

Deanna Anderson is a parent of children in the district. Ms. Anderson commented. People have had their opportunity to be vaccinated and wear masks if they choose to. No mandatory mask or vaccine mandate at any time please. I will never approve my child to be tested for Covid 19. I would encourage the schools to focus on teaching and stay out of the healthcare industry. The schools have a lot of making up to do to make up for time that was stolen. Let the healthcare industry focus on testing. We need to reopen without fear.

Alyssa Townsend is a parent of two children in the public school system. Ms. Townsend commented. Thank you for making informed decisions for the kids. I would encourage the high schoolers to wear masks if possible. We should amend the high schoolers to wear masks until we know more about the delta variant.

Dr. Greg Holsman commented. There are benefits in wearing masks. One of our challenges is we are trying to negotiate with a virus. In Florida, Mississippi, and Louisiana some schools had to quarantine. This is a serious disease. It's had an effect on how we respond as a community and tensions run high. Look at the data. I recommended masking be continued until more people are vaccinated.

Monte Tyler commented. I believe that the masks should go away. We have been doing this for over a year. I have not contracted Covid. I'm not going to say masks do or don't work. If you want or do not it is your choice. We shouldn't force people.

Courtney McAdams is a parent of children in the district. Ms. McAdams commented. I am strongly in favor of keeping masks optional and make it their choice. There have been no deaths for 18 months of children in our community. Why are we asking our kids in Helena to wear masks? We have kids grade levels behind in schools now. Kids won't see facial expressions and their breathing patterns will be changed. Can we please get back to focusing on studies?

Amanda Osborne is a parent of three children in the district. Ms. Osborne commented. I do not support mandatory masking in schools. Helena was the only Double A school in Montana that could not get kids into school full time last year. Kids are still not being severely affected by this disease. I do not support vaccines. When will it ever be safe for the kids to take these masks off? Make masks optional.

Tammy Stefanik is a parent and aunt of students in the school district. Ms. Stefanik commented. This is way better than last year. Masking needs to be optional for pre-k through high school. Have you asked why others don't wear them and their reason? There is a division in our schools regarding this issue. We need unity in our school. Half the children were crying in kindergarten because they had a mask. Teachers couldn't get near children and couldn't console them. These kids have learned school is a horrible place to be. House bill 435. Research it.

Kyla Kauffman commented. I think it is important to get kids in school full time. Our job as a community is to protect those who can't be vaccinated. Masks keep us super healthy. Keep our kids in masks until the delta variant goes away.

Tyrel Wilson is a parent of children in the district. Mr. Wilson commented. Wearing a mask will hinder student's learning. Up to 93 percent of communication is nonverbal. We need to get back to normal. Let's not rob our children of their childhood. I caution you about blindly following the CDC guidelines. I ask you to consider the minimal risk this poses to our children. If masks are mandated, we need to consider other options for our children.

Shannon Smith is a mother of three children in the district. Ms. Smith commented. I want to express my concern of this mask mandate and the toll it has taken on my kids. Students have been docked in class for not wearing masks. They are nothing more than a distraction. They are wearing filthy masks. We are no longer sitting back. We are holding all of you accountable. You must dually represent our families.

Pat Sampson is a parent of two grade schoolers in the district. Mr. Sampson commented. I do not support the mask mandate. We watched our kids struggle to find enjoyment in school. They had anxiety, couldn't understand their teachers, didn't like school, and they had to wear masks at recess. No one should be forced to wear a mask. I ask that you look at how our children see the world right now. They spent the whole summer at camps, pools and in normal activities. We may have to redirect our support of the schools.

Dr. Greene is a pediatrician in the Helena community. Dr. Greene commented. The delta variant is much more contagious. We are seeing a resurgence in cases of the unvaccinated. We only have 30% of 12-17 years old that are vaccinated in Montana. We might need 85-90 percent of

vacation to reach protection. Masking protects. We as health care professionals have done this. Masking works and it is my advice we mask in K-12.

Gina Hultin is a parent of a child in the district. Ms. Hultin commented. My child has asthma. We vaccinated our son. We are in the middle of a health crisis; we need to take all the precautions we can. Conversation needs to move away from politics. We need to care about one another. Follow the recommendations of the CDC. Mandate masking this fall until the vaccine is available for kids under 12.

Katja Elias is the spouse of a physician in Helena and a parent in the district. Ms. Elias commented. The delta variant is more dangerous and after losing more than 600,000 people in our country the Covid virus is learning quickly through each transmission. It will continue to learn and change. Wear masks indoors to prevent the highly contagious virus. We want to keep our schools open, and we want to keep people safe in our community. Masking helps prevent transmission.

Greg Wilster is a parent of two children in the district. Mr. Wilster commented. I implore you to decide based on science, not on popular opinion or a vote of the community. Every day we are learning more about this virus that is burning through the country. Waiting until transmission is too high could be too late.

Barbara Calahan commented. I want you to do what is best for our children. We have science going back to the 1800s proving that masking does not stop viruses. You are hurting the children. The science is there to prove you are not doing what is best for children. My child went to a school where masking was not required and went 5 days a week and fared much better. We will have to take the next steps if you won't.

