



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, April 4th, 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
Siobhan Hathorn, Board Chair

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
Keri Mizell, Human Resources Director
Janelle Mickelson, Business Manager
Joslyn Davidson, Curriculum Administrator
Trish Klock, Bryant Principal
Robert Worthy, Sodexo Manager
Tia Wilkins, Warren Principal
Lona Carter, School Health Grant Facilitator
Karen Ogden, Communications Officer

I. CALL TO ORDER

The meeting was called to order at 12:06 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 03.07.2023 POLICY COMMITTEE MINUTES

The committee will review and approve the minutes from the 03.07.2023 Policy Committee meeting at the 05.02.23 Policy Committee Meeting, because they were not submitted in the Policy Committee Agenda packet.

V. PRESENTATION OF POLICIES FOR FIRST READING

A. Policy 2120: Wellness

The committee reviewed and discussed Policy 2120: Wellness. This is an existing policy that has been reviewed extensively by the Wellness Committee. The Wellness Committee is comprised of two subcommittees: the Nutrition Subcommittee and the Physical Activity Subcommittee.

The members of the Nutrition Subcommittee include Assistant Superintendent Brian Cummings, Tia Wilkins-Warren Elementary School Principal, Joan Leik- ProStart/Family & Consumer Sciences, Helena High School, Lois Fitzpatrick-Trustee, Robert Worthy-Sodexo Manager, Lisa Lee-Director of Montana No Kid Hungry with DPHHS, Kim Dale- Programs Operations Director with Helena Food Share, Jacqueline Young-Human Resource Specialist with Helena Public Schools, Kim Lloyd-Harvest of the Month Coordinator with St. Peter's Health, and Chloe Lundquist-SNAP-ED Instructor with Montana State University.

The members of the Physical Activity Subcommittee include Assistant Superintendent Brian Cummings, Trish Klock-Bryant Elementary School Principal, Reg Hageman-P.E. Teacher at Capital High and President of the Executive Board of SHAPE Montana, Sarah Sandau- Prevention Programs Supervisor with Lewis and Clark Public Health, and Mike Alberts P.E. Teacher at Jim Darcy Elementary.

The Policy Committee reviewed the language added on lines 18 through 21 which states, *“Child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods which meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings.”* Robert Worthy, Sodexo Manager, stated that this language was added because this is something we do every day, but it was just not stated in our policy. The Wellness Committee reviewed several policies from other school districts and compared them to our Wellness Policy to create the language on lines 18 through 21. Bea Kaleva, District Legal Counsel for Helena Public Schools, stated that the language *“will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning”* on lines 19 and 20 states very specific requirements that we would be required to meet, and suggested changing the language to state, *“we will consider the religious, ethnic, and cultural diversity of the student body in meal planning”*. Ms. Ridgway, Chief of Staff, suggested the language, *“we will consider the diversity of the student body”*.

The Policy Committee moved on to review the language on line 23 that states, *“Adequate time for students to eat will be provided.”* The Wellness Committee spent a lot of time discussing master schedules, and how important it is that students get a nutritious meal during the day and discussed that they wanted to be really intentional with giving students enough time to finish their meal. It can be challenging when the schedules are so tight, and students need to go out to recess, or the cafeteria must be transferred back to become the gym for P.E. class. Ms. Kaleva suggested not using the word *will* and to change the language to state, *“it is the intention of the district to give all students adequate time to eat”*.

Trustee Jennifer Walsh voiced her concern for the middle school and high school students and mentioned that often times they arrive late to the lunchroom due to various reasons such as the time they are released from class, or the location of their classroom from the lunchroom, and that often the last students in line do not have the same food options available as the first students in line, because that food is gone by the time they get to the food line, and they do not have as many choices.

The Policy Committee moved on to discuss that the word *individually* was removed from line 25. Mr. Worthy explained that the USDA has regulations called the Smart Snack Regulations. It's very calculable and time driven and states what you can and can't sell during the school day all the way down to the size of a water, the size of a milk, the size of an entree, the calorie count, and the sugar count; and it must meet the Smart Snack Regulations. The language in the policy states, *“The District strongly encourages that all foods and beverages individually sold before, during, and 30 minutes after the school day, outside the school reimbursable meal programs, (including those sold through vending machines, student stores, a la carte programs, fundraising, or through programs for students after the school day) will follow the USDA Smart Snack regulations. Schools are discouraged from using foods and beverages, especially those that do not meet the nutrition standards and are sold individually, as rewards for academic performance or good behavior. In addition, foods and beverages will not be withheld as a form of punishment.”* The Policy Committee discussed

that bake sales and student stores can pose a challenge, and that this will limit fundraising opportunities. Ms. Kaleva shared with the Policy Committee that she will review the regulations and see what is mandatory and what is suggested, and if the regulations are the same for elementary as they are for middle school and high school.

The Policy Committee moved on to review lines 33 through 38 which addresses classroom celebrations. The language states, *“Schools are encouraged to limit the number of celebrations during the school day that involve food. Helena Public Schools encourage the promotion of a positive learning environment by providing healthy celebrations that shift the focus from food to the child. Providing nutritious food options demonstrates a school commitment to promoting healthy behavior and supports classroom lessons. Each celebration should include healthy food and beverage choices, including water. Physical activity during celebrations is encouraged.”*

The committee determined that Policy 2120: Wellness will come back to the Policy Committee for further review and discussion.

VI. PRESENTATION OF POLICIES FOR SECOND 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 entire section titled *“Other”* beginning with line 88 has been deleted due to redundancy. Lines 16 through 19 is the result of the revision and the language states, *“All applicants, employees of firms that hold a contract with the District, and volunteers who will have unsupervised access to students will be required to submit to a comprehensive criminal background investigation to include fingerprinting. The authorization must be in writing.”* The committee determined that Policy 5122: Criminal Background Investigation will go before the full Board of Trustees for information.

B. Policy 5610: Intellectual Property Rights

The committee reviewed and discussed Policy 5610: Intellectual Property Rights. Ms. Ridgway reviewed the language added on line 10 which states, *“for intellectual property valued in excess of twenty-five hundred dollars (\$2500.00).”* Ms. Ridgway reviewed the revised language starting on line 92 which states, *“An employee who receives royalties or compensation on the sale of materials and/or other forms of intellectual property to the District, must divide royalties and/or net pro rata profits to an approved charity as defined if:*

1. *The sale of the materials and/or other forms of intellectual property exceeds twenty-five hundred dollars (\$2,500.00) annually, or*
2. *The employee receives a pro rata share of payment of account on sales of materials and/or other forms of intellectual property that exceeds twenty-five hundred dollars (\$2,500.00) annually.*
3. *The amount that is to be donated in the royalties and/or net pro rata profits on any sales exceeds twenty-five hundred dollars (\$2,500.00).*

If the royalties and/or net pro rata profits exceed twenty-five hundred dollars (\$2,500.00) annually the following distribution shall apply:

- *50% to employee*
- *40% to District*
- *10% to Helena Education Foundation”*

The Policy Committee reviewed language that was added to line 23 that states “*or an employee’s sabbatical*”. The Policy Committee determined that Policy 5610: Intellectual Property Rights would go before the full Board of Trustees for information.

VII. PRESENTATION OF POLICIES FOR FIFTH READING

A. Policy 5030: Abused and Neglected Child Reporting

The committee reviewed and discussed Policy 5030: Abused and Neglected Child Reporting. The committee reviewed language added on lines 7 and 8 that clarifies who a contractor is and states, “*third party contractors providing service to students, volunteer, student teacher or student nurse*”. The word *volunteer* on line 7 was removed because we cannot compel a volunteer to report. The committee reviewed the revised language on lines 32 and 33 which states, “*All District employees are responsible for reporting regardless of whether or not another employee has made a report.*” Ms. Ridgway stated that per her conversation with DPHHS, they stated that it is important that every employee calls and reports, even if another employee has already done so, because sometimes DPHHS gets different information from different reporters. 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 of Trustees for action.

VIII. PRESENTATION OF POLICIES FOR GENERAL REVIEW

A. Policy 5070: Disciplinary Action

The committee reviewed and discussed Policy 5070: Disciplinary Action. Ms. Ridgway pointed out the historical note at the bottom of the policy which states, “*Policies 3.20 Personal Conduct and 3.16 Employee Disciplinary Action adopted on 1.14.2003 were combined to become Policy 5070 in 2013. Policy 5070 was revised and became Policy 5255 on 6.11.2019*”. Ms. Ridgway stated that Policy 5255 is the correct and accurate name of this

policy since 2019, and it should state, “*Policy 5255: Disciplinary Action*”. The Policy Committee determined that Policy 5255: Disciplinary Action would come back to the Policy Committee for further review and discussion.

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.

IX. SUPERINTENDENT OR BOARD COMMENTS

Trustee Janet Armstrong thanked everyone for the thoughtfulness that has gone into examining all these policies. Regarding Policy 5030: Abused and Neglected Child Reporting, Trustee Armstrong stated that she would much rather seven teachers call in instead of having a teacher assume other teachers called in and we miss it.

X. ADJOURNMENT

Committee Chair, Luke Muszkiewicz, adjourned the meeting at 1:01 p.m.