



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, March 7th, 2023-12:00 p.m.

Lincoln Center

1325 Poplar St., Helena, MT 59601

And via

TEAMS

MINUTES

Attendees

Committee:

Luke Muszkiewicz, Committee Chair
Janet Armstrong, Committee Member
Jennifer Walsh, Committee Member

Others:

Rex Weltz, Superintendent
Bea Kaleva, District Legal Counsel
Josh McKay, Assistant Superintendent
Barb Ridgway, Chief of Staff
Brian Cummings, Assistant Superintendent
Candice Delvaux, Executive Assistant
Jane Shawn, HEA President
Kaitlyn Hess, Assessment and Federal Programs
Keri Mizell, Human Resources Director
Janelle Mickelson, Business Manager
Gary Myers, Director of Educational Technology
Lona Carter, School Health Grant Facilitator

I. CALL TO ORDER

The meeting was called to order at 12:07 p.m. by the 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 02.07.2023 POLICY COMMITTEE MINUTES

The committee reviewed and approved the minutes from the 02.07.2023 Policy Committee meeting.

V. PRESENTATION OF POLICIES FOR FIRST READING

A. Policy 5122: Criminal Background Investigation

The committee reviewed and discussed Policy 5122: Criminal Background Investigation. This is a current policy that has been updated and revised. The first paragraph of the policy was moved from the end of the policy to the beginning and the revisions have been underlined. Lines 16 through 18 is in the existing policy and lines 20 through 23 is new language that has been added to the policy. The new language on lines 20 through 23 states, *“Employees and volunteers have the responsibility to notify the District as soon as possible if they are arrested, charged with a crime, or served a restraining order. The District will take appropriate action, up to and including termination, if upon notification it is determined the criminal activity impacts the individual’s continued employment or ability to volunteer.”* The language on line 25 is in the existing policy and new language was added on line 26 stating, *“All records must be retained in accordance with state and federal law.”* The language on lines 40 through 45 has been stricken because it references substitute teachers when we are really talking about student teachers. The language on lines 55 through 64 pertaining to Student Teachers has been revised to be made clearer stating that, *“The District will accept the report of a previous fingerprint-based background check completed no more than six months prior to the student teacher’s start date. The fingerprint-based background check must be submitted to the District by a Montana university or college or a public or non-public Montana accredited school where the student teacher is currently or was formerly enrolled in a Montana professional educator program. Student teachers from a teacher education program outside the state of Montana must agree in writing to a finger-print based background check conducted by the appropriate state and/or federal authority.”* The

language on lines 68 through 81 pertaining to volunteers was revised. The section pertaining to forms of identification was removed and we also wanted to establish that not all volunteers need to be background checked. For example, if a volunteer is helping with a book fair or a bake sale, they are not required to have a background check if they are supervised by a District employee the entire time. A volunteer would be required to have a background check if they are volunteering during a field trip and would not always be supervised by another District employee. The language on lines 78 through 81 was revised and now states, *"The District may, at its discretion, conduct a name-based background check at the discretion of the Superintendent or designee."* The language on lines 94 through 107 was stricken because it was integrated into the policy. The Policy Committee determined that the language on lines 85 through 92 would be revised to be made clearer. The committee determined that Policy 5122: Criminal Background Investigation will come back to the Policy Committee for further review and discussion.

B. Policy 5610: Intellectual Property Rights

The committee reviewed and discussed Policy 5610: Intellectual Property Rights. The language on lines 7 through 9 states, *"The purpose of this policy is to establish provisions which define how intellectual property rights are recognized when employees develop materials and other forms of intellectual property and how equitable allocation of royalties, compensation, and other ownership rights are established."* The committee reviewed the sections, *Items Created Within the Employee's Scope of Responsibilities*, and *Items created Outside the Employee's Scope of Responsibilities*, *Items Created Using a Combination of Paid and Personal Time*, and *District Purchase of Employee Developed Materials*. Mrs. Barb Ridgway, Chief of Staff, recommended that lines 91 through 97 be revised because a minimum threshold that would be a significant amount needs to be determined. The committee determined that language pertaining to materials and/or other forms of intellectual property produced during sabbatical be added to the policy. The Policy Committee determined that Policy 5610: Intellectual Property Rights will come back to the Policy Committee for further review and discussion.

VI. **PRESENTATION OF POLICIES FOR FOURTH READING**

A. Policy 5045: Family Medical Leave Act

The Policy Committee reviewed and discussed Policy 5045: Family Medical Leave Act. At the previous Policy Committee meeting the reference to *"Secretary"* was clarified and revised to state *"United States Secretary of Labor."* This policy went before the full board for review on February 14th, 2023, and there were no changes. The Policy Committee determined that Policy 5045: Family Medical Leave Act would be sent to the full board for action.

B. Policy 5035: Staff Ethics and Political Activity

The committee reviewed and discussed Policy 5035: Staff Ethics and Political Activity. This policy went before the full board for review on February 14th, 2023, and there were no changes. The committee determined that Policy 5035: Staff Ethics and Political Activity would go before the full board for action.

C. Policy 5051: Insurance Benefits for Employees

The committee reviewed and discussed Policy 5051: Insurance Benefits for Employees. At the previous Policy Committee meeting a minor change was made to update language that describes the period of time an employee can elect to make changes in their coverage. Rather than calling it the “open season” it will now be called “open enrollment”. This policy went before the full board for review on February 14th, 2023, and there were no changes. The committee determined that Policy 5051: Insurance Benefits for Employees would go before the full board for action.

D. Policy 5030: Abused and Neglected Child Reporting

The committee reviewed and discussed Policy 5030: Abused and Neglected Child Reporting. The committee recommended that the first paragraph be revised to clarify that a contractor is someone that interacts with children such as a food service employee or a bus service employee. On line 35 the word *is authorized* was replaced with the word *shall* and states that, “*The Superintendent or designee shall provide access to educational resources for the purpose of training interested parties how to identify the warning signs of abuse, neglect, and sex trafficking, how to recognize predatory behaviors, and how to make a report to the proper authorities.*” The committee recommended that the definition of child abuse or neglect reflected on lines 16 through 21 be revised and given a broader definition such as the definition that DPHHS uses. The committee discussed that although we cannot compel a volunteer to report child abuse or neglect because they are not a mandatory reporter, the committee recommended adding a clause to the volunteer handbook asking for volunteers to please say something to a district employee such as the teacher or administrator if they suspect child abuse or neglect. The committee determined that the recommended revisions would be made and that Policy 5030: Abused and Neglected Child Reporting would go before the full board for information.

VII. PRESENTATION OF POLICIES FOR GENERAL REVIEW

A. Policy 5070: Disciplinary Action

The committee reviewed and discussed Policy 5070: Disciplinary Action. The committee discussed that there is an updated version of the policy from 2019 that they would review and discuss at the next Policy Committee meeting.

B. Policy 5075: Termination of Employment

The committee did not have enough time to review Policy 5075: Termination of Employment and determined it would be reviewed at a future Policy Committee meeting.

VIII. SUPERINTENDENT OR BOARD COMMENTS

There were no additional comments.

IX. ADJOURNMENT

Committee Chair, Luke Muszkiewicz, adjourned the meeting at 1:00 p.m.