



*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 Meeting

Lincoln Center | 1325 Poplar St. | Helena, MT 59601

Tuesday, September 12<sup>th</sup>, 2023 - 5:30 p.m.

Lincoln Board of Trustees Conference Room and  
via TEAMS

[Click here to join the meeting](#)

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### AGENDA

I. **CALL TO ORDER /PLEDGE OF ALLEGIANCE**

II. **REVIEW OF AGENDA**

III. **PRESENTATION**

Angel Fund-Janet Riis, Executive Director

IV. **RECOGNITIONS**

A. **2023 SHAPE Montana High School Teacher of the Year**

Congratulations to Capital High School Educator Reg Hageman who was selected as the 2023 SHAPE Montana High School Teacher of the Year.

B. **2023 Girls' High School Track and Field Coach of the Year for Montana**

Congratulations to Helena High Track and Field Coach Jesse Zentz who has been named the 2023 Girls' High School Track and Field Coach of the Year for Montana.

V. **SUPERINTENDENT'S REPORT**

## VI. 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.*

## VII. NEW BUSINESS

### A. Items For Information

1. Policy 1025 Board Member Term of Office
2. Policy 1020 School Board Elections
3. Policy 1065 Board Meetings
4. Policy 1085 Uniform Grievance Procedure
5. Policy 2015 Curriculum Development Content and Assessment
6. Policy 2020 Student and Family Privacy Rights
7. Policy 2025 K-12 School Counseling
8. Policy 3097 Video Surveillance

### B. Consent Action Items

1. Personnel Actions
2. Warrants
3. Out-Of-District Attendance Agreements (Non-Resident Students Attending HPS)
4. Out-Of-District Attendance Agreements (Helena Students Attending Other Districts)
5. Early Entrance to Kindergarten
6. 08.15.23 Full Board Meeting Minutes

### C. Items for Action

1. Policy 5075 Termination of Employment
2. Policy 5256 Reduction in Force

### D. Reports

1. Student Representatives Report
2. Helena Education Association Report
3. Facilities & Maintenance Committee Report
4. Budget & Finance Committee Report
5. Policy Committee Report
6. Teaching & Learning Committee Report
7. Health Benefits Committee Report
8. Wellness Committee Report
9. Montana School Boards Association Report

VIII. UPCOMING MEETINGS

IX. BOARD COMMENTS

X. ADJOURNMENT

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item V.**

Superintendent's Report

General Public Comment

Items For Information

Consent Action Items

Items For Action

**Item Title: Superintendent's Report**

HELENA SCHOOL DISTRICT #1  
OFFICE OF THE SUPERINTENDENT

*To: Board Chair Ms. Siobhan Hathhorn and Board of Trustees*

*FROM: Mr. Wertz, Superintendent*

*RE: Superintendent Report –*

*DATE: September 12th, 2023*

- Recognition –
  - Link and WEB
  - Kindergarten Staff
  - National Substitute Appreciation Week September 4th-8th
  - National IT Professional Day September 19<sup>th</sup>
  - Thank you, teachers, staff, students, and families, for a fantastic start to the 2023-2024 school year.
  - Thank you to the Justice and Municipal courts for hosting a food drive event in partnership with the Montana Food Share to collect items for Kids Packs that are contributed to students in need in Helena Public Schools.
  - Thank you to the Helena Education Foundation for providing back-to-school treats for HPS staff across the district.
  - Thank you to the Angel Fund for granting over \$48,000 to schools to purchase school supplies in bulk.
  - Thank you to the Helena Education Foundation and Valley Bank for sponsoring our New Educator Welcoming Event.
  - Thank you to our generous community sponsors that contributed to our District events including Secretaries Training, Substitute Training, and our New Educator Welcoming Event.
  - Thank you to the Helena Education Foundation for sponsoring the Fabulous First across the Elementary District.
  - Congratulations to students from CHS and HHS that were selected to the 2023 Montana All-State Music Festival in Missoula.
  
- New Business
  - Configuring District Enrollment for the 2023-24 SY
  - AA Superintendent Rep on HB 332 Health Trust Committee to study and discuss Opportunities/Possibilities for HPS and AA
  - HEA / HSD Mediation Update
  - Budget Recommendation Consensus Committee
    - September 14<sup>th</sup>, 2023
    - September 25<sup>th</sup>, 2023
    - Pad McCracken Presentation on School Finance

HELENA SCHOOL DISTRICT #1  
OFFICE OF THE SUPERINTENDENT

- FMP Key Stakeholders Meeting
  - September 27<sup>th</sup>, 2023
- Strategic Planning for Increased School Revenue Possibilities
- Implementation: 2023-2024 SY
  - Transition Centers – 4 Sites
  - Mental Health Support Centers
  - Handle with Care
  - Math TOSA and Supports (Elementary)
  - Literacy TOSA's – Completion of 6-year OPI Literacy Grant
  - Homelessness Supports – Mrs. Hess & Mrs. Zentz
  - English Learners – Multilingual Supports – Mrs. Tucker
  - Policy Updates – 2022-23 Session
    - Workload to process and adopt
  - Career and Technical Educational
    - Report
    - Pathways
      - 6-8
      - 9-12
- Outreach/Meetings
  - Leadership Tour – 1<sup>st</sup> Day
  - Cabinet & Leadership
  - Revenue Discussions
  - Helena Symphony Collaboration
  - Board Leadership
  - AA Superintendents
  - HB 332 Health Trust Committee
  - Hometown Helena
  - Lewis and Clark Board of Health
  - HEA President/Superintendent Meeting
  - Rotary Club
  - Radio
  - TV
  - Print
  - SMA
- Other

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VI.**

Superintendent's Report

General Public Comment

Items For Information

Consent Action Items

Items For Action

**Item Title:      General Public Comment**

**Policy Background  
Board of Trustees Meeting  
September 12, 2023**

**The following policies are being presented for *Action*:**

**5075 Termination of Employment**

This policy is being modified to incorporate the language found in Policy 5075 Termination of Employment and reduce redundancy.

**5256 Reduction in Force**

The language in this policy is being incorporated into Policy 5075 Termination of Employment. The recommendation is to terminate this policy.

**The following policies are being presented for *Information*:**

**1025 Board Member Term of Office**

Revised to incorporate requirement under House Bill 811 for a district clerk to cooperate with OPI in providing trustee contact information.

**1020 School Board Elections**

Revised legal references to reflect House Bill 453, which requires that any levy or bond election form state that “an increase in property taxes may lead to an increase in rental costs” and must provide the impact on the taxes for homes valued at \$100,000, \$300,000, and \$600,000 at a minimum.

**1065 Board Meetings**

Revised to incorporate language from House Bill 724 requiring electronic posting of board and committee agendas on newspaper websites if free of charge or on a district website or social media page.

**1085 Uniform Grievance Procedure**

Revised to reflect requirements of House Bill 504. This bill requires school districts to have a uniform grievance procedure providing for both informal and formal resolution of complaints as well as providing a printed version of the grievance policy upon request. The law also requires that a formal grievance process have a timeline that starts 30 days from the completion of the informal process. Clarification language was also added to state that the grievance process does not apply to those complaints covered by state or federal law that supersedes the uniform process. These would include issues related to special education under IDEA as well as disability discrimination and sexual harassment.

**2015 Curriculum Development Content and Assessment**

Revised to reflect changes in the law related to remote and offsite instruction from House Bill 214. Changes are also made to reflect changes made to the accreditation rules in Chapter 10.55 of the Montana Administrative Rules. Legal references were also updated.



**2020 Student and Family Privacy Rights**

Revised to reflect the language adopted in House Bill 676 regarding parental rights as well as participation in surveys. Total revision of existing policy.

**2025 K-12 School Counseling**

Revised to reflect House Bill 458 which permits (but does not require) high schools to hire career coaches. Note that the language of the bill allows the use of a career coach to assist with K-12 career and vocational/technical training but most of the language is applicable to only high schools.

**3097 Video Surveillance**

Language was added to this policy to clarify that staff members cannot video a student in a classroom without permission of the parents, which is required by House Bill 676. That bill does not require parental permission for recording a student for purposes of security or surveillance.

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.A.1.**

Superintendent's Report

General Public Comment

Items for Information

Consent Action Items

Items For Action

**Item Title:**     **Item For Information**  
1. Policy 1025: Board Member Term of Office

2 SCHOOL DISTRICT ORGANIZATION

3 Board Member Term of Office

4  
5 A newly elected trustee shall take office as soon as the election results have been certified and  
6 the newly-elected trustee has taken and subscribed to an oath that the trustee will faithfully and  
7 impartially discharge the duties of the office to the best of the trustee’s ability. The oath shall be  
8 administered by the county superintendent, the superintendent’s designee, or any person who is  
9 authorized by law to take testimony or has the power to administer oaths. Such oath must be filed with  
10 the county superintendent within fifteen (15) days after the receipt of the certificate of election.

11  
12 Except as otherwise provided by law, trustees shall hold office for terms of three (3) years, or  
13 until their successors are elected and qualified. Terms of trustees are staggered as provided by  
14 law.

15  
16 The District Clerk shall collaborate with the Office of Public Instruction to provide a link to the  
17 District website and contact information for trustees and the District Clerk within fourteen (14) days of  
18 trustee qualification and oathtaking.

19	Legal Reference:	<u>§ 1-6-101, MCA</u>	<u>Officers who may administer oaths</u>
20		<u>§ 2-16-116, MCA</u>	<u>Power to administer oaths</u>
		§ 20-1-202, MCA	Oath of Office
		§ 20-3-307, MCA	Qualification and oath
		§ 20-3-301, MCA	Election and term of office
		<u>House Bill 811</u>	<u>Online Repository for Trustee Information</u>

Cross References:

Policy History:

Adopted on:	2.8.2011
Revised on:	3.9.2016

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22  
23

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.A.2.**

Superintendent's Report

General Public Comment

Items for Information

Consent Action Items

Items For Action

**Item Title:**     **Item For Information**  
                  2. Policy 1020: School Board Elections

2 SCHOOL DISTRICT ORGANIZATION

3 School Board Elections

4 School board elections are non-partisan elections governed by the general election laws of the  
5 State of Montana and include election of board members, various public policy propositions, and  
6 advisory questions.