Liam Townsend is a grandfather of two children in the district that he said are 15 and 12 and who are vaccinated. Mr. Townsend commented. There are a lot of kids who are not vaccinated, and cases are increasing. I support you in masking the children.

Melissa Cosena is a parent of children and educator in the neighboring school district. Ms. Cosena commented. Kids can't learn while being masked. We are teaching them to be scared. The school's job is not to keep kids from getting sick, their job is to educate them. All kids are different, and they have lots of issues with wearing masks. This is causing stress and anxiety. I am more worried about their mental health. Kids are not resilient. We do not know what the long-term effects of all this masking and Covid protocols will be. Let it be parent choice.

Sarah Crowley is a mother of two children in the district that she said have asthma and are 10 and 13 years old. Ms. Crowley commented. I support a mask mandate until all kids can be vaccinated. You proved last year masks worked. Please support a mask mandate.

Carrie Jones is a business owner and parent of a kindergartener in the district. Ms. Jones commented. I have different information related to the policy. Look at reputable sources. We are seeing cases from unvaccinated parents to their children, and it is a massive transmission. Only

half our district is vaccinated. Our testing capacity only has a limited amount. They start there in the morning at 4 and are leaving at 11 at night. A surge is expected the second week in September. You will lose your ability to get tests back quickly. I do not think this policy is effective enough.

Beth Gordon commented. I strongly support a mask mandate as a mother of two kids with asthmas. I served as a para for 4 years in Helena. I was also part of the DLI initiative. Kids were resilient. Kindergarteners were able to make it work, and it went very well. We prevented Covid from spreading and regular colds and other illnesses. Until we get everyone vaccinated, we should keep those masks in place.

Dr. Michael McClain is a chiropractor in Helena. Dr. McClain commented. I think if the board is trying to prevent kids from getting sick-that is a slippery slope. I oppose a mask mandate. The board needs to consider all sides.

Heidi Keister commented. My husband and I are fully vaccinated. Send a survey to all parents. Great falls opted out of masking, please make this an option. If we decide on masking lets have the school provide KN95 masks every day. Please let the parents decide about their children's bodies and masking.

Kate Serilo commented. Please allow families the ability to choose what is best for their family. CDC still just recommends. How do you tell parents what is best for their children? I am a mother and I know what is best for my child. Leave the option to each family.

Emery Waits is a father of two boys in elementary school in the district. Mr. Waits commented. Both my kids strongly disagree with having to wear a mask. They are not learning social cues in a school environment. It's like you guys are holding kids' hostage. It is our job to raise our kids, not your job. I am strongly opposed to a mask mandate and my kids will not wear a mask.

Shantel Hosking is a mother of two elementary children in the district. I do support the mask mandate. This is not a decision based on feelings. I support science. I have children who do not get to make that choice.

Stephanie Grosz commented. I am for no masks in schools. It should be parent choice.

Matt Hozee commented. I am for the mask mandate. It should be based on science.

Erik Martini is a father of three children in the school district. Mr. Martini commented. Do you remember two weeks to stop the spread? There are always going to be new variants. Who are you? Who gives you the right to choose healthcare for our children? It is for the parents to decide.

Jennifer Adkins is a mother of two children in the district. Ms. Adkins commented. I worry about my kids. We are so divided; it shouldn't be mandated. It needs to be a personal choice, then there is no division.

Howard DesRosier is a father of two children in the district. Mr. DesRosier commented. How are we going to educate these kids and how are we going to catch these kids back up? Let's compare to a similar demographic. In May when we took the masks away, we were told this is the most contagious virus. The numbers kept going down. The vaccine is not FDA approved. We have had it less than a year and we know no long-term effects. How do we know it's safe? Nothing less than an N95 mask is healthy. I'm tired of this. If you are that worried have your kids go do DLI. Please do not do this. Don't mask our kids.

Jim Weber is a teacher at Capital High School. Mr. Weber commented. I don't claim to be a teacher. I am an expert on children. I have taught in this district for 30 years. I have some kids that I have never seen due to masks. It's about building relationships with children. This masking must stop. It's not okay. It is difficult at best for these kids. Give parents these options. Do what is best for these children. This is damaging the children.

Paisley Smith is a high school student in the district. Ms. Smith commented. Covid has taken away many opportunities like football games and dances. It has given me depression and anxiety. I think masks should be optional. If I get covid that is the risk I take. I want a normal high school experience.

Cynthia Worcester is a mother of three children in the district. Ms. Worcester commented. I am in favor of mask mandate. I have two children who are special needs. They wear their masks. My daughter has anxiety disorder and lung deformity and fears Covid. The science is clear on this topic. Masks help to stop Covid. They must feel safe. I hope the board chooses masks. If my child gets Covid it could be fatal.

Cheryn Metzger is a parent of a child in the district. Ms. Metzger commented. My child did not mind wearing a mask. We should follow CDC guidelines. I won't send my kid to school with the delta variant without a mask mandate. Your current proposal is great middle ground.

Christian Surrilo is a parent of two children in the school district. Ms. Surrilo commented. How does a mask mandate foster individual potential? How many members of this board will stand and take responsibility for the social, emotional, and academic deficiencies that have and will continue to develop due to masks and their impact on learning?

Amanda Wilkey is a parent of children in the district. Ms. Wilkey commented. My children did DLI all last year and are thrilled to return to school this year in masks. We know that Covid kills you and masks don't.

Cristine Sorem is a mother of two kids in the district. Ms. Sorem commented. I am for keeping masks optional, let parents decide what is best for kids. My child had a cold all year because of the masks, and it also gave my kids headaches. I feel if masks are not optional, we will remove kids from the public school.

Jen Davis is a mother of a child in elementary school in the district. Ms. Davis commented. I'm in support of the current proposal of masking in K-8. I think it is a good compromise. It protects unvaccinated children.

Dr. James Bennet is a rheumatologist at St. Peters Health in Helena and a father of two children in the school district. Dr. Bennet commented. We have a common enemy and need to pull together. People who say that N95 masks are the only way to stop the spread is correct. It is not a 100 percent fix, but it improves safety. I'm concerned that the delta variant is as contagious as chicken pox. We must protect everybody. I am in favor of a flexible system. We don't have enough people vaccinated. More people will die if kids bring this home to their family.

Lois Fitzpatrick is a Professor at Carroll college and grandparent of students in the school district. Ms. Fitzpatrick commented. Schools are community centers and have an obligation to the community. Your decisions impact the community. Stay with science-based information and make decisions. This would be a social norm if parents were not so upset about it. Please keep the mask mandate for all of us.

Traci Swingley is a grandparent of children in the district. Ms. Swingley commented. I must echo what Lois ahead of me said. I am requesting that we employ scientific evidence and mandate masks.

Jennifer Filipovich is a mother of two children in the district. Ms. Filipovich commented. We should have two goals for the upcoming year. Keeping students safe and keeping students in school. The most effective tool to do this is to wear masks. Implement a mask mandate.

Jaimie MacNaughton is a parent of students in the district. Ms. MacNaughton commented. I am in support of mandatory masking of all our kids until vaccinations are available. You must provide a healthy environment for my children to attend schools. My students did DLI. We decided to stay home until we could vaccinate. The delta variant is a whole other beast. It requires a minimum the same measures we had in place last year.

Kayluh Menager is a daughter of a 5th grader in the district. Ms. Menager commented. I support masks in schools and the policies that you propose follow the CDC guidelines.

Brandy Swingley is a parent of children in the school district. Ms. Swingley commented in support of masking and said that masking is about protecting the people and kids around you.

RyAnn Christman is a parent of children in the school district. Ms. Christman commented. There are many issues at hand. My son has sensory processing disorder, and he could only do online learning, and they don't offer special education for online learners. My son cannot tolerate masks. This is my child and my choice. You can't enforce masks. Tread lightly. Do not violate your oath of office.

Brandi Powell is a mother of two children. Ms. Powell commented. Just because kids can do it doesn't make it right. I am a mother of two that I had to homeschool last year in reaction to

decisions by this school district. No masks. The CDC does not care about our children. It is not your right to choose what is best for my child.

Dr. Haven Leavitt is a veterinarian in Helena and a parent of an incoming kindergartener. Dr. Leavitt commented. My daughter understands wearing a mask is the best way to keep her and her baby brother safe. I'm excited to hear that you will mask our students. I think all students should mask for one month after high transmission. I support the decision to mask.

Ms. Kellie Guariglia commented that reinstating the mask mandate would help to ensure the safety of all students, staff, and faculty.

Mr. Adam Clinch, a math teacher at Capital High School commented. I want to be in my classroom five days a week for all 180 days of this school year. If we want the best chance of ensuring that, reducing the risk of transmission is the number one priority. The best tool for that is vaccination and the second-best tool is masking. By allowing masking to be optional, in the face of universal recommendations from the scientific and medical communities, you would be creating some serious divisions within our high schools. I urge you to follow the recommendations from the scientific and medical communities (The American Academy of Pediatrics, the Montana Academy of Pediatrics, and the Center for Disease Control and Prevention) and institute a universal K-12 indoor mask mandate in our district until the situation changes and so too do those recommendations.

Ms. Linda Crofts, a grandparent and caregiver for children in the Helena School District commented. I'm hoping that the district will implement or keep a policy of masking for students and faculty while the children are indoors. Until children under 12 are able to be vaccinated and build antibodies to the Covid-19 strains/variants they remain vulnerable to illness and even long-term health issues including death. My hope for all children within the district is that if they want to experience in-person learning the schools will remain open and SAFE. I feel it is very difficult for children whose families have vulnerable members to wear their masks (protecting others and themselves) if mask wearing and social distancing are not supported and enforced by the district.

This concluded the portion of public comment. The board members then proceeded to comment.

Board member John McEwen commented. It says here that the Superintendent authorizes, does that mean required?

