



Superintendent
Rex Weltz
406-324-2000

Business Manager
Janelle Mickelson
406-324-2007

**BOARD OF TRUSTEES
POLICY COMMITTEE MEETING**

Lincoln Center - 1325 Poplar Street

November 7, 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 OCTOBER 4, 2023, BOARD POLICY MEETING MINUTES

V. PRESENTATION OF POLICIES FOR FIRST READING

A. 1650 Public Charter Schools

This is a new policy regarding board obligations relating to the creation of public charter schools under House Bill 549. 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.

B. 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.

C. 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.

D. 3120 Compulsory Attendance

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 and 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.

E. 3155 Part-time Attendance

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.

F. 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.

G. 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.

H. 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.

VI. SUPERINTENDENT OR BOARD COMMENTS

VII. ADJOURNMENT

**NEXT MEETING:
December 5, 2023
TBD - Noon – 1:00 p.m.**



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

Board of Trustees Policy Committee Meeting

Wednesday, October 4th, 2023

12:00 p.m.

Lincoln Center

1325 Poplar St., Helena, MT 59601

And via

TEAMS

MINUTES

Attendees

Committee:

Janet Armstrong, Committee Chair

Siobhan Hathhorn, Board Chair

Linda Cleatus, 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

Candice Delvaux, Executive Assistant

Jane Shawn, HEA President

Keri Mizell, Human Resources Director

Karen Ogden, Communications Officer

Kaitlyn Hess, Assessment and Federal Programs

Lisa Cordingley, HEF Executive Director

Several Helena Public Schools Staff

Members

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 09.05.2023 POLICY COMMITTEE MINUTES

The committee reviewed and approved the 09.05.2023 Policy Committee minutes.

V. PRESENTATION OF POLICIES FOR FIRST READING

A. Policy 7515: Fund Balance

The committee reviewed Policy 7515: Fund Balance, which is an existing policy. 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. 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. After reviewing the policy, the Policy Committee had no recommended changes.

VI. PRESENTATION OF POLICIES FOR SECOND 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 action.

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 action.

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 action.

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 action.

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 action.

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 action.

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/mobility*. The Policy Committee determined that Policy 2025: K-12 School Counseling would go before the full board for action.

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 action.

J. **OVERVIEW PARENTAL RIGHTS-HB676 and SB518**

The committee had a robust discussion about the 2023 legislative session and education-related legislation and its impact on school district policy. The School Administrators of Montana (SAM) tracked 169 education-related bills during the 2023 Legislature and 96 of the 169 bills stand to potentially impact local school policy in some way. The committee reviewed in depth HB676 and SB518, and Ms. Bea Kaleva, District Legal Counsel, and Ms. Barb Ridgway, Chief of Staff, answered any questions the Policy Committee had regarding these bills.

K. **SUPERINTENDENT OR BOARD COMMENTS**

There were no superintendent or board comments.

L. **ADJOURNMENT**

Committee Chair, Janet Armstrong, adjourned the meeting at 1:43 p.m.

2
3 **SCHOOL DISTRICT ORGANIZATION**

4
5 Public Charter Schools

6
7 The Board of Trustees may submit an application to the Board of Public Education in response to
8 a request for a proposal to establish a public charter school in accordance with Montana law. An
9 application for a public charter school must be consistent with the District’s mission and vision
10 specified in its adopted strategic plan for continuous improvement.

11
12 Requests for Creation of a School or Program

13
14 An individual or entity that is not affiliated with the District may request that the Board create a
15 school or program within the District. Upon receipt of such request, the Board, or a designated
16 committee of the Board, shall determine whether the requested school or program is currently
17 addressed by District operations or meets the District’s mission and vision specified in its
18 strategic plan for continuous improvement.

19
20 The Board shall respond to a request by an individual or entity unaffiliated with the District to
21 create a school or program by granting or denying such request. The Board may grant such a
22 request and shall establish a timeline for implementing the school or program in a manner
23 consistent with District operations. The Board may deny such request on the grounds that the
24 requested school or program is currently offered by the District. In denying a request on this
25 basis, the Board shall explain how the school or program operates and the process for students to
26 access such school or program. The Board may deny a request on the grounds that the requested
27 school or program is not consistent with the District’s mission and vision specified in its strategic
28 plan for continuous improvement and shall specify the inconsistencies in making the denial. The
29 Board may reconsider a denial of a request to create a school or program at a future meeting.

