



Superintendent
Rex Weltz
406-324-2000

Business Manager
Janelle Mickelson
406-324-2007

BOARD OF TRUSTEES
POLICY COMMITTEE MEETING
Lincoln Center - 1325 Poplar Street
October 4, 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 SEPTEMBER 5, 2023, BOARD POLICY MEETING MINUTES

V. PRESENTATION OF POLICIES FOR FIRST READING

7515 Fund Balance

VI. PRESENTATION OF POLICIES FOR SECOND READING:

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.

VII. OVERVIEW PARENTAL RIGHTS – HB676 and SB518

A. Permission to participate in a club or activity

VIII. SUPERINTENDENT OR BOARD COMMENTS

IX. ADJOURNMENT

NEXT MEETING:

November 7, 2023

Noon – 1:00 p.m.



The Helena Public Schools educate, engage, and empower each student to maximize his or her individual potential with the knowledge, skills and character essential to being a responsible citizen and life-long learner.

Board of Trustees Policy Committee Meeting

Tuesday, September 5th, 2023

12:00 p.m.

Lincoln Center

1325 Poplar St., Helena, MT 59601

And via

TEAMS

MINUTES

Attendees

Committee:

Janet Armstrong, Committee Chair
Jennifer Walsh, Committee Member
Linda Cleatus, Committee Member
Jeff Hindoién, Committee Member

Others:

Rex Weltz, Superintendent
Barb Ridgway, Chief of Staff
Lona Carter, Student Health
Bea Kaleva, District Legal Counsel
Joslyn Davidson, Curriculum Director
Gary Myers, Director of Technology
Candice Delvaux, Executive Assistant
Jane Shawn, HEA President
Keri Mizell, Human Resources Director
Karen Ogden, Communications Officer
Kaitlyn Hess, Assessment and Federal Programs

I. CALL TO ORDER

The meeting was called to order at 12:02 p.m. by the Committee Chair, Janet Armstrong.

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 06.06.2023 POLICY COMMITTEE MINUTES

The committee reviewed and approved the 06.06.2023 Policy Committee minutes.

V. PRESENTATION OF POLICIES FOR THIRD READING

A. Policy 5075: Termination of Employment

The committee reviewed Policy 5075: Termination of Employment. This policy has gone before the full board for review and no changes were recommended. The Policy Committee determined that Policy 5075: Termination of Employment would go before the full board for action.

VI. PRESENTATION OF POLICIES FOR FIRST READING

B. Policy 1025: Board Member Term of Office

The Policy Committee reviewed and discussed Policy 1025: Board Member Term of Office. This policy has been revised to incorporate requirements under House Bill 811 for a district clerk to cooperate with OPI in providing trustee contact information and that language is stated on lines 16 through 18. The Policy Committee determined that Policy 1025: Board Member Term of Office would go before the full board for information.

C. Policy 1020: School Board Elections

The Policy Committee reviewed and discussed Policy 1020: School Board Elections. This policy has 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. The Policy Committee determined that Policy 1020: School Board Elections would go before the full board for information.

D. Policy 1065: Board Meetings

The Policy Committee reviewed and discussed Policy 1065: Board Meetings. This policy has been 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. A copy of the agenda will also be posted at the entrance of the Lincoln Center. The Policy Committee determined that Policy 1065: Board Meetings would go before the full board for information.

E. Policy 1085: Uniform Grievance Procedure

The Policy Committee reviewed and discussed Policy 1085: Uniform Grievance Procedure. This policy has been revised to reflect the 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. The Policy Committee determined that Policy 1085: Uniform Grievance Procedure would go before the full board for information.

F. Policy 2015: Curriculum Development Content and Assessment

The Policy Committee reviewed and discussed Policy 2015: Curriculum Development Content and Assessment. This policy has been revised to reflect changes in the law related to remote and offsite instruction from House Bill 214. Revisions were also made to reflect changes made to the accreditation rules in Chapter 10.55 of the Montana Administrative Rules and legal references were also updated. The Policy Committee determined that Policy 2015: Curriculum Development Content and Assessment would go before the full board for information.

G. Policy 2020: Student and Family Privacy Rights

The Policy Committee reviewed and discussed Policy 2020: Student and Family Privacy Rights. This policy has been completely revised to reflect the language adopted in House Bill 676 regarding parental rights as well as participation surveys. The Policy Committee determined that Policy 2020: Student and Family Privacy Rights would go before the full board for information.

H. Policy 2025: K-12 School Counseling

The Policy Committee reviewed and discussed Policy 2025: K-12 School Counseling. This policy has been revised to reflect House Bill 458 which permits (but does not require) high schools to hire career coaches. 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. The revised language is stated on lines 29 through 32. The Policy Committee suggested that the words *handicapping conditions* on line 26 be changed to state *disability*. The Policy Committee determined that Policy 2025: K-12 School Counseling would go before the full board for information.

I. Policy 3097: Video Surveillance

The Policy Committee reviewed and discussed Policy 3097: Video Surveillance. Language was added to this policy on line 22 to clarify that staff members cannot video a student in a classroom without permission from 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. The Policy Committee determined that Policy 3097: Video Surveillance would go before the full board for information.

J. **SUPERINTENDENT OR BOARD COMMENTS**

There were no superintendent or board comments.

K. **ADJOURNMENT**

Committee Chair, Janet Armstrong, adjourned the meeting at 12:47 p.m.

OPERATIONAL SERVICESFund Balances

The Board approves budgets that support the immediate and long-range goals and established priorities within instructional, non-instructional, and administrative programs. The Board requires that, before presentation of a proposed budget for adoption, the Superintendent and the Administrator for Business Operations will prepare, for Board consideration, appropriate documentation supporting recommendations for meeting District needs within the limits of anticipated revenues. Once adopted by the Board, the operating budget shall be administered by the Superintendent or Superintendent's designees.

PURPOSE

This Fund Balance Policy establishes the procedures for reporting unrestricted fund balance in the General Fund financial statements. Certain commitments and assignments of fund balance will help ensure that there will be adequate financial resources to protect the District against unforeseen circumstances and events such as revenue shortfalls and unanticipated expenditures. The policy also authorizes and directs the Administrator of Business Operations to prepare financial reports which accurately categorize fund balances as per Governmental Accounting Standards Board (GASB) Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions.

GENERAL POLICY

Fund balance is essentially the difference between the assets and liabilities reported in a governmental fund. There are five separate components of fund balance, each of which identifies the extent to which the District is bound to honor constraints on the specific purpose for which amounts can be spent.

- Non-spendable fund balance (inherently non-spendable) - examples include inventory and the corpus of an endowment fund
- Restricted fund balance (externally enforceable limitations on use) - by enabling legislation or by grantors, bondholders, or constitutional provisions
- Committed fund balance (self-imposed limitations on use) - essentially the General Fund Reserve Balance and the Elementary Interlocal Fund balance
- Assigned fund balance (limitation resulting from intended use) - by the District or by an official designated by the Board of Trustees
- Unassigned fund balance (residual net resources) - General Fund Budget amount available for any purpose

The first two components listed above are not addressed in this policy due to the nature of their restrictions. This policy is focused on the financial reporting of the Committed Fund Balance, Assigned Fund Balance and Unassigned Fund Balance.

PROVISIONS

Committed Fund Balance

The Board of Trustees, as the District's highest level of decision-making authority, may commit fund balance for specific purposes pursuant to constraints imposed by formal actions taken, such as a majority vote or resolution. These committed amounts cannot be used for any other purpose unless the Board removes or changes the specific use through the same type of formal action taken to establish the commitment. School Board action to commit fund balance needs to occur within the fiscal reporting period, no later than June 30th; however, the amount can be determined subsequent to the release of the financial statements.

MINIMUM FUND BALANCE

The school district will strive to maintain the Committed General Fund Balance to 3%-6% percent of the annual budget.

Assigned Fund Balance

Amounts that are constrained by the District's intent to be used for specific purposes, but are neither restricted nor committed, should be reported as assigned fund balance. This policy hereby delegates the authority to assign amounts to be used for specific purposes to the Superintendent and Administrator for Business Operations for the purpose of reporting these amounts in the annual financial statements.

Unassigned Fund Balance

These are residual positive net resources of the general fund in excess of what can properly be classified in one of the other four categories.

Fund Balance Classification

The District considers restricted fund balances to have been spent first when an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available. Similarly, when an expenditure is incurred for purposes for which amounts in any of the unrestricted classifications of fund balance could be used, the District considers committed amounts to be reduced first, followed by assigned amounts and then unassigned amounts.

This policy is in place to provide a measure of protection for the District against unforeseen circumstances and to comply with GASB Statement No. 54. No other policy or procedure supersedes the authority and provisions of this policy.

Legal References: Statement No. 54 of the Governmental Accounting Standards Board
MCA 20-9-104 General Fund Operating Reserve

Policy History:

Adopted on:

12.12.2017

Revised on:

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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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>)
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Cross References:

Policy History:

Adopted on: 2.8.2011
Revised on: 7.12.2016, 3.8.2022

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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.
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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.

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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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111 Cross Reference:

112

113 Policy History:

114 Adopted on: 2.8. 2011

115 Revised on: 4.12.2016

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 – 1st Reading
9.12.2023 Full Board – 1st Reading

10.4.2023 Policy Committee – 2nd Reading

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	<u>§ 20-7-118, MCA</u>	<u>Remote Instruction (revised by House Bill 214)</u>
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 (Revised by Senate Bill
53		109)
54	Senate Bill 109	Revise laws related to gifted and talented
55		education.
56	10.55.603	ARM Curriculum development and assessment
57	10.55.701	ARM Board of Trustees
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

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:

117
118

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~~ disability/mobility conditions, including
27 encouraging students to 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:

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