Board Chair Luke Muszkiewicz commented. This amendment gives Superintendent Wertz a significant amount of flexibility to implement that mandate as he and his team see fit.

Board member John McEwen commented. Yes, parents have a role in raising their children and yes masks work. Someone mentioned we are not a health care agency. But the school does several things to support the children. We feed them, we transport them, we provided nursing staff when needed. We have 8,000 people in our buildings where disease could be rampant. We also have a public health role that we need to think about. I'll support the policy amendment.

Board member Jennifer Walsh commented. We are asking our students to make up for the shortcomings of our adults. We are having students bear the weight of what adults should have done. At the fair there were no masks, no social distancing, no cleaning of high touch areas. Should wearing masks be the social norm? I don't think so. Are we asking our students to do this weird rollercoaster? I cannot support an amendment to a policy that I would not apply to my own child. I feel like we are punishing students for the actions of adults.

Board Vice Chair Siobhan Hathhorn commented. I like to start with glass half full. Last year we found there is a small part of our student population that does well with DLI. We saw honor students with failing grades. We know we need our teachers. We need to be in school. We as a community need to take good care of our students at all levels. Everyone wants their kids in school with caring adults. I also believe in choice. If you have a choice in getting the vaccination that is a choice. If you are 11 and under in middle and elementary those families do not have a choice to get a vaccination at this point. And other people's actions affect that. Being told to stay home does not support freedom of access to public education. I don't think there is anyone on the board who would do everything the same last year. Covid last year did not affect children. There are several children right now in the ICU with the delta variant. I know as a retired principal the number one priority is safety. If this variant is sending kids at home to the ICU, then we must keep those children safe. We are not in major cities, we are in Montana, and we need to look at the local data and see what is happening here right now in our city. In conclusion, I feel strongly high school families should have choice. If we are having a spike, then I think we need to take on that responsibility. I am in favor of 1905 as proposed.

Board member Libby Goldes commented. We have parents who are passionate about our children. And that's what we love about our schools. Moving forward we want our kids in school and we realize what the absence of being in school means. Kids need to be healthy. Schools require vaccinations and the Covid vaccine may eventually be considered a regular vaccine students will have when they come to school. We don't know what the future holds because things change. You can be vaccinated and still get the variant, but you are not as likely to be as sick. We can have teachers and other staff members be exposed to it and could have a lack of staff to serve our students. We had to close our high schools for 2 weeks in November because we didn't have enough teachers. We want to have the most normal school year possible. This isn't going to be over in a year. Because all the time people are not vaccinated, we have new variants. The CDC has its pluses and minuses. It placed us into complacency. We have heard from local health professionals. We need our kids in schools to wear masks. The recommendation here of having masks when it is high and off when low is confusing to parents. We have been told by the CDC we should wear masks. I personally recommend we change this amendment so that Pre-K-8 wear masks.

Board member Terry Beaver commented. Hindsight is not 20/20. This problem is going to be with us for a long time. It will be a greater problem then the variance we are looking at today. We are directed to provide the most optimal teaching and learning environment. To teach and learn to a masked individual is not optimal at all. Secondly, we in the school district are challenged to provide a safe and secure environment for the child. Teaching and learning and safety and security are combined but when it comes to Covid they don't seem to be. We must find ground in which we can find both. I'm not convinced this proposal does this. I would like to

see options for high school students and that we demand masking for K-8 but after listening to people to tonight I'm not so convinced about that. I'm at a loss. This proposal is too nebulous. It is following scientific data, but I don't know if it is following our data in Helena, MT.

Board member Jennifer McKee commented. I do support this proposal. What a much better position we are in now then last year. Last year every single person was vulnerable. We made massive changes to our lives this year, we have the ability to control the vulnerability of ages 12 and up. I see the logic to not require masks for 12 and up. That isn't true for Pre-K-8. It follows the logic we have been on. To phase in and out of masking is such a profound leap forward and I think it is a solid plan with great logic. It is a significant night and day improvement.

Board member Janet Armstrong commented. This is tough. We are not going to be able to please everyone. We must see what we can do for the common good. Community transmission is so high, and the delta variant is so contagious. I urge everyone-let's try and get the spread down, so we don't have to keep having these discussions. This is the best compromise we have. It's driven by local data and keeps the kids in school. This is not perfect but a good compromise.

Board member student representative Rylie Schoenfeld commented. In the long run masking is the best thing we can do right now. Right now, we need to be patient with the options we have which is this plan.

Board member student representative Eliza Lay commented. The main goal that we are striving for is safety and education together. I think we can achieve this with masks. Masks were a minor inconvenience last year. No one liked it but everyone was willing to do it for the safety of others and I don't feel like learning was inhibited with masks. I would support the amendment and protecting the younger kids is super important. Safety is part of our end goal.

Board Chair Luke Muszkiewicz commented. I want to say thank you to Superintendent Wertz and his team for thinking about this a lot and putting together a good proposal. Mr. Wertz, his team and all the educators are ready to be done with this. We are ready to be done with masks, we are ready to engage with our students and colleagues. It breaks my heart that we are still dealing with this. Our job is to deal with this and make hard decisions. We are accountable for those decisions. Accountable for the rest of our lives. Every person and every family have a different value system and ultimately, I'm really thinking about students that are too young to receive vaccinations. Vaccinations are a choice. Those parents I believe should have a choice to be protected. This is about kids who could be asymptomatic and could infect someone at a greater risk. I'm thinking about the families that do not have a choice. We all know there are other factors. That is our job to think of other factors. I look for compromise. If we adopt this amendment tonight a lot of people tonight will be frustrated. This has lanes and says when it will go away based on what is going on in our community. This is a compromise. I think this amendment protects our families who do not have a choice. I am in support of it.

Vote-7-1 with Jennifer Walsh in opposition. Motion carried.

B. CONSENT ACTION ITEMS

1. Approval of 6.08.21 Board Meeting Minutes
2. Approval of 7.13.21 Summer Board Retreat Minutes
3. Approval of 7.13.21 Summer Board Retreat Closed Session Minutes
4. Approval of Personnel Actions
5. Approval of Warrants
6. Approval of Out of District Attendance Agreement
7. Acknowledgment of Out of District Attendance Agreement
8. Resolution to dispose of personal property – Kitchen Aid mixers
9. Resolution to dispose of personal property – technology equipment
10. Renewal of Multi-District Cooperative Agreement

Motion: Trustee Libby Goldes moved to approve the consent action items. Board Vice Chair Siobhhan Hathhorn seconded the motion.

Public Comment: None

Vote: 7-0 Board Chair Luke Muszkiewicz abstained from voting.

C. REPORTS

1. Helena Education Association Report
Jane Shawn, President of the Helena Education Association, commented. I would like further discussions about how members will be affected by COVID leave and possible solutions. I also would like to know expectations and goals with the new standards methods of having instructional coaches in buildings.
2. Budget & Finance Committee Report
Committee Chair John McEwen commented. We will have several items to work on for the calendar year. The budget and finance committee had a very productive meeting in August.
3. Policy Committee Report
Policy Committee did not meet in August and will meet in September.
4. Facilities & Maintenance Report
At the August Facilities and Maintenance meeting the committee reviewed the facilities plan that was completed in 2013. The committee plans on updating the facilities plan.
5. Health Benefits Committee Report
Committee Chair John McEwen commented that the committee did not meet over the summer and that employee brochures were going to be created.
6. Montana School Boards Association Report
Board Chair Luke Muszkiewicz commented that MTSBA will meet in a hybrid meeting style to do strategic planning.
7. Student Representative Report
Fall sports are coming up in the schools.

VII. BOARD COMMENTS

Board member Jennifer McKee commented that she wanted to congratulate everyone that attended the meeting tonight on their civility and how everyone handled themselves.

VIII. ADJOURNMENT

The board meeting adjourned at 10:54 p.m.

Candice Delvaux, Recording Secretary Date

PERSONNEL ACTIONS
August 10, 2021 – September 14, 2021

CERTIFICATED PERSONNEL

Appointments

<u>Name</u>	<u>Effective</u>	<u>Location/Assignment</u>	<u>Salary</u>
DeJesus, Amy	8/26/2021	HHS/Temporary English	\$28,149.73*
Garside, Ali	8/26/2021	Warren/Temporary Resource	\$40,000.00*
Sutkas, Kerri	8/26/2021	RBLC/Part-time Gifted and Talented	\$28,399.50*
Welsh, Devney	8/26/2021	Central/Temporary PE-Music	\$51,308.00*

**Temporary Contract: Contract expires at the discretion of the District or 6/10/2022, whichever occurs first.*

Terminations/Retirements

<u>Name</u>	<u>Effective</u>	<u>Location/Assignment</u>	<u>Reason</u>
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Leaves

<u>Name</u>	<u>Term</u>	<u>Location/Assignment</u>	<u>Type of Leave</u>
Dramstad, Sarah	1/26/22-6/9/22	Rossiter/Music	LOAWOP

Change in Contract

<u>Name</u>	<u>From</u>	<u>To</u>	<u>Effective Date</u>
Loveridge, Robert	.33 FTE	.50 FTE	8/26/2021
Thomas, Samantha	.50 FTE	1.0 FTE	8/26/20/21

**Temporary Assignment*

CLASSIFIED PERSONNEL

Appointments

<u>Name</u>	<u>Effective</u>	<u>Location/Assignment</u>	<u>Salary</u>
Barber, Evan	08/26/2021	Bryant/Para Educator	\$13.91/hr.
Boehm, Julie	09/15/2021	CRA/Para Educator	\$14.52/hr.
Davidson, Abigail	09/07/2021	Hawthorne/Temporary Para Educator	\$14.22/hr.*
Davidson, Rebecca	09/07/2021	SSC/COTA	\$25.75/hr.

Dodge-Obie, Dawn	08/26/2021	Warren/Temporary Instructional Tutor	\$18.99/hr.*
Hamper, Corissa	08/30/2021	Hawthorne/Para Educator	\$15.95/hr.
Harpham, Jill	08/26/2021	HHS/Temporary Para Educator	\$15.95/hr.*
Horsley, Amanda	08/26/2021	Kessler/ Para Educator	\$14.52/hr.
Judd, Lynn	09/13/2021	CHS/Para Educator	\$16.25/hr.
Kennelly, Makayla	08/26/2021	Warren/Temporary Instructional Tutor	\$18.99/hr.*
Kolar, Tiffany	08/26/2021	HMS/Temporary Instructional Tutor	\$19.89/hr.*
Loomis, Larry	08/26/2021	PAL/Temporary Instructional Tutor	\$19.89/hr.*
MacDonald, Peggy	08/30/2021	Rossiter/Para Educator	\$13.61/hr.
McMillan, Arilda	08/27/2021	CHS/Para Educator	\$15.95/hr.
Minert, Andrew	09/07/2021	IT/Help Desk Technician	\$22.39/hr.
Mondejar, Jennifer	09/03/2021	Jefferson/Temporary Para Educator	\$13.91/hr.*
Montiel, Amador	08/18/2021	IT/Help Desk Technician	\$24.83/hr.
Morley, Susana	09/09/2021	Broadwater/Temporary Para Educator	\$15.54/hr.*
Muszkiewicz, Hannah	08/26/2021	Hawthorne/SACC Para Educator	\$13.91/hr.
Pool, Rowena	08/26/2021	CRA/Para Educator	\$15.44/hr.
Stein, Tiffany	09/13/2021	Bryant/Temporary Para Educator	\$14.84/hr.*
Sweeney, Emily	09/09/2021	Smith/Temporary Para Educator	\$15.95/hr.*
Tommerup, Kelsey	09/03/2021	Jefferson/Temporary Para Educator	\$15.95/hr.*
Walker, Jessica	08/30/2021	Day Treatment/Para Educator	\$16.25/hr.
Wehrman, Alexis	08/26/2021	RBLC/ Para Educator	\$14.21/hr.
Young, McKinley	08/26/2021	HMS/Temporary Para Educator	\$15.54/hr.*

**Temporary Assignment*

Terminations/Retirements

<u>Name</u>	<u>Effective</u>	<u>Location/Assignment</u>	<u>Reason</u>
Beaudin, Josiah	10/01/2021	Day Treatment/Para Educator	Resignation
Jefferies, Rachel	08/16/2021	Kessler/Para Educator	Resignation
McDaniel, Lois	12/01/2021	Broadwater/Para Educator	Retirement
McRae, Kristy	08/23/2021	CRA/ Temporary Para Educator	Resignation
Sutherland, Jeri	07/30/2021	CRA/Para Educator	Resignation

Leaves

<u>Name</u>	<u>Term</u>	<u>Location/Assignment</u>	<u>Type</u>
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SUPPLEMENTARY CONTRACT ASSIGNMENTS

Last Name	First Name	Assignment	Location	Amount
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Helena School District #1

Warrants August 1 to 31, 2021

Direct Deposits: \$937,425.96

Payroll Warrants: 70130840-70130851

Payroll Deduction: 69281957-69281979

Non-Check Payroll Deductions: \$1,475,483.66

Non-Check Accts Payable Deductions: \$273,899.69 **Allegiance payment not included**

Non-Check Accts Payable Deductions- HHS Extracurricular: \$0

Claim Warrants: 69281810-69282135

CRA Middle School Student Activity Checks:

HMS Middle School Student Activity Checks:

Capital High Student Activity Checks:

Helena High Student Activity Checks:

Cancelled Warrants: \$754.00

We certify that all warrants herein listed were prepared and previously paid for, are just and correct to the best of our knowledge, and that the board of trustees has authorized the issuance of the same.

Chairperson _____

Business Manager _____

APPROVAL OF OUT-OF-DISTRICT ATTENDANCE AGREEMENTS
(NONRESIDENT STUDENTS ATTENDING HELENA SCHOOL DISTRICT)

Grade	District of Residence	Address	School of Attendance
4	Basin Elementary	Basin	Jefferson
6	Clancy Elementary	Clancy	Helena Middle School
8	East Helena K-12	Helena	CR Anderson
10	Jefferson High School	Clancy	Helena High School
10	Jefferson High School	Clancy	Helena High School
10	Jefferson High School	Montana City	Helena High School
10	Jefferson High School	Clancy	Helena High School
10	Jefferson High School	Clancy	Helena High School
10	Jefferson High School	Clancy	Capital High School
11	East Helena K-12	East Helena	Helena High School
11	Whitehall High School	Whitehall	Helena High School
11	East Helena K-12	East Helena	Helena High School
11	Jefferson High School	Clancy	Helena High School
11	Jefferson High School	Clancy	Helena High School
11	Jefferson High School	Jefferson City	Helena High School
11	Jefferson High School	Clancy	Helena High School
11	Jefferson High School	Clancy	Helena High School
11	Jefferson High School	Clancy	Capital High School
12	Jefferson High School	Clancy	Helena High School
12	Jefferson High School	Clancy	Helena High School
12	Jefferson High School	Clancy	Helena High School
12	Jefferson High School	Clancy	Helena High School
12	Jefferson High School	Clancy	Helena High School
12	Jefferson High School	Clancy	Helena High School
12	Jefferson High School	Clancy	Capital High School

Running Total of Out-of-District Attendance Agreements

Grade	Address									Total
	East Helena	Clancy	Montana City	Helena	Jefferson City	Townsend	Elliston	Basin	Whitehall	
K		1								1
1	1									1
2		1								1
3	1									1
4								1		1
5										0
6	2	2				1				5
7	1									1
8	1									1
9	8	40	3	1	1					53
10	1	7	2				1			11
11	2	6			1				1	10
12		7								7
	17	64	5	1	2	1	1	1	1	93

ACKNOWLEDGE OUT-OF-DISTRICT ATTENDANCE AGREEMENTS
(HELENA RESIDENT STUDENTS ATTENDING OTHER SCHOOL DISTRICTS)

Discretionary:

Grade	Address	District of Attendance
K	1990 Nicklaus Ave, Helena, MT 59602	Clancy Elementary
1	1990 Nicklaus Ave, Helena, MT 59602	Clancy Elementary
2	1120 Sonoma Dr, Helena, MT 59601	Clancy Elementary

Running Total of Acknowledged Out-of-District Attendance Agreements
(Helena Resident Students Attending Other School Districts)

Grade	East Helena K-12	Lincoln K-12	Townsend K-12	Cascade Public Schools	Clancy Elementary	Missoula High School	Jefferson High School	Total
K					2			2
1					4			4
2					5			5
3					5			5
4					5			5
5					4			4
6					4			4
7					5			5
8					2			2
9								0
10								0
11								0
12								0
	0	0	0	0	36	0	0	36

SCHOOL DISTRICT ORGANIZATION

Board Member Conflict of Interest

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

- engage in a substantial financial transaction for the trustee's private business purpose with a person whom the trustee inspects or supervises in the course of official duties;
- perform an official act directly and substantially affecting, to its economic benefit, a business or other undertaking in which the trustee has a substantial financial interest or is engaged as counsel, consultant, representative or agent;
- act as an agent or solicitor in the sale or supply of goods or services to the District;
- have a pecuniary interest, directly or indirectly, in any contract made by the Board when the trustee has more than a 10% interest;
- perform an official act directly and substantially affecting a business or other undertaking to its economic detriment a business or other undertaking in which the trustee has a substantial personal interest in a competing firm or undertaking;
- be employed in any capacity by the District, except to officiate at athletic competitions under the auspices of the Montana Officials Association; or
- ~~take part in the appointment or employment of any person related or connected by blood within the 4th degree or by marriage within the 2nd degree, except as provided by statute.~~
- Appoint or employ any person related or connected by consanguinity within the fourth (4th) degree or by affinity within the second (2nd) degree.
 - a. This prohibition does not apply to the issuance of an employment contract to a person as a substitute teacher who is not employed as a substitute teacher for more than thirty (30) consecutive school days.
 - b. This prohibition does not apply to the renewal of an employment contract of a person related to a Board member who was initially hired before the Board member assumed the trustee position.
 - c. This prohibition does not apply if trustees comply with the following requirements:
 - 1) all trustees, except the trustee related to the person to be employed or appointed, vote to employ the related person;
 - 2) the trustee related to the person to be employed abstains from voting; and
 - 3) the trustees give fifteen (15) days written notice of the time and place of their intended action in a newspaper of general circulation in the county where the school is located.

Degrees of Affinity

Affinity is the legal relationship arising as the result of marriage. Relationship by affinity terminates upon the death of one of the spouses or other dissolution of marriage, except when the marriage has resulted in issue still living.

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

4.6.2021 Policy Committee – 1st Reading
5.4.2021 Policy Committee – 2nd Reading
9.7.2021 Policy Committee – 3rd Reading

5.11.2021 Full Board – 1st Reading
9.14.2021 Full Board – 2nd Reading

SCHOOL DISTRICT ORGANIZATION

Board Development and Self Evaluation

The Board strives to learn, understand, and practice effective governance for the benefit of the District. As determined by the Board, individual members have the opportunity to attend state and national meetings designed to familiarize members with public school issues, governance and legislation. Notice of training opportunities will be provided either through the Superintendent or through the Board Chair.

Newly elected or appointed trustees shall be ~~given a copy of the~~ made aware of the location of District policies ~~manual on the District web site~~ and shall have the opportunity to meet with the Superintendent and/or members of the Board for the purpose of answering questions and providing information about the District. The Board Chair may request that a veteran Board member mentor a new member.

As part of the Board's professional development and in an effort to ~~improve on~~ ensure a continuous improvement ~~basis cycle~~, the Board ~~may conduct a self-evaluation as needed.~~ will conduct an annual self-evaluation.

The Board of Trustees will ~~periodically~~ make adjustments in its conduct and practices to ensure continued improvement in its performance over time based on their self-evaluation.

Legal Reference:

Cross References:

Policy History:

Adopted on: 2.8.2011

Revised on:

Reviewed on:

SCHOOL DISTRICT ORGANIZATION

Board Member Expenses

Trustees are not compensated for their service to the District. Travel expenses in the form of a mileage reimbursement may be paid to any trustee who lives more than three (3) miles from the regular meeting place of the trustees at the rate specified in § 2-18-503, MCA.

The District will pay the expenses for trustees to attend Board approved workshops, trainings and conferences both in state and out of state. The following expenses are eligible for payment and/or reimbursement at the rate established by the District:

1. Transportation as approved by the Board;
2. Hotel or motel costs as necessary;
3. Food costs as necessary;
4. ~~Telephone services as necessary~~ Communication services;
5. Incidental expenditures for tips and other necessary costs.

The District will not pay for or reimburse expenses for ~~liquor alcohol~~, expenses of a ~~spouse guest~~, entertainment or other ~~unnecessary unrelated~~ expenses unrelated to District business.

Legal Reference: § 20-3-311, MCA Trustee travel reimbursement

Cross Reference:

Policy History:

Adopted on: 2.8.2011

Revised on:

Reviewed on:

2
3 SCHOOL DISTRICT ORGANIZATION

4
5 Communications To and From the Board

6
7 The Board encourages open lines of communication between members of the education
8 community. It also must maintain a chain of command as an organization to promote efficient
9 and effective communications.

10
11 All **official** communications to the Board should be directed to the Superintendent. Board
12 member questions or communications to staff about programs and/or requests for information
13 should also be submitted through the Superintendent.

14
15 The Board acts only as a body. Individual school board members have no authority to act
16 independently, and cannot commit or bind the board by their individual actions. Powers and
17 duties of the board must be exercised by the board as a whole. If contacted individually, Board
18 members should refer the matter to the Superintendent. Individual Board members may not take
19 action to compromise the Board or the administration.

20
21 Use of ~~electronic mail~~ digital communication will conform to the same standards of judgment,
22 propriety and ethics as other forms of Board related communication. E-mail may not be used as a
23 substitute for deliberations at Board meetings or for other communications or business properly
24 confined to Board meetings. E-mail and related attachments received or prepared for use in
25 Board business may be regarded as a public record subject to disclosure upon request, unless
26 otherwise made confidential by law.

27
28 Legal Reference: § 2-3-301, MCA Agency to accept public comment electronically --
29 dissemination of electronic mail address and documents required --
30 prohibiting fees

31
32 Cross Reference: Policy 1065 Board Meetings

33
34 Policy History:

35 Adopted on: 2.8. 2011

36 Revised on: 1.9.2018

37 Reviewed on:

2
3 SCHOOL DISTRICT ORGANIZATION

4
5 Committees

6
7 *Board Member Committees*

8
9 The Board may create Board member committees as deemed necessary. The Board Chair will
10 make all appointments to board member committees. Notice of board member committee
11 meetings shall be given in the same manner as notice for special meetings, and board member
12 committee meetings shall be open to the public.

13
14 A trustee who is a member of a committee and is participating remotely in a committee meeting
15 has the same privileges, rights, and responsibilities as if the trustee were physically present.

16
17 *Citizen Committees*

18
19 The Board or the Superintendent may create committees that involve community members as
20 deemed necessary, either on an ad hoc or regular basis. The board chair or the Superintendent
21 will make all appointments to citizen committees and will establish the parameters and duties for
22 the citizen committees. Notice of citizen committee meetings shall be given in the same manner
23 as notice for special meetings, and citizen committee meetings shall be open to the public.

24
25 *Administrative Committees*

26
27 The Superintendent may create administrative committees as deemed necessary. The
28 Superintendent will make all appointments to the administrative committees. In determining
29 whether an administrative committee meeting shall be open to the public, the following factors,
30 although not exhaustive in nature, should be considered:

- 31 (1) the frequency of the meeting held;
32 (2) whether the committee is deliberating or just gathering facts;
33 (3) whether the deliberations concern a matter of policy rather than ministerial or
34 administrative functions;
35 (4) whether the committee members have executive authority and experience; and
36 (5) the results of the meeting.

37
38 If the presiding officer determines that the administrative committee should be held
39 in compliance with the Open Meeting Act, they shall provide notice of the meeting in the same
40 manner as notice for a special meeting, and the administrative meeting shall be open to the
41 public.

42
43 Legal Reference: § 2-3-203, MCA Meetings of public agencies open to the public

44
45 Cross Reference:

47 Policy History:
48 Adopted on: 2.8 2011
49 Revised on:
50 Reviewed on:
51

4.6.2021 Policy Committee - 1st Reading
5.4.2021 Policy Committee – 2nd Reading
9.7.2021 Policy Committee – 3rd Reading

5.11.2021 Full Board – 1st Reading
9.14.2021 Full Board – 2nd Reading