



Superintendent
Rex Weltz
406.324-2000

Business Manager
Janelle Mickelson
406.324-2007

**BOARD OF TRUSTEES
POLICY COMMITTEE MEETING
Lincoln Center - 1325 Poplar Street
December 5, 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 NOVEMBER 7, 2023, BOARD POLICY MEETING MINUTES

V. PRESENTATION OF POLICIES FOR SECOND READING

- A. 1650 **Public Charter Schools**
- B. 2423 **Personalized Learning**
- C. 3005 **Bullying, Intimidation, Harassment & Hazing Prevention & Reporting Policy**
- D. 3120 **Compulsory Attendance**
- E. 3155 **Part-time Attendance**
- F. 4330 **Community Use of Facilities**
- G. 7014 **Subscription Based Information Technology Arrangements (SBITAs) Capitalization Threshold**
- H. 7035 **Fraud and Fraud Prevention**

VI. PRESENTATION OF POLICIES FOR FIRST READING

- A. 2100 **Recognition of Native American Cultural Heritage**
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.
- B. 2103 **Religion and Religious Activities**
Revisions are 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 are 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.

- C. **4015 Conduct on School Property**
Revised to reflect House Bill 128 which prohibits the use of marijuana products (as well as tobacco products) on district/school property.
- D. **4030 Cooperative Programs with Other Districts and Public Agencies**
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.”
- E. **4040 School, Student, Parent, Family and Community Engagement in Education**
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.
- F. **5020 Tobacco Products, Marijuana, Drug and Alcohol- Free Workplace**
Revised to reflect House Bill 128 which prohibits the use of marijuana products (as well as tobacco products) on district/school property.
- G. **7060 District Safety**
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.

VII. SUPERINTENDENT OR BOARD COMMENTS

VIII. ADJOURNMENT

NEXT MEETING:

January 2, 2024

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, 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 Hindoién, 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 McMahon, 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.

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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38 Policy History:

39 Adopted on:

40 Reviewed on:

41 Revised on:

2
3 **INSTRUCTION**

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5 Personalized Learning Opportunities

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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

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39			
40	Cross References:	Board Policy 2422	Proficiency

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43 Policy History:

44 Adopted on:

45 Revised on:

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3 STUDENTS

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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.

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Responsibilities

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

Consequences

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

Retaliation and Reprisal

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

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

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

Policy History:
Adopted on:
Revised on: 12.11.1990, 6.10.2003, 2.12.2019

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

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Legal Reference:	§ 20-1-308, MCA	Religious instruction released time program
	§ 20-5-101, MCA	Admittance of child to school
	§ 20-5-102, MCA	Compulsory enrollment and excuses
	§ 20-5-103, MCA	Compulsory attendance and excuses <u>(revised by</u>
	§ 20-5-104, MCA	<u>Senate Bill 518)</u> Attendance officer

46

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

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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

31
32 Policy History:

33 Adopted on:

34 Revised on: 11.27.2018, 2.09.2021

35 Reviewed on:
36
37
38
39

Helena Public Schools

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:

2
3 OPERATIONAL SERVICES

4
5 Fraud and Fraud Prevention

6
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.

36
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:

46 Revised on:

2
3 **STUDENT INSTRUCTION**

4
5 Recognition of Native American Cultural Heritage

6
7 The District recognizes the distinct and unique cultural heritage of Native Americans and is committed
8 in the District’s educational goals to the preservation of such heritage.

9
10 In furtherance of the District’s educational goals, the District is committed to:

- 11
- 12 • Working cooperatively with Montana Tribes in close proximity to the District, when providing
13 instruction, when implementing educational goals or adopting rules relating to education of
14 students in the District;
- 15
- 16 • Periodically reviewing its curriculum to ensure the inclusion of cultural heritage of Native
17 Americans, which will include but not necessarily be limited to:
 - 18
 - 19 • Considering methods by which to provide books and materials reflecting authentic
20 historical and contemporary portrayals of Native Americans;
 - 21
 - 22 • Taking into account individual and cultural diversity and differences among students;
 - 23
- 24 • Providing necessary training for school personnel, with the objective of gaining an understanding
25 and awareness of Native American culture, which will assist the District’s staff in its relations
26 with Native American students and parents.

27
28 The Board requires certified staff to satisfy the requirements for instruction in American Indian studies
29 when required by Montana law.