7 Board elections shall be held on the first Tuesday after the first Monday in May of each year. In  
8 years when the legislature meets in regular session or in a special session that affects school  
9 funding, the trustees may order the election on a date other than the regular school election day  
10 in order for the electors to consider a proposition requesting additional funding under § 20-9-  
11 353, MCA.

12 Any person who is a qualified voter of the District is legally qualified to become a trustee. Some  
13 persons may be ineligible for board membership by reason of other public offices held or certain  
14 types of State or federal employment. A Declaration of intent to be a candidate shall be  
15 submitted to the Election Administrator at least forty (40) days before the regular school election  
16 day. If there are different terms to be filled, the term. the position for which each candidate is  
17 filing must also be indicated.

18 Any person seeking to become a write-in candidate must file a declaration of intent on the 26th  
19 day before the election. If the number of candidates filing for vacant positions or filing a  
20 declaration of intent to be a write-in candidate is equal to or less than the number of positions to  
21 be elected, the Trustees may give notice that a Trustee election will not be held. Notice of the  
22 cancellation must be given no later than 30 days before the election date. If the election is not  
23 held, the trustees shall declare the candidates elected by acclamation and issue of “certificate of  
24 election” to each candidate.

25 A candidate intending to withdraw from the election shall send a statement of withdrawal to the  
26 clerk of the district containing all information necessary to identify the candidate and the office  
27 for which the candidate filed. The statement of withdrawal must be acknowledged by the clerk  
28 of the district. A candidate may not withdraw after 5:00p.m. the day before the election ballot  
29 certification deadline in 20-20-401. MCA.

30 Except in the event of an unforeseen emergency occurring on the date scheduled for the election,  
31 a proposition requesting additional funding pursuant to § 20-9-353, MCA, may be submitted to  
32 the electors only once each calendar year – on the regular school election day.

33  
34 The District will comply with Montana law in providing access to voting places and  
35 accessibility for individuals with disabilities.

36 Legal References:

37  
38 § 13-1-101 Definitions

39 § 13-10-211, MCA Declaration of Intent for write-in candidates

40 § 15-10-425, MCA Mill levy election (Revised by House Bill 543)

41	§ 20-3-304, MCA	Annual election
42	§ 20-3-305, MCA	Candidate qualification and nomination
43	§ 20-3-313, MCA	Election by acclamation – notice
44	§ 20-3-322, MCA	Meetings and quorum
45	§ 20-3-324(4), MCA	Powers and duties
46	§ 20-3-344, MCA	Nomination of candidates by petition in first-class elementary district
47	§ 20-9-353, MCA	Additional financing for general fund-election for authorization to impose
48	§ 20-9-426, MCA	Preparation and form of ballots for bond election ( <i>Revised by House</i>
49		<i>Bill 543</i> )
50	§ 20-20-105, MCA	Regular school election and special school elections
51	§ 20-20-204, MCA	Election Notice
52	§ 20-20-301, MCA	Qualifications of elector
53	§ 20-20-401, MCA	Trustees' election duties – ballot certification
54	Senate Bill 15	Revises election laws related to accessibility for disabled electors
55	§ 13-1-101, MCA	Definitions ( <i>Revised by Senate Bill 15</i> )
56		

Cross References:

Policy History:

Adopted on: 2.8.2011  
Revised on: 7.12.2016, 3.8.2022

57

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.A.3.**

Superintendent's Report

General Public Comment

Items for Information

Consent Action Items

Items For Action

**Item Title:**      **Item For Information**  
3. Policy 1065: Board Meetings

2  
3 SCHOOL DISTRICT ORGANIZATION

4  
5 Board Meetings  
6

7 For all meetings of the Board and its committees, the Superintendent or designee shall satisfy all  
8 notice and posting requirements contained herein, as well as the Open Meetings Act. This shall  
9 include providing meeting notification to news media that have officially requested it. The  
10 agenda for the meeting shall be posted through a link on the website of the newspaper of general  
11 circulation in the District, if offered free of charge, or through a link on the District’s website or  
12 posted to the District’s social media site(s). A copy of the agenda will also be posted at the  
13 entrance of the Lincoln Center.  
14

15  
16 Except for an unforeseen emergency or as described below, all meetings must be held in a  
17 District building or, by unanimous consent of the Board, in a publicly accessible building located  
18 within the District. The Trustees may meet outside the boundaries of the District for  
19 collaboration or cooperation on educational issues with other school boards, educational  
20 agencies, or cooperatives. ~~Adequate notice of the meeting as well as an agenda will be provided~~  
21 ~~to the public in advance, and no decisions may be made at these meetings.~~ Decision making must  
22 still occur only at properly noticed meetings held within the District’s boundaries.  
23

24 *Regular Meetings*  
25

26 Unless otherwise specified by the Board, all regular meetings are held on the second Tuesday of  
27 the month at 5:30 p.m. ~~in a location to be published on the agenda~~ at the Lincoln Center, 1325  
28 Poplar Street. If the time or place of a Board meeting is changed, notice shall be given in the  
29 same manner as provided for special meetings. The Board may choose to not convene a meeting  
30 in the month of July if there is no pressing business to attend to at that time.  
31

32 *Special Meetings*  
33

34 Special meetings may be called by the Board Chair or by any 2 members of the trustees. A  
35 written notice of a special meeting, stating the purpose of the meeting, must be provided to each  
36 trustee not less than 48 hours prior to the time of the meeting. The 48 hour written notice is  
37 waived in the event of an unforeseen emergency or to consider a violation of the student code of  
38 conduct within a week of graduation. Written notice shall also be sent not less than 24 hours  
39 prior to the meeting to each newspaper and radio or television station that has filed a written  
40 request for such notices.  
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*Committee Meetings*

Committee meetings may be called by the Committee Chair, and are subject to the requirements of the Open Meetings Act, including notice and posting requirements.

*Budget Meetings*

As required by state law, the Board shall meet to consider all budget information and any attachments required by law. The Board may continue the meeting from day to day but shall adopt the final budget for the District and determine the amounts to be raised by tax levies for the District not later than the fourth Monday in August and before the fixing of the tax levies for each district.

As required by state law, the Clerk shall publish one notice, in the *Independent Record*, stating the date, time, and place that the Board will meet for the purpose of considering and adopting the final budget.

*Organizational Meeting*

After the issuance of the election certificates to the newly elected trustees in May, and as required by state law, the Board shall convene and elect from among its members a Chair and a Vice-Chair to serve 1 year terms. The Chair shall serve until the next organizational meeting and shall preside at all the meetings of the Board. In addition, the Board shall employ and appoint a competent person as the Clerk of the District at this meeting.

*Emergency Meetings*

In the event of a storm, fire, explosion, community disaster, insurrection, act of God, or other unforeseen destruction or impairment of school district property that affects the health and safety of the trustees, students, or district employees or the educational functions of the district, the Board may meet immediately and take official action without prior notification.

*Closed Session of Any Meeting*

The Board or any committee may hold closed sessions to consider matters of individual privacy or to discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position of the District. Prior to closing the meeting to consider matters or individual privacy, the presiding officer must determine that the demands of individual privacy exceed the merits of public disclosure. The litigation strategy exception is not available if the litigation involves only public bodies or associations as parties.

92

93	Legal References:	<u>§ 2-3-103, MCA</u>	<u>Public participation – governor to ensure</u>
94			<u>guidelines adopted (revised by House Bill</u>
95			<u>724)</u>
96		<u>§ 2-3-104, MCA</u>	<u>Requirements for compliance with notice</u>
97			<u>provisions</u>
98		<u>§ 2-3-105, MCA</u>	<u>Supplemental notice by radio or television</u>
99		<u>§ 2-3-201, MCA</u>	<u>Legislative intent – liberal construction</u>
100		<u>§ 2-3-203, MCA</u>	<u>Meetings of public agencies and certain</u>
101			<u>associations of public agencies to be open to</u>
102			<u>public– exceptions</u>
103		<u>§ 20-3-321, MCA</u>	<u>Organization and officers</u>
104		<u>§ 20-3-322, MCA</u>	<u>Meeting and quorum (revised by House Bill</u>
105			<u>724)</u>
106		<u>§ 20-9-115, MCA</u>	<u>Notice of final budget meeting</u>
107		<u>§ 20-9-131, MCA</u>	<u>Final budget meeting</u>
108		<u>10.55.701, ARM</u>	<u>Board of Trustees</u>

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110

111 Cross Reference:

112

113 Policy History:

114 Adopted on: 2.8. 2011

115 Revised on: 4.12.2016

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.A.4.**

Superintendent's Report

General Public Comment

Items for Information

Consent Action Items

Items For Action

**Item Title:**     **Item For Information**  
4. Policy 1085: Uniform Grievance Procedure

1 **Helena Public Schools**

2 School District Organization

1085

3  
4 Uniform Complaint Procedure

5 The Board establishes this Uniform Complaint Procedure as a means to address complaints  
6 arising within the District. This Uniform Complaint Procedure is intended to be used for all  
7 complaints except those governed by a specific process in state or federal law that  
8 supersedes this process or by a collective bargaining agreement. Matters covered by a  
9 collective bargaining agreement will be reviewed in accordance with the terms of the  
10 applicable agreement.

11  
12 The District will endeavor to respond to and resolve complaints without resorting to this  
13 formal complaint procedure and, when a complaint is filed, to address the complaint as  
14 outlined in this policy. The right of a person to prompt and equitable resolution of a  
15 complaint filed hereunder will not be impaired by a person’s pursuit of other remedies. Use  
16 of this complaint procedure is not a prerequisite to pursue other remedies and use of this  
17 complaint procedure does not extend any filing deadline related to pursuit of other remedies.

18  
19 The District requires that all individuals use this complaint procedure when the individual  
20 believes the Board or its employees or agents have violated the individual’s rights under  
21 state or federal law or Board policy. Complaints against a building administrator shall be  
22 filed with the appropriate Assistant Superintendent. Complaints against a District level  
23 administrator shall be filed with the Superintendent. Complaints against the Superintendent  
24 or Clerk shall be filed with the Board.

25  
26 When a complaint alleges sexual harassment or a violation of Title IX of the Education  
27 Amendments of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities Act  
28 of 1990, or Section 504 of the Rehabilitation Act of 1973, the building administrator shall  
29 turn the complaint over to the applicable District nondiscrimination coordinator. The  
30 coordinator shall ensure an investigation is completed in accordance with the applicable  
31 procedure. In the case of a sexual harassment or a Title IX complaint the applicable  
32 investigation and appeal procedure is Policy 3000 or 5005. In the case of a disability  
33 complaint, the coordinator shall complete an investigation and file a report and  
34 recommendation with the building administrator for decision. Appeal of a decision in a  
35 disability complaint will be handled in accordance with this policy.

36 Deadlines requiring District action in this procedure may be extended for reasons related but  
37 not limited to the District’s retention of legal counsel and District investigatory procedures.  
38 Additional timelines may be waived with the agreement of both parties.

39  
40 *Retaliation*

41  
42 Any individual participating in an investigation or proceeding under this policy shall notify  
43 the appropriate building or district administrator if that person believes that he or she is  
44 being retaliated against for participating in the investigation or proceeding. The District  
45 prohibits retaliation against individuals making complaints and/or participating in any

46 investigation that may ensue under this policy. The District may discipline students or staff  
47 members determined to have retaliated against any individual for participating in an  
48 investigation or proceeding under this policy.

49  
50 *Level 1: Informal*

51  
52 An individual with a complaint ~~is first encouraged to~~ should discuss it with the appropriate  
53 employee or building administrator with the objective of resolving the matter promptly and  
54 informally. If the complaint can't be resolved within ~~(fifteen)~~(thirty) ~~15~~ 30 school days of  
55 ~~the incident that generated the complaint~~ the completion of the informal process, then the  
56 complainant may file a written complaint as outlined in Level 2. An exception is that a  
57 complaint of sexual harassment should be discussed directly with an administrator not  
58 involved in the alleged harassment.

59  
60 *Level 2: Building Administrator*

61  
62 When a complaint has not been or cannot be resolved at Level 1, an individual may file a  
63 signed and dated written complaint stating: (1) the nature of the complaint; (2) a description  
64 of the event or incident giving rise to the complaint, including any school personnel  
65 involved; and (3) the remedy or resolution requested. The written complaint must be filed  
66 within ~~(fifteen)~~(thirty) ~~15~~ 30 school days of the event or incident or completion of the  
67 informal resolution process.

68  
69 When a complaint alleges a violation of Board policy or procedure, the building  
70 administrator or supervisor will investigate and attempt to resolve the complaint. The  
71 administrator or supervisor will respond in writing to the complaint, within fifteen (15)  
72 school days of receipt of the written complaint.

73  
74 If the complainant disagrees with the findings of the administrator or supervisor the  
75 complainant may request, in writing, that the appropriate Assistant Superintendent review  
76 the administrator's or supervisor's decision. (See Level 3.) This request must be submitted  
77 to the appropriate Assistant Superintendent within fifteen (15) school days of receipt of the  
78 administrator's or supervisor's decision.

79  
80 *Level 3: Assistant Superintendent*

81  
82 If the complainant appeals the administrator's or supervisor's decision provided for in Level  
83 2, the Assistant Superintendent will review the complaint, any relevant documents and the  
84 administrator's or supervisor's decision. The Assistant Superintendent will respond in  
85 writing to the appeal, within fifteen (15) school days of the Assistant Superintendent's  
86 receipt of the written appeal.

87  
88 If the complainant disagrees with the findings of the Assistant Superintendent the  
89 complainant may request, in writing, that the Superintendent consider an appeal of the  
90 Assistant Superintendent's decision. (See Level 4.) This request must be submitted in  
91 writing to the Superintendent, within fifteen (15) school days of the Assistant  
92 Superintendent's written response to the complaint.

94 *Level 4: Superintendent*

95  
96 If the complainant appeals the Assistant Superintendent’s decision provided for in Level 3,  
97 the Superintendent will review the complaint and the Assistant Superintendent’s decision.  
98 The Superintendent will respond in writing to the appeal, within fifteen (15) school days of  
99 the Superintendent’s receipt of the written appeal.

100  
101 If the complainant disagrees with the findings of the Superintendent, the complainant may  
102 request, in writing, that the Board consider an appeal of the Superintendent’s decision. (See  
103 Level 5) This request must be submitted in writing to the Superintendent, within fifteen (15)  
104 school days of the Superintendent’s written response to the complaint, for transmission to  
105 the Board.

106  
107 *Level 5: The Board*

108  
109 Upon written appeal of a complaint alleging a violation of the individual’s rights under state  
110 or federal law or Board policy upon which the Board of Trustees has the authority to  
111 remedy, the Board may consider the decisions made in Level 2, 3 and 4. Upon receipt of  
112 written request for appeal, the Chair will either; place the appeal on the agenda of a regular  
113 or special Board meeting or respond to the complaint with an explanation of why the appeal  
114 will not be heard by the Board of Trustees in accordance with this policy. The Board will  
115 report its decision on the appeal, in writing, within thirty (30) school days of the Board  
116 meeting at which the Board considered the appeal or the recommendation of the panel.

117  
118 A decision of the Board is final, unless it is appealed pursuant to Montana law within the  
119 period provided by law.

120  
121 An individual may obtain a written copy of this policy by requesting one through the  
122 Superintendent. This procedure is available on the District’s website.

- 123  
124 Cross Reference: 3000 - Equal Educational Opportunities  
125 5000 - Equal Employment Opportunity and Non-Discrimination  
126 5005 – Sexual Harassemnt  
127  
128 Legal Reference: Title IX of the Education Amendments of 1972 (Civil Rights Act)  
129 Title II of the Americans with Disabilities Act of 1990  
130 § 504 of the Rehabilitation Act of 1973  
131 34 C.F.R. Part 106 Nondiscrimination on the Basis of Sex in Education  
132 **§ 20-3-323, MCA** **District policy and record of acts (revised**  
133 **by House Bill 504)**  
134  
135

136 Policy History:

137 Adopted on: 2.08.2011  
138 Revised on: 9.13.2016, 3.8.2022  
139 Reviewed on:

9.5.2023 Policy Committee – 1<sup>st</sup> Reading  
9.12.2023 Full Board – 1<sup>st</sup> Reading

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.A.5.**

Superintendent's Report

General Public Comment

Items for Information

Consent Action Items

Items For Action

**Item Title:**     **Item For Information**  
5. Policy 2015: Curriculum Development Content and Assessment

2 **STUDENT INSTRUCTION**

3 **Curriculum Development, Content and Assessment**

---

4 The Superintendent shall recommend a comprehensive curriculum that is designed to accomplish  
5 the learning objectives and goals for excellence contained in the District’s educational  
6 philosophy, mission statement, objectives and goals. The Board must approve all changes to the  
7 curriculum. New course proposals, changes in existing course names, and suspension or  
8 elimination of courses will be approved by the Superintendent.

9  
10 Written sequential curricula that aligns with the appropriate content standards, grade-level band  
11 progressions, and the District’s educational goals shall be developed for each program area. A  
12 curriculum review cycle and time lines for curriculum development and evaluations shall be  
13 established by the Superintendent.

14  
15 The District shall assess student progress toward achieving content standards and content-  
16 specific grade-level band learning progressions including: content and data; accomplishment of  
17 appropriate skills; development of critical thinking and reasoning; and attitude.

18  
19 The District will use assessment results to improve the educational program, and use effective  
20 and appropriate tools for assessing such progress. This may include, but is not limited to:  
21 standardized tests; criterion-referenced tests; teacher-made tests; ongoing classroom evaluation;  
22 actual communication assessments such as writing, speaking, and listening assessments; samples  
23 of student work and/or narrative reports passed from grade to grade; samples of students’  
24 creative and/or performance work; and surveys of carry-over skills to other program areas and  
25 outside of school.

26  
27 The District may receive and/or provide distance, ~~online and technology delivered~~ remote, or  
28 offsite learning programs, as provided in Montana law. ~~Distance, online and technology-~~  
29 ~~delivered~~ These learning programs and/or courses shall meet the learner expectations adopted in  
30 the District and shall be aligned with state content standards and content-specific grade-level  
31 band learning progressions. The Superintendent is directed to develop procedures regarding the  
32 District’s distance, ~~online and technology-~~ remote or offsite delivered learning.

33  
34 The District will provide gifted and talented coursework. The District will provide structured  
35 support and assistance to teachers in identifying and meeting the diverse student needs of gifted  
36 and talented students and a framework for considering a full range of alternatives for addressing  
37 students needs.

38  
39 The building principal shall be responsible for the supervision and implementation of the  
40 adopted curriculum. The teaching staff has a significant responsibility in the development of  
41 curricula and the primary responsibility for the implementation of curricula.

42  
43

44 Legal References:     **§ 20-1-101, MCA**     **Definitions (revised by House Bill 214)**  
45                             § 20-3-324, MCA     Powers and duties



46	§ 20-4-402, MCA	Duties of district superintendent or county high
47		school principal
48	<b><u>§ 20-7-118, MCA</u></b>	<b><u>Remote Instruction (revised by House Bill 214)</u></b>
49	§ 20-7-602, MCA	Textbook selection and adoption
50	10.55.603, ARM	Curriculum and Assessment
51	§ 20-7-902, MCA	School district programs to identify and serve the
52		gifted and talented child ( <del>Revised by Senate Bill</del>
53		<del>109</del> )
54	<del>Senate Bill 109</del>	<del>Revise laws related to gifted and talented</del>
55		<del>education.</del>
56	<del>10.55.603</del>	<del>ARM Curriculum development and assessment</del>
57	<del>10.55.701</del>	<del>ARM Board of Trustees</del>
58	§ 20-7-902	MCA School district programs to identify and serve
59		the gifted and talented child (Revised by Senate Bill
60		109)
61	Cross References:	
62		
63	Policy History:	
64	Adopted on:	2/28/2012
65	Revised on:	2/13/2018, 10.11.2022

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.A.6.**

Superintendent's Report

General Public Comment

Items for Information

Consent Action Items

Items For Action

**Item Title:**     **Item For Information**  
6. Policy 2020: Student and Family Privacy Rights

1 **Helena School District**

2  
3 INSTRUCTION

2020

4  
5  
6 Student and Family Privacy Rights

7  
8 **All fundamental parental rights are exclusively reserved to the parent of a child without**  
9 **obstruction or interference by a governmental entity in accordance with the common law,**  
10 **state and federal law, and Board policies.**

11  
12 *Surveys - General*

13  
14 All surveys requesting personal information from students, as well as any other instrument used  
15 to collect personal information from students, must advance or relate to the District’s educational  
16 objectives as identified in Board policy. This applies to all surveys, regardless of whether the  
17 student answering the questions can be identified and regardless of who created the survey.

18  
19 *Surveys Created by a Third Party*

20  
21 Before the District administers or distributes a survey created by a third party to a student, the  
22 student’s parents may inspect the survey upon request and within a reasonable time of their  
23 request. This section applies to every survey that is created by a person or entity other than a  
24 District official, staff member, or student, regardless of whether the student answering the  
25 questions can be identified, and regardless of the subject matter of the questions.

26  
27 *Surveys Requesting Personal Information*

28  
29 School officials and staff members shall not request, nor disclose, the identity of any student who  
30 completes ANY survey containing one (1) or more of the following items:

- 31
- 32 1. Political affiliations or beliefs of the student or the student’s parent/guardian;
  - 33 2. Mental or psychological problems of the student or the student’s family;
  - 34 3. Behavior or attitudes about sex;
  - 35 4. Illegal, antisocial, self-incriminating, or demeaning behavior;
  - 36 5. Critical appraisals of other individuals with whom students have close family  
37 relationships;
  - 38 6. Legally recognized privileged or analogous relationships, such as those with lawyers,  
39 physicians, and ministers;
  - 40 7. Religious practices, affiliations, or beliefs of the student or the student’s parent/guardian;
  - 41 8. Income (other than that required by law to determine eligibility for participation in a  
42 program or for receiving financial assistance under such program).
- 43

44 The student’s parents may inspect the survey within a reasonable time of the request, and/or  
45 refuse to allow their child to participate in any survey requesting personal information. The  
46 school shall not penalize any student whose parent(s)/guardian(s) exercise this option.

47  
48 **No student shall be required to submit to any survey requesting personal information**  
49 **without consent of the parent. Parents will be given notice and an opportunity to opt their**  
50 **child out of participation of any survey requesting personal information that is not**  
51 **required by the District.**

52  
53 *Instructional Material*

54  
55 A student’s parent may, within a reasonable time of the request, inspect any instructional  
56 material used as part of their child’s educational curriculum. The term “instructional material,”  
57 for purposes of this policy, means instructional content that is provided to a student, regardless of  
58 its format, printed or representational materials, audio-visual materials, and materials in  
59 electronic or digital formats (such as materials accessible through the Internet). The term does  
60 not include academic tests or academic assessments.

61  
62 *Collection of Personal Information from Students for Marketing Prohibited*

63  
64 The term “personal information,” for purposes of this section only, means individually  
65 identifiable information including: (1) a student’s or parent’s first and last name, (2) a home or  
66 other physical address (including street name and the name of the city or town), (3) telephone  
67 number, or (4) a Social Security identification number.

68  
69 The District will not collect, disclose, or use student personal information for the purpose of  
70 marketing or selling that information or otherwise providing that information to others for that  
71 purpose.

72  
73 The District, however, is not prohibited from collecting, disclosing, or using personal  
74 information collected from students for the exclusive purpose of developing, evaluating, or  
75 providing educational products or services for, or to, students or educational institutions such as  
76 the following:

- 77  
78 1. College or other post-secondary education recruitment or military recruitment;  
79 2. Book clubs, magazines, and programs providing access to low-cost literary products;  
80 3. Curriculum and instructional materials used by elementary schools and secondary  
81 schools;  
82 4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or  
83 achievement information about students (or to generate other statistically useful data for  
84 the purpose of securing such tests and assessments) and the subsequent analysis and  
85 public release of the aggregate data from such tests and assessments;  
86 5. The sale by students of products or services to raise funds for school-related or education-  
87 related activities;  
88 6. Student recognition programs.

93 *Notification of Rights and Procedures*

94  
95 The Superintendent or designee shall notify students' parents/guardians of this policy as well as  
96 its availability from the administration office upon request; how to opt their child out of  
97 participation in activities as provided in this policy; the approximate dates during the school year  
98 when a survey requesting personal information, as described above, is scheduled or expected to  
99 be scheduled; and how to request access to any survey or other material described in this policy.

100  
101 This notification shall be given parents at least annually at the beginning of the school year and  
102 within a reasonable period after any substantive change in this policy.

103  
104 The rights provided to parents in this policy transfer to the student, when the student turns  
105 eighteen (18) years of age or is an emancipated minor.

106 Cross Reference:

107  
108  
109 Legal Reference: 20 U.S.C. 1232h Protection of Pupil Rights  
110 § 40-6-701, MCA Interference with Fundamental Parental Rights  
111 Restricted (revised by House Bill 676)

112  
113 Policy History:

114 Adopted on: 5.8.2012

115 Reviewed on:

116 Revised on:

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.A.7.**

Superintendent's Report

General Public Comment

Items for Information

Consent Action Items

Items For Action

**Item Title:**     **Item For Information**  
7. Policy 2025: K-12 School Counseling

3  
4 STUDENT INSTRUCTION

5  
6 K-12 School Counseling Program

7  
8 The District will provide a K-12 School Counseling program that will strive to assist every  
9 student.

10  
11 All staff members are responsible for effectively guiding students under their supervision in  
12 order to provide early identification of intellectual, emotional, social and physical needs, and to  
13 make appropriate referrals for evaluation of special needs. The counselors offer services to  
14 supplement the District’s efforts to meet the academic development, personal / social  
15 development and career development needs of students outside of the classroom setting.

16  
17 High school students will have the opportunity to receive college and career-oriented  
18 information. Representatives from colleges and universities, occupational training institutions  
19 and career-oriented recruiters, including the military, may be given access to the school campus  
20 in order to provide students and parents with information. All recruiters, including but not  
21 limited to college, university, employment and military recruiters, must follow the procedures  
22 established by the District.

23  
24 All staff will encourage students to explore and develop their individual interests in career and  
25 vocational technical programs and employment opportunities without regard to gender, race,  
26 marital status, national origin, or handicapping conditions, including encouraging students to  
27 consider and explore “nontraditional” occupations.

28  
29 **The District may utilize a career coach for educational and career counseling. A career**  
30 **coach may offer opportunities for internships or apprenticeships within the community**  
31 **and assist students with high school course offerings, career options, occupational training,**  
32 **and postsecondary opportunities associated with the student’s field of interest.**

33  
34 Legal References: § 26-1-809, MCA Confidential communications by student to  
35 employee of educational institution  
36 § 49-3-203, MCA Educational, counseling and training programs  
37 **House Bill 458** **Career Coaches**

38  
39 Cross References:

40  
41  
42  
43 Policy History:

44 Adopted on: 12.19.2014

45 Revised on:

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.A.8.**

Superintendent's Report

General Public Comment

Items for Information

Consent Action Items

Items For Action

**Item Title:**      **Item For Information**  
8. Policy 3097: Video Surveillance



2  
3  
4 STUDENTS

5  
6 **Use of Video Monitoring Cameras Policy**

7  
8 The Board recognizes the need to provide a safe learning environment for students and  
9 staff. Therefore, the Board authorizes the use of video cameras on District property to assist in  
10 ensuring the health, welfare, and safety of all staff, students, and visitors to District property and  
11 to safeguard District buildings, grounds and equipment.

12  
13 Video cameras will also be used to assist in ensuring that behavior on school property is  
14 consistent with the established safety and conduct rules, policies and procedures. If unacceptable  
15 behavior is observed and/or reported, timely and appropriate corrective action will occur.

16  
17 The Superintendent or designee is responsible for the implementation of safety and security  
18 measures at each building and the proper use of video monitoring systems. Cameras will be  
19 utilized to monitor activity in common areas such as hallways and parking lots. Only employees  
20 authorized by the Superintendent may use and/or monitor the video surveillance system.

21  
22 No staff member may use video surveillance in a classroom without permission of the parent.

23  
24 To protect the privacy rights of staff, students, and visitors all state and federal statutes will be  
25 followed.

26  
27 Signs shall be posted at various locations to inform students, staff and the public  
28 that video monitoring cameras are in use. The video monitoring of school buildings and grounds  
29 will not include audio recordings unless specific notice is given as required by law.

30  
31  
32 Cross References:

33  
34 Legal Reference: §45-8-213, MCA Privacy in Communications  
35 § 40-6-701, MCA Interference with fundamental rights of  
36 parents restricted (revised by House Bill 676)  
37

38  
39  
40 Policy History:

41 Adopted on: 9.11.2012

42 Revised on:  
43  
44  
45

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.B.1. - B.6.**

Superintendent's Report

General Public Comment

Items For Information

Consent Action Items

Items For Action

**Item Title:      Consent Action Items**

1. Personnel Actions
2. Warrants
3. Out-of-District Attendance Agreements (Non-Resident Students Attending HPS)
4. Out-of-District Attendance Agreements (Helena Students Attending Other Districts)
5. Early Entrance to Kindergarten
6. 08.15.23 Full Board Meeting Minutes

Board Action	1st Motion	Second	Aye	Nay	Other
Hathorn					
McKee					
Beaver					
Satre					
Hindoien					
Cleatus					
Walsh					
Armstrong					

## PERSONNEL ACTIONS

August 16, 2023 – September 12, 2023

### CERTIFIED PERSONNEL

#### Appointments

<u>Location/Assignment</u>	<u>Name</u>	<u>Offered Salary</u>	<u>Accepted Salary</u>	<u>Start Date</u>
Kessler/Grade 1	Coonen, Riley	\$41,615.00	\$41,615.00	08/28/2023
HMS/Part-time (.50 FTE) Social Studies	Howard, Audrey	\$29,130.50	\$29,130.50	08/28/2023
Bryant/4th Grade	Kessler, Savannah	\$45,776.50	\$45,776.50	08/28/2023
HMS/Science	Towery, Andrea	\$51,324.83	\$51,324.83	08/28/2023
Bryant/Grade 2	Yackley, Jaden	\$43,695.75	\$43,695.75	08/28/2023

*\*Salary is subject to the Collective Bargaining Agreement and will be adjusted accordingly.*

#### Terminations/Retirements

<u>Location/Assignment</u>	<u>Name</u>	<u>Reason</u>	<u>Effective</u>
Bryant/4 <sup>th</sup> Grade	Kessler, Savannah	Resignation	08/29/2023

### CLASSIFIED PERSONNEL

#### Appointments

<u>Location/Assignment</u>	<u>Name</u>	<u>Offered Salary</u>	<u>Accepted Salary</u>	<u>Start Date</u>
----------------------------	-------------	-----------------------	------------------------	-------------------

Lincoln/Education Technology	Beardsley, Stuart	\$24.22/hr.	\$24.22/hr.	08/31/2023
CHS/Para Educator	Cronin, Victoria	\$17.51/hr.	\$17.51/hr.	08/28/2023
SSC/Administration Secretary	Dvorak, Monique	\$19.90/hr.	\$19.90/hr.	09/05/2023
Rossiter/Para Educator	Fish, Misty	\$17.51/hr.	\$17.51/hr.	09/05/2023
CRA/Evening Custodian	Gibson, Jalen	\$16.49/hr.	\$16.49/hr.	08/31/2023
HMS/Para Educator	Havens, Jeff	\$16.62/hr.	\$16.62/hr.	08/28/2023
CRA/Float Custodian	Hinds, Garret	\$16.49/hr.	\$16.49/hr.	07/24/2023
HMS/Part-time (.50 FTE) Para Educator	Howard, Audrey	\$17.51/hr.	\$17.51/hr.	08/28/2023
Broadwater/Elementary Secretary	James, Karen	\$19.24/hr.	\$19.24/hr.	08/21/2023
CRA/ NET Tutor	Jatkowski, Darlene	\$21.68/hr.	\$21.68/hr.	08/28/2023
Jefferson/SACC Para Educator	O'Connor, Alaina	\$14.66/hr.	\$14.66/hr.	09/05/2023
HHS/Para Educator-ISS	Oliver, Kristi	\$17.07/hr.	\$17.07/hr.	08/28/2023
HHS/Para Educator	Pate-Terry, Hunter	\$18.16/hr.	\$18.16/hr.	08/31/2023
TBD/Part-time SACC Para Educator	Reichert, Ava	\$14.66/hr.	\$14.66/hr.	08/28/2023
TBD/Part-time SACC Para Educator	Reichert, Dylan	\$14.66/hr.	\$14.66/hr.	08/30/2023
TBD/Part-time SACC Para Educator	Senger, Dani	\$15.31/hr.	\$15.31/hr.	09/05/2023
Facilities/Centralized Maintenance Wrkr	Smith, Miriah	\$18.16/hr.	\$18.16/hr.	08/21/2023
Jim Darcy/Day Custodian	Wright, Arthur	\$16.92/hr.	\$16.92/hr.	08/21/2023

*\*Salary is subject to the Collective Bargaining Agreement and will be adjusted accordingly.*

### **Terminations/Retirements**

<b><u>Location/Assignment</u></b>	<b><u>Name</u></b>	<b><u>Reason</u></b>	<b><u>Effective</u></b>
CRA/Float Custodian	Guerra Barrios, Andres	Resignation	09/05/2023
CRA/Para Educator	Huber, James	Resignation	09/07/2023
PAL/Part-time Para Educator	Malatare, Jacqueline	Resignation	08/26/2023
HMS/Float Custodian	Martian, Allie	Resignation	09/08/2023
Jim Darcy/Para Educator	Rouns, Becky	Resignation	09/22/2023
CRA/Para Educator	Sampson, Jenifer	Resignation	09/19/2023
Central/Para Educator	Smith, Miriah	Resignation	08/18/2023
SSC/COTA	Somers, Lisa	Resignation	09/29/2023
HMS/Custodian	Stubbs, Janette	Resignation	08/10/2023

### **SUPPLEMENTARY CONTRACT ASSIGNMENT**

<b><u>Last Name</u></b>	<b><u>First Name</u></b>	<b><u>Position</u></b>	<b><u>School</u></b>
Toivonen	Jamie	Annual	Capital High
Walsh	Megan	Annual	Helena High

Rauch	Marie	Annual	PAL
Zehr	Duane	Band Director	Capital High
Hollow	Cody	Band Director	Helena High
Toivonen	Jamie	BPOA	Capital High
Humphrey	Samantha	BPOA	Helena High
Bailey	Taetumn	Cheerleading-Head Coach	Capital High
Navarette	Alexis	Cheerleading-Head Coach	Helena High
Christenson	Bree	Cheerleading-JV Coach	Capital High
Benton	Chloe	Cheerleading-JV Coach	Helena High
Baty	Thomas	Choir	Capital High
Kohoutek (formerly Steele)	Molly	Choir	Helena High
Herndon	Aspen	Concessions	Capital High
Hussey	Randy	Concessions	Helena High
Paradis	Patrick	Cross Country-Asst Boys	Capital High
Kauffman	Michael	Cross Country-Asst Boys	Helena High
Urban	Sarah	Cross Country-Asst Girls	Capital High
Schwartz	Joanna	Cross Country-Asst Girls	Helena High
Barton	Heather	Cross Country-Coordinator	Capital High
Burke	John	Cross Country-Coordinator	Helena High
Beskid	Chris	Cross Country-Head Boys	Capital High
Gilbert	Kelley	Cross Country-Head Boys	Helena High
Tuss	David	Cross Country-Head Girls	Capital High
Zentz	Jesse	Cross Country-Head Girls	Helena High
Ruddell	Danette	Dance Team	Capital High
Carpenter	Lexsey	Dance Team	Helena High
Dawes	Levi	DECA	Capital High
Frazier	Jessica	DECA	Capital High
Askin	Kacey	DECA	Helena High
Gibbons	Matthew	Drama-Asst Coach	Capital High

Helena School District #1

Warrants August 1 to 31, 2023

Direct Deposits: \$712,618.58

Payroll Warrants: 70131602-70131610

Payroll Deduction: 69294928-69294946

Non-Check Payroll Deductions: \$1,121,503.00

Non-Check Accts Payable Deductions: \$251,421.04   \*\*Allegiance Payment Not Included

Non-Check Accts Payable Deductions- HHS Extracurricular: \$0

Claim Warrants: 69294797-69295099

CRA Middle School Student Activity Checks: 17354

HMS Middle School Student Activity Checks: 8731

Capital High Student Activity Checks:

Helena High Student Activity Checks: 36314-36317

Cancelled Warrants: \$4,669.65

We certify that all warrants herein listed were prepared and previously paid for, are just and correct to the best of our knowledge, and that the board of trustees has authorized the issuance of the same.

Chairperson \_\_\_\_\_

Business Manager \_\_\_\_\_

APPROVAL OF OUT-OF-DISTRICT ATTENDANCE AGREEMENTS  
(NONRESIDENT STUDENTS ATTENDING HELENA SCHOOL DISTRICT)

Grade	District of Residence	Address	School of Attendance
4	Billings Elementary	Billings, MT 59105	Broadwater Elementary
4	East Helena K-12	Helena, MT 59601	Central Elementary
5	East Helena K-12	Helena, MT 59601	Smith Elementary
6	East Helena K-12	East Helena, MT 59635	Helena Middle School
6	East Helena K-12	Helena, MT 59601	Helena Middle School
8	Power Elementary	Power, MT 59468	Helena Middle School
8	Billings Elementary	Billings, MT 59101	Helena Middle School
8	Missoula Elementary	Missoula, MT 59808	CR Anderson Middle School
8	Clancy Elementary	Clancy, MT 59634	CR Anderson Middle School
9	East Helena K-12	Helena, MT 59601	Helena High School
9	Townsend K-12	Townsend, MT 59644	Helena High School
10	Miles City High School	Miles City, MT 59301	Capital High School
10	East Helena K-12	East Helena, MT 59635	Helena High School
10	Jefferson High School	Jefferson City, MT 59638	Helena High School
10	Jefferson High School	Clancy, MT 59634	Helena High School
10	Jefferson High School	Clancy, MT 59634	Capital High School
10	Anaconda High School	Anaconda, MT 59711	Capital High School
10	Jefferson High School	Jefferson City, MT 59638	Helena High School
10	Jefferson High School	Clancy, MT 59634	Helena High School
10	Jefferson High School	Montana City, MT 59634	Helena High School
11	Butte High School	Butte, MT 59701	Helena High School
11	Jefferson High School	Clancy, MT 59634	Helena High School
11	Jefferson High School	Clancy, MT 59634	Helena High School
11	Jefferson High School	Clancy, MT 59634	Helena High School
11	Germany-International	Engstingen Germany 72829	Capital High School
12	Jefferson High School	Clancy, MT 59634	Helena High School
12	Jefferson High School	Clancy, MT 59634	Helena High School
12	Jefferson High School	Montana City, MT 59634	Helena High School

APPROVAL OF OUT-OF-DISTRICT ATTENDANCE AGREEMENTS  
(NONRESIDENT STUDENTS ATTENDING HELENA SCHOOL DISTRICT)

Running Total of Out-of-District Attendance Agreements

Grade	Address													Total
	East Helena	Clancy	Jefferson City	Montana City	Townsend	Basin	Billings	Power	Missoula	Miles City	Butte	Anaconda	International	
K	1													1
1														0
2														0
3	3													3
4	1						1							2
5	1													1
6	2					1								3
7														0
8	1	1					1	1	1					5
9	3	33		3	2									41
10	1	6	2	1						1		1		12
11		5									1		1	7
12		4		1										5
	13	49	2	5	2	1	2	1	1	1	1	1	1	80



ACKNOWLEDGE OUT-OF-DISTRICT ATTENDANCE AGREEMENTS  
(HELENA RESIDENT STUDENTS ATTENDING OTHER SCHOOL DISTRICTS)

**Discretionary:** -

Grade	Address	District of Attendance
1	Helena, MT 59601	Clancy Elementary
4	Helena, MT 59601	Clancy Elementary

Running Total of Acknowledged Out-of-District Attendance Agreements  
(Helena Resident Students Attending Other School Districts)

Grade	Clancy Elementary	East Helena K-12	Wolf Creek Elementary	Wolf Creek High School	Total
K	4	1			5
1	5	12			17
2	3	15			18
3	3	9			12
4	5	12			17
5	5	12			17
6	3	4			7
7	5	16	2		23
8	3	14			17
9		23		9	32
10		16		3	19
11		27		3	30
12		14			14
	36	175	2	15	228

# Board of Trustees Meeting

## Early Entrance to Kindergarten

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### VII. NEW BUSINESS

#### B. Consent Action Items

##### 5. Early Entrance to Kindergarten

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#### Background:

Early Entrance to Kindergarten programming (Helena School District Kinder Sprouts) has kicked off at Bryant Elementary School. To qualify, students must turn 4 by September 10<sup>th</sup> and live in the Bryant area. All families have been made aware that their child will be retained in Kindergarten the following year and will not move up to 1<sup>st</sup> grade. Below is a list of students for approval by the school board:

First Name	Last Name
S	B
S	B
R	B
R	C
L	C
C	G
P	H
F	H
F	H
J	J
B	L
X	L
G	M
H	P
V	P
T	P
A	S
A	V



**Superintendent**

Rex Wertz  
324-2001

**Business Manager**

Janelle Mickelson  
324-2040

## Board of Trustees Meeting

Lincoln Center  
1325 Poplar St., Helena, MT 59601  
And on TEAMS

**Tuesday, August 15<sup>th</sup>, 2023**  
5:30 p.m.

### MINUTES

**ATTENDANCE – Present unless otherwise noted.**

Siobhan Hathhorn, Chair  
Kay Satre, Trustee  
Janet Armstrong, Trustee  
Linda Cleatus, Trustee  
Jeff Hindoien, Trustee  
Terry Beaver, Trustee  
Jennifer Walsh, Trustee

Luna Hernandez, Capital High School Student Representative for the Board of Trustees  
Willa Bishop, Helena High School Student Representative for the Board of Trustees

Rex Wertz, Superintendent  
Keri Mizell, Human Resources Director  
Josh McKay, Assistant Superintendent  
Janelle Mickelson, Business Manager  
Barb Ridgway, Chief of Staff  
Gary Myers, Director of Educational Technology  
Jane Shawn, HEA President  
Todd Verrill, Facilities Director  
Karen Ogden, Communications Officer  
Kaitlyn Hess, Assessment and Federal Programs  
Joslyn Davidson, Curriculum Administrator  
Robert Worthy, General Manager Sodexo School Services  
Tim McMahon, Activities Director  
Many guests of the public as well as Helena School District staff

**I. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Board Chair Siobhan Hathhorn called the meeting to order at 5:31 p.m. and led the Pledge of Allegiance.

**II. REVIEW AGENDA**

The Board of Trustees reviewed the agenda and no changes were requested.

**III. OATH OF OFFICE FOR 2023-2024 BOARD OF TRUSTEES STUDENT REPRESENTATIVE**

Luna Hernandez was sworn in as the 2023-2024 Board of Trustees Student Representative for Capital High School.

**IV. PRESENTATION**

Robert Worthy, General Manager of Sodexo School Services, gave a presentation to the Board of Trustees. Robert Worthy reviewed the Future Chefs program with the Board of Trustees. Mr. Worthy said they received 46 applications and only the top 12 can compete. The top 12 students were invited to cook their culinary masterpieces in the base kitchen and then present them to the public. Judging was based on originality, healthy, easy preparation, kid friendly, plate presentation, and people’s choice award. Three high school culinary students and two diatetic interns volunteered to be team mentors/Sous Chefs and worked directly with each team to help inspire these young students to realize their potential in the culinary arts. Mr. Worthy reviewed some of the challenges experienced during COVID including supply chain shortfalls. Mr. Worthy discussed equipment replacement. During COVID reimbursable meals had a much higher rate and all extra money made from reimbursable meals must go back into the School Meal Program as per the written regulations by the USDA. An initial draft for a three-year replacement/purchase plan has been made to help replace aging equipment and purchase new equipment they have not had. Mr. Worthy mentioned that he has brought on an in-house baker, and reviewed some changes being made at Helena High. They are restructuring the main line to increase speed, all bread for their daily sandwiches will be fresh baked at the base kitchen and delivered daily, they will serve hand made whole grain pizzas, they will complete a new a la cart program to help encourage students to stay on campus, there will be a breakfast and lunch station for reimbursable or non-reimbursable meals out of the lunchroom every day, there will be a new high school pre-order meal program for students and adults, and they are working on a new composting/washable program along with Mrs. Van Alstyne’s Green Group. Mr. Worthy moved on to discuss the school food forum. He will be holding the third open forum set to be open to the public hopefully in October or November. The last one was in 2018. There will possibly be two sessions, one in the day and one in the evening. The general purpose is to answer questions about how food service works in our Helena schools and they will have a facilitator to help keep the meeting on task and on time. Mr. Worthy said he will be working with the District Wellness Committee and the Helena Kids Nutrition Coalition. The location is yet to be determined but it will be advertised and open to the public. Mr. Worthy discussed scratch cooking and every week they create three to five main even meals at the base kitchen and reviewed special dietary needs and nurse assistance in the district. Mr. Worthy concluded his presentation by discussing how they are going green at most locations, reviewing the summer program, and culinary teaching that occurs in the schools.

## V. SUPERINTENDENT'S REPORT

Superintendent Rex Weltz gave his report to the Board of Trustees. The information presented included:

- Recognition
  - Thank you to Boeing for their generous donation to Helena Public Schools. This donation will go towards a state-of-the-art machining system at Helena High School, and the grant will help bring interest in trade programs to middle schools around the district.
  - HEF's integral effort to apply and receive the Boeing Grant
  - Business Office – Close-Out 2022-23 / Start-Up 2023-24 Budgets
  - Facilities and Maintenance – Summer Work
  - Teachers and Staff – Professional Development Investment
  - Jeremy Bullock Safety Summit
    - Facilities, Technology, Food Service, Chief of Staff
    - 20+ Administrators/Directors and School Psychologists
  
- New Business
  - School Administrators of Montana Administrators Institute 2023 July 24th-July 26th
  - Jeremy Bullock Safe Schools Summit
    - August 8th- August 9th at Central Elementary School
  - 2023-2024 District Calendar “Year in Review”
  - HEA / HSD Mediation Update
  - Summer Professional Development Implementation
  - Budget Recommendation Consensus Committee
    - August 21st, 2023
  - Facilities Master Plan Meetings - SMA
  - 2023-2024 Planning Process
  - Reorganize our central office team
  - All Administration Meetings-August 14th and August 18th
  - Monday and Tuesday, August 28th / 29th Welcome Back Convocation Tour Across The District
  - Artspace Study-Affordable Arts Housing & Workspaces in Helena-May Butler Center
  
- Outreach/Meetings
  - Cabinet & Leadership
  - Board Leadership
  - AA Superintendents
  - Hometown Helena
  - Lewis and Clark Board of Health
  - HEA President/Superintendent Meeting
  - Rotary Club
  - Back to School Media Interviews
  - SMA
  - Media – TV

That concluded the Superintendent’s Report portion of the agenda. The Trustees moved on to hear general public comment.

## VI. GENERAL PUBLIC COMMENT

There was no general public comment and the Board of Trustees moved on to review the Consent Action Items.

## VII. NEW BUSINESS

### A. Consent Action Items

1. Personnel Actions
2. Warrants
3. Out-Of-District Attendance Agreements (Non-Resident Students Attending HPS)
4. Out-Of-District Attendance Agreements (Helena Students Attending Other Districts)
5. Resolution to Dispose of 7<sup>th</sup> Avenue Gym Furniture
6. 06.26.23 Special Board Meeting Minutes
7. 07.27.23 Full Board Meeting Minutes

Board Chair Siobhan Hathhorn commented. “At this point I would entertain a motion to approve our Consent Action Items.”

**Motion:** Trustee Jeff Hindoien moved to approve the Consent Action Items as presented. Trustee Kay Satre seconded the motion.

**Public Comment:** None.

**Vote:** 7-0 motion carries unanimously.

That concluded the Consent Action Items. The Board of Trustees moved on to review the Items for Action.

### B. **Items for Action**

1. Consider Approval of Lease Proposals for Ray Bjork Learning Center

Mr. Todd Verrill, Facilities Director for Helena Public Schools, presented the action item *Consider Approval of Lease Proposals for Ray Bjork Learning Center* to the Board of Trustees. Mr. Verrill reviewed the proposals received for the Ray Bjork Learning Center. The Board of Trustees reviewed proposals received from Rocky Mountain Development Council (Entire School) and St. Peter’s Health. At the August 1<sup>st</sup> Facilities and Maintenance Committee meeting, the committee reviewed a total of four proposals, and the Rocky Mountain Development

Council (Entire School) and St. Peter's Health were the final two proposals that the Facilities and Maintenance Committee recommended be brought to the full board for review tonight. Mr. Verrill reviewed the proposed use from each proposal, as well as the occupancy schedule, lease, payment, and improvement information provided. Mr. Verrill explained the evaluation methodology and the decision support matrix that was used to make a recommendation. Mr. Verrill stated that the superintendent and district administration recommends the proposal from St. Peter's Health to lease the Ray Bjork Learning Center. Mr. Verrill stated this proposal offers the best combination of criteria to include an excellent financial proposal, a good alignment with district mission and principals, excellent maintenance of improvements to the facility, and a high impact to the Helena community. The Trustees proceeded with any comments or questions related to this action item.

Board Chair Siobhan Hathhorn asked if there was any public comment regarding this action item.

**Public Comment:** Ms. Peggy Hollow-Phelps gave public comment. Ms. Hollow-Phelps is here tonight to show support for RMDC Head Start to be the next occupant of the Ray Bjork Learning Center. Ms. Hollow-Phelps worked for 25 years in the Special Education preschool program, working side by side with Head Start and saw the value of having those early years of high-quality education for children at risk.

Ms. Jane Shawn, HEA Union president, gave public comment. Ms. Shawn said under the St. Peter's proposal there was discussion that St. Peter's employees' children are not the only ones allowed to use the facility, but she assumes they would get first preference. Ms. Shawn asked under this lease agreement would Helena School District employees get second preference to use the facility for their children in the daycare.

That concluded public comment on this action item.

Board Chair Siobhan Hathhorn commented. "I would entertain a motion to approve the superintendent's recommendation that we move forward with St. Peter's Health in starting negotiations over a lease agreement for the Ray Bjork building as presented."

Trustee Jennifer Walsh stated that she would abstain from voting because the Ray Bjork Learning Center is considered an elementary district building, and Trustee Jennifer Walsh is a trustee for the high school district.

**Motion:** Trustee Jeff Hindoien moved to approve the superintendent's recommendation that we move forward with St. Peter's Health in starting negotiations over a lease agreement for the Ray Bjork building as presented.

Trustee Terry Beaver seconded the motion.

**In Favor:** Trustee Jeff Hindoien, Trustee Terry Beaver, Trustee Linda Cleatus, Trustee Janet Armstrong

**Opposed:** Trustee Kay Satre, Board Chair Siobhan Hathhorn

**Abstained From Voting:** Trustee Jennifer Walsh

**Vote:** 4-2 motion passes (*please note that Board Chair Hathhorn stated in error the final vote was 5-1*)

## 2. Consider Approval of Lease Proposals for 7<sup>th</sup> Avenue Gym

Mr. Todd Verrill, Facilities Director for Helena Public Schools, presented the action item *Request for Proposals for 7<sup>th</sup> Avenue Gym* to the Board of Trustees. Mr. Verrill moved on to review the proposals received for 7<sup>th</sup> Avenue Gym. The Board of Trustees reviewed proposals received from Queen City Football Club (QCFC) and the Helena Community Hub Working Committee (HCHWC). At the August 1st Facilities and Maintenance Committee meeting, the committee reviewed these two proposals, and recommended that they both be brought to the full board for review tonight. Mr. Verrill reviewed the proposed use from each proposal, as well as the occupancy schedule, lease, payment, and improvement information provided. Mr. Verrill explained the evaluation methodology and the decision support matrix that was used to make a recommendation. Mr. Verrill stated that the superintendent and district administration recommend the proposal from Queen City Football Club to lease 7th Avenue Gym. Mr. Verrill stated this proposal offers the best combination of criteria to include a good financial proposal, good alignment with district mission and principals, outstanding maintenance of and improvements to the facility, and high impact to the Helena community. The Trustees proceeded with any comments or questions related to this action item.

Trustee Janet Armstrong stated that she has coached with Queen City Football Club and would like to therefore abstain from voting. Trustee Jennifer Walsh stated she would abstain from voting because 7<sup>th</sup> Avenue Gym is considered an elementary district building, and Trustee Jennifer Walsh is a trustee for the high school district.

Board Chair Siobhan Hathhorn commented. “I would entertain a motion to approve the superintendent’s recommendation that we move forward with Queen City Football Club (QCFC) in starting negotiations over a lease agreement for the 7<sup>th</sup> Avenue Gym building as presented.”

**Motion:** Trustee Jeff Hindoién moved to approve the approve the superintendent’s recommendation that we move forward with Queen City Football Club (QCFC) in starting negotiations over a lease agreement for the 7th Avenue Gym building as presented. Trustee Linda Cleatus seconded the motion.

**Public Comment:** Ms. Bridget Johnston gave public comment. Ms. Johnston is the president of the Queen City Football Club (QCFC) and has had three of her children attend Helena Public Schools. Ms. Johnston stated that they are very excited about the possibility of moving into the gym and that the timing is perfect for their club, and they are excited to bring something that is currently not offered in downtown Helena. Ms. Johnston stated they are a locally operated nonprofit charity organization, and they service youth from all over the town and county. Ms. Johnston stated that they looked at the parking around 7<sup>th</sup> Avenue Gym and it would be good for them as most of their activities are offered after school hours, in the evenings, and on the weekends. Ms. Johnston concluded by stating that they would not use the showers in 7<sup>th</sup> Avenue Gym and would just want to use the locker rooms downstairs.

That concluded public comment on this action item.



**In Favor:** Trustee Jeff Hindoien, Trustee Linda Cleatus, Board Chair Siobhan Hathhorn, and Trustee Kay Satre

**Opposed:** Trustee Terry Beaver

**Abstained From Voting:** Trustee Janet Armstrong and Trustee Jennifer Walsh

**Vote:** 4-1 motion passes

3. Certify the Trustees' Financial Summary-Elementary Fiscal Year 2022-23

Ms. Janelle Mickelson, Business Manager for Helena Public Schools, presented the action items *Certify the Trustees' Financial Summary-Elementary Fiscal Year 2022-23* and *Certify the Trustees' Financial Summary-High School Fiscal Year 2022-23* to the Board of Trustees.

Background:

School districts account for the receipt and disbursement of all money belonging to the district in accordance with the methods prescribed by the Office of Public Instruction (OPI). The Trustees' Financial Summary (TFS) is the annual financial report prescribed by the OPI.

Considerations:

- Pursuant 20-9-213(6), MCA, the board of trustees transmit the TFS to the county superintendent of schools no later than August 15th and to the OPI no later than September 15th.
- Trustees are responsible for ensuring the accuracy and prompt submission of the TFS.
- Subsequent amendments to the TFS made by the clerk of the district are considered officially made on behalf of the trustees. The Teacher's Retirement System (TRS) has not provided pension information yet. The TFS will need to be updated once the information is released.
- The deadline for amendments is December 10th.

Ms. Mickelson concluded by answering any questions the Trustees had about these action items.

Board Chair Siobhan Hathhorn commented. "I would entertain a motion to approve the action item *Certify the Trustees' Financial Summary-Elementary Fiscal Year 2022-23* as presented."

**Motion:** Trustee Kay Satre moved to approve the action item *Certify the Trustees' Financial Summary-Elementary Fiscal Year 2022-23* as presented. Trustee Janet Armstrong seconded the motion.

**Public Comment:** None.

**Abstained From Voting:** Trustee Jennifer Walsh abstained from voting because this is an action item for the elementary district and she is a trustee for the high school district.

**Vote:** 6-0 motion carries unanimously.

4. Certify the Trustees' Financial Summary-High School Fiscal Year 2022-23

Board Chair Siobhan Hathhorn commented. "I would entertain a motion to approve the action item *Certify the Trustees' Financial Summary-High School Fiscal Year 2022-23* as presented."

**Motion:** Trustee Terry Beaver moved to approve the action item *Certify the Trustees' Financial Summary-High School Fiscal Year 2022-23* as presented. Trustee Jeff Hindoien seconded the motion.

**Public Comment:** None.

**Vote:** 7-0 motion carries unanimously.

5. Final Budget Adoption-Elementary Fiscal Year 2023-24

The Board of Trustees moved on to review the action items *Final Budget Adoption-Elementary Fiscal Year 2023-24* and *Final Budget Adoption-High School Fiscal Year 2023-24* presented by Business Manager Janelle Mickelson. Ms. Mickelson reviewed and discussed in detail various funds including general, transportation, tuition, retirement, adult education, technology, flexibility, debt service, and building reserve and answered any questions the trustees had about the *Final Budget Adoption-Elementary Fiscal Year 2023-24* and *Final Budget Adoption-High School Fiscal Year 2023-24*.

Board Chair Siobhan Hathhorn commented. "I would entertain a motion to approve the action item *Final Budget Adoption-Elementary Fiscal Year 2023-24* as presented."

**Motion:** Trustee Jeff Hindoien moved to approve the action item *Final Budget Adoption-Elementary Fiscal Year 2023-24* as presented. Trustee Kay Satre seconded the motion.

**Public Comment:** None.

**Abstained From Voting:** Trustee Jennifer Walsh abstained from voting because this is an action item for the elementary district and she is a trustee for the high school district.

**Vote:** 6-0 motion carries unanimously.

6. Final Budget Adoption-High School Fiscal Year 2023-24

Board Chair Siobhan Hathhorn commented. "I would entertain a motion to approve the action item *Final Budget Adoption-High School Fiscal Year 2023-24* as presented."

**Motion:** Trustee Jennifer Walsh moved to approve the action item *Final Budget Adoption-High School Fiscal Year 2023-24* as presented. Trustee Jeff Hindoien seconded the motion.

**Public Comment:** None.

**Vote:** 7-0 motion carries unanimously.

#### 7. Approval and Ratification of the HPS-Painters Collective Bargaining Agreement

The Board of Trustees reviewed the action item *Approval and Ratification of the HPS-Painters Collective Bargaining Agreement* presented by Ms. Keri Mizell, Human Resources Director for Helena Public Schools.

Background:

Pursuant MCA 39-31-306, an agreement reached by the public employer and the exclusive representative must be reduced to writing and must be executed by both parties. The Helena School District and the International Union of Painters and Allied Trades District Council 82 reached a tentative agreement on July 25, 2023. The Painters (2 members) unanimously ratified the tentative agreement to the contract and notified us on July 25, 2023. The District negotiation team recommends ratification.

Board Chair Siobhan Hathhorn commented. “I would entertain a motion to approve the action item *Approval and Ratification of the HPS-Painters Collective Bargaining Agreement* as presented.”

**Motion:** Trustee Janet Armstrong moved to approve the action item *Approval and Ratification of the HPS-Painters Collective Bargaining Agreement* as presented.

Trustee Kay Satre seconded the motion.

**Public Comment:** None.

**Vote:** 7-0 motion carries unanimously.

That concluded the Items for Action, and the Board of Trustees moved on to Reports.

### C. REPORTS

#### 1. Student Representatives Reports

There were no Student Representatives Reports given.

#### 2. Helena Education Association Report

There was no Helena Education Association Report given.

3. Facilities and Maintenance Committee Report  
Board Chair Siobhan Hathhorn stated that at the August 1<sup>st</sup> Facilities and Maintenance Committee meeting they reviewed the requests for proposals for Ray Bjork Learning Center and 7<sup>th</sup> Avenue Gym and narrowed down which proposals would be presented before the full board tonight and SMA Architecture gave an update on the Facilities Master Plan.
4. Budget and Finance Committee Report  
Trustee Janet Armstrong stated that the Budget and Finance Committee did not meet in July or August and there was no report given, however, the Budget Consensus Recommendation Committee will meet next week.
5. Policy Committee Report  
The Policy Committee did not meet in July or August and there was no report given.
6. Teaching & Learning Committee Report  
The Teaching & Learning Committee did not meet in July or August and there was no report given.
7. Health Benefits Committee Report  
The Health Benefits Committee did not meet in July and there was no report given, however, the Health Benefits Committee will be meeting at the end of August.
8. Wellness Committee Report  
Board Chair Siobhan Hathhorn gave the Wellness Committee Report. At the meeting they outlined new goals including a monthly communication about the Health and Wellness programs and information that is pertinent to families which will be distributed to Principals to include in their monthly newsletters. They are also working on a competition that will motivate students to do their own cooking and investigate and explore healthy foods. On October 10<sup>th</sup> there will be a food forum to talk about food in our schools and the location is to be determined.
9. Montana School Boards Association Report  
Board Chair Siobhan Hathhorn stated that the Montana School Boards Association had their regional meeting and that was all that she had to report for MTSBA.

That concluded the Reports portion of the agenda. The Board of Trustees moved on to review upcoming meetings.

## **VII. UPCOMING MEETINGS**

Board Chair Siobhan Hathhorn reviewed upcoming meetings with the Board of Trustees.

- Tuesday, September 5<sup>th</sup>, 12:00 p.m., Policy Committee Meeting, Lincoln Center
- Wednesday, September 6<sup>th</sup>, 12:00 p.m., Teaching and Learning Committee Meeting, Lincoln Center
- Monday, September 11<sup>th</sup>, 12:00 p.m., Facilities and Maintenance Committee Meeting, Lincoln Center
- Tuesday, September 12<sup>th</sup>, 11:00 a.m., Executive Committee Meeting, Lincoln Center
- Tuesday, September 12<sup>th</sup>, 12:00 p.m., Budget and Finance Committee Meeting, Lincoln Center
- Tuesday, September 12<sup>th</sup>, 5:30 p.m., Full Board Meeting, Lincoln Center
- Tuesday, September 26<sup>th</sup>, Board Work Session, Time & Location To Be Determined

## **VIII. BOARD COMMENTS**

There were no further board comments.

## **IX. ADJOURNMENT**

Board Chair Siobhan Hathhorn adjourned the meeting at 8:53 p.m.

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Candice Delvaux, Recording Secretary      Date

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.C.1**

Superintendent's Report

General Public Comment

Items For Information

Consent Action Items

Items For Action

**Item Title:**      **Item For Action**  
                         1. Policy 5075 Termination of Employment

Board Action	1st Motion	Second	Aye	Nay	Other
Hathhorn					
McKee					
Beaver					
Satre					
Hindoién					
Cleatus					
Walsh					
Armstrong					

**Policy Background  
Board of Trustees Meeting  
September 12, 2023**

**The following policies are being presented for *Action*:**

**5075 Termination of Employment**

This policy is being modified to incorporate the language found in Policy 5075 Termination of Employment and reduce redundancy.

**5256 Reduction in Force**

The language in this policy is being incorporated into Policy 5075 Termination of Employment. The recommendation is to terminate this policy.

**The following policies are being presented for *Information*:**

**1025 Board Member Term of Office**

Revised to incorporate requirement under House Bill 811 for a district clerk to cooperate with OPI in providing trustee contact information.

**1020 School Board Elections**

Revised legal references to reflect House Bill 453, which requires that any levy or bond election form state that “an increase in property taxes may lead to an increase in rental costs” and must provide the impact on the taxes for homes valued at \$100,000, \$300,000, and \$600,000 at a minimum.

**1065 Board Meetings**

Revised to incorporate language from House Bill 724 requiring electronic posting of board and committee agendas on newspaper websites if free of charge or on a district website or social media page.

**1085 Uniform Grievance Procedure**

Revised to reflect requirements of House Bill 504. This bill requires school districts to have a uniform grievance procedure providing for both informal and formal resolution of complaints as well as providing a printed version of the grievance policy upon request. The law also requires that a formal grievance process have a timeline that starts 30 days from the completion of the informal process. Clarification language was also added to state that the grievance process does not apply to those complaints covered by state or federal law that supersedes the uniform process. These would include issues related to special education under IDEA as well as disability discrimination and sexual harassment.

**2015 Curriculum Development Content and Assessment**

Revised to reflect changes in the law related to remote and offsite instruction from House Bill 214. Changes are also made to reflect changes made to the accreditation rules in Chapter 10.55 of the Montana Administrative Rules. Legal references were also updated.

**2020 Student and Family Privacy Rights**

Revised to reflect the language adopted in House Bill 676 regarding parental rights as well as participation in surveys. Total revision of existing policy.

**2025 K-12 School Counseling**

Revised to reflect House Bill 458 which permits (but does not require) high schools to hire career coaches. Note that the language of the bill allows the use of a career coach to assist with K-12 career and vocational/technical training but most of the language is applicable to only high schools.

**3097 Video Surveillance**

Language was added to this policy to clarify that staff members cannot video a student in a classroom without permission of the parents, which is required by House Bill 676. That bill does not require parental permission for recording a student for purposes of security or surveillance.



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,

5.16.2013 Board Policy – 1<sup>st</sup> Reading  
6.4.2013 Board Policy – 2<sup>nd</sup> Reading  
6.11.2013 Full Board – 1<sup>st</sup> Reading  
8.13.2013 Full Board – 2<sup>nd</sup> Reading – Final

1.3.2023 Policy Committee – 1<sup>st</sup> Review  
2.7.2023 Policy Committee – 1<sup>st</sup> Review  
3.7.2023 Policy Committee – 1<sup>st</sup> Review  
4.4.2023 Policy Committee – 1<sup>st</sup> Review  
5.2.2023 Policy Committee – 1<sup>st</sup> Review  
6.6.2023 Policy Committee – 2<sup>nd</sup> Review  
6.13.2023 Full Board – 1<sup>st</sup> Review  
9.5.2023 Policy Committee – 3<sup>rd</sup> Review  
9.12.2023 Full Board – 1<sup>st</sup> Reading

- 40 • professional development,
- 41 • curricular or industry knowledge,
- 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: Helena Public Schools Employee Handbook  
 69 Helena Public Schools Administrators’ Handbook

70

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

74

75

5.16.2013 Board Policy – 1<sup>st</sup> Reading  
 6.4.2013 Board Policy – 2<sup>nd</sup> Reading  
 6.11.2013 Full Board – 1<sup>st</sup> Reading  
 8.13.2013 Full Board – 2<sup>nd</sup> Reading – Final

1.3.2023 Policy Committee – 1<sup>st</sup> Review  
 2.7.2023 Policy Committee – 1<sup>st</sup> Review  
 3.7.2023 Policy Committee – 1<sup>st</sup> Review  
 4.4.2023 Policy Committee – 1<sup>st</sup> Review  
 5.2.2023 Policy Committee – 1<sup>st</sup> Review  
 6.6.2023 Policy Committee – 2<sup>nd</sup> Review  
 6.13.2023 Full Board – 1<sup>st</sup> Review  
 9.5.2023 Policy Committee – 3<sup>rd</sup> Review  
 9.12.2023 Full Board – 1<sup>st</sup> Reading

**HELENA SCHOOL DISTRICT  
Board of Trustees Meeting**

**Meeting Date:** 09/12/2023

**Item VII.C.2.**

Superintendent's Report

General Public Comment

Items For Information

Consent Action Items

Items For Action

**Item Title:**      **Item For Action**  
                                 2. Policy 5256: Reduction in Force

Board Action	1st Motion	Second	Aye	Nay	Other
Hathhorn					
McKee					
Beaver					
Satre					
Hindoien					
Cleatus					
Walsh					
Armstrong					

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:

- 2.7.2023 Policy Committee – 1<sup>st</sup> Review
- 3.7.2023 Policy Committee – 1<sup>st</sup> Review
- 4.4.2023 Policy Committee – 1<sup>st</sup> Review
- 5.2.2023 Policy Committee – 1<sup>st</sup> Review
- 6.6.2023 Policy Committee – 2<sup>nd</sup> Review