



Superintendent
Rex Weltz
406-324-2000

Business Manager
Janelle Mickelson
406-324-2007

**BOARD OF TRUSTEES
POLICY COMMITTEE MEETING
Lincoln Center - 1325 Poplar Street
June 6, 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 MAY 2, 2023, BOARD POLICY MEETING MINUTES

V. PRESENTATION OF POLICIES FOR THIRD READING

A. 2120 Wellness

VI. PRESENTATION OF POLICIES FOR SECOND READING:

A. 7080 District, School, Student Group Fundraising

B. 5075 Termination of Employment

C. NOTE: 5256 Reduction in Force - Terminated

VII. PRESENTATION OF POLICIES FOR FIRST READING:

A. 3010 School Admissions

VIII. SUPERINTENDENT OR BOARD COMMENTS

IX. ADJOURNMENT

**NEXT MEETING:
TBD - 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, May 2nd, 2023-12:00 p.m.

Lincoln Center

1325 Poplar St., Helena, MT 59601

And via

TEAMS

MINUTES

Attendees

Committee:

Luke Muszkiewicz, Committee Chair
Jennifer Walsh, Committee Member

Others:

Rex Weltz, Superintendent
Bea Kaleva, District Legal Counsel
Karen Ogden, Communications Officer
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
Lona Carter, School Health Grant Facilitator
Gary Myers, Director of Educational
Technology
Josh McKay, Assistant Superintendent

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 03.07.2023 POLICY COMMITTEE MINUTES

The committee reviewed and approved the 03.07.2023 Policy Committee minutes.

V. REVIEW OF THE 04.04.2023 POLICY COMMITTEE MINUTES

The committee reviewed and approved the 04.04.2023 Policy Committee minutes.

VI. PRESENTATION OF POLICIES FOR GENERAL REVIEW

A. Policy 5255: Disciplinary Action

The committee reviewed Policy 5255: Disciplinary Action and determined that no changes needed to be made.

B. Policy 5075: Termination of Employment

The committee reviewed and discussed Policy 5075: Termination of Employment. Ms. Barb Ridgway, Chief of Staff, pointed out that we have a separate policy, Policy 5256: Reduction in Force, that was adopted in October of 2019 that has similar language that is found in Policy 5075. It would be redundant to keep both policies because Policy 5075: Termination of Employment has language regarding Reduction in Force on lines 22 through 31. The committee determined that some of the language in Policy 5256: Reduction in Force could be combined with the Reduction in Force language stated in Policy 5075: Termination of Employment, and Policy 5256: Reduction in Force could be eliminated.

VII. PRESENTATION OF POLICIES FOR THIRD READING

A. Policy 5122: Criminal Background Investigation

The committee reviewed and discussed Policy 5122: Criminal Background Investigation.

This policy has gone for a first reading before the full board with no recommended changes. The committee determined that Policy 5122: Criminal Background Investigation will go before the full board for action.

B. Policy 5610: Intellectual Property Rights

The committee reviewed and discussed Policy 5610: Intellectual Property Rights. This policy went before the full board for a first reading with no recommended changes. The committee determined that Policy 5610: Intellectual Property Rights will go before the full board for action.

VIII. PRESENTATION OF POLICIES FOR SECOND READING

A. Policy 2120: Wellness

The committee reviewed and discussed Policy 2120: Wellness. The changes made after this policy was reviewed at the last Policy Committee meeting are reflected on lines 18 through 24. The language *“accommodate the religious, ethnic, and cultural”* on line 20 was removed and the language *“Adequate time for students to eat will be provided”* was removed. The language on lines 18 through 24 now states, *“Child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods which meet the health and nutritious needs of students; will consider the diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings. The intention of the District is to provide adequate time for students to eat.”* Assistant Superintendent Brian Cummings mentioned that the Wellness Committee is meeting today, and he is not expecting any additional input from them regarding this policy. The Policy Committee determined that Policy 2120: Wellness would go before the full board for information.

