



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, December 5th, 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 Hindoién, Committee Member
Jennifer Walsh, 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
Lona Carter, Student Health
Jane Shawn, HEA President
Keri Mizell, Human Resources Director
Karen Ogden, Communications Officer
Joslyn Davidson, Curriculum Director
Candice Delvaux, Executive Assistant

I. CALL TO ORDER

The meeting was called to order at 12:05 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 11.07.2023 POLICY COMMITTEE MINUTES

The committee reviewed and approved the 11.07.2023 Policy Committee meeting minutes.

V. PRESENTATION OF POLICIES FOR SECOND 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. 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. This policy went before the full board for information and the Policy Committee determined that Policy 1650: Public Charter Schools would go before the full board of trustees for action.

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 went before the full board for information and the Policy Committee determined that Policy 2423: Personalized Learning would go before the full board of trustees for action.

- 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. This policy went before the full board for information and the Policy Committee determined that Policy 3005: Bullying, Intimidation, Harassment & Hazing Prevention & Reporting Policy would go before the full board of trustees for action.
- 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. This policy went before the full board for information and the Policy Committee determined that Policy 3120: Compulsory Attendance would go before the full board of trustees for action.
- 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. This policy went before the full board for information and the Policy Committee determined that Policy 3155: Part-time Attendance would go before the full board of trustees for action.
- 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. This policy went before the full board for information and the Policy Committee determined that Policy 4330: Community Use of Facilities would go before the full board of trustees for action.

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. This policy went before the full board for information and the Policy Committee determined that Policy 7014: Subscription Based Information Technology Arrangements (SBITAs) Capitalization Threshold would go before the full board of trustees for action.

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. This policy went before the full board for information and the Policy Committee determined that Policy 7035: Fraud and Fraud Prevention would go before the full board of trustees for action.

VI. PRESENTATION OF POLICIES FOR FIRST READING

A. Policy 2100: Recognition of Native American Cultural Heritage

The committee reviewed and discussed Policy 2100: Recognition of Native American Cultural Heritage. This policy has been revised to reflect the requirement under House Bill 338 requiring the use of a certified staff member to provide instruction in American Indian studies if the District receives a Indian Education for All payment. Legal references were also updated to add citation to administrative rules incorporating education related to Native Americans. The Policy Committee determined that Policy 2100: Recognition of Native American Cultural Heritage would go before the full board of trustees for information.

B. Policy 2103: Religion and Religious Activities

The committee reviewed and discussed Policy 2103: Religion and Religious Activities. Revisions were made to this policy to recognize the holding of the U.S. Supreme Court's decision in Kennedy v. Bremerton School District, 142 S.Ct. 2407 (2022). That was the case regarding the football coach praying after games. The Court's decision to permit such prayer was largely based on the school district's practice of allowing coaches after games to engage in personal activities despite the fact that they were still on duty, such as checking cell phones and talking to family. Revisions were also made to reflect House Bill 745 which clarified that students may choose to read the Bible or other religious materials during free reading time or if a course/classroom permits a student to self-select materials. Legal references were updated to reflect these laws. The Policy Committee suggested that lines 60 through 65 be removed from the policy. The Policy Committee determined that Policy 2103: Religion and Religious Activities would go before the full board of trustees for information with the recommended changes.

C. Policy 4015: Conduct on School Property

The committee reviewed and discussed Policy 4015: Conduct on School Property. This policy has been revised to reflect House Bill 128 which prohibits the use of marijuana products (as well as tobacco products) on district/school property. The Policy Committee determined that Policy 4015: Conduct on School Property would go before the full board of trustees for information.

D. Policy 4030: Cooperative Programs with Other Districts and Public Agencies

The committee reviewed and discussed Policy 4030: Cooperative Programs with Other Districts and Public Agencies. This policy has been revised to incorporate language from House Bill 214 which permits districts to enter into multidistrict agreements for a district to provide “culturally rooted instruction aligned to a learning environment for English language learners or an Indian language immersion program.” The Policy Committee determined that Policy 4030: Cooperative Programs with Other Districts and Public Agencies would go before the full board of trustees for information.

E. Policy 4040: School, Student, Parent, Family and Community Engagement in Education

The committee reviewed and discussed Policy 4040: School, Student, Parent, Family and Community Engagement in Education. This policy has been revised to reflect a new rule adopted in the accreditation standards in Chapter 10.55 of the Montana Administrative Rules that incorporates family engagement goals. The language in the policy is updated to reflect the change made to the language previously in the accreditation rules. The Policy Committee recommended that the words *and supports* be added after the word *recognizes* on line four. The Policy Committee determined that Policy 4040: School, Student, Parent, Family and Community Engagement in Education would go before the full board of trustees for information with the recommended change included.

F. Policy 5020: Tobacco Products, Marijuana, Drug and Alcohol-Free Workplace

The committee reviewed and discussed Policy 5020: Tobacco Products, Marijuana, Drug and Alcohol-Free Workplace. This policy has been revised to reflect House Bill 128 which prohibits the use of marijuana products (as well as tobacco products) on district/school property. The Policy Committee determined that Policy 5020: Tobacco Products, Marijuana, Drug and Alcohol-Free Workplace would go before the full board of trustees for information.

G. Policy 7060: District Safety

The committee reviewed and discussed Policy 7060: District Safety. This policy has been revised to reflect Senate Bill 213 and the requirement that safety/emergency plans be reviewed annually as well as incorporate threat assessment practices to include the adoption of protocols to be used for student threats towards others or property and identification of the threat assessment team as well as a requirement that the team meet at least monthly. The Policy Committee recommended that lines 38 and 39 be removed from

the policy as similar information is stated earlier in the policy. The Policy Committee also recommended that the word *school* on line 24 be changed to *district*. The Policy Committee determined that Policy 7060: District Safety would go before the full board of trustees for information with the recommended changes.

VII. SUPERINTENDENT OR BOARD COMMENTS

There were no further comments.

VIII. ADJOURNMENT

Committee Chair, Janet Armstrong, adjourned the meeting at 12:48 p.m.