

Superintendent Rex Weltz 324-2000 Business Manager Janelle Mickelson 324-2007

BOARD OF TRUSTEES POLICY COMMITTEE MEETING

Lincoln Center - 1325 Poplar Street November 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 OCTOBER 4, 2022, BOARD POLICY MEETING MINUTES
- V. PRESENTATION OF POLICIES FOR THIRD READING

A. 3055 Student Due Process Rights Policy

VI. PRESENTATION OF POLICIES FOR SECOND READING:

A. 1015 Goals, Mission and Vision

VII. PRESENTATION OF POLICIES FOR FIRST READING

A. 2016 Human Sexuality Instruction

VIII. PRESENTATION OF POLICIES FOR REVIEW:

A.	4000	Public Relations
B.	4030	Cooperative Programs with Other Districts and Public Agencies
C.	5030	Abused and Neglected Child Reporting
D.	5035	Staff Ethics and Political Activity
E.	5040	Personnel Records

- IX. SUPERINTENDENT OR BOARD COMMENTS
- X. ADJOURNMENT

NEXT MEETING:

Tuesday, December 6, 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, October 4th, 2022-12:00 p.m. Lincoln Center 1325 Poplar St., Helena, MT 59601 And via TEAMS

MINUTES

Attendees

Committee: Others:

Luke Muszkiewicz, Committee Chair Janet Armstrong, Committee Member Jennifer Walsh, Committee Member Rex Weltz, Superintendent

Janelle Mickelson, Business Manager Josh McKay, Assistant Superintendent

Barb Ridgway, Chief of Staff

Brian Cummings, Assistant Superintendent Joslyn Davidson, Curriculum Administrator

Candice Delvaux, Executive Assistant

Jane Shawn, HEA President

Karen Ogden, Communications Officer Kaitlyn Hess, Assessment and Federal

Programs

Gary Myers, Director of Educational

Technology

I. CALL TO ORDER

The meeting was called to order at 12:01 p.m. by Committee Chair, Luke Muszkiewicz.

II. REVIEW OF AGENDA

No changes were requested to the agenda.

III. GENERAL PUBLIC COMMENT

There was no public comment.

IV. REVIEW OF THE 09.06.2022 POLICY COMMITTEE MINUTES

The committee reviewed and approved the minutes from the 09.06.2022 Policy Committee meeting.

V. PRESENTATION OF POLICIES FOR SECOND READING

A. Policy 3070: Administration of Medication Policy

The committee reviewed and discussed Policy 3070: Administration of Medication Policy. There were no new questions or changes so the committee determined that Policy 3070: Administration of Medication Policy would go to the full Board for review.

B. Policy 2015: Curriculum Development, Content and Assessment Policy

The committee reviewed and discussed Policy 2015: Curriculum Development, Content and Assessment Policy. There were no new questions or changes so the committee determined that 2015: Curriculum Development, Content and Assessment Policy would go to the full Board for review.

C. Policy 2135: K-12 Online Learning Policy

The committee reviewed and discussed Policy 2135: K-12 Online Learning Policy. The committee had a robust discussion regarding lines 12 through 14 that state: *The District may charge students a reasonable fee for an online course or activity not required for graduation.* The Board authorizes the Superintendent to waive the fee in cases of financial hardship. Any courses the District does not pay for will not be included in the ANB calculation. The committee also discussed the different MTDA offerings and how the revenue model works.

There were no changes so the committee determined that 2135: K-12 Online Learning Policy would go to the full Board for review.

D. Policy 3010: School Admissions

The committee reviewed and discussed Policy 3010: School Admissions. The committee discussed lines 15 through 19 which states: The Trustees may also admit an individual who has graduated from high school but is not yet 19 years of age even though no special circumstances exist for waiver of the age provision or a student who is not yet 19 years of age and experienced educational disruption and was awarded a diploma as a result and seeks access to reasonable curriculum designed to advance postsecondary success. The committee also discussed lines 60 through 63 that state: The Board shall assign and admit a child whose parent or guardian is being relocated to Montana under military orders to a school in the district and allow the child to preliminarily enroll in classes and apply for programs offered by the District prior to arrival and establishing residency. The student may attend classes during preliminary enrollment and may receive offsite instruction if not present in the District. The committee also had a robust discussion on the topic early admission to kindergarten under special circumstances. There were no new suggested changes so the committee determined that Policy 3010: School Admissions would go to the full Board for review.

E. Policy 3055: Student Due Process Rights Policy

The committee reviewed and discussed Policy 3055: Student Due Process Rights Policy. The committee discussed lines 61 through 66 which states: Before expelling a student for bringing a gun to school, the trustees will hold a due process hearing that includes presentation of a summary of the information leading to the allegations and an opportunity for the student to respond to the allegations. The students may not be expelled unless the trustees find that the student knowingly brought a firearm to school or possessed a firearm at school. When a student subject to a hearing is found to have not violated this section, the student's school record must be expunged of the incident. There were no new suggested changes so the committee determined that 3055: Student Due Process Rights Policy would be sent to the full Board for review.

VI. PRESENTATION OF POLICIES FOR REVIEW:

A. Policy 1015: Goals, Mission, and Vision

The committee reviewed and discussed Policy 1015: Goals, Mission, and Vision. The committee discussed it may be worthwhile to keep the vision, mission statement, and guiding principles in the policy and perhaps replace the board goals section with the

district's strategic priorities. The committee determined that Policy 1015: Goals, Mission, and Vision would be revised and brought back to the Policy Committee for review.

B. Policy 4000: Public Relations

The committee reviewed and discussed Policy 4000: Public Relations and discussed that paragraphs three and four are redundant and the committee determined that Policy 4000: Public Relations will be revised and brought back to the policy committee for review.

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

The committee did not have enough time to go over Policy 4030: Cooperative Programs with Other Districts and Public Agencies and determined it would be reviewed at a future meeting.

D. Policy 5030: Abused and Neglected Child Reporting

The committee did not have enough time to go over Policy 5030: Abused and Neglected Child Reporting and determined it would be reviewed at a future meeting.

E. Policy 5035: Staff Ethics

The committee did not have enough time to go over Policy 5035: Staff Ethics and determined it would be reviewed at a future meeting.

F. Policy 5040: Personnel Records

The committee did not have enough time to go over Policy 5040: Personnel Records and determined it would be reviewed at a future meeting.

VII. SUPERINTENDENT OR BOARD COMMENTS

There were no additional comments.

VIII. ADJOURNMENT

Committee Chair, Luke Muszkiewicz, adjourned the meeting at 1:05 p.m.

STUDENTS

Student Due Process Rights

Out-of-School Suspension

Before an out-of-school suspension, the student shall be provided oral or written notice of the charges. If the student denies the charges, the student shall be given an explanation of the evidence and an opportunity to present his or her version. Prior notice and a hearing as stated above is not required and the student can be immediately suspended out-of-school when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the necessary notice and hearing shall follow as soon as practicable.

Any out-of-school suspension shall be reported as soon as possible to the student's parents. Additionally, a written notice of the suspension shall be sent and shall contain a statement of the reasons for the out-of-school suspension and a notice to the parents of their right to review the out-of-school suspension. Upon request of the parents, the Superintendent shall convene a meeting to review the out-of-school suspension. At the meeting, the student's parents may appear and discuss the out-of-school suspension with the Superintendent. The Superintendent shall decide whether the out-of-school suspension is appropriate. The decision of the Superintendent is final and may not be appealed to the Board.

The term of an out-of-school suspension may vary depending upon the circumstances. A student may be suspended out-of-school for an initial term not to exceed ten (10) school days. Upon a finding by an administrator, after an informal hearing with the student, that the immediate return to school would be detrimental to the health, welfare, or safety of others, or would be disruptive of the educational process, a student may be suspended out-of-school for an additional term not to exceed ten (10) school days.

 Students with rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act may be suspended in the same manner as students without those rights, although the District must follow all procedural requirements of those Acts when suspending students with disabilities out-of-school.

Expulsion

Expulsion is any removal of a student for more than twenty (20) school days without the provision of educational services. Only the Board may expel a student from school. After the administration has investigated the alleged misconduct, and made the decision to recommend an expulsion of the student to the Board, the administration shall send a written notice to the student and the parent of the following:

> 9.6.2022 Policy Committee -1^{st} Reading 10.4.2022 Policy Committee -2^{nd} Reading 11.1.2022 Policy Committee -3^{rd} Reading

10.11.2022 Full Board - 1st Reading

45 46			3055			
46 47	• the	intent to recommend an	Page 2			
48		specific charges against	•			
49		at rule or regulation was				
50		nature of the evidence su				
51			ere the hearing will be held;			
52			will be followed by the Board;			
53	• a re	eminder of the rights the	student and parents have, including the right to counsel, the			
54	rig	ht to cross examine witne	esses, and the right to present witnesses.			
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56			the parent by submitting a request showing good cause to the			
57	-	• •	to the scheduled date of the hearing. The Superintendent			
58	shall determine if	the request shows good c	ause.			
59 60	Refore expelling	e student for bringing a gr	un to school, the trustees will hold a due process hearing that			
61			nformation leading to the allegations and an opportunity for			
62	-		ne student may not be expelled unless the trustees find that			
	_	-				
63	the student knowingly brought a firearm to school or possessed a firearm at school. When a student subject to a hearing is found to have not violated this section, the student's school record must be					
64 65	•	_	brated this section, the student's school record must be			
	expunged of the in	icident.				
66 67	Students with righ	nts under the Individuals s	with Disabilities Education Act or Section 504 of the			
68			tertain circumstances, and the District must follow all			
69			uding holding a manifestation determination meeting, prior to			
70	moving forward w					
71	C	1				
72	Legal References:	§ 20-4-302, MCA	Discipline and punishment of pupils			
73		§ 20-4-402, MCA	Duties of district superintendent			
74		§ 20-5-201, MCA	Duties of pupils – sanctions			
75		§ 20-5-202, MCA	Suspension and expulsion (Revised by Senate Bill 283)			
76		20 USC 1415(k)	IDEA			
77		10.55.701, ARM	Board of Trustees			
78		Se <u>nate Bill 283</u>	Expulsion Policies and Firearms on School Grounds			
79		MCA 1-1-204	Terms denoting state of mind (Cited by Senate Bill			
80		283)				
81	Cross References:					
82	Dollow Wistoms					
83 84	<u>Policy History:</u> Adopted on:	7.2009				
85	Revised on:	3.26.2013				
55						
		nmittee – 1 st Reading	10.11.2022 Full Board – 1 st Reading			
	•	ommittee – 2 nd Reading ommittee – 3 rd Reading				
	11.1.2022 FUILLY CO	mininitiee – 3 Neauling				

Helena Public Schools 1015 1 SCHOOL DISTRICT ORGANIZATION 2 Goals, Mission and Vision 3 Vision 4 Helena Public Schools foster dynamic educational experiences that prepare all students for life. 5 **Mission Statement** 6 7 The Helena Public Schools educate, engage, and empower each student to maximize his or her 8 individual potential with the knowledge, skills and character essential to being a responsible citizen and life-long learner. 9 10 This mission will be supported through the wise use of resources to meet students' needs, regardless of interests and talents. Students, families, educators and the community are 11 committed to sharing the responsibility for creating a student-centered educational community 12 that acknowledges learning as a life-long process. 13 14 **Guiding Principles** 15 • Each student enters school healthy and learns about and practices a healthy lifestyle. • Each student learns in an intellectually challenging environment that is physically and 16 17 emotionally safe for students and adults. • Each student is actively engaged in learning and is connected to the school and broader 18 community. 19 20 • Each student has access to personalized learning and to qualified, caring adults. • Each graduate is prepared for success in college or further study and for employment in 21 a global environment. 22 23 **Board Goals** 24 Curriculum / Learning Provide relevant, integrated and meaningful learning experiences for students that will prepare them for life. 25 **Staff Support and Relationships**—Enhance the learning opportunities for students by 26 providing professional development for all employees and encouraging innovative-27 instructional practices. 28 29 Environment - All schools and work sites will be safe and foster positive and productive environments for students and staff. 30 Technology Implement technology in Helena Schools to enrich student learning and 31

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deliver more efficient administrative services.

Community Partnerships - Encourage excellence in our schools by maintaining a positive 33 34 and productive relationship with parents, employers, community members and members of the higher community. 35 Fiscal Planning A budget development process is established so the allocation of 36 resources has the greatest positive impact on the performance of students and staff. 37 38 Each year, the Board and Superintendent will formulate annual goals for the District that reflect the 39 District's vision, mission and guiding principles. 40 41 42 At the conclusion of the year, the Superintendent shall report to the Board the status of agreed upon goals and the degree to which the goals have been accomplished. 43 44 45 46 Legal Reference: Cross Reference: Policy History: Adopted on: 8.8.2011 Reviewed on: 3.2.2021 47

Helena Public Schools STUDENT INSTRUCTION **Human Sexuality Instruction** The District recognizes the right of a parent or guardian to withdraw a child from instruction or an organized school function regarding human sexuality instruction. Such withdrawals will be classified as an excused absence. "Human sexuality instruction" means teaching or otherwise providing information about human sexuality, including intimate relationships, human sexual anatomy, sexual reproduction, sexually transmitted infections, sexual acts, sexual orientation, gender identity, abstinence, contraception, or reproductive rights and responsibilities. Annual Notice and Availability of Materials The District shall annually notify the parent or guardian of each student scheduled to be enrolled in human sexuality in advance of the instruction regarding the basic content of the human sexuality instruction intended to be taught and the parent or guardian's right to withdraw the student from such instruction.

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

48 Hour Notice

Parents and guardians will be notified no less than at least 48 hours prior to holding an event or assembly or introducing material for instructional use.

This notice will contain:

 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

Annual Availability of Materials

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

No Abortion Curriculum

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

48	Legal References:	Senate Bill 99	
49		§ 20-7-120, MCA	Parameters for K-12 Human Sexuality Education
50		§ 20-5-103, MCA	Compulsory attendance and excuses (Revised by
51			Senate Bill 99)
52		10.55.701, ARM	Board of Trustees
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54	Cross References:	Policy 2015	Curriculum Development, Content, and Assessment
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57	Policy History:		
58	Adopted on:		11.9.2021
59	Revised on:		

COMMUNITY RELATIONS

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Public Relations

The District will maintain an interchange of information with the public to enable the Board and staff to assess the needs of the schools and the community. The District will provide a means for members of the public to obtain information about District activities and to provide the public with a reasonable opportunity to participate in the decisions of the Board.

The Superintendent will establish and maintain a communication program within the school system district and with the public. This program will include, but not be limited to, providing for news releases at appropriate times, inviting/requesting media coverage of District programs and events, maintaining regular direct communications between schools and the citizens they serve, assisting staff and the Board in improving their skills and understanding in communicating with the public.

The Board will enhance the value of public awareness of and participation in education issues by participating in training and informational meetings in regard to the public's right to know and right of participation. The District may solicit community opinion through parent organizations, parent teacher conferences, open houses, and other events or activities which may bring staff and citizens together.

To assist in the public's involvement, The District will solicit community opinion to ensure that the ideas, interests and concerns are considered in the decision-making processes. Community opinions may come from a variety of sources, including, but not limited to: (a) parent organizations, parent-teacher conferences, open houses; (b) advocacy, non-profit, parent or community-based organizations; (c) business, civic and non-governmental organizations; (d) other educational organizations,(e) any established school related communication committees, (e) surveys, and (f) other events or activities which may bring the members of the Board or staff and the public together.

32 Legal Reference:

Art. II, Sec. 8, Montana Constitution - Right of participation

Art. II, Sec. 9, Montana Constitution - Right to know

35 Policy History:

6.10.2014

36 Adopted on: Revised on:

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Adopted on:

Revised on:

Reviewed on:

COMMUNITY RELATIONS 2 4030 3 Cooperative Programs with Other Districts and Public Agencies 4 Whenever it appears to the economic, administrative, and/or educational advantage of the 5 District to participate in cooperative programs with other units of local government, the Superintendent will conduct an analysis of each cooperative proposal. 6 7 When formal cooperative agreements are developed, such agreements shall comply with requirements of the Interlocal Cooperation Act, with assurances that all parties to the agreement 8 9 have legal authority to engage in the activities contemplated by the agreement. 10 The District may enter into interlocal agreements with a unit of the Montana University System, public community college, and/or tribal college, which would allow students enrolled in the 11th 11 12 and 12th grades to attend and earn credit for classes not available in the District. Tuition and 13 fees, if assessed, will be provided for in the interlocal agreement. 14 The District may enter into an interlocal agreement providing for the sharing of teachers, 15 specialists, superintendents, or other professional persons licensed under Montana statute. If the District shares a teacher or specialist with another district(s), the District's share of such 16 17 teacher's or specialist's compensation will be based on the total number of instructional hours 18 expended by the teacher or the specialist in the District. 19 Legal Reference: § 7-11-101, et seg., MCA Interlocal Cooperation Act 20 § 20-3-363 Multidistrict agreements 21 § 20-7-451 through 456, MCA Authorization to create full service 22 education cooperatives 23 § 20-7-801, et seq., MCA Public recreation 24 25 Policy History:

11.11.2014

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PERSONNEL

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Abused and Neglected Child Reporting

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A District employee who has reasonable cause to suspect that a student may be an abused or neglected child shall report such a case to the Montana Department of Public Health and Human Services and notify the Superintendent or principal that a report has been made. An employee does not discharge the obligation to personally report by notifying the Superintendent or principal.

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Any District employee who fails to report a suspected case of abuse or neglect to the Department of Public Health and Human Services, or who prevents another person from doing so, may be civilly liable for damages proximately caused by such failure or prevention and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination.

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Legal References: § 41-3-201, MCA Reports

19 § 41-3-202, MCA Action on reporting 20 § 41-3-203, MCA Immunity from liability

§ 41-3-205, MCA Confidentiality – disclosure exceptions

§ 41-3-207, MCA Penalty for failure to report

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24 Cross References:

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26 <u>Policy History</u>:

27 Adopted on: 8.13.2013

28 Revised on:

29 Reviewed on:

30 31 PERSONNEL

Staff Ethics and Political Activity

All District employees are expected to maintain high standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional relationships with students, parents, staff members, and others. Employees should not dispense or utilize any confidential and /or private information gained from employment with the District, accept gifts or benefits, or participate in business enterprises or employment that creates a conflict of interest with the faithful and impartial discharge of the employee's District duties. A District employee, before acting in a manner which might impinge on any fiduciary duty, must disclose the nature of the private interest which would create a conflict. Care should be taken to avoid using or avoid the appearance of using official positions and confidential information for personal advantage or gain.

Further, employees must maintain confidentiality with respect to information pertaining to student records, employee records or confidential communications from staff. Employees also will respect the confidentiality of people served in the course of an employee's duties and use information gained in a responsible manner. The District may discipline, up to and including termination, any employee who discloses confidential and/or private information learned during the course of the employee's duties. Discretion should be used even within the school system's own network of communication.

Political Activity

The Board recognizes its employees' rights of citizenship, including, but not limited to, engaging in political activities. A District employee may seek an elective office, provided the employee does not campaign on school property during working hours, and provided all other legal requirements are met. An employee elected to office is entitled to take a leave of absence without pay.

Employees may not, in or on District property, attempt to coerce, command, or require another to support or oppose any political committee, the nomination or election of any person to public office, or the passage of a ballot issue. Employees may not solicit support for or in opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue, while on the job or in or on District property. Employees may not use the District's electronic communication system for political activity, except as permitted by law.

Legal References: 5 USC 7321, et seq. Hatch Act

§ 2-18-620, MCA Mandatory leave of absence for employees holding

public office - return requirements

§ 20-1-201, MCA School officers not to act as agents

§ 13-35-266, MCA Unlawful acts of employers and employees § 41-3-205, MCA Confidentiality – disclosure exceptions

Cross References:

50 <u>Policy History</u>:

51 Adopted on: 8.13.2013

52 Revised on:

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3 Personnel

Personnel Records

The District maintains a complete personnel record for every current and former employee. The employees' personnel records will be maintained in the District's administrative office, under the direct supervision of the Personnel Office. Employees and their designees will be given access to their personnel records, in accordance with guidelines developed by the Superintendent. In addition to the Personnel Office or other designees, counsel retained by the Board will also have access to a cumulative personnel file. Personnel files shall be maintained for minimum 10 years after the employee's separation from employment.

 No material derogatory to an employee's conduct, service, character, or personality shall be placed in the file, unless the employee has had the opportunity to read the material. The employee shall be entitled to respond to the material and to have that response placed in the file, if requested in a reasonable period of time, not to exceed 60 days.

The District shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon request, for any teacher or paraprofessional who is employed by a school receiving Title I funds, and who provides instruction to their child at that school.

The Superintendent shall develop procedures regarding the content, maintenance and access to personnel records maintained by the District.

Legal References:	20 USC 6301	No Child Left Behind Act
	29 USC 201, et seq	Fair Labor Standards Act
	§ 2-6-101, et al MCA	Public Records Generally
	§ 20-1-212, MCA	Destruction of Records by School
		Officer
	24.9.805, ARM	Employment Records

Cross References:

38 Policy History:

39 Adopted on: 10.8.2013

40 Revised on: 41 Reviewed on: