



**Superintendent**  
Rex Weltz  
324-2000

**Business Manager**  
Janelle Mickelson  
324-2007

**BOARD OF TRUSTEES  
POLICY COMMITTEE MEETING**  
Lincoln Center - 1325 Poplar Street  
March 1, 2022  
Noon – 1:00 p.m.

**I. INTRODUCTIONS**

**II. REVIEW OF AGENDA**

**III. GENERAL PUBLIC COMMENT**

This is the time for comment on public matters that are not on the agenda. Public matters do not include any pending legal matters, private personnel issues or private student issues. Please do not attempt to address such issues at this time or you will be ruled out of order. The Board cannot enter into a discussion during General Public Comment.

**IV. REVIEW FEBRUARY 1, 2021 BOARD POLICY MEETING MINUTES**

**V. PRESENTATION OF POLICIES FOR FOURTH READING/REVIEW:**

A. 1085 Uniform Complaint

**VI. PRESENTATION OF POLICIES FOR THIRD READING/REVIEW:**

A. 1020 School Board Elections

B. 7060 School Safety

**VII. PRESENTATION OF POLICIES FOR SECOND READING/REVIEW:**

A. 5025 Employment and Assignment

B. 7025 Extra and Co-Curricular Funds

**VIII. PRESENTATION OF POLICIES FOR FIRST READING:**

A. 2005 School Year, Calendar and Day

B. 3010 School Admissions

**IX. SUPERINTENDENT OR BOARD COMMENTS**

**X. ADJOURNMENT**

**NEXT MEETING:**  
**Tuesday, April 5, 2022 - Noon – 1:00 p.m.**



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

## Board of Trustees Policy Committee Meeting

Tuesday, February 1st, 2022

Lincoln Center

1325 Poplar St., Helena, MT 59601

And via

TEAMS

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### MINUTES

#### *Attendees*

#### *Committee: Others:*

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

Rex Weltz, Superintendent  
Joh 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 lines 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, it 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 state, "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.

1 **Helena Public Schools**

2 School District Organization

1085

3  
4 Uniform Complaint Procedure

5 The Board establishes this Uniform Complaint Procedure as a means to address complaints  
6 arising within the District. This Uniform Complaint Procedure is intended to be used for all  
7 complaints except those governed by a specific process in state or federal law that supersedes  
8 this process or a collective bargaining agreement. Matters covered by a collective bargaining  
9 agreement will be reviewed in accordance with the terms of the applicable agreement.

10  
11 The District will endeavor to respond to and resolve complaints without resorting to this formal  
12 complaint procedure and, when a complaint is filed, to address the complaint as outlined in this  
13 policy. The right of a person to prompt and equitable resolution of a complaint filed hereunder  
14 will not be impaired by a person’s pursuit of other remedies. Use of this complaint procedure is  
15 not a prerequisite to pursue other remedies and use of this complaint procedure does not extend  
16 any filing deadline related to pursuit of other remedies.

17  
18 The District requires all individuals use this complaint procedure, when the individual  
19 believes the Board or its employees or agents have violated the individual’s rights under state or  
20 federal law or Board policy. Complaints against a building administrator shall be filed with the  
21 appropriate Assistant Superintendent. Complaints against a District level administrator shall be filed  
22 with the Superintendent. Complaints against the Superintendent or Clerk ~~or District level~~  
23 ~~administrator~~ shall be filed with the Board.

24  
25 When a complaint alleges sexual harassment or a violation of Title IX of the Education  
26 Amendments of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities Act of  
27 1990, or Section 504 of the Rehabilitation Act of 1973, the building A administrator shall turn the  
28 complaint over to the applicable District nondiscrimination coordinator. The coordinator shall  
29 ensure an investigation is completed in accordance with the applicable procedure. In the case of  
30 a sexual harassment or Title IX complaint the applicable investigation and appeal procedure is  
31 Policy 3000 or 5005. In the case of a disability complaint, the coordinator shall complete an  
32 investigation and file a report and recommendation with the building A administrator for decision.  
33 Appeal of a decision in a disability complaint will be handled in accordance with this policy.

34  
35 For the purposes of this policy, business and / or calendar days are defined as school days. If the  
36 complaint is filed during the summer months or the complaint extends into the summer months, days  
37 will revert to business days as opposed to school or calendar days. Deadlines requiring District action  
38 in this procedure may be extended for reasons related but not limited to the District’s retention of  
39 legal counsel and District investigatory procedures. Additional timelines may be waived with the  
40 agreement of both parties.

41  
10.5.2021 Policy Committee – 1<sup>st</sup> Reading – Mtg Cancelled  
11.2.2021 Policy Committee – 1<sup>st</sup> Reading  
12.7.2021 Policy Committee – 2<sup>nd</sup> Reading  
1.4.2022 Policy Committee – 3<sup>rd</sup> Reading  
2.1.2022 Policy Committee – 4<sup>th</sup> Reading  
3.1.2022 Policy Committee – 5<sup>th</sup> Reading

2.8.2022 Full Board – 1<sup>st</sup> Reading



42  
43  
44 Retaliation  
45

46 Any individual participating in an investigation or proceeding under this policy shall notify the  
47 appropriate building or district administrator if that person believes that he or she is being retaliated  
48 against for participating in the investigation or proceeding. The District prohibits retaliation against  
49 individuals making complaints and/or participating in any investigation that may ensue under this  
50 policy. The District may discipline students or staff members determined to have retaliated against  
51 any individual for participating in an investigation or proceeding under this policy.

52  
53 *Level 1: Informal*  
54

55 An individual with a complaint is first encouraged to discuss it with the appropriate employee or  
56 building administrator with the objective of resolving the matter promptly and informally. If the  
57 complaint can't be resolved within 15 calendar school days of the incident that generated the  
58 complaint, then the complainant may file a written complaint as outlined in Level 2. ~~An exception is~~  
59 ~~that a complaint of sexual harassment should be discussed directly the District Title IX Coordinator.~~

60  
61 *Level 2: Building Administrator*  
62

63 When a complaint has not been or cannot be resolved at Level 1, an individual may file a signed  
64 and dated written complaint stating: (1) the nature of the complaint; (2) a description of the event  
65 or incident giving rise to the complaint, including any school personnel involved; (3) the date the  
66 parties met to attempt to resolve the complaint informally; and ~~(3 4)~~ the remedy or resolution  
67 requested. The written complaint must be filed within thirty ~~(30 15)~~ calendar school  
68 days of the event or incident. ~~or from the date an individual could reasonably become aware of~~  
69 ~~such event or incident.~~

70  
71 When a complaint alleges a violation of Board policy or procedure, the building administrator or  
72 supervisor will investigate and attempt to resolve the complaint. The administrator or supervisor will  
73 respond in writing to the complaint, within thirty ~~(30 15)~~ calendar school days of receipt of the  
74 written complaint. ~~of the Human Resources Administrator's receipt of the complaint.~~

75  
76 If the complainant ~~has reason to believe the administrator's or supervisor's decision was made in~~  
77 ~~error~~ disagrees with the findings of the administrator or supervisor the complainant may request, in  
78 writing, that the appropriate Assistant Superintendent review the administrator's or supervisor's  
79 decision. (See Level 3.) This request must be submitted to the appropriate Assistant Superintendent  
80 within fifteen (15) calendar school days of receipt of the administrator's or supervisor's decision.

81  
82 *Level 3: Assistant Superintendent*  
83

84 If the complainant appeals the administrator's or supervisor's decision provided for in Level 2, the

85 Assistant Superintendent will review the complaint and the administrator's or supervisor's decision.  
86 The Assistant Superintendent will respond in writing to the appeal, within thirty (30 15) calendar  
87 school days of the Assistant Superintendent's receipt of the written appeal. ~~In responding to the~~  
88 ~~appeal, the Assistant Superintendent may: (1) meet with the parties involved in the complaint; (2)~~  
89 ~~conduct a separate or supplementary investigation; (3) engage an outside investigator or other District~~  
90 ~~employees to assist with the appeal; and/or (4) take other steps appropriate or helpful in resolving the~~  
91 ~~complaint.~~

92  
93 If the complainant ~~has reason to believe the Assistant Superintendent's decision was made in error,~~  
94 ~~error~~ disagrees with the findings of the Assistant Superintendent the complainant may request, in  
95 writing, that the Superintendent consider an appeal of the Assistant Superintendent's decision. (See  
96 Level 4.) This request must be submitted in writing to the Superintendent, within fifteen (15) ~~calendar~~  
97 school days of the Assistant Superintendent's written response to the complaint., ~~for transmission to~~  
98 ~~the Board.~~

99  
100 *Level 4: Superintendent ~~or Supervisor~~*

101  
102 If the complainant appeals the Assistant Superintendent's decision provided for in Level 3, the  
103 Superintendent will review the complaint and the Assistant Superintendent's decision. The  
104 Superintendent will respond in writing to the appeal, within thirty (30 15) ~~calendar~~ school days of the  
105 Superintendent's receipt of the written appeal. ~~In responding to the appeal, the Superintendent may:~~  
106 ~~(1) meet with the parties involved in the complaint; (2) conduct a separate or supplementary~~  
107 ~~investigation; (3) engage an outside investigator or other District employees to assist with the appeal;~~  
108 ~~and/or (4) take other steps appropriate or helpful in resolving the complaint.~~

109  
110 If the complainant ~~has reason to believe the Superintendent's decision was made in error~~ disagrees  
111 with the findings of the Superintendent, the complainant may request, in writing, that the Board  
112 consider an appeal of the Superintendent's decision. (See Level 4.) This request must be submitted in  
113 writing to the Superintendent, within fifteen (15) ~~calendar~~ school days of the Superintendent's written  
114 response to the complaint, for transmission to the Board.  
115

116  
117 *Level 5: The Board*

118 Upon written appeal of a complaint alleging a violation the individual's rights under state or  
119 federal law or Board policy upon which the Board of Trustees has authority to remedy, the Board  
120 may consider the decisions made in Level 2, 3 and 4. Upon receipt of written request for  
121 appeal, the Chair will either: ~~(1)~~ place the appeal on the agenda of a regular or special Board  
122 meeting, ~~(2) appoint an appeals panel of not less than three trustees to hear the appeal and make~~  
123 ~~a recommendation to the Board,~~ or ~~(3)~~ respond to the complaint with an explanation of why the  
124 appeal will not be heard by the Board of Trustees in accordance with this policy. ~~If the Chair appoints~~  
125 ~~a panel to consider the appeal, the panel will meet to consider the appeal and then make written~~  
126 ~~recommendations to the full Board.~~ The Board will report its decision on the appeal, in writing, ~~to all~~

parties, within thirty (30) calendar school days of the Board meeting at which the Board considered the appeal or the recommendation of the panel.

A decision of the Board is final, unless it is appealed pursuant to Montana law within the period provided by law.

Cross Reference: 3000 - Equal Educational Opportunities  
5000 - Equal Employment Opportunity and Non-Discrimination

Legal Reference: Title IX of the Education Amendments of 1972 (Civil Rights Act)  
Title II of the Americans with Disabilities Act of 1990  
§ 504 of the Rehabilitation Act of 1973

Policy History:

Adopted on: 2.08.2011  
Revised on: 9.13.2016  
Reviewed on:

10.5.2021 Policy Committee – 1<sup>st</sup> Reading – Mtg Cancelled  
11.2.2021 Policy Committee – 1<sup>st</sup> Reading  
12.7.2021 Policy Committee – 2<sup>nd</sup> Reading  
1.4.2022 Policy Committee – 3<sup>rd</sup> Reading  
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3.1.2022 Policy Committee – 5<sup>th</sup> Reading

2.8.2022 Full Board – 1<sup>st</sup> Reading

2 SCHOOL DISTRICT ORGANIZATION

3 School Board Elections

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

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

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

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

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

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

33  
34 The District will provide access to polling places and accessible voting technology for  
35 individuals with disabilities. The District Clerk will be responsible for assessing polling place  
36 for accessibility and ensuring reasonable access for individuals with disabilities. The District  
37 will comply with Montana law in providing access to voting places and accessibility for  
38 individuals with disabilities.

39 Legal References:

40

41

42 § 20-3-304, MCA Annual election

43 § 20-3-305, MCA Candidate qualification and nomination

44 § 20-3-313, MCA Election by acclamation – notice

45 ~~§ 20-3-344, MCA Nomination of candidates by position in first class elementary district~~

46 Repealed

47 § 20-9-353, MCA Additional financing for general fund-election for authorization to impose

48 § 20-20-105, MCA Regular school election and special school elections

49 § 20-20-301, MCA Qualifications of elector

50 § 20-20-401, MCA Trustees' election duties- ballot certification

51 Senate Bill 15 Revises election laws related to accessibility for disabled electors

52 § 13-1-101, MCA Definitions (Revised by Senate Bill 15)

53 § 20-9-353, MCA Additional financing for general fund-election for authorization to  
54 impose

55 § 20-20-105, MCA Regular school election and special school elections

56

Cross References:

Policy History:

Adopted on: 2.8.2011

Revised on: 7.12.2016

57

58

2  
3 **OPERATIONAL SERVICES**

4  
5 School Safety  
6

7 The Board recognizes that safety and health standards should be incorporated into all aspects of the  
8 operation of the District. Rules for safety and prevention of accidents will be posted in compliance  
9 with Montana Safety Culture Act and the Montana Occupational Safety and Health Act. Injuries  
10 and accidents will be reported to the District office.  
11

12 There will be at least eight (8) disaster drills a year. All teachers will discuss disaster drill  
13 procedures with their class at the beginning of each year and will have them posted in a  
14 conspicuous place next to the exit door. A record will be kept of all fire drills. The drills will be  
15 held at different hours of the day or evening to avoid distinction between drills and actual  
16 disasters. The Superintendent will develop safety and health standards that comply with the  
17 Montana Safety Culture Act.  
18

19 *Safety or Emergency Plans*

20  
21 The Board shall review the District safety or emergency operations plan periodically and  
22 update the plan as determined necessary by the trustees based on changing circumstances  
23 pertaining to school safety. Once the Board has made the certification to OPI, it may transfer  
24 funds pursuant to Section 20-1-401, MCA to make improvements to school safety and  
25 security.  
26

27 *School Closure*

28  
29 The Superintendent is authorized to close the schools in the event of hazardous weather or other  
30 emergencies that threaten the safety of students, staff members, or school property. Specific  
31 procedures for school closures may be found in the District’s Safety Plan or Emergency  
32 Operations Plan  
33

34 *Hazardous and Infectious Materials*

35  
36 The Superintendent shall take all reasonable measures to protect the safety of District personnel,  
37 students, and visitors on District premises from risks associated with hazardous materials,  
38 including pesticide, and infectious materials. Specific procedures for handling hazardous or  
39 infectious materials may be found in the District’s Safety Plan.  
40

41 *Safety Measures*

42  
43 The Superintendent is authorized to adopt reasonable safety measures to protect the health and  
44 safety of District personnel, students, and visitors on District premises and during school-related  
45 activities. Reasonable safety measures include adoption of cleaning/sanitization plans, use of  
46 physical safeguards/barriers, and required use of personal protective equipment (e.g., face masks).

47  
48 Exceptions to any requirements adopted by the Superintendent may be granted as required by  
49 law and on a case-by-case basis.

50 *Face Coverings as Personal Protective Equipment— Pandemic / Health Emergency*

51  
52  
53 In the event of a pandemic or recognized public health emergency the District in consultation with local health  
54 partners may require the wearing of face coverings in an effort to reduce spread of any aerosol borne virus and  
55 to protect the health and safety of students and staff.

56  
57 ~~The District recommends all staff, volunteers, visitors, and school aged students wear a face covering while~~  
58 ~~present in any school building, regardless of vaccination status.~~

59  
60 ~~Face covering means disposable or reusable masks that cover the nose and mouth. The District will provide~~  
61 ~~masks to students, volunteers, and staff, if needed. If a student or staff wears a reusable mask, the District~~  
62 ~~expects that the masks be washed on a regular basis to ensure maximum protection.~~

63  
64 ~~If the number of active COVID-19 cases rate of infection in the county increases to the point of being~~  
65 ~~considered a "substantial" or "high" rate of transmission as defined by the Centers for Disease Control (CDC),~~  
66 ~~the Board of Trustees authorizes the Superintendent to implement a requirement for face coverings to be worn~~  
67 ~~in some or all Elementary District PreK-8 schools and/or PreK-8-12 schools and programs. The~~  
68 ~~Superintendent may also consult with local health experts to include but not be limited to: St. Peter's Health,~~  
69 ~~Lewis and Clark Public Health and other local health providers.~~

70  
71 *PPE or Face Masks*

72  
73 Face covering means disposable or reusable masks that cover the nose and mouth. The District will provide  
74 masks to students, volunteers, and staff, if needed. If a student or staff wears a reusable mask, the District  
75 expects that the masks be washed on a regular basis to ensure maximum protection.

76  
77 In the event it is determined face coverings are required, the Superintendent shall announce the face covering  
78 requirement to students, parents, staff, and visitors for the immediate successive school week by 3:00 pm on  
79 Friday of the previous week at least 48 hours prior to implementation. If the Superintendent determines masks  
80 are required, signs will be installed to inform students, parents, staff, and visitors of mask requirements while  
81 present in the identified District buildings.

82  
83 All points of entry to any school building or facility open to the public shall have a clearly visible sign posted  
84 stating whether masks are required or recommended.

85  
86 Allegations of harassment of any person wearing or not wearing a mask will be promptly investigated in  
87 accordance with District policy.

88  
89 *Symptoms of Illness*

90  
91 Students and staff who are ill, feeling ill, diagnosed as ill, or otherwise demonstrating symptoms of illness  
92 must not come to school or work. Students who have a fever or are exhibiting other signs of illness must be  
93 isolated in a designated area until such time as parents or caregiver may arrive at the school to retrieve the ill  
94 student. All surfaces and areas should be thoroughly cleaned and disinfected once the student has vacated the  
95 area by staff utilizing safety measures in accordance with state and/or local health standards as applicable.  
96 Students may engage in alternative delivery of education services during the period of illness or be permitted

97 to make up work.

98  
99 To avoid exposing others to illness, parents or caregivers who are ill must make arrangements with others to  
100 transport students to school or events, if at all practicable. If not practicable, parents, guardians or caregivers  
101 must not leave their vehicle during pickup or drop off and must arrange with District staff to supervise  
102 students in accordance with physical distancing guidelines in this Policy.

103  
104 *Physical Distancing*

105  
106 To the extent possible students, staff, volunteers, and visitors will maintain a three-foot distance between  
107 themselves and their colleagues and peers throughout the school day inside any school building, on school  
108 provided transportation, and on school property before and after school.

109  
110 Recess will continue as scheduled in accordance with recommended physical distancing guidance.

111  
112 Drop off and pick up of students will be completed in a manner that limits direct contact between parents and  
113 staff members and adheres to social distancing guidance around the exterior of the school building while on  
114 school property.

115  
116 *Cleaning and Disinfecting*

117  
118 School district personnel will routinely both clean surfaces and objects in any school building and on school  
119 property that are frequently touched. This process shall include cleaning objects/surfaces not ordinarily  
120 cleaned daily.

121  
122 *Student Arrival*

123  
124 Hand hygiene stations will be available at the entrance of any school building, so that children can clean their  
125 hands before they enter. If a sink with soap and water is not available, the School District will provide hand  
126 sanitizer with at least 60% alcohol.

127  
128 *Healthy Hand Hygiene Behavior*

129  
130 All students, staff, and others present in the any school building will always engage in appropriate hand  
131 hygiene.

132  
133 Hand hygiene includes but is not limited to washing hands with soap and water for at least 20 seconds. If  
134 hands are not visibly dirty, alcohol-based hand sanitizers with at least 60% alcohol can be used if soap and  
135 water are not readily available.

136  
137 *Transportation Services*

138  
139 The Board of Trustees authorizes the transportation of eligible transportees to and from the school facility in a  
140 manner consistent with the protocols established in this policy. Bus drivers will clean and disinfect each seat  
141 on each bus after each use.

142  
143 *Public Awareness*

144  
145 The School District will communicate with parents, citizens, and other stakeholders about the protocols  
146 established in this policy and the steps taken to implement the protocols through all available and reasonable  
147 means.



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Confidentiality

This policy in no way limits or adjusts the School District’s obligations to honor staff and student privacy rights. All applicable district policies and handbook provisions governing confidentiality of student and staff medical information remain in full effect.

Transfer of Funds for Safety Purposes

The Board of Trustees may transfer state or local revenue from any budgeted or non-budgeted fund, other than the debt service fund or retirement fund, to its building reserve fund in an amount not to exceed the school district’s estimated costs of improvements to school and student safety and security to implement this policy.

Legal References:	§ 20-1-401, MCA	Disaster drills
	§ 20-1-402, MCA	Number of disaster drills required – time of drills to vary
	§ 20-9-806, et al., MCA	Emergency School Closure
	§§ 39-71-1501, MCA	Montana Safety Culture Act
	§ 50-71-111, et. seq., MCA	Montana Occupational Health and Safety Act

- Governor’s Directive Implementing Executive Order 2-2021 – February 12, 2021
- Correspondence clarifying Governor’s Directive – February 11, 2021
- Article X, section 8 Montana Constitution
- Section 20-3-324, MCA Powers and Duties
- Section 20-9-806, MCA School Closure by Declaration of Emergency
- 10.55.701(2)(d)(s) Board of Trustees
- State, ex rel., Bartmess v. Helena Board of Trustees, 726 P.2d 801

Cross References:	1900 Temporary COVID-19 Policy
	1901 Emergency Policy and Procedures
	School District Declaration of Emergency 8.11.2020

Policy History:

Adopted on: 8.22.2013  
Revised on: 8.11.2020

2 PERSONNEL

3 Employment and Assignment

4 Each certificated employee will be employed under a written contract, subject to the terms and  
5 conditions of the collective bargaining agreement, District policies and procedures, and state and  
6 federal statutes. Employees will be subject to a 12-month probation period to be applied during  
7 the employee’s actual employment period.

8 The Board, after receiving the recommendations of the Superintendent, will determine the non-  
9 renewal or termination of certified and classified staff, in conformity with state statutes,  
10 applicable District policies and procedures, and collective bargaining agreements.

11 Classified employees whose positions are covered by a collective bargaining agreement will be  
12 employed subject to the terms and conditions of the collective bargaining agreement, District  
13 policies and procedures, and state and federal statutes. Classified employees whose positions are  
14 not covered by a collective bargaining agreement will be subject to a one-year probationary  
15 period. Their employment is governed by District policies and procedures, and state and federal  
16 statutes. The District reserves the right to change employment conditions affecting an  
17 employee’s duties, assignment, and/or supervisor, subject to collective bargaining language.

18 “Good cause” means any reasonable job-related grounds for an employee’s dismissal based on: (a)  
19 the employee’s failure to satisfactorily perform job duties; (b) the employee’s disruption of the  
20 employer’s operation; (c) the employee’s material or repeated violation of an express provision of  
21 the employer’s written policies; or (d) other legitimate business reasons determined by the employer  
22 while exercising the employer’s reasonable business judgment.

23

24 *Assignment, Reassignment and Transfer*

25 The Superintendent may assign, reassign, and/or transfer positions and duties of all staff, subject  
26 to any provisions contained in the collective bargaining agreements, District policies and  
27 procedures and state and federal statutes. Nothing in this policy prevents reassignment of a staff  
28 member during a school year.

- 29 Legal References: § 39-2-904, MCA Elements of wrongful discharge (Revised per HB254)
- 30 § 39-2-912, MCA Exemptions (wrongful discharge) (Revised per HB254)
- 31 § 39-2-903, MCA Definitions-wrongful discharge (Revised by
- 32 House Bill 254)
- 33 § 39-2-905, MCA Remedies- wrongful discharge (Revised by
- 34 House Bill 254)
- 35 § 39-2-911, MCA Limitation of actions (Revised by House Bill
- 36 254)
- 37 10.57.601a, ARM Definition of Immoral Conduct (Revised per HB254,
- 38 Revisions of Montana Wrongful Discharge Act)

39

40 Cross References:  
41 Policy History:  
42 Adopted on: 8.13.2013  
43 Revised on: 6.11.2019

2  
3 OPERATIONAL SERVICES

4  
5 Extra and Co-Curricular Funds

6  
7 The Board is responsible for establishment and management of student extra- and co-curricular  
8 funds. The purpose of student extra- and co-curricular funds is to account for revenues and  
9 disbursements of those funds raised by students through recognized student body organizations  
10 and activities. The funds shall be deposited and expended by check, in a bank account  
11 maintained by the District for student extra- and co-curricular funds. The use of the student  
12 extra- and co-curricular funds is limited to the benefit of the students.

13  
14 The Board directs the administration to follow the *Student Activity Funding Accounting* in  
15 establishing accounting procedures for administration of student extra- and co-curricular funds  
16 and will appoint a fund administrator.

17		
18		
19		
20	Legal References:	
21	§ 20-9-504, MCA	Extra-curricular fund for pupil functions
22	§ 20-5-109, MCA	Nonpublic school requirements for compulsory enrollment exemption ( <i>Cited by Senate Bill 157</i> )
23	§ 20-9-311, MCA	Calculation of average number belonging (ANB) --3-year averaging ( <i>Revised by Senate Bill 72</i> )
24		
25		
26	10.10.304, ARM	Student extra-curricular activity funds
27	Senate Bill 157	Allow nonpublic students to participate in public school extracurriculars
28		
29	Senate Bill 72	Allows non-fulltime enrolled students who participate in extracurricular activities to be counted in the average number belonging calculation.
30		
31		
32		
33		

34 Cross References:

35  
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38 Policy History:

39 Adopted on:

40 Revised on:

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2  
3 **STUDENT INSTRUCTION**

4  
5 School Year, Calendar, and Day

6  
7 Subject to §§ 20-1-301 and 20-1-308, MCA, and the District’s collective bargaining agreement  
8 covering the employment of affected employees, the Board sets the number of days in a school  
9 term, the length of the school day, and the number of school days in a school week

10  
11 When proposing to adopt changes to a previously adopted school term, school week, or school  
12 day, the Board shall: (a) if necessary, negotiate the changes with the recognized collective  
13 bargaining unit representing the employees affected by the changes; (b) solicit input from the  
14 employees affected by the changes but not represented by a collective bargaining agreement; and  
15 (c) solicit input from the people who live within the boundaries of the school district.

16  
17 *Saturday School*

18  
19 In emergencies, including during reasonable efforts of the trustees to make up aggregate hours of  
20 instruction lost during a declaration of emergency by the trustees under Section 20-9-806, MCA,  
21 pupil instruction may be conducted on a Saturday when it is approved by the trustees.

22  
23 Pupil instruction may be held on a Saturday at the discretion of a school district for the purpose  
24 of providing additional pupil instruction beyond the minimum aggregate hours of instruction  
25 required in Section 20-1-301, MCA, provided student attendance is voluntary.

26  
27 *Commemorative Exercises*

28  
29 All classes shall conduct appropriate exercises during the school day on the commemorative  
30 days noted in Montana law.

31  
32 *School Holidays*

33  
34 The schools in the District shall be closed on the following holidays: New Year's Day; Memorial  
35 Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day; and State and national  
36 election days when the school building is used as a polling place and the conduct of school  
37 would interfere with the election process at the polling place. When these holidays fall on  
38 Saturday or Sunday, the preceding Friday or the succeeding Monday shall not be a school  
39 holiday. The Board may establish other holidays.

40  
41 *School Fiscal Year*

42  
43 At least the minimum number of aggregate hours must be conducted during each school fiscal  
44 year. The minimum aggregate hours required by grade are:

- 45 (a) A minimum of 360 aggregate hours for a kindergarten program;  
46 (b) 720 hours for grades 1 through 3;

- 47 (c) 1,080 hours for grades 4 through 12; and  
48 (d) 1,050 hours may be sufficient for graduating seniors.  
49

50 In addition, seven (7) pupil instruction-related days may be scheduled for the following  
51 purposes:

- 52 1. Pre-school staff orientation for the purpose of organization of the school year (2  
53 days);  
54 2. Staff professional development programs (minimum of three (3) days);  
55 3. Parent/teacher conferences (2 days); or  
56 4. Records days (not to exceed one (1) day at the end of each semester or quarter).

57 *Professional Development*  
58

59 The district recognizes that training and development are fundamental to ensure the quality of its  
60 services to students. The Superintendent shall provide an organized program of professional  
61 development designed to assist staff in acquiring the skills needed to work with all students.  
62

63 A District professional development advisory committee will review, develop, recommend, and  
64 evaluate the school district's professional development plan. Each year the Board of Trustees  
65 shall be provided a copy of a professional development report for the previous school year.  
66  
67

68	Legal References:	§ 20-1-301, MCA	School fiscal year
69		§ 20-1-302, MCA	School day and week
70		§ 20-3-303, MCA	<u>Conduct of school on Saturday or Sunday</u>
71			<u>Prohibited – exceptions</u>
72		§ 20-1-305, MCA	<u>School Holidays</u>
73		§ 20-1-306, MCA	Commemorative exercises on certain days
74		§ 20-1-308, MCA	Religious instruction released time program
75		ARM 10.65.101-103	Pupil-Instruction-Related Days
76		ARM 10.55.714	Professional Development
77			
78			

79 Cross References:  
80

81 Policy History:

82 Adopted on: 2.28.2012  
83 Revised on: 12.11.2017  
84

2  
3 STUDENTS

4  
5 School Admissions

6  
7 *Age*

8  
9 No pupil may be enrolled in the kindergarten or first grade whose 5<sup>th</sup> birthday does not occur on or  
10 before September 10 of the school year in which child registers to enter school. A parent may  
11 request a waiver of the age requirement. All waivers are at the discretion of and subject to the  
12 approval of the Board. No pupil may be enrolled in the District if that pupil has reached his or her  
13 19<sup>th</sup> birthday on or before September 10 of the school year in which the child registers to enter  
14 school. A waiver of the age limitation must be reviewed and approved by the Board in an executive  
15 session. The Trustees may also admit an individual who has graduated from high school but is not  
16 yet 19 years of age even though no special circumstances exist for waiver of the age provision or a  
17 student who is not yet 19 years of age and experienced educational disruption and was awarded a  
18 diploma as a result and seeks access to reasonable curriculum designed to advance postsecondary  
19 success.

20  
21 *Entrance – Identity and Immunization*

22  
23 Students enrolling in the District for the first time must present a birth certificate or other reliable  
24 proof of identity and age within 40 days, as well as proof of residence. Students must also provide  
25 additional student records including original immunization records within 30 days. If the parent of  
26 the student does not provide proof of identification within 40 days, the District shall notify the  
27 Missing Children Information Program and a local law enforcement authority of the fact that no  
28 proof of identity has been presented for the child.

29  
30 Students who are homeless, in foster care, or are the child of a military family are entitled to  
31 immediate enrollment regardless of presentation of the required documentation. Nonresident  
32 students shall be admitted when required by law or as permitted by District policy.

33  
34 A student who transfers from one school district to another may photocopy immunization records in  
35 the possession of the school of origin. The District shall accept the photocopy as evidence of  
36 immunization. When a student enrolls in the Helena School District the school the student left must  
37 send the original immunization records within thirty (30) days after the student has transferred out.

38  
39 Parents who choose not to immunize their child based on religious tenets must annually submit to  
40 the District a signed and notarized affidavit on the form prescribed by the State of Montana. The  
41 form must be presented to the District prior to the child’s first day of attendance. The statement  
42 must be maintained as part of the student's immunization records. The District will also accept  
43 medical exemptions as required by law.

47 *Placement*

48  
49 The goal of the District shall be to place students at levels and in settings that will enhance the  
50 probability of student success. Developmental testing, together with other relevant criteria,  
51 including but not limited to, health, maturity, emotional stability, and developmental disabilities,  
52 may be considered in the placement of all students. Final disposition of all placement decisions rests  
53 with the Principal subject to review by the Superintendent. If a student is assigned to a school in the  
54 District outside of the adopted school boundaries applicable to that student, this decision is subject to  
55 the District's Uniform Grievance Procedure. Upon completion of these procedures, the Board's  
56 decision regarding the assignment is final.

57  
58 *Children of Relocated Military Families*

59  
60 The Board shall assign and admit a child whose parent or guardian is being relocated to Montana under  
61 military orders to a school in the district and allow the child to preliminarily enroll in classes and apply for  
62 programs offered by the District prior to arrival and establishing residency. The student may attend classes  
63 during preliminary enrollment and may receive offsite instruction if not present in the District.

64  
65 *Transfer Students*

66  
67 Resident students seeking to transfer to a District school will be admitted and placed pursuant to the  
68 terms of this policy. The District will request the student's records from the prior school district  
69 prior to making any final decision on placement.

70  
71 Elementary students shall be placed at their current grade level on a probationary basis for a period  
72 of two weeks. Should any doubt exist with the teacher and/or Principal as to grade and level  
73 placement of the student, the student shall be subject to an educational assessment to determine  
74 appropriate grade and level placement

75  
76 High school students shall be placed according to the number of credits earned in their previous  
77 accredited school districts, subject to Montana Accreditation Rules and Standards and local alternate  
78 procedures for earning credit.

81	Legal References:	§ 1-1-215, MCA	Residence -- rules for determining
82		§ 20-5-101, MCA	Admittance of child to school
83		§ 20-5-403, MCA	Immunization requirements
84		§ 20-5-404, MCA	Conditional attendance
85		§ 20-5-405, MCA	Medical or religious exemption
86		§ 20-5-406, MCA	Immunization record
87		§ 20-5-502, MCA	Enrollment by caretaker relative -- residency --
88			affidavit
89		§ 20-7-117, MCA	Kindergarten and preschool programs
90		§ 44-2-511, MCA	School enrollment procedures for missing children
91		10.55.701, ARM	Board of Trustees
92		10.55.906, ARM	High School Credit
93			



94	Cross References:	Policy 1085	Uniform Grievance Procedure
95		Policy 1065	Board Meetings
96		<u>Policy 3022</u>	<u>Children of Military Families</u>
97			
98	<u>Policy History:</u>		
99	Adopted on:		2.12.2013
100	Revised on:		10.8.2013, 12.10.2019
101			