30
31

32 Legal Reference:	Art. X, Sec. 1(2), Montana Constitution
	§§ 20-1-501, et seq., MCA Indian Education for All (<i>revised by House Bill</i>
	<u>338</u>)
	10.55.603 ARM Curriculum and Assessment
	10.55.701 ARM Board of Trustees
	10.55.803 ARM Learner Access
	<u>10.55.901 ARM</u> Basic Education Program: Elementary
	<u>10.55.902 ARM</u> Basic Education Program: Junior High, 7 th and 8 th
	Grade Program, or Middle School
	<u>10.55.904 ARM</u> Basic Education Program Offerings: High School

42
43 Policy History:

44 Adopted on: 3.9.2004

45 Reviewed on:

46 Revised on:

2
3 **STUDENT INSTRUCTION**

4
5 Recognition of Religious Beliefs and Customs

6
7 ~~The District's curriculum may include the study of religions as ancillary to studies of human~~
8 ~~history and development and of various national, cultural, and ethnic groups. The study of~~
9 ~~religions shall give neither preferential nor derogatory treatment to any single religious belief or~~
10 ~~to religion in general. The study of religions shall be treated as an academic subject with no~~
11 ~~emphasis on the advancement or practice of religion.~~

12
13 Religion and Religious Activities

14
15 In keeping with the United States and Montana Constitutions and judicial decisions, the District
16 may not support any religion or endorse religious activity. At the same time, the District may
17 not prohibit private religious expression by students.

18
19 Student Prayer and Discussion

20
21 Students may pray individually or in groups and may discuss their religious views with other
22 students, as long as they are not disruptive or coercive. The right to engage in voluntary prayer
23 does not include the right to have a captive audience listen or to harass other students. Students
24 may pray silently in the classroom, except when they are expected to be involved in classroom
25 instruction or activities.

26
27 Staff Members

28
29 Staff members may not encourage, discourage, persuade, dissuade, sponsor, participate in, or
30 discriminate against a religious activity or an activity because of its religious content while in the
31 course of performing official duties of that staff member's position(s) with the District.

32
33 Assemblies, Extracurricular and Athletic Events

34
35 District officials may not invite or permit members of the clergy, staff members, or outsiders to
36 give prayers at school-sponsored assemblies and extracurricular or athletic events. District
37 officials also may not organize or agree to student requests for prayer at assemblies and other
38 school-sponsored events. Furthermore, prayer may not be broadcast over the school public
39 address system, even if the prayer is nonsectarian, non-proselytizing, and initiated by students.

40
41 Student Religious Expression and Assignments

42
43 Students may express their individual religious beliefs in reports, tests, homework, and projects.
44 Staff members should judge their work by ordinary academic standards, including substance,
45 relevance, appearance, composition, and grammar. Student religious expression should neither

46 be favored nor penalized. A student may read the Bible or other religious material during free
47 reading time or when self-selected and consistent with a classroom or course requirements.

48 Graduation Ceremonies

49
50
51 In order to assure the appropriateness and dignity of the occasion, the District sponsors and pays
52 for graduation ceremonies and retains ultimate control over their structure and content.

53
54 District officials may not invite or permit members of the clergy to give prayers at graduation.
55 Furthermore, District officials may not organize or agree to requests for prayer by other persons
56 at graduation, including requests from students. The District may not prefer the beliefs of some
57 students over the beliefs of others, coerce dissenters or nonbelievers, or communicate any
58 endorsement of religion.

59
60 Students and their families may organize baccalaureate services, at which attendance must be
61 entirely voluntary. Organizers of baccalaureate services may rent and have access to school
62 facilities on the same basis as other private groups and may not receive preferential treatment.
63 The District may not be identified as sponsoring or endorsing baccalaureate services. District
64 funds, including paid staff time, may not be used directly or indirectly to support or subsidize
65 religion.

66 Religion in the Curriculum

67
68
69 Staff members may teach students about religion in history, art, music, literature, and other
70 subjects in which religious influence has been and continues to be felt. However, staff members
71 may not teach religion or advocate religious doctrine or practice. The prohibition against
72 teaching religion extends to curricular decisions which promote religion or religious beliefs.

73
74 School programs, performances, and celebrations must serve an educational purpose. The
75 inclusion of religious music, symbols, art, or writings is permitted, if the religious content has a
76 historical or independent educational purpose which contributes to the objectives of the approved
77 curriculum. School programs, performