



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, November 7th, 2023

12:00 p.m.

Lincoln Center

1325 Poplar St., Helena, MT 59601

And via

TEAMS

MINUTES

Attendees

Committee:

Janet Armstrong, Committee Chair

Linda Cleatus, Committee Member

Jeff Hindoiem, Committee Member

Others:

Rex Weltz, Superintendent

Barb Ridgway, Chief of Staff

Janelle Mickelson, Business Manager

Bea Kaleva, District Legal Counsel

Josh McKay, Assistant Superintendent

Gary Myers, Director of Technology

Tim McMahan, Activities Director

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 12:11 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 10.04.2023 POLICY COMMITTEE MINUTES

The committee reviewed and approved the 10.04.2023 Policy Committee minutes.

V. PRESENTATION OF POLICIES FOR FIRST READING

A. Policy 1650: Public Charter Schools

The committee reviewed and discussed Policy 1650: Public Charter Schools. This is a new policy regarding board obligations relating to the creation of public charter schools under House Bill 549. The 2023 Legislative session resulted in the passage of two Charter School bills – House Bill 549 and House Bill 562. The Governor signed both into law on May 18, 2023, but in June, a lawsuit was filed against House Bill 562 and a decision is likely months away. However, HB 549 is moving forward, and charter school applications are being accepted by the Montana Board of Public Education and are due no later than November 1, 2023. This law permits a school board of trustees to submit an application for the creation of a public charter school. Similarly, the law allows for individuals located within the district to request that the board create a charter school. The local board may decline the request but an independent group can submit an application directly to the Montana Board of Public Education in such event for the creation of the public charter school. Public charter schools may be created to serve a particular population of students and may be limited in the programs offered. The governing board of the public charter school may be the existing board of trustees or may be established through a separate board that is publicly elected after initial creation. The Policy Committee determined that Policy 1650: Public Charter Schools would go before the full board of trustees for information.

B. Policy 2423: Personalized Learning

The committee reviewed and discussed Policy 2423: Personalized Learning. This is a new policy regarding personalized learning. This policy is required under the changes to 10.55.701 adopted as part of the changes to Chapter 10.55 of the Montana Administrative

Rules regarding accreditation. This policy states, *“The District seeks to create personalized learning opportunities permitted by Montana law, including but not limited to work-based learning, proficiency-based learning, offsite instruction, and transformational learning, to fulfill the people’s goal of developing the full educational potential of each person. Personalized learning opportunities are offered to: Develop individualized pathways for career and postsecondary educational opportunities that honor individual interests, passions, strengths, needs, and culture; Support the student through the development of relationships among teachers, family, peers, the business community, postsecondary education officials, and other community stakeholders; Embed community-based, experiential, online, and work-based learning opportunities; Foster a learning environment that incorporates both face-to-face and virtual connections; and Support transformational learning through the development of individual learning plans for participating students.”* The Policy Committee determined that Policy 2423: Personalized Learning would go before the full board of trustees for information.

- C. Policy 3005: Bullying, Intimidation, Harassment & Hazing Prevention & Reporting Policy
The committee reviewed and discussed Policy 3005: Bullying, Intimidation, Harassment & Hazing Prevention & Reporting Policy. Legal references were revised to reflect House Bill 450 which permits a student to use physical force as self-defense or the defense of another when under physical attack as well as House Bill 361. While districts cannot adopt policies under House Bill 361 disciplining students for “deadnaming” or misgendering another student, it does not prohibit such discipline if the conduct constitutes bullying as that term is defined by Montana law and existing district policy. The Policy Committee determined that Policy 3005: Bullying, Intimidation, Harassment & Hazing Prevention & Reporting Policy would go before the full board of trustees for information.
- D. Policy 3120: Compulsory Attendance
The committee reviewed and discussed Policy 3120: Compulsory Attendance. This policy has been revised to reflect changes in language regarding compulsory enrollment under House Bill 676 and Senate Bill 518. Senate Bill 518 permits a parent to withdraw a student from instruction or presentations/assemblies/lectures/educational events that “offend the parent’s beliefs or practices,” which is now a basis for excusal from compulsory attendance. The Policy Committee determined that Policy 3120: Compulsory Attendance would go before the full board of trustees for information.
- E. Policy 3155: Part-time Attendance
The committee reviewed and discussed Policy 3155: Part-time Attendance. This policy has been revised to reflect House Bill 396 which at the request of the parent requires the part-time enrollment of a nonpublic or homeschool student who is a resident of the district and meets the age requirements. The policy states, *“Students in grades K-12 residing within the Helena School District and currently fulfilling their primary education requirement outside the*

Helena schools (through home school and/or private school education) who meet the requirements established by Montana law are eligible to enroll and participate in classes on a part-time basis. Part-time students must declare part-time status upon registering. Part-time students must enroll in yearlong courses prior to the opening of school and semester courses at least one week prior to the start of the semester. This policy does not restrict or limit the ability of a nonpublic or home school student from participating in extracurricular activities if eligible pursuant to Montana law. The District will also admit a student on a part-time basis as provided in an IEP or Section 504 plan and in accordance with state and federal statutes and regulations.” The Policy Committee determined that Policy 3155: Part-time Attendance would go before the full board of trustees for information.

F. Policy 4330: Community Use of Facilities

The committee reviewed and discussed Policy 4330: Community Use of Facilities. This policy was revised to reflect the prohibition on “sexually oriented performances” on public property (which includes school districts and district property leased to third parties) adopted in House Bill 359. That bill also prohibits “sexually oriented performances” in libraries receiving federal funding as well as in schools or libraries during regular operating hours or at school-sanctioned extracurricular activities. Schools and libraries are prohibited from having “drag story hours” during regular operating hours or school-sanctioned extracurricular activities. The policy also states, “*As required by the Boy Scouts of America Equal Access Act, the District shall provide an equal right of access to the Boy Scouts of America and other designated patriotic youth groups. Sexually oriented performances are not permitted on District property.*” The Policy Committee determined that Policy 4330: Community Use of Facilities would go before the full board of trustees for information.

G. Policy 7014: Subscription Based Information Technology Arrangements (SBITAs) Capitalization Threshold

The committee reviewed and discussed Policy 7014: Subscription Based Information Technology Arrangements (SBITAs) Capitalization Threshold. This is a new policy that establishes a lease liability threshold of \$150,000 for subscription-based software. District auditors required the adoption of this policy. The Policy Committee determined that Policy 7014: Subscription Based Information Technology Arrangements (SBITAs) Capitalization Threshold would go before the full board of trustees for information.

H. Policy 7035: Fraud and Fraud Prevention

The committee reviewed and discussed Policy 7035: Fraud and Fraud Prevention. The National Association of School Business Officials recommends that Districts have a fraud policy. Additionally, federal funding sources (e.g., ESSER) ask if the Board has adopted a policy on fraud. The Policy Committee determined that Policy 7035: Fraud and Fraud Prevention would go before the full board of trustees for information.

I. **SUPERINTENDENT OR BOARD COMMENTS**

Policy Committee Chair Janet Armstrong stated that it would be beneficial to have the Budget and Finance Committee once a year review with Helena Public Schools Business Manager Janelle Mickelson some of the internal processes and procedures used in the Business Office.

J. **ADJOURNMENT**

Committee Chair, Janet Armstrong, adjourned the meeting at 12:57 p.m.