



Superintendent
Rex Weltz
324-2000

Business Manager
Janelle Mickelson
324-2007

**BOARD OF TRUSTEES
POLICY COMMITTEE MEETING
Lincoln Center - 1325 Poplar Street
December 9, 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 NOVEMBER 1, 2022, BOARD POLICY MEETING MINUTES

V. PRESENTATION OF POLICIES FOR SECOND READING:

- A. 1015 Goals, Mission and Vision
- B. 4000 Public Relations

VI. PRESENTATION OF POLICIES FOR FIRST READING

- A. 7009 Lease Capitalization Threshold

VII. PRESENTATION OF POLICIES FOR REVIEW:

- A. 4030 Cooperative Programs with Other Districts and Public Agencies (11.11.2014)
- B. 5030 Abused and Neglected Child Reporting (8.13.2013)
- C. 5035 Staff Ethics and Political Activity (8.13.2013)
- D. 5040 Personnel Records (10.8.2013)
- E. 5045 Family and Medical Leave Act (6.10.2014)
- F. 5050 State of Montana VEBA Health Benefit Plan (3.8.2016)
- G. 5051 Insurance Benefits for Employees (6.14.2016)

VIII. SUPERINTENDENT OR BOARD COMMENTS

IX. ADJOURNMENT

**NEXT MEETING:
Tuesday, January 3, 2023 - 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, November 1st, 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

Bea Kaleva, District Counsel
Janelle Mickelson, Business Manager
Josh McKay, Assistant Superintendent
Barb Ridgway, Chief of Staff
Brian Cummings, Assistant Superintendent
Candice Delvaux, Executive Assistant
Jane Shawn, HEA President
Karen Ogden, Communications Officer
Gary Myers, Director of Educational
Technology
Keri Mizell, Human Resources Director

I. CALL TO ORDER

The meeting was called to order at 12:02 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 10.04.2022 POLICY COMMITTEE MINUTES

The committee reviewed and approved the minutes from the 10.04.2022 Policy Committee meeting.

V. PRESENTATION OF POLICIES FOR THIRD READING

A. Policy 3055: Student Due Process Rights Policy

The committee reviewed and discussed Policy 3055 Student Due Process Rights Policy. Ms. Ridgway, Chief of Staff, stated that Policy 3055 had a first reading before the full Board of Trustees and there were no changes. The committee discussed that there is a separate policy for student discipline, and the language between the two policies is consistent. The committee determined that Policy 3055: Student Due Process Rights Policy would go to the full Board for review.

VI. PRESENTATION OF POLICIES FOR SECOND READING

A. Policy 1015: Goals, Mission, and Vision

The committee reviewed and discussed Policy 1015: Goals, Mission, and Vision. At the previous Policy Committee meeting the committee recommended that Board goals should be removed from policy, so lines 24 through 37 were removed. The committee discussed it would be beneficial to add additional verbiage about the District's annual goals and how often the District goals would be reviewed. The committee stated it would be beneficial to further review and discuss the District's Mission Statement. The committee had a robust conversation about the review of District policies. The committee determined that Policy 1015: Goals, Mission, and Vision would be revised and brought back to the Policy Committee for further review.

VII. PRESENTATION OF POLICY FOR FIRST READING

A. Policy 2016: Human Sexuality Instruction

The committee reviewed Policy 2016: Human Sexuality Instruction and had a robust discussion regarding the policy. The committee discussed lines 18 through 29 which states: *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. Parents and guardians will be notified at least 48 hours prior to holding an event or assembly or introducing material for instruction use.* The committee discussed that lines 31 through 33 are being removed because the same information is stated in the *Annual Notice and Availability of Materials* section on lines 16 through 24. The group also reviewed lines 42 through 44 which states: *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 provided abortion services.* The committee determined that Policy 2016: Human Sexuality Instruction would come back to the Policy Committee for further review and discussion.

VIII. PRESENTATION OF POLICIES FOR REVIEW

A. Policy 4000: Public Relations

The committee reviewed and discussed Policy 4000: Public Relations and discussed that lines 18 through 21 were stricken because the language was redundant. The committee determined that Policy 4000: Public Relations would go to the full Board for review.

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

The committee reviewed Policy 4030: Cooperative Programs with Other Districts and Public Agencies and determined no action was necessary since there were no questions or changes.

C. Policy 5030: Abused and Neglected Child Reporting

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

D. 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.

E. **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.

IX. SUPERINTENDENT OR BOARD COMMENTS

There were no additional comments.

X. ADJOURNMENT

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

2 SCHOOL DISTRICT ORGANIZATION

3 Goals, Mission and Vision

4 **Vision**

5 Helena Public Schools foster dynamic educational experiences that prepare all students for life.

6 **Mission Statement**

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

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

14 **Guiding Principles**

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

23 **Board Goals**

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

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

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

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

33 ~~**Community Partnerships**—Encourage excellence in our schools by maintaining a positive~~
34 ~~and productive relationship with parents, employers, community members and members of~~
35 ~~the higher community.~~

36 ~~**Fiscal Planning**—A budget development process is established so the allocation of~~
37 ~~resources has the greatest positive impact on the performance of students and staff.~~

38
39 Each year, the Board and Superintendent will formulate annual goals for the District that reflect the
40 District’s vision, mission and guiding principles.

41
42 The Superintendent will provide the Board with a mid-year progress update.

43
44 At the conclusion of the year, the Superintendent shall report to the Board the status of agreed upon
45 goals and the degree to which the goals have been accomplished.

46
47
48

Legal Reference:

Cross Reference:

Policy History:

Adopted on: 8.8.2011

Reviewed on: 3.2.2021

49

1 **Helena Public Schools**

2
3 **COMMUNITY RELATIONS**

4000

4
5 Public Relations

6
7 The District will maintain an interchange of information with the public to enable the Board and staff to
8 assess the needs of the schools and the community. The District will provide a means for members of the
9 public to obtain information about District activities and to provide the public with a reasonable
10 opportunity to participate in the decisions of the Board.

11
12 The Superintendent will establish and maintain a communication program within the school system
13 ~~district~~ and with the public. This program will include, but not be limited to, providing for news releases
14 at appropriate times, inviting/requesting media coverage of District programs and events, maintaining
15 regular direct communications between schools and the citizens they serve, assisting staff and the Board
16 in improving their skills and understanding in communicating with the public.

17
18 ~~The Board will enhance the value of public awareness of and participation in education issues by~~
19 ~~participating in training and informational meetings in regard to the public's right to know and right of~~
20 ~~participation. The District may solicit community opinion through parent organizations, parent teacher~~
21 ~~conferences, open houses, and other events or activities which may bring staff and citizens together.~~

22
23 ~~To assist in the public's involvement,~~ The District will solicit community opinion to ensure that the ideas,
24 interests and concerns are considered in the decision-making processes. Community opinions may come
25 from a variety of sources, including, but not limited to: (a) parent organizations, parent-teacher
26 conferences, open houses; (b) advocacy, non-profit, parent or community-based organizations; (c)
27 business, civic and non-governmental organizations; (d) other educational organizations,(e) any
28 established school related communication committees, (e) surveys, and (f) other events or activities
29 which may bring the members of the Board or staff and the public together.

30
31
32 Legal Reference: Art. II, Sec. 8, Montana Constitution - Right of participation
33 Art. II, Sec. 9, Montana Constitution - Right to know

34
35 Policy History: 6.10.2014

36 Adopted on:

37 Revised on:

1 **Helena Public Schools**

2 **COMMUNITY RELATIONS**

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
6 Superintendent will conduct an analysis of each cooperative proposal.

7 When formal cooperative agreements are developed, such agreements shall comply with
8 requirements of the Interlocal Cooperation Act, with assurances that all parties to the agreement
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,
11 public community college, and/or tribal college, which would allow students enrolled in the 11th
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
16 District shares a teacher or specialist with another district(s), the District's share of such
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 seq., 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:
26 Adopted on: 11.11.2014
27 Revised on:
28 Reviewed on:

2
3 PERSONNEL

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5 Abused and Neglected Child Reporting

6
7 A District employee who has reasonable cause to suspect that a student may be an abused or
8 neglected child shall report such a case to the Montana Department of Public Health and Human
9 Services and notify the Superintendent or principal that a report has been made. An employee does
10 not discharge the obligation to personally report by notifying the Superintendent or principal.

11
12 Any District employee who fails to report a suspected case of abuse or neglect to the Department
13 of Public Health and Human Services, or who prevents another person from doing so, may be
14 civilly liable for damages proximately caused by such failure or prevention and is guilty of a
15 misdemeanor. The employee will also be subject to disciplinary action up to and including
16 termination.

17	Legal References:	§ 41-3-201, MCA	Reports
18		§ 41-3-202, MCA	Action on reporting
19		§ 41-3-203, MCA	Immunity from liability
20		§ 41-3-205, MCA	Confidentiality – disclosure exceptions
21		§ 41-3-207, MCA	Penalty for failure to report
22			

23
24 Cross References:

25
26 Policy History:

27 Adopted on: 8.13.2013

28 Revised on:

29 Reviewed on:

30

31

2
3 PERSONNEL

4
5 Staff Ethics and Political Activity

6
7 All District employees are expected to maintain high standards in their school relationships, to
8 demonstrate integrity and honesty, to be considerate and cooperative, and to maintain
9 professional relationships with students, parents, staff members, and others. Employees should
10 not dispense or utilize any confidential and /or private information gained from employment with
11 the District, accept gifts or benefits, or participate in business enterprises or employment that
12 creates a conflict of interest with the faithful and impartial discharge of the employee’s District
13 duties. A District employee, before acting in a manner which might impinge on any fiduciary
14 duty, must disclose the nature of the private interest which would create a conflict. Care should
15 be taken to avoid using or avoid the appearance of using official positions and confidential
16 information for personal advantage or gain.

17
18 Further, employees must maintain confidentiality with respect to information pertaining to
19 student records, employee records or confidential communications from staff. Employees also
20 will respect the confidentiality of people served in the course of an employee’s duties and use
21 information gained in a responsible manner. The District may discipline, up to and including
22 termination, any employee who discloses confidential and/or private information learned during
23 the course of the employee’s duties. Discretion should be used even within the school system’s
24 own network of communication.

25
26 *Political Activity*

27
28 The Board recognizes its employees’ rights of citizenship, including, but not limited to, engaging
29 in political activities. A District employee may seek an elective office, provided the employee
30 does not campaign on school property during working hours, and provided all other legal
31 requirements are met. An employee elected to office is entitled to take a leave of absence
32 without pay.

33
34 Employees may not, in or on District property, attempt to coerce, command, or require another to
35 support or oppose any political committee, the nomination or election of any person to public
36 office, or the passage of a ballot issue. Employees may not solicit support for or in opposition to
37 any political committee, the nomination or election of any person to public office, or the passage
38 of a ballot issue, while on the job or in or on District property. Employees may not use the
39 District’s electronic communication system for political activity, except as permitted by law.

40
41 Legal References: 5 USC 7321, et seq. Hatch Act
42 § 2-18-620, MCA Mandatory leave of absence for employees holding
43 public office - return requirements
44 § 20-1-201, MCA School officers not to act as agents
45 § 13-35-266, MCA Unlawful acts of employers and employees
46 § 41-3-205, MCA Confidentiality – disclosure exceptions

47
48 Cross References:

49
50 Policy History:

51 Adopted on: 8.13.2013

52 Revised on:

2
3 PERSONNEL

4
5 Personnel Records

6
7 The District maintains a complete personnel record for every current and former employee.
8 The employees’ personnel records will be maintained in the District’s administrative office,
9 under the direct supervision of the Personnel Office. Employees and their designees will be
10 given access to their personnel records, in accordance with guidelines developed by the
11 Superintendent. In addition to the Personnel Office or other designees, counsel retained by
12 the Board will also have access to a cumulative personnel file. Personnel files shall be
13 maintained for minimum 10 years after the employee’s separation from employment.

14
15 No material derogatory to an employee’s conduct, service, character, or personality shall be
16 placed in the file, unless the employee has had the opportunity to read the material. The
17 employee shall be entitled to respond to the material and to have that response placed in the
18 file, if requested in a reasonable period of time, not to exceed 60 days.

19
20 The District shall release information regarding the professional qualifications and degrees of
21 teachers and the qualifications of paraprofessionals to parents upon request, for any teacher
22 or paraprofessional who is employed by a school receiving Title I funds, and who provides
23 instruction to their child at that school.

24
25 The Superintendent shall develop procedures regarding the content, maintenance and
26 access to personnel records maintained by the District.

27	28 Legal References:	20 USC 6301	No Child Left Behind Act
29		29 USC 201, et seq	Fair Labor Standards Act
30		§ 2-6-101, et al MCA	Public Records Generally
31		§ 20-1-212, MCA	Destruction of Records by School
32			Officer
33		24.9.805, ARM	Employment Records
34			

35
36 Cross References:

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38 Policy History:

39 Adopted on: 10.8.2013

40 Revised on:

41 Reviewed on:

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2
3 PERSONNEL

4
5 Family Medical Leave

6
7 In accordance with provisions of the Family Medical Leave Act, a leave of absence of up
8 to 12 weeks during a 12 month period may be granted to an eligible employee for the
9 following reasons: 1) birth of a child; 2) placement of a child for adoption or foster care;
10 3) a serious health condition which makes the employee unable to perform functions of
11 the job; 4) to care for the employee’s spouse/domestic partner, child, or parent with a
12 serious health condition; or 5) because of a qualifying exigency (as the Secretary shall,
13 by regulation, determine) arising out of the fact that the spouse/domestic partner, or a
14 son, daughter, or parent of the employee is on covered active duty (or has been notified of
15 an impending call or order to covered active duty) in the Armed Forces. The District will
16 measure the 12 month period during which an employee may take FMLA leave by rolling
17 forward one calendar year from the first date of use of leave.

18
19 Subject to section 103 of the FMLA of 1993, as amended, an eligible employee who is
20 the spouse/domestic partner, son, daughter, parent, or next of kin of a covered service
21 member shall be entitled to a total of 26 workweeks of leave during a 12-month period to
22 care for the service member. The leave described in this paragraph shall only be available
23 during a single 12-month period.

24
25 An employee is eligible for FMLA leave, if the employee has been employed for at least
26 twelve (12) months and has worked at least one thousand two hundred fifty (1,250) hours
27 during the twelve (12) months immediately prior to the date leave is requested and there have
28 been at least fifty (50) District employees within seventy-five (75) miles for each working
29 day during twenty (20) or more workweeks in the current or preceding calendar year.

30
31 Employees will be required to use appropriate paid leave while on FMLA leave. Workers’
32 compensation absences will be designated FMLA leave. The Superintendent or designee has
33 discretion to require medical certification to determine initial or continued eligibility under
34 FMLA, as well as fitness for duty.

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37 Legal References: 29 USC 2601, et seq. Family and Medical Leave Act
38 29 USC 201, et seq Fair Labor Standards Act
39 § 2-6-101, et al MCA Public Records Generally
40 24.9.805, ARM Employment Records

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42 Cross References: Common Law Affidavit
43 Affidavit of Domestic Partnership

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45 Policy History:

46 Adopted on: 6.10.2014

47 Revised on:

2
3 **PERSONNEL**

4
5 Montana VEBA (Voluntary Employee Beneficiary Association) Health Benefit Plan

6
7 The Helena School District #1 is eligible for participation in the State of Montana VEBA
8 Health Benefit Plan and Trust (“the Plan”) which was adopted by the Board of Trustees on
9 December 8, 2015, by acceptance of a completed Employer Adoption Agreement by the
10 State of Montana Department of Administration.

11
12 This policy will be in effect for the following group as defined below.

13
14 Classified/Non-Certified employees who are members of the Montana
15 Public Employees Retirement System (MPERS) and eligible for retirement
16 from MPERS, i.e. at least 50 years old with 5 years vested in MPERS, or
17 members of the district “Administrative and Independent Group” with
18 management of at least 2 employees. Contributions made on behalf of the
19 employee by the District shall be applied uniformly to all eligible
20 employees and such contributions shall be made on behalf of all eligible
21 employees. This policy requires that all employees separating from service
22 in such group while this policy is in effect shall be required to contribute the
23 value of a quarter of their accumulated sick leave, and the value of any
24 other periodic employer provided retirement benefit for this group that may
25 be approved by the Board of Trustees for Helena School District No. 1.

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29 Policy History

30 Adopted On: 3.8.2016

31 Revised On:

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3 PERSONNEL

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5 Insurance Benefits for Employees

6
7 Certified and classified employees whose employment is governed by the terms of a collective bargaining
8 agreement are eligible for insurance benefits offered by the District as stated in the current collective
9 bargaining agreement. Other employees will be offered insurance benefits consistent with the District’s
10 cafeteria benefit plan.

11
12 A medical examination at the expense of the employee may be required, if the employee elects to join the
13 District health insurance program after initially refusing coverage during the “open season,” as defined in
14 the plan documents. An eligible employee wishing to initiate, discontinue or change health insurance
15 coverage must initiate the action by contacting the Human Resources office and completing appropriate
16 forms.

17
18
19
20 Legal References: § 2-18-702, MCA Group insurance for public employees and officers
21 § 2-18-703, MCA Contributions

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23
24 Cross References:

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26 Policy History:

27 Adopted on: 6.14.2016

28 Revised on:
29
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31