IX. PRESENTATION OF POLICIES FOR FIRST READING

A. Policy 7080: District, School, Student Group Fundraising

The committee reviewed and discussed Policy 7080: District, School, Student Group Fundraising. This is an existing policy with language added regarding online fundraising. The committee had a robust discussion regarding crowdfunding and reviewed the language listed on lines 79 through 96 which states, *“If a crowdfunding proposal is approved:*

- *The individual who initiated the crowdfunding effort shall immediately notify the Superintendent or designee when the request has been posted and how long it will remain active online.*
- *For any funds raised on a crowdfunding site a check should be requested to be mailed to the school in the name of the school, not to an individual person.*

- *All gifts, grants, bequests, and contributions must be officially accepted in accordance with Policy 7005 (Revenue and Investments).*
- *All non-monetary items (supplies, equipment, etc.) obtained are the property of the Helena School District and all inventory procedures apply, and, if applicable, will remain in the school where the proposal originator was located at time of the grant award unless a move to another site is approved by the principal or supervisor.*
- *All monetary donations should be recorded by the business manager/clerk in the Schools Funds accounting system at each school."*

The Policy Committee reviewed and discussed lines 32 through 39 which states, *"Only district related/approved groups are permitted to operate under this policy and non-district groups may not use the district's name, network, or infrastructure to conduct fundraising. As public employees, staff members are subject to Montana public employees' ethics laws. Staff members may not solicit or accept material, cash, or equipment intended for personal use from individuals or through a crowd source effort that could be considered a gift of substantial value or that otherwise violates the ethics statutes."*

The committee reviewed language added on lines 64 through 72 which states, *"The extent of student involvement. The impact of the requested resource on facilities, technology, and curriculum/instruction. A file is to be maintained at the school or department for any fundraising request. This file should include: the principal's/administrator's fundraising approval form, the written detail of the projects as well as what is posted on any online platform/website, any photos or images posted with the project and a copy of all agreements and permission forms."* The committee discussed lines 21 and 22 which states, *"At no time shall any student be required to participate in any school sponsored or school related fundraising activity."* The committee determined that Policy 7080: District, School, Student Group Fundraising would go to the full board for information.

X. SUPERINTENDENT OR BOARD COMMENTS

Trustee Luke Muszkiewicz thanked Ms. Barb Ridgway, Chief of Staff, for doing a great job running this committee and keeping track of all the changes and processes related to policy, and most importantly, bringing forward to this committee some really good recommendations that leverage her incredible understanding of how this district works. Trustee Luke Muszkiewicz thanked Ms. Bea Kaleva, District Legal Counsel for the school district, for everything she does for the district and the Policy Committee.

XI. ADJOURNMENT

Committee Chair, Luke Muszkiewicz, adjourned the meeting at 12:53 p.m.

2
3 **STUDENT INSTRUCTION**

4
5 Wellness

6
7 Recognizing that good health and wellness are positively correlated to success in school, the
8 Helena Public Schools Board of Trustees is committed to providing learning environments that
9 promote children’s health, well-being and ability to learn. This commitment includes nutrition,
10 education, physical activity and other school-based activities that are designed to promote
11 student wellness.

12
13 *Nutritional Standards for Foods Available to Students.*

14
15 The District will serve meals that, at a minimum, meet the nutritional requirements established
16 by the United States Department of Agriculture.

17
18 Child nutrition professionals will provide students with access to a variety of affordable,
19 nutritious, and appealing foods which meet the health and nutrition needs of students; will
20 consider the accommodate the religious, ethnic, and cultural diversity of the student body in meal
21 planning; and will provide clean, safe, and pleasant settings.

22
23 Adequate time for students to eat will be provided. The intention of the District is to provide
24 adequate time for students to eat.

25
26 The District strongly encourages that all foods and beverages ~~individually~~ sold before, during
27 and 30 minutes after the school day, outside the school reimbursable meal programs, (including
28 those sold through vending machines, student stores, a la carte programs, fundraising, or through
29 programs for students after the school day) will follow the USDA Smart Snack regulations.
30 Schools are discouraged from using foods and beverages, especially those that do not meet the
31 nutrition standards and are sold individually, as rewards for academic performance or good
32 behavior. In addition, foods and beverages will not be withheld as a form of punishment.

33
34 Schools are encouraged to limit the number of celebrations during the school day that involve
35 food. Helena Public Schools encourage the promotion of a positive learning environment by
36 providing healthy celebrations that shift the focus from food to the child. Providing nutritious
37 food options demonstrates a school commitment to promoting healthy behavior and supports
38 classroom lessons. Each celebration should include healthy foods and beverage choices,
39 including water. Physical activity during celebrations is encouraged.

40
41 Foods and beverages offered and sold at school events should include choices that meet the
42 nutrition standards for meals and beverages sold individually.

47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79

Development, Review, and Implementation of the Policy

The Superintendent or designee will establish a committee comprised of staff members, parents, educators, and the public. The committee shall be responsible for the development of procedures that support wellness for both students and staff and are necessary to implement this policy.

Members may include but are not limited to parents, students, school food service staff, health and physical education educators, school and community health professionals, trustees, administrators and members of the general public.

The District will assess the implementation of this policy and inform and update the public every three years, at a minimum, regarding compliance with the policy, how it compares to model wellness policies, and progress in attaining the goals of the wellness policy.

Legal References: P.L. 108-265 Child Nutrition and WIC Reauthorization Act of 2004
P.L. 111-296 The Healthy, Hunger-Free Kids Act of 2010
10.55.701, ARM Board of Trustees

Cross References:

Policy History:

Adopted on: 2.28.2012
Revised on: 5.9.2017

For further incorporated: Determine Smart Snack rules and cite.
Consider allergies, preferences for snacks.

3
4 FINANCIAL SERVICES

5
6 District, School, Student Group Fundraising

7
8 **Purpose**

9
10 The purpose of this policy is to establish the parameters for fundraisers or requests for
11 resources sponsored by the district, a school, employees, or student activity groups. This
12 policy does not apply to third party organizations that may choose to fundraise for the
13 district, specific schools, programs or activities.

14
15 Because students are required to attend school, and because the primary purpose of
16 school is the education of those students, it is essential that school and district fundraising
17 activities be limited so as not to interfere with that primary purpose. It is essential that
18 fundraising activities of schools, student groups, and employees conform to this purpose,
19 and to all federal and state laws governing the holding and use of funds raised.

20
21 At no time shall any student be required to participate in any school sponsored or school
22 related fundraising activity.

23
24 Teachers, student activity advisors, club sponsors, coaches, and others involved in
25 fundraising are responsible for following the appropriate financial requirements for funds
26 raised through classroom, group, online, or team activities. The sponsoring employee is
27 responsible for obtaining permission, instructing students regarding fundraising activity
28 conduct, and reporting the results of the activity to the principal. The principal or
29 ~~coordinator~~ supervisor is responsible for reporting all fundraising activities to the
30 Assistant Superintendent on an annual basis.

31
32 Only district related/approved groups are permitted to operate under this policy and non-
33 District groups may not use the District's name, network or infrastructure to conduct
34 fundraising.

35
36 As public employees, staff members are subject to Montana public employees' ethics
37 laws. Staff members may not solicit or accept material, cash, or equipment intended for
38 personal use from individuals or through a crowd source effort that could be considered a
39 gift of substantial value or that otherwise violates the ethics statutes.

40
41 **School Fundraising**

42
43 Requests for school fundraising projects must be pre-approved by the school principal or
44 ~~coordinator~~ supervisor. This includes online fundraising.

46 The sale or advertising of merchandise in the school buildings, online, or upon the school
47 grounds or as a school project for money-raising purposes may be limited by the principal
48 or ~~coordinator~~ supervisor as to the number and time of year.

49
50 Students in the schools shall not be used to advertise or distribute any particular brand
51 name or to promote the sale or use of products of any company so advertised.

52
53 Fundraising projects that do not involve the entire school shall be proposed to the
54 principal by the teacher or teachers whose classes, student activity, or group will
55 participate. The principal may approve or deny the proposal based on the following
56 factors:

- 57
- 58 • The scope of the fundraising project; method to be used, including length of
59 time, items sold, or method of solicitation.
 - 60 • The number of fundraising activities entered into by classes, groups or others
61 that affect the school and its students during the school year.
 - 62 • The appropriate nature of the fundraising activity given the age and
63 understanding of the students involved.
 - 64 • The extent of student involvement.
 - 65 • The impact of the requested resource on facilities, technology, and
66 curriculum/instruction.

67
68 A file is to be maintained at the school or department for any fundraising request. This
69 file should include: the principal's/administrator's fundraising approval form, the written
70 detail of the projects as well as what is posted on any online platform / website, any
71 photos or images posted with the project and a copy of all agreements and permission
72 forms.

73
74 Fundraising activities should primarily be done outside of school hours.

75
76 Door-to-door fundraising activities and any fundraising activities during the school day
77 shall be of a limited nature.

78
79 **Crowdfunding**

80
81 If a crowdfunding proposal is approved:

- 82
- 83 • The individual who initiated the crowdfunding effort shall immediately notify
84 the Superintendent or designee when the request has been posted and how
85 long it will remain active online.
 - 86 • For any funds raised on a crowdfunding site a check should be requested to be
87 mailed to the school in the name of the school, not to an individual person.
 - 88 • All gifts, grants, bequests, and contributions must be officially accepted in
89 accordance Policy 7005 (Revenue and Investments).
 - 90 • All non-monetary items (supplies, equipment, etc.) obtained are the property
91 of the Helena School District and all inventory procedures apply, and, if
92 applicable, will remain in the school where the proposal originator was

93 located at time of the grant award unless a move to another site is approved by
94 the principal or supervisor.

- 95 • All monetary donations should be recorded by the business manager/clerk in
96 the Schools Funds accounting system at each school.

97 98 **Student Activity Fundraising**

99
100 Fundraising activities must be approved by the staff advisor of the student activity group
101 and forwarded to the principal or ~~coordinator~~ supervisor for pre-approval.

102
103 The principal or ~~coordinator~~ supervisor shall approve or reject the application of any
104 student group, whether co-curricular or extra-curricular, including athletics, for any
105 fundraising activity taking place on school grounds or in the school or district's name.
106 No fundraising activities may commence prior to approval.

107
108 Students participating in fundraising activities are expected to appropriately represent
109 their activity, their school, the district, and their community. All district policies
110 regarding student conduct and discipline apply to fundraising activities.

111 112 **Fundraising from District Staff**

113
114 The Superintendent may authorize solicitation of funds or pledges from district
115 employees on an annual basis by organizations authorized to do so by the Superintendent
116 or Superintendent's designee.

- 117 • Funds collected or pledged via payroll deductions shall be sent to the
118 authorized fiscal agent or central headquarters of the respective approved
119 organizations.
- 120 • Employees shall exercise freedom of choice in choosing to donate or
121 pledge, and may choose between various approved organizations.

122
123 In addition to the annual charitable giving program referenced above, the
124 Superintendent may authorize additional charitable giving campaigns that solicit
125 donations from staff in response to natural disasters or other charitable purposes.

126 127 **Exceptions**

128
129 *School Stores.* Schools may operate school stores which offer for sale to students or
130 employees simple school supplies and items emblematic of the school under the
131 permission and supervision of the principal or ~~coordinator~~ supervisor. Such stores shall
132 not be considered to be a school-wide fundraising project.

133
134 *Charitable Giving Campaigns.* Principals may authorize charitable giving campaigns
135 that solicit contributions from students in response to natural disasters or other charitable
136 purposes. It is preferred that such charitable giving campaigns concentrate on non-
137 monetary contributions, such as food, used or new toys and clothing. Contributions being
138 requested should be limited to small monetary values. Prior parent notification is

139 required for any charitable solicitation from students. Participation must be completely
140 voluntary and not tied to any extrinsic reward system.

141

142 *Concessions and Vending.* Concession and vending sales connected to a student activity
143 or student performance may be conducted with the permission and under the supervision
144 of the Principal or program supervisor. The District may procure vending or concession
145 products through quotes, bids, requests for proposals or other methods allowed by law.

146

147 *Student Product Sales.* Schools may conduct the sale of articles that are wholly or in part
148 the product of students in a recognized activity of the school for general, activity or
149 charitable giving fundraising purposes. Such sales shall be approved in advance by the
150 principal or ~~coordinator~~ supervisor, and conducted under her or his supervision.

151

152

153	Legal References:	§20-6-601, MCA.	Power to accept gifts
154		§20-6-604, MCA.	Sale of property when resolution passed after hearing – appeal procedure
155			
156		§2-2-102(3), MCA	Definitions
157		§2-2-104, MCA	Rules of conduct for public officers, legislators and public employees
158			

159 Cross References: 7005 Revenue and Investments

160 Policy History:

161 Adopted on: 5.13.2014

162 Revised on: 1.10.2017

163

164

165

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 The Board will consider in no particular order all or some of the following criteria in determining
34 order of dismissal when it reduces staff; or discontinues some type of educational service:

- 35
36
 - performance evaluations,
 - 37 • staff needs,
 - 38 • seniority,
 - 39 • experience inside and outside the district,
 - 40 • professional development,
 - 41 • curricular or industry knowledge,

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
2.7.2023 Policy Committee – 1st Review
3.7.2023 Policy Committee – 1st Review
4.4.2023 Policy Committee – 1st Review
5.2.2023 Policy Committee – 1st Review
6.6.2023 Policy Committee – 2nd Review

- 42 • endorsements and/or certifications, and / or
43 • other reasons it deems relevant.
44

45 For any employees covered by a collective bargaining agreement the Board will follow the
46 procedure stated in the current CBA when considering a reduction in force
47

48 *Payment of Wages Upon Termination*
49

50 When a District employee quits, is laid off, or is terminated, wages owed will be paid on the next
51 regular pay day for the pay period in which the employee left employment or within fifteen (15)
52 days, whichever occurs first. In the case of an employee terminated for allegations of theft
53 connected to the employee’s work, the District may withhold the value of the theft, provided the
54 employee agrees in writing to the withholding or charges have been filed with law enforcement
55 within (7) business days of separation. If no charges are filed against the employee within thirty
56 (30) days of the filing of the report with law enforcement, wages are due upon the expiration of
57 the thirty (30) day period.
58

59 Legal References: § 20-4-204, MCA Termination of tenure teacher services
60 § 20-4-206, MCA Notification of non-tenure teacher re-election –
61 acceptance – termination
62 §20-4-207, MCA Dismissal of a teacher under contract
63 §10.55.701, ARM Board of Trustees
64 §10.57.611, ARM Substantial Material Non-Performance
65 *Booth v. Argenbright*, 225 M 272, 731 P.2d 1318, 44 St. Rep. 227 (1987)

66
67
68 Cross References:
69

70 Policy History:
71 Adopted on: 8.13.2013
72 Revised on:
73
74

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
2.7.2023 Policy Committee – 1st Review
3.7.2023 Policy Committee – 1st Review
4.4.2023 Policy Committee – 1st Review
5.2.2023 Policy Committee – 1st Review
6.6.2023 Policy Committee – 2nd Review

Reduction in Force

The Board has exclusive authority to determine the appropriate number of employees. A reduction in employees may occur as a result of but not be limited to changes in the education program, staff realignment, changes in the size or nature of the student population, financial considerations, or other reasons deemed relevant by the Board.

The Board will consider in no particular order all or some of the following criteria in determining order of dismissal when it reduces staff or discontinues some type of educational service:

- performance evaluations,
- staff needs,
- seniority,
- experience inside and outside the district,
- professional development,
- curricular or industry knowledge,
- endorsements and/or certifications, and / or
- other reasons it deems relevant.

For any employees covered by a collective bargaining agreement the Board will follow the procedure stated in the current CBA when considering a reduction in force

Cross Reference: 5250 Non-Renewal of Employment/Dismissal from Employment

Legal Reference: § 20-4-206, MCA Notification of nontenure teacher reelection—acceptance—termination

Policy History:

Adopted on: 10.8.2019

Reviewed on:

Revised on:

Terminated on:

2
3 STUDENTS

4
5 School Admissions

6
7 *Age*

8
9 No pupil may be enrolled in the kindergarten or first grade whose 5th birthday does not occur on or
10 before September 10 of the school year in which child registers to enter school. A parent may
11 request a waiver of the age requirement. All waivers are at the discretion of and subject to the
12 approval of the Board. No pupil may be enrolled in the District if that pupil has reached his or her
13 19th birthday on or before September 10 of the school year in which the child registers to enter
14 school. A waiver of the age limitation must be reviewed and approved by the Board in an executive
15 session. The Trustees may also admit an individual who has graduated from high school but is not
16 yet 19 years of age even though no special circumstances exist for waiver of the age provision or a
17 student who is not yet 19 years of age and experienced educational disruption and was awarded a
18 diploma as a result and seeks access to reasonable curriculum designed to advance postsecondary
19 success.

20
21 Enrolling Students Under the age of 5 Before September 10 for Exceptional Circumstances

22
23 It is the policy of the District to provide enhanced educational opportunities to students under the age
24 of 5 when individual exceptional circumstances exist.

25
26 The administration shall ensure admission, enrollment, and assignment of all qualifying children
27 referenced in this policy. The administration shall place children enrolled pursuant to this policy in
28 either a half-time or full-time program as part of the elementary school program. The administration
29 shall review the criteria set forth in this policy and make the determination whether an individual
30 student or class of students meets the criteria for exceptional circumstances.

31
32 The administration shall present the information to the Board for approval. In presenting the
33 information to the Board, the administration shall remove all identifying information in order to
34 protect the privacy rights of the student under state and federal law. The Board shall make the final
35 decision on the enrollment of students under the District’s exceptional circumstances policy.

36
37 The administration shall include children enrolled pursuant to this policy in the District’s calculation
38 of average number belonging (ANB) as reported to OPI to the extent allowed by law.

39
40 The Board of Trustees declares the following to be qualifying “exceptional circumstances” within
41 the meaning of that term as used in 20-5-101(3) and “special permission” within the meaning of that
42 term as used in 20-7-117 MCA, that merit waiving the age provisions of 20-7-117 MCA for
43 qualifying children under 5 years of age

- 44
45 1 A child at least 3 years of age with a disability qualifying the child for services under the
46 federal Individuals with Disabilities Education Act.

- 47 2 A child who is 4 years of age or older on or before September 10 of the school year in which
48 enrollment is to occur who:
- 49 a. Meets the income eligibility guidelines for free or reduced priced meals under the
50 National School Lunch Program;
 - 51 b. Is Limited English Proficient within the meaning of Title III of the federal
52 Elementary and Secondary Education Act;
 - 53 c. Is Gifted and Talented within the meaning of that term as used in 20-7-901 MCA;
 - 54 d. Is an enrolled member of a federally recognized American Indian Tribe;
 - 55 e. Is homeless as defined in 42 U.S. Code § 11302, or as determined by the
56 administration, exhibits other characteristics or lives in circumstances that are
57 uncommon, unusual, atypical, rare or otherwise distinguished from ordinary or
58 typical which place the child at risk of failing to achieve at adequate levels.
 - 59 f. Is an at-risk student as defined in Section 20-1-101(4). MCA;
 - 60 g. Child's status as a member of a military family with prior enrollment.

61
62 The administration is authorized to enroll students in a manner consistent with this policy and to
63 develop procedures to implement this policy.

64 *Entrance – Identity and Immunization*

65
66
67 Students enrolling in the District for the first time must present a birth certificate or other reliable
68 proof of identity and age within 40 days, as well as proof of residence. Students must also provide
69 additional student records including original immunization records within 30 days. If the parent of
70 the student does not provide proof of identification within 40 days, the District shall notify the
71 Missing Children Information Program and a local law enforcement authority of the fact that no
72 proof of identity has been presented for the child.

73
74 Students who are homeless, in foster care, or are the child of a military family are entitled to
75 immediate enrollment regardless of presentation of the required documentation. Nonresident
76 students shall be admitted when required by law or as permitted by District policy.

77
78 A student who transfers from one school district to another may photocopy immunization records in
79 the possession of the school of origin. The District shall accept the photocopy as evidence of
80 immunization. When a student enrolls in the Helena School District the school the student left must
81 send the original immunization records within thirty (30) days after the student has transferred out.

82
83 Parents who choose not to immunize their child based on religious tenets must annually submit to
84 the District a signed ~~and notarized~~ affidavit on the form prescribed by the State of Montana. The
85 form must be presented to the District prior to the child's first day of attendance. The statement
86 must be maintained as part of the student's immunization records. The District will also accept
87 medical exemptions as required by law.

88 *Placement*

89
90
91 The goal of the District shall be to place students at levels and in settings that will enhance the
92 probability of student success. Developmental testing, together with other relevant criteria,

93 including but not limited to, health, maturity, emotional stability, and developmental disabilities,
94 may be considered in the placement of all students. Final disposition of all placement decisions rests
95 with the Principal subject to review by the Superintendent. If a student is assigned to a school in the
96 District outside of the adopted school boundaries applicable to that student, this decision is subject to
97 the District's Uniform Grievance Procedure. Upon completion of these procedures, the Board's
98 decision regarding the assignment is final.

99
100 *Children of Relocated Military Families*

101
102 The Board shall assign and admit a child whose parent or guardian is being relocated to Montana under
103 military orders to a school in the district and allow the child to preliminarily enroll in classes and apply for
104 programs offered by the District prior to arrival and establishing residency. The student may attend classes
105 during preliminary enrollment and may receive offsite instruction if not present in the District.

106
107 *Transfer Students*

108
109 Resident students seeking to transfer to a District school will be admitted and placed pursuant to the
110 terms of this policy. The District will request the student's records from the prior school district
111 prior to making any final decision on placement.

112
113 Elementary students shall be placed at their current grade level on a probationary basis for a period
114 of two weeks. Should any doubt exist with the teacher and/or Principal as to grade and level
115 placement of the student, the student shall be subject to an educational assessment to determine
116 appropriate grade and level placement

117
118 High school students shall be placed according to the number of credits earned in their previous
119 accredited school districts, subject to Montana Accreditation Rules and Standards and local alternate
120 procedures for earning credit.

121
122

123	Legal References:	§ 1-1-215, MCA	Residence -- rules for determining
124		§ 20-5-101, MCA	Admittance of child to school
125		§ 20-5-403, MCA	Immunization requirements
126		§ 20-5-404, MCA	Conditional attendance
127		§ 20-5-405, MCA	Medical or religious exemption
128		§ 20-5-406, MCA	Immunization record
129		§ 20-5-502, MCA	Enrollment by caretaker relative -- residency -- 130 affidavit
131		§ 20-7-117, MCA	Kindergarten and preschool programs
132		§ 44-2-511, MCA	School enrollment procedures for missing children
133		10.55.701, ARM	Board of Trustees
134		10.55.906, ARM	High School Credit
135		<u>10.16.3122., ARM</u>	<u>Local Education Agency Responsibility for</u>
136			<u>Students with Disabilities</u>
137			<u>Individual with Disabilities Act Federal Rehabilitation Act 1973</u>
138			<u>National School Lunch Act (Public Law 396, 79th congress, chapter 281,</u>
139			<u>2nd session)</u>

140 Title III, ESEA (English Language Acquisition, Language Enhancement
141 and Academic Achievement Act
142 McKinney-Vento Homeless Assistance Act of 1987 (Pub. L. 100-77, July
143 22, 1987, 101 Stat. 482, U.S.C. §11301 et seq)
144

145
146 Cross References: Policy 1085 Uniform Grievance Procedure
147 Policy 1065 Board Meetings
148 Policy 3022 Children of Military Families
149

150 Policy History:

151 Adopted on: 2.12.2013
152 Revised on: 10.8.2013, 12.10.2019, 10.11.2022
153