30
31 Cross Reference: Policy 1065 Board Meetings

32
33 Legal References: *House Bill 549*
34 § 20-6-510, MCA Public Charter Schools Act

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36
37
38 Policy History:

39 Adopted on:

40 Reviewed on:

41 Revised on:

2
3 **INSTRUCTION**

4
5 Personalized Learning Opportunities

6
7 The District seeks to create personalized learning opportunities permitted by Montana law, including
8 but not limited to work-based learning, proficiency-based learning, offsite instruction, and
9 transformational learning, to fulfill the people’s goal of developing the full educational potential of
10 each person.

11
12 Personalized learning opportunities are offered to:

- 13
- 14 • Develop individualized pathways for career and postsecondary educational opportunities
- 15 that honor individual interests, passions, strengths, needs, and culture;
- 16 • Support the student through the development of relationships among teachers, family,
- 17 peers, the business community, postsecondary education officials, and other community
- 18 stakeholders;
- 19 • Embed community-based, experiential, online, and work-based learning opportunities;
- 20 • Foster a learning environment that incorporates both face-to-face and virtual connections;
- 21 and
- 22 • Support transformational learning through the development of individual learning plans
- 23 for participating students.
- 24
- 25

26	Legal Reference:	Article X, Section 1, Montana Constitution	
27		§ 20-9-311	Calculation of average number belonging
28			(ANB) – 3-year averaging
29		§ 20-3-324, MCA	Powers and duties
30		§ 20-7-118, MCA	Remote Instruction (<i>revised by House Bill</i>
31			<i>214</i>)
32		§ 20-7-1601, MCA	Transformational Learning –Legislative
33			Intent (<i>revised by Senate Bill 8</i>)
34		§ 20-7-1602, MCA	Incentives for creation of transformation
35			learning programs (<i>revised by Senate Bill 8</i>)
36		10.55.602, ARM	Definitions
37		10.55.701, ARM	Board of Trustees

38			
39			
40	Cross References:	Board Policy 2422	Proficiency

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42
43 Policy History:

44 Adopted on:

45 Revised on:

2
3 STUDENTS

4
5 Bullying, Intimidation, Harassment & Hazing Prevention and Reporting Policy

6
7 The Board is committed to providing students with a safe and civil school environment free from
8 harassment, intimidation and bullying. The District will not tolerate harassment, intimidation or
9 bullying in any form at school, school-related events (including off campus events), school
10 sponsored activities, school buses or any event related to school business. Bullying, harassment,
11 intimidation or hazing by students, staff or third parties is strictly prohibited and shall not be
12 tolerated. This includes but is not limited to: inciting, aiding, encouraging, coercing or directing
13 others to commit acts of harassment, intimidation or bullying.

14
15 The District expressly prohibits any form of intimidation, hazing, bullying or harassment
16 including but not limited to the following: any gesture or written, verbal or physical act that is
17 reasonably perceived as being motivated either by any actual or perceived characteristic, such as
18 race, color, religion, ancestry, creed, national origin, sex, gender, sexual orientation, gender
19 identity and expression, age, citizenship status, culture, social origin or condition, marital status,
20 military status, political affiliation or a mental, physical or sensory handicap, or by any other
21 distinguishing characteristic and other legally protected categories.

22
23 Intimidation, bullying and harassment include acts that a reasonable person knew or should have
24 known, under the circumstances the gesture or written or physical act (a) will have the effect of
25 harming a student or damaging the student’s property; or (b) will place a student in reasonable
26 fear of harm to the student’s person or damage to the student’s property; or (3) has the effect of
27 insulting or demeaning any student or group of students in such a way as to disrupt or interfere
28 with the school’s educational mission or the education of any student.

29
30 ***Definitions:***

31
32 1. “Third parties” include but are not limited to coaches, school volunteers, parents,
33 school visitors, service contractors or others engaged in District business, such as
34 employees of businesses or organizations participating in cooperative work program with
35 the District, and others not directly subject to District control at inter-district and intra-
36 District athletic competitions or other school events.

37
38 2. “Hazing” includes but is not limited to any act that recklessly or intentionally
39 endangers the mental or physical health or safety of a student for the purpose of initiation
40 or as a condition or precondition of attaining membership in or affiliation with any
41 District sponsored activity or grade-level attainment, including but not limited to forced
42 consumption of any drink, alcoholic beverage, drug, or controlled substance, forced
43 exposure to the elements, forced prolonged exclusion from social contact, sleep
44 deprivation, or any other forced activity that could adversely affect the mental or physical
45 health or safety of a student; requires, encourages, authorizes or permits another to be

46 subject to wearing or carrying any obscene or physically burdensome article, assignment
47 of pranks to be performed, or other such activities intended to degrade or humiliate.

48
49 3. “Bullying” means any harassment, intimidation, hazing, or threatening, insulting, or
50 demeaning gesture or physical contact, including any intentional written, verbal, or
51 electronic communication (cyberbullying) or threat directed against a student that is
52 persistent, severe, or repeated, and that substantially interferes with a student’s
53 educational benefits, opportunities, or performance, that take place on or immediately
54 adjacent to school grounds, at any school-sponsored activity, on school-provided
55 transportation, at any official school bus stop, or anywhere conduct may be reasonable be
56 considered to be a threat or an attempted intimidation of a student or staff member or an
57 interference with school purposes or an educational function, that has the effect of:
58 a. Physically harming a student or damaging a student’s property;
59 b. Knowingly placing a student in reasonable fear of physical harm to the student
60 or damage to the student’s property;
61 c. Creating a hostile educational environment, or;
62 d. Substantially and materially disrupts the orderly operation of a school.

63
64 4. “Electronic communication device” means any mode of electronic communication,
65 including but not limited to computers, cell phones, the internet, or any other
66 technological communication innovation.

67
68 ***Sexual Harassment Prohibited***

69
70 Sexual harassment is prohibited. Sexual harassment means conduct on the basis of sex that satisfies
71 one or more of the following:

- 72
73 (1) An employee of the District conditioning the provision of an aid, benefit, or service of the
74 District on an individual’s participation in unwelcome sexual conduct;
75
76 (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and
77 objectively offensive that it effectively denies a person equal access to the District’s
78 education program or activity; or
79
80 (3) “Sexual assault” as defined in 20 U.S.C. § 1092(f)(6)(A)(v), “dating violence” as defined in
81 34 U.S.C. § 12291(a)(10), “domestic violence” as defined in 34 U.S.C. § 12291(a)(8), or
82 “stalking” as defined in 34 U.S.C. § 12291(a)(30).

83
84 ***Reporting***

85
86 Students who believe they are victims of sexual harassment are encouraged to discuss the matter,
87 including the formal complaint process, with the Title IX Coordinator. Students who believe they
88 are victims of harassment based upon a disability are encouraged to report the matter to the Section
89 504 Coordinator or Principal. Students may choose to report to a person of the student's same sex if
90 alleging a violation of Title IX. Complaints will be kept confidential to the extent possible given the
91 need to investigate.

92
93 Any adult school employee, adult volunteer, district contractor or agent who witnesses, overhears or
94 receives a report, formal or informal, written or oral, of bullying, harassment, or intimidation shall
95 report it in accordance with procedures developed under this policy. Any adult school employee who
96 has notice of sexual harassment or allegations of sexual harassment shall make a report to the
97 District’s identified Title IX Coordinators. All other complaints are handled through the District’s
98 Uniform Grievance Procedure.
99

100 Formal complaints alleging sexual harassment shall be addressed through the District’s Title IX
101 Grievance Procedures. Formal complaints alleging sexual discrimination complaints shall be
102 addressed through the District’s Uniform Grievance Procedure. Complaints alleging disability
103 discrimination or harassment shall be addressed through the District’s Section 504 [and ADA if
104 applicable] Grievance Procedures. All other complaints alleging bullying, discrimination, or
105 harassment shall be addressed through the District’s Uniform Grievance Procedure.
106

107 The Title IX Coordinator, Section 504 [and ADA if applicable], and/or administrator are responsible
108 for taking the following actions in conformance with the applicable grievance procedure:
109

- 110 1. Taking prompt action to investigate/report complaints of harassment, intimidation and
111 bullying.
- 112 2. Promptly notifying the complainants and respondents and their parents/guardians regarding
113 the outcome;
- 114 3. Taking supportive or remedial measures to ensure continued access to the District’s programs
115 or activities while the grievance process is pending; and
- 116 4. Taking disciplinary action as appropriate and any other actions appropriate to address the
117 harassment, intimidation, and bullying.
118

119 In the event that a staff member or administrator knows or reasonably believes that the alleged
120 behavior constitutes criminal activity or child abuse or neglect, the staff member or administrator
121 shall report such activity to law enforcement and/or the Department of Public Health and Human
122 Services. Nothing herein prohibits other individuals from reporting complaints to law enforcement.
123 If it is determined that the alleged harassment, intimidation, or bullying did not occur at school or
124 school-related activity or does not materially or substantially disrupt the orderly operation of the
125 District, an administrator shall refer the matter, as appropriate, to other persons or entities with
126 appropriate jurisdiction, including but not limited to law enforcement or the Department of Public
127 Health and Human Services.
128

129 All staff are obligated to address bullying, harassment, hazing and intimidation as described in
130 Board Policy 5015, administrative procedures and / or staff and student handbooks.
131

132 ***Exhaustion of Administrative Remedies*** 133

134 A person alleging violation of any form of harassment, intimidation, hazing, or threatening,
135 insulting, or demeaning gesture or physical contact, including any intentional written, verbal, or
136 electronic communication, as stated above, may seek redress under any available law, either civil
137 or criminal, after exhausting all administrative remedies.

138 ***Responsibilities***

139
140 The District Administration shall be responsible for ensuring that notice of this policy is
141 provided to staff and third parties and for the development of administrative regulations,
142 including reporting and investigative procedures, as needed.

143
144 ***Consequences***

145
146 Students whose behavior is found to be in violation of this policy will be subject to discipline up
147 to and including expulsion. Staff whose behavior is found to be in violation of this policy will be
148 subject to discipline up to and including dismissal. Third parties whose behavior is found to be in
149 violation of this policy shall be subject to appropriate sanctions as determined and imposed by the
150 District Administrator or the Board. Individuals may also be referred to law enforcement
151 officials.

152
153 ***Retaliation and Reprisal***

154
155 Retaliation is prohibited against any person who reports or is thought to have reported a
156 violation, files a complaint, or otherwise participates in an investigation or inquiry. Such
157 retaliation shall be considered a serious violation of Board policy, whether or not a complaint is
158 substantiated. False charges shall also be regarded as a serious offense and will result in
159 disciplinary action or other appropriate sanctions.

160
161 Cross Reference: 5015 PERSONNEL: Harassment / Intimidation / Bullying
162 3000 STUDENTS: Equal Educational Opportunities
163 1085 Uniform Grievance Policy

164
165 Legal Reference: 34 C.F.R. Part 106 Nondiscrimination on the Basis of Sex in Education
166 § 20-5-207, MCA “Bully-Free Montana Act” – (revised by House Bill
167 450)
168 § 20-5-208, MCA Definition
169 § 20-5-209, MCA Bullying of student prohibited
170 § 20-5-210, MCA Enforcement – exhaustion of administrative remedies
171 § 49-2-307, MCA Discrimination in education (revised by House Bill
172 361)
173 § 49-3-101 et seq. Governmental Code of Fair Practices
174 10.55.701(2)(f), ARM Board of Trustees
175 10.55.719, ARM Student Protection Procedures
176 10.55.801(1)(d), ARM School Climate

177
178 Policy History:
179 Adopted on:
180 Revised on: 12.11.1990, 6.10.2003, 2.12.2019

181

2
3 STUDENTS

4
5 Compulsory Attendance

6
7 To reach the goal of maximum educational benefit every child requires a regular continuity of
8 instruction, classroom participation, learning experiences, and study. Regular interaction of
9 students with one another in classrooms and their participation in instructional activities under
10 the tutelage of competent teachers are vital to the entire process of education. This established
11 principle of education underlies and gives purpose to the requirement of compulsory schooling in
12 every state in the nation. A student’s regular attendance also reflects dependability and is a
13 significant component of a student’s permanent record.

14
15 Parents or legal guardians or legal custodians are responsible for seeing that their children who
16 are age seven (7) or older before the first day of school attend school until the later of the
17 following dates:

- 18
19 1. Child’s sixteenth (16th) birthday; or
20 2. The date the child completes the eighth (8th) grade.

21
22 The provisions above do not apply in the following cases:

- 23
24 (a) The child has been excused under one of the conditions specified in 20-5-102.
25 (b) The child is absent because of illness, bereavement, or other reason prescribed by the
26 policies of the trustees.
27 (c) The child has been suspended or expelled under the provisions of 20-5-202.
28 (d) The child is excused pursuant to 20-7-120.
29 (e) The child is excused pursuant to 40-6-701(1) or Policy 4040.

30
31 Compulsory attendance stated above will not apply when children:

- 32
33 1. Are provided with supervised correspondence or home study; or
34 2. Are excused because of a determination by a district judge that attendance is not in the
35 best interests of the child; or
36 3. Are enrolled in a non-public or home school; or
37 4. Are enrolled in a school in another district or state; or
38 5. Are excused by the Board on a determination that attendance after age of sixteen (16) is
39 not in the best interests of the child and the school.

40
41 Legal Reference: § 20-1-308, MCA Religious instruction released time program
42 § 20-5-101, MCA Admittance of child to school
43 § 20-5-102, MCA Compulsory enrollment and excuses
44 § 20-5-103, MCA Compulsory attendance and excuses **(revised by**
45 **Senate Bill 518)**
46 § 20-5-104, MCA Attendance officer

47 § 20-5-106, MCA Truancy
48 § 20-5-107, MCA Incapacitated and indigent child attendance
49 § 20-5-108, MCA Tribal agreement with district for Indian child
50 compulsory attendance and other agreements
51 § 20-5-202, MCA Suspension and Expulsion
52 **§ 40-6-701, MCA** **Interference with fundamental parental rights**
53 **restricted**
54
55 Cross Reference: 4040 – School, Student, Parent, Family and Community Engagement in
56 Education
57
58
59 Policy History:
60 Adopted on:
61 Reviewed on:
62 Revised on:
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STUDENTS

Part-Time Attendance Policy

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.

~~Handicapped students residing within the district who are attending private or home schools will be accepted in accordance with state and federal statutes and regulations.~~

Legal References:	<u>§ 20-5-101, MCA</u>	<u>Admittance of a child to school (revised by House Bill 396)</u>
	<u>§ 20-5-112, MCA</u>	<u>Participation in extracurricular activities</u>
	<u>§ 20-9-311, MCA</u>	<u>Calculation of average number belonging (ANB) – 3-year averaging</u>

Cross References:

Policy History:
 Adopted On: 7.11.2000
 Revised On: 8.14.2001, 9.10.2002, 2.14.2006

2 **SCHOOL / COMMUNITY RELATIONS**

3 **Community Use of School Facilities**

4
5 School facilities are available to the community for educational, civic, cultural, and other uses
6 consistent with the public interest, when such use will not interfere with the school program or
7 school-sponsored activities. As required by the Boy Scouts of America Equal Access Act, the
8 District shall provide an equal right of access to the Boy Scouts of America and other designated
9 patriotic youth groups. Sexually oriented performances are not permitted on District property.

10 The District requires that the use of school facilities for school purposes has precedence over
11 all other uses. Persons using school facilities must always abide by the District conduct rules.

12 The Superintendent will develop procedures to manage community use of school facilities. Use
13 of school facilities requires the Superintendent or designee’s approval and is subject to the
14 adopted procedures.

15 Organizations or individuals wishing to use school facilities must complete a *Rental of School*
16 *Facilities Use Request* form in advance of the event, pay any fees and associated costs, and
17 provide proof of insurance if applicable.

18 District administration will approve and schedule the use of school facilities. A master calendar
19 will be maintained to avoid conflicts during the school year.

20 When the request is approved by District administration a contract will be created and sent to the
21 originator. The completed and signed contract must be returned to the Business Office before
22 access to the requested facility is granted.

23
24
25 Cross Reference;

26 Legal Reference: § 20-7-805, MCA Recreational use of school facilities secondary Lamb’s
27 Chapel v. Center Moriches Union Free School Dist., 113 S.Ct. 2141
28 20 USC § 7905 Boy Scouts of America Equal Access Act
29 House Bill 359 Prohibiting Sexually Oriented Performances on Public
30 Property

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33 Policy History:

34 Adopted on:

35 Revised on: 11.27.2018, 2.09.2021

36 Reviewed on:

OPERATIONAL SERVICES

Subscription Based Information Technology Arrangements (SBITAs) Capitalization Threshold

In accordance with GASB 96, a subscription-based information technology arrangement (SBITA) is defined as a contract that conveys control of the right to use another party’s information technology software, alone or in combination with tangible capital assets, as specified in the contract for a period of time in an exchange or exchange-like transaction. Examples of SBITAs include licenses for online curriculum, accounting software, payroll software, library software, time clock software, entry system software, lunchroom account software, etc. Any contract that meets this definition should be accounted for under the leases guidance, unless specifically excluded in this in GASB Statement 96.

School Districts may establish a lease liability threshold for SBITAs that are clearly insignificant individually and in the aggregate. This threshold defines the dollar amount at which a SBITA with a maximum possible term of more than one year will be classified as a lease liability. The threshold should be established at a small enough level such that the SBITA excluded would be clearly insignificant to financial reporting in aggregate. In establishing a threshold, districts should consider the different types of SBITAs they have, and management information needs.

Based on the above guidelines, the district has determined a lease liability threshold of \$150,000. This capitalization threshold applies to all SBITAs with a maximum possible term of more than one year. If no explicit rate is stated in an existing SBITA, the borrowing rate of the Montana Board of Investments as June 30, 2023, will be used to calculate the lease liability. For future SBITAs with no stated explicit rate, the borrowing rate of the Montana Board of Investments at the time of execution will be used to calculate the lease liability.

The capitalization threshold will be reviewed periodically to ensure that it remains appropriate for the District’s financial stability and operational needs. The Business Services Director or designee is responsible for evaluating and monitoring SBITAs to determine their financial impact and compliance with this policy.

Legal References: GASB 96 Subscription-Based Information
Technology Arrangements

Cross Reference:

Policy History:

Adopted on:

Revised on:

Reviewed on:

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3 OPERATIONAL SERVICES

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5 Fraud and Fraud Prevention

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7 The Helena School District expects all employees, School Board members, consultants, vendors,
8 contractors and other parties maintaining any business relationship with the District to act with
9 integrity, ethics, due diligence and in accordance with all applicable laws, District policies and
10 procedures in matters involving District fiscal resources. The District is entrusted with public
11 dollars and no person connected with the District should do anything to erode that trust.

12

13 Fraudulent activities, include but are not limited to theft, embezzlement, falsification of records,
14 bribery, kickbacks, conflicts of interest, and other deceptive practices which are strictly
15 prohibited.

16

17 The Superintendent or designee shall be responsible for developing internal controls designed to
18 prevent and detect fraud, financial impropriety or fiscal irregularities within the District. Every
19 member of the District’s administrative team is responsible for monitoring and reporting
20 impropriety or irregularity within his/her areas of responsibility.

21

22 The District will establish and maintain adequate internal controls to prevent and detect
23 fraudulent activities including but not limited to, segregation of duties, regular audits, and strict
24 financial oversight. Regular training will be conducted to educate employees, contractors, and
25 stakeholders about the policies, procedures and standards related to fraud prevention. Regular
26 assessments will be conducted to identify potential areas vulnerable to fraud and plans will be
27 developed to mitigate risk.

28

29 Any District employee who suspects fraud, impropriety, or irregularity in relation to District
30 fiscal resources or other resources shall report his/her suspicions immediately to his/her
31 supervisor, the Superintendent, or the District Business Administrator who shall be responsible
32 for initiating the required investigation. Investigations shall be conducted in a manner that
33 protects the confidentiality of the parties and the facts and will be conducted in coordination with
34 legal counsel and other agencies as appropriate. All employees involved in the investigation shall
35 be advised regarding confidentiality requirements.

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37 If fraudulent activity is confirmed, appropriate disciplinary and legal actions will be taken
38 against the individuals involved.

39

40 Legal References:

41

42 Cross Reference:

43

44 Policy History:

45 Adopted on: 4.14.2015

46 Revised on: