



Board of Trustees Policy Committee Meeting

Tuesday, February 1st, 2022
Lincoln Center
1325 Poplar St., Helena, MT 59601
And via
TEAMS

MINUTES

Attendees

Committee: Others:

Libby Goldes, Committee Chair
John McEwen, Committee Member
Janet Armstrong, Committee Member

Rex Weltz, Superintendent
Josh McKay, Assistant Superintendent
Elizabeth Kaleva, District Counsel
Barb Ridgway, Chief of Staff
Brian Cummings, Assistant Superintendent
Stacy Collette, Human Resources Director
Candice Delvaux, Executive Assistant
Jane Shawn, HEA President
Janelle Mickelson, Business Manager
Karen Ogden, Communications Officer
Gary Myers, Education Technology Director
Jonna Schwartz, Instructional Coach
Heidi Friedlander-Keaster, Guest of the Public
Robyn Mohs, Guest of the Public
Callum McAdams, Guest of the Public

I. CALL TO ORDER

The meeting was called to order at 12:04 p.m. 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 01.04.2022 POLICY COMMITTEE MINUTES

The committee reviewed and approved the minutes from the 01.04.2022 committee meeting.

V. PRESENTATION OF POLICIES FOR FOURTH READING/REVIEW

A. Policy 3050: Student Discipline

The committee reviewed the changes that were made to Policy 3050: Student Discipline. The changes to this policy are reflected on line 77 through 82. The changes are based on discussion from the last Board meeting, that more clarification was needed. The new language states, “the administrator may immediately suspend a student if, prior to a hearing, there is cause to believe the student brought a firearm to school or possessed a firearm at school. In the case of a firearm violation the student may be expelled if the trustees find that the student knowingly brought a firearm to school or possessed a firearm at school”. It clarifies that this is only in reference to firearm violations, not to any other example, such as burning down the school. In that example, you have the right to expel, but in the case of a firearm violation, this is what will apply. That was the only change to the policy. The committee discussed in policy, that the words Principal and Administrator are used interchangeably. The committee determined that Policy 3050: Student Discipline would be sent to the full Board for review.

B. Policy 1085: Uniform Grievance Policy/Uniform Grievance Process Form

The committee discussed Policy 1085: Uniform Grievance and reviewed the Uniform Grievance Process Form. Policy 1085: Uniform Grievance has not been to the full Board for review yet. There were changes on lines 21 and 22 which state, “complaints against a District level administrator shall be filed with the Superintendent. Complaints against the Superintendent or Clerk shall be filed with the Board”. There were changes on lines 35 through 37 which states, “for the purposes of this policy, business and/or calendar days are defined as school days. If the complaint is filed during the summer months or the complaint extends into the summer months, days will revert to business days as opposed to school or calendar days”. There is a paragraph that discusses retaliation, and those additions are on lines 44 through 51. It states, “any individual participating in an investigation or proceeding

under this policy shall notify the appropriate building or district administrator if that person believes that he or she is being retaliated against for participating in the investigation or proceeding. The District prohibits retaliation against individuals making complaints and participating in any investigation that may ensue under this policy. The District may discipline students or staff members determined to have retaliated against any individual for participating in an investigation or proceeding under this policy". Based on previous discussions, calendar days was replaced with school days, and in some cases reduced 30 days to 15 days. There were some punctuation changes made as well. The committee discussed potentially adding the word "days" after the word "school" on line 104, and potentially changing the word "and" on line 49 to become "and/or". Superintendent Weltz commented. I appreciate the time spent on this. If we go back to the reason why we have this in front of us, is that we recognize that we want to get better, and this is in efforts to do so. So, I appreciate everyone's input and time just to get us to where we're at now. I think this is a better document in words than what we had before. So, I appreciate the time invested. Jonna Schwartz, Instructional Coach, recommended that a comma be added after the word "policy" on line 35. Ms. Schwartz commented that she appreciated the retaliation paragraph. Ms. Schwartz commented that there is no mention in any level of complainants or accused receiving any updates. The committee discussed that when someone goes through this procedure, there will be information about how updates are provided. That is procedural in nature, so it wouldn't be in the policy itself. The committee also had a discussion regarding additional timelines. The committee determined that Policy 1085: Uniform Grievance Policy would be sent to the full Board for review.

VI. PRESENTATION OF POLICIES FOR THIRD READING/REVIEW

C. Policy 7063: Indoor Air Quality

The committee reviewed changes to Policy 7063: Indoor Air Quality on lines 7 and 8 which states, "District ventilation systems will undergo annual checks by the District facility manager, or other staff approved by the Superintendent to ensure ventilation systems are operating within manufacturer parameters". On line 10, "minimum efficiency reporting value (MERV) of between 8 and 13", was added. That is the standard for schools, businesses, institutions, etc. Anything higher than 13 would be a hospital operating room, for example, and it takes a different set of equipment to go that high. The language on line 17 was changed from "school" to "District", and from "Superintendent" to become "facility manager or other staff approved by the Superintendent". Our MERV efficiency rating is 8 to 11 in all schools, except our new schools, which are 11 to 13 because they have much more updated equipment. The committee determined that on line 10, the words "minimum efficiency reporting value", would be capitalized. The committee determined that Policy 7063: Indoor Air Quality would be sent to the full Board for review.

VII. PRESENTATION OF POLICIES FOR SECOND READING

D. Policy 7060: School Safety

The committee discussed Policy 7060: School Safety. This policy will now incorporate language going forward about face coverings. The committee discussed the changes that were incorporated after the last policy committee meeting. The language added on lines 51 through 55 states, "Face Covering as Personal Protective Equipment: In the event of a pandemic or recognized public health emergency the District in consultation with local health partners may require the wearing of face coverings in an effort to reduce spread of an aerosol borne virus and to protect the health and safety of students and staff". The words "some or" and "schools and" were added on lines 66 and 67. On line 73 the language "at least 48 hours prior to implementation" was added. Trustee John McEwen commented with some suggestions. Mr. McEwen suggested eliminating lines 57 and 58. Mr. McEwen suggested that on line 64, the word "COVID-19" be changed to "airborne viral infection". Mr. McEwen suggested that on line 51 the heading, "Face Coverings as Personal Protective Equipment" be changed to "Pandemic/Health Emergency". Mr. McEwen recommended moving lines 60 through 62 and placing that after line 69 and adding a heading that says "PPE/Facemasks". The committee discussed possibly incorporating the suggestions that Mr. McEwen suggested. The committee also mentioned possibly changing the language on lines 53 through 55. The committee discussed potentially changing the word "COVID-19" on line 64 to something different. The committee discussed potentially changing the language from "some or all Elementary District PreK-8 schools and/or PreK-8 12 schools and programs" to "some or all schools and programs". The committee determined that Policy 7060: School Safety, would come back to the Policy Committee for review, and would not go to the full Board yet.

E. Policy 3417: Communicable Diseases

The committee discussed Policy 3417: Communicable Diseases. This policy had a first reading before the Board and there were no changes. The committee determined that Policy 3417: Communicable Diseases would be sent to the full Board for review.

F. Policy 5230: Prevention of Disease Transmission

The committee discussed Policy 5230: Prevention of Disease Transmission. This policy had a first reading before the Board and there were no changes. The committee determined that Policy 5230: Prevention of Disease Transmission would be sent to the full Board for review.

G. Policy 1020: School Board Elections

The committee discussed Policy 1020: School Board Elections. Lines 37 and 38 reflect changes which state, "the District will comply with Montana law in providing access to voting places and accessibility for individuals with disabilities". The committee determined that Policy 1020: School Board Elections would be sent to the full Board for review.

H. Policy 2085: Graduation Requirements

The committee discussed Policy 2085: Graduation Requirements. This policy had a first reading before the Board and there were no changes. The committee determined that Policy 2085: Graduation Requirements would be sent to the full Board for review.

I. Policy 4025: Accommodating Individuals with Disabilities

The committee discussed Policy 4025: Accommodating Individuals with Disabilities. This policy had a first reading before the Board and there were no changes. The committee determined that Policy 4025: Accommodating Individuals with Disabilities would be sent to the full Board for review.

J. Policy 5080: Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

The committee discussed Policy 5080: Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers. This policy had a first reading before the Board and there were no changes. The committee determined that Policy 5080: Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers would be sent to the full Board for review.

K. Policy 9035: Capital Assets

The committee discussed Policy 9035: Capital Assets. This policy had a first reading before the Board and there were no changes. Mr. McEwen suggested possibly adding dates and codes to the legal references in all policies. The committee determined that Policy 9035: Capital Assets would be sent to the full Board for review.

VIII. PRESENTATION OF POLICIES FOR FIRST READING

A. Policy 5025: Employment and Assignment

The committee reviewed Policy 5025: Employment and Assignment. This is an existing policy that has been modified based on House Bill 254. Employees used to be subject to a 6-month probation and that has been changed to a 12-month probationary period. The new language states, "employees will be subject to a 12-month probation period to be applied during the employee's actual employment period". Classified employees whose positions are covered by a collective bargaining agreement will be employed subject to the terms and conditions of the collective bargaining agreement, District policies and procedures, and state and federal statutes. Classified employees whose positions are not covered by a collective bargaining agreement will be subject to a one-year probationary period. Their employment is governed by District policies and procedures, and state and federal statutes. The District reserves the right to change employment conditions affecting an employee's duties, assignment, and/or supervisor, subject to collective bargaining language. The definition of "good cause" was also changed. That new language is reflected on lines 18 through 22 and states, "good cause means any reasonable job-related grounds for an employee's dismissal based on: (a) the employee's failure to satisfactorily perform job duties; (b) the employee's disruption of the employer's operation; (c) the employee's material or repeated violation of an express provision of the employer's written policies; or (d) other legitimate business

reasons

determined by the employer while exercising the employer's reasonable business judgment." The committee determined that Policy 5025: Employment and Assignment would be sent to the full Board for first reading.

B. Policy 7025: Extra and Co-Curricular Funds

The committee reviewed Policy 7025: Extra and Co-Curricular Funds. This policy states "the Board is responsible for establishment and management of student extra- and co-curricular funds. The purpose of student extra- and co-curricular funds is to account for revenues and disbursements of those funds raised by students through recognized student body organizations and activities. The funds shall be deposited and expended by check, in a bank account maintained by the District for student extra- and co-curricular funds. The use of the student extra- and co-curricular funds is limited to the benefit of the students. The Board directs the administration to follow the *Student Activity Funding Accounting* in establishing accounting procedures for administration of student extra- and co-curricular funds and will appoint a fund administrator". The committee determined that Policy 7025: Extra and Co-Curricular Funds would be sent to the full Board for first reading.

IX. SUPERINTENDENT OR BOARD COMMENTS

Trustee John McEwen commented that Policy 3000 is listed twice on the website.

X. ADJOURNMENT

Committee Chair, Ms. Goldes, adjourned the meeting at 1:05 p.m.