



Superintendent
Rex Weltz
324-2000

Business Manager
Janelle Mickelson
324-2007

**BOARD OF TRUSTEES
POLICY COMMITTEE MEETING
Lincoln Center - 1325 Poplar Street
January 3, 2023
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 DECEMBER 9, 2022, BOARD POLICY MEETING MINUTES

V. PRESENTATION OF POLICIES FOR SECOND READING:

- A. 1015 Vision, Mission and Guiding Principles
- B. 7009 Lease Capitalization Threshold
- C. 4030 Cooperative Programs with Other Districts and Public Agencies (11.11.2014)
- D. 5030 Abused and Neglected Child Reporting (8.13.2013)
- E. 5035 Staff Ethics and Political Activity (8.13.2013)
- F. 5040 Personnel Records (10.8.2013)
- G. 5045 Family Medical Leave Act (6.10.2014)
- H. 5050 State of Montana VEBA Health Benefit Plan (3.8.2016)

VI. PRESENTATION OF POLICIES FOR FIRST READING

- A. 7060 School Safety (8.11.2020)

VII. PRESENTATION OF POLICIES FOR REVIEW:

- A. 5051 Insurance Benefits for Employees (6.14.2016)
- B. 5070 Disciplinary Action (8.13.2013)
- C. 5075 Termination of Employment (8.13.2013)

VIII. SUPERINTENDENT OR BOARD COMMENTS

IX. ADJOURNMENT

**NEXT MEETING:
Tuesday, February 7, 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, December 9th, 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
Candice Delvaux, Executive Assistant
Jane Shawn, HEA President
Gary Myers, Director of Educational Technology
Keri Mizell, Human Resources Director
Lona Carter, School Health Grant Facilitator
Mary Beth Linder, Guest of the Public

I. CALL TO ORDER

The meeting was called to order at 12:04 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 general public comment.

IV. REVIEW OF THE 11.01.2022 POLICY COMMITTEE MINUTES

The committee reviewed and approved the minutes from the 11.01.2022 Policy Committee meeting.

V. PRESENTATION OF POLICIES FOR SECOND READING

A. Policy 1015: Goals, Mission, and Vision

The committee reviewed and discussed Policy 1015: Goals, Mission, and Vision. This policy has been amended to eliminate the inclusion of goals which are dynamic and regularly modified or revised. Rather the Policy Committee has recommended adding language that addressed both a mid-year and final report on the agreed upon annual goals. The committee recommended changing the title of the policy to: *Policy 1015: Vision, Mission, and Guiding Principles*. The committee determined that Policy 1015: Goals, Mission, and Vision or newly titled Policy 1015: Vision, Mission and Guiding Principles would go to the full Board for first reading/information.

B. Policy 4000: Public Relations

The committee reviewed and discussed Policy 4000: Public Relations. The committee is recommending minor changes to Policy 4000 to include: eliminating redundancy and acknowledging surveys as a means to gather input from the community. The committee determined that Policy 4000: Public Relations would go to the full Board for review and action.

VI. PRESENTATION OF POLICIES FOR FIRST READING

A. Policy 7009: Lease Capitalization Threshold

Mrs. Janelle Mickelson, Business Manager for the Helena School District, reviewed Policy 7009: Lease Capitalization Threshold with the committee. Governmental Accounting Standards Board Statement 87 Leases (GASB 87) establishes a single model for lease accounting based on the principle that leases are financings of the right to use an asset. GASB 87 applies to leases of capital assets—including buildings, land, vehicles, and equipment. For the District's purposes any assets with a present value less than \$150,000

will not be reported as a liability in the financial statement. The committee determined that Policy 7009: Lease Capitalization Threshold will go to the full Board for first reading/information.

VII. PRESENTATION OF POLICIES FOR REVIEW

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

The committee reviewed Policy 4030: Cooperative Programs with Other Districts and Public Agencies and had a robust discussion regarding the policy. This policy was adopted on 11.11.2014, and the committee discussed it would be beneficial to research if there have been any legal changes since 2014 that would affect this policy. The committee determined that Policy 4030: Cooperative Programs with Other Districts and Public Agencies would come back to the Policy Committee for further review and discussion.

B. Policy 5030: Abused and Neglected Child Reporting

The committee reviewed and discussed Policy 5030: Abused and Neglected Child Reporting. Policy 5030 mentions that: *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 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. 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.* The committee mentioned that additional research and discussion would be beneficial for the following statement *“may be civilly liable for damages proximately caused by such failure or prevention and is guilty of a misdemeanor”*. The committee determined that Policy 5030: Abused and Neglected Child Reporting would come back to the Policy Committee for further review and discussion.

C. Policy 5035: Staff Ethics and Political Activity

The committee reviewed and discussed Policy 5035: Staff Ethics and Political Activity. Ms. Barb Ridgway, Chief of Staff, mentioned that she would check the citations for this policy and the committee discussed that there is some redundancy in the wording of the policy. The committee determined that Policy 5035: Staff Ethics and Political Activity would come back to the Policy Committee for further review and discussion. The committee also determined that Trustees and the Superintendent or designee needed to be authorized to advocate for the MTSBA’s legislative platform in the 2023 legislature.

D. Policy 5040: Personnel Records

The committee reviewed Policy 5040: Personnel Records and had a robust discussion. Ms. Barb Ridgway, Chief of Staff, and Ms. Keri Mizell, Human Resources Director, mentioned they would review the policy together and check to see if there have been any changes in the law that would affect this policy. The committee determined Policy 5040: Personnel Records would come back to the Policy Committee for further review and discussion.

E. Policy 5045: Family Medical Leave

The committee reviewed and discussed Policy 5045: Family Medical Leave. The committee determined that on lines 12 and 13 the following statement needs further research and clarification: *(as the Secretary shall, by regulation, determine)*. Ms. Barb Ridgway, Chief of Staff, and Ms. Keri Mizell, Human Resources Director, mentioned they would review the policy together, along with the citations. The committee members mentioned that subheadings in the policy would be beneficial. The committee determined Policy 5045: Family Medical Leave would come back to the Policy Committee for further review and discussion.

F. Policy 5050: Montana VEBA (Voluntary Employee Beneficiary Association) Health Benefit Plan

The committee reviewed and discussed Policy 5050: Montana VEBA (Voluntary Employee Beneficiary Association) Health Benefit Plan. Mrs. Janelle Mickelson mentioned there are currently no members of this plan. The committee determined that this policy requires further research and that Policy 5050: Montana VEBA (Voluntary Employee Beneficiary Association) Health Benefit Plan would come back to the Policy Committee for further review and discussion.

VIII. SUPERINTENDENT OR BOARD COMMENTS

There were no additional comments.

IX. ADJOURNMENT

Committee Chair, Luke Muszkiewicz, adjourned the meeting at 1:04 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.

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Legal Reference:

Cross Reference:

Policy History:

Adopted on: 8.8.2011

Reviewed on: 3.2.2021

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OPERATIONAL SERVICES

Lease Capitalization Threshold

In accordance with GASB 87, a lease is defined as a contract that conveys control of the right to use another entity’s nonfinancial asset (the underlying asset) as specified in the contract for a period of time in an exchange or exchange-like transaction. Examples of nonfinancial assets include buildings, land, vehicles, and equipment. Any contract that meets this definition should be accounted for under the leases guidance, unless specifically excluded in this Statement.

School Districts may establish a lease liability threshold for leases that are clearly insignificant individually and in the aggregate. This threshold defines the dollar amount at which a lease with a maximum possible term of more than one year will be classified as a lease liability. A district may establish a single capitalization threshold for all leases or different capitalization thresholds for different classes of leases. The threshold should be established at a small enough level such that the leases excluded would be clearly insignificant to financial reporting in aggregate. In establishing a threshold, districts should consider the different types and groups of leases they have, and management information needs.

Based on the above guidelines, the district has determined a lease liability threshold of \$150,000. This capitalization threshold applies to all leases with a maximum possible term of more than one year. Equipment leases of similar type will be aggregated together when evaluating if they meet the district threshold. If no explicit rate is stated in an existing lease agreement, the borrowing rate of the Montana Board of Investments as of June 30, 2022, will be used to calculate the lease liability. For future lease agreements with no stated explicit rate, the borrowing rate of the Montana Board of Investments at the time of execution will be used to calculate the lease liability.

Legal References: GASB (Governmental Accounting Standards Board) 87
Accounting for Leases

Cross References:

Policy History:

Adopted on:

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, 20-7-452, ~~20-7-453~~, 20-7-454, 20-7-455, 20-7-456, MCA
22 Authorization to create full service 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:

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3 PERSONNEL

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5 Abused and Neglected Child Reporting

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

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

18
19 Any District employee who fails to report a suspected case of abuse, neglect, or sex trafficking to
20 the Department of Public Health and Human Services, or who prevents another person from
21 doing so, may be civilly liable for damages proximately caused by such failure or prevention and
22 is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and
23 including termination.

24
25 When a District employee makes a report, the Department of Public Health and Human Services
26 may share information with that individual or others as permitted by law. Individuals in the
27 District who receive information related to a report of child abuse, neglect, or sex trafficking
28 shall maintain the confidentiality of the information.

29	
30	Legal References: § 41-3-201, MCA Reports
31	§ 41-3-202, MCA Action on reporting
32	§ 41-3-203, MCA Immunity from liability
33	§ 41-3-205, MCA Confidentiality – disclosure exceptions
34	§ 41-3-207, MCA Penalty for failure to report
35	§ 45-5-501, MCA Definitions
36	§ 45-5-502, MCA Sexual Assault
37	§ 20-7-1316, MCA <u>Child Sex Trafficking Prevention</u>

38 Cross References:

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40 Policy History:

41 Adopted on: 8.13.2013

42 Revised on:

43 Reviewed on:

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3 PERSONNEL4
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 Title 2, Chapter 2, Part 1 Standards of Conduct

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49 Cross References:

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51 Policy History:

52 Adopted on: 8.13.2013

53 Revised on:

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3 PERSONNEL

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5 Personnel Records

6
7 The District maintains a complete, confidential personnel record for every current and former
8 employee. The employees’ personnel records will be maintained in the District’s
9 administrative office, under the direct supervision of the Personnel Office.

10
11 Employees ~~and their designees~~ will be given access to their personnel records, in accordance
12 with guidelines developed by the Superintendent.

13
14 In addition to the Personnel Office or other designees, counsel retained by the Board will also
15 have access to a cumulative personnel file. Personnel files shall be maintained for minimum
16 10 years after the employee’s separation from employment.

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

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

27
28 The Superintendent shall develop procedures regarding the content, maintenance and
29 access to personnel records maintained by the District.

30	Legal References:	20 USC 6301	No Child Left Behind Act
31		29 USC 201, et seq	Fair Labor Standards Act
32		§ 2-6-101, et al MCA	Public Records Generally
33		§ 20-1-212, MCA	Destruction of Records by School
34			Officer
35		24.9.805, ARM	Employment Records
36		§ 2-6-1001, MCA	Definitions
37		10.55.701(4), ARM	Board of Trustees
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40 Cross References:

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42 Policy History:

43 Adopted on: 10.8.2013

44 Revised on:

45 Reviewed on:

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3 PERSONNEL

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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 Servicemember Family Leave

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

26
27 Eligibility

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

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

39	40	41	42	43	44
41	Legal References:	29 USC 2601, et seq.		Family and Medical Leave Act	
42		29 USC 201, et seq		Fair Labor Standards Act	
43		<u>29 C.F.R. Part 825</u>		<u>Family and Medical Leave</u>	
44				<u>Regulations</u>	
45		<u>§§2-18-601, et seq., MCA</u>		<u>Leave Time</u>	
46		<u>§§49-2-301, et seq., MCA</u>		<u>Prohibited Discriminatory Practices</u>	
47		<u>Section 585 –</u>		<u>National Defense Authorization Act</u>	

48 § 2-6-101, et al MCA Public Records Generally
49 24.9.805, ARM Employment Records
50 for FY 2008, Public 21 Law [110-
51 181]
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53 Cross References: Common Law Affidavit
54 Affidavit of Domestic Partnership
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56 Policy History:
57 Adopted on: 6.10.2014
58 Revised on:

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3 **PERSONNEL**

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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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27
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29 Policy History

30 Adopted On: 3.8.2016

31 Revised On:

2 **OPERATIONAL SERVICES**

3 School Safety

4
5 The Board recognizes that safety and health standards should be incorporated into all aspects of the
6 operation of the District. Rules for safety and prevention of accidents will be posted in compliance
7 with Montana Safety Culture Act and the Montana Occupational Safety and Health Act. Injuries and
8 accidents will be reported to the District office.
9

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

16 *Safety or Emergency Plans*

17
18 The Board shall review the District safety or emergency operations plan ~~periodically~~ annually
19 and update the plan as determined necessary by the trustees based on changing circumstances
20 pertaining to school safety. Once the Board has made the certification to OPI, it may transfer
21 funds pursuant to Section 20-1-401, MCA to make improvements to school safety and security.
22

23 *School Closure*

24
25 The Superintendent is authorized to close the schools in the event of hazardous weather or other
26 emergencies that threaten the safety of students, staff members, or school property. Specific
27 procedures for school closures may be found in the District’s Safety Plan or Emergency Operations
28 Plan
29

30 *Hazardous and Infectious Materials*

31
32 The Superintendent shall take all reasonable measures to protect the safety of District personnel,
33 students, and visitors on District premises from risks associated with hazardous materials, including
34 pesticide, and infectious materials. Specific procedures for handling hazardous or infectious
35 materials may be found in the District’s Safety Plan.
36

37 *Safety Measures*

38
39 The Superintendent is authorized to adopt reasonable safety measures to protect the health and safety
40 of District personnel, students, and visitors on District premises and during school-related activities.
41 Reasonable safety measures include adoption of cleaning/sanitization plans, use of physical
42 safeguards/barriers, and required use of personal protective equipment (*e.g.*, face masks).
43 Exceptions to any requirements adopted by the Superintendent may be granted as required by law
44 and on a case-by-case basis.

45

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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

Cross References:

Policy History:

Adopted on: 8.22.2013

Revised on: 8.11.2020

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3 PERSONNEL

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5 Insurance Benefits for Employees

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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 applicable current
9 collective bargaining agreement. Other employees will be offered insurance benefits consistent with the
10 District’s 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.

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

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24 Cross References:

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26 Policy History:

27 Adopted on: 6.14.2016

28 Revised on:
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3 PERSONNEL

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5 Disciplinary Action

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7 District employees who fail to fulfill their job responsibilities or to follow reasonable directions of their
8 supervisors, or who conduct themselves on or off the job in ways that affect their effectiveness on the
9 job, may be subject to disciplinary action up to and including termination.

10
11 Behavior, conduct, or action that may call for disciplinary action or termination includes, but is not
12 limited to, reasonable job-related grounds based on a failure to satisfactorily perform job duties,
13 disruption of the District’s operation, or other legitimate reasons.

14
15 Employees will be informed of the performance deficiency and/or conduct that violates school district
16 policy/rule or disrupts school district operations and will be given an opportunity to respond prior to
17 disciplinary action occurring. Employees may be suspended with or without pay at any time if in the
18 best interest of the school district as determined by management, pending an investigation of the
19 employee’s performance or behavior.

20
21 Supervisors shall, when appropriate, use progressive discipline and discipline shall be administered in a
22 consistent non-discriminatory manner. However, the appropriateness of using progressive discipline in
23 each case lies within the discretion of management. The specific disciplinary actions taken depend on
24 the nature and severity of the performance deficiency and/or behavior that violates school district
25 policy/rule or that disrupts school district operations. Types of disciplinary action, which could be
26 initiated, are: verbal warning; written warning; suspension without pay; demotion; and termination of
27 employment.

28
29 The Superintendent or superintendent’s designee is authorized to suspend an employee immediately.

30
31 Discipline will be reasonably appropriate to the circumstance and will include, but not be limited to, a
32 supervisor’s right to reprimand an employee and the Superintendent’s right to suspend an employee,
33 with or without pay, or to impose other appropriate disciplinary sanctions. In accordance with Montana
34 law, only the Board may terminate an employee or non-renew employment.

35	36	Legal References:	§ 20-3-324, MCA	Powers and duties
	37		§ 20-4-402, MCA	Duties of district superintendent
	38		§ 39-2-903, MCA	Definitions
	39		10.55.701, ARM	Board of Trustees
	40			

41 Cross References:

42
43 Policy History:

44 Adopted on: 8.13.2013

45 Revised on:

- 5.16.2013 Board Policy – 1st Reading
- 6.4.2013 Board Policy – 2nd Reading
- 6.11.2013 Full Board – 1st Reading
- 8.13.2013 Full Board – 2nd Reading - Final

1.3.2023 Policy Committee – 1st Review

2
3 PERSONNEL

4
5 Termination of Employment

6
7 *Dismissal and Non-renewal*

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

12
13 *Resignation*

14
15 Certified and classified personnel will generally be expected to fulfill the terms of their contracts,
16 unless clearly compelling, mitigating circumstances prevent the individual from doing so. The
17 Superintendent is authorized to accept the resignation of an individual employee and must report
18 such resignation to the Board at the next regularly scheduled meeting. A certified employee who
19 resigns after signing a contract with the District may face disciplinary action related to the
20 employee’s certificate.

21
22 *Reduction in Force*

23
24 The Board has exclusive authority to determine the appropriate number of employees. A
25 reduction in employees may occur as a result of, but not be limited to, changes in the education
26 program, staff realignment, changes in the size or nature of the student population, financial
27 considerations, or other reasons deemed relevant by the Board. The Board will follow the
28 procedure stated in the current collective bargaining agreement when considering a reduction in
29 force of certified staff. The Board will consider performance evaluations, staff needs, and other
30 reasons it deems relevant, in determining order of dismissal when it reduces classified staff or
31 discontinues some type of educational service.

32
33 *Payment of Wages Upon Termination*

34
35 When a District employee quits, is laid off, or is terminated, wages owed will be paid on the next
36 regular pay day for the pay period in which the employee left employment or within fifteen (15)
37 days, whichever occurs first. In the case of an employee terminated for allegations of theft
38 connected to the employee’s work, the District may withhold the value of the theft, provided the
39 employee agrees in writing to the withholding or charges have been filed with law enforcement
40 within (7) business days of separation. If no charges are filed against the employee within thirty
41 (30) days of the filing of the report with law enforcement, wages are due upon the expiration of
42 the thirty (30) day period.

43
44 Legal References: § 20-4-204, MCA Termination of tenure teacher services
45 § 20-4-206, MCA Notification of non-tenure teacher re-election –
46 acceptance – termination

47 §20-4-207, MCA Dismissal of a teacher under contract
48 §10.55.701, ARM Board of Trustees
49 §10.57.611, ARM Substantial Material Non-Performance
50 *Booth v. Argenbright*, 225 M 272, 731 P.2d 1318, 44 St. Rep. 227 (1987)

51

52

53 Cross References:

54

55 Policy History:

56 Adopted on: 8.13.2013

57 Revised on:

58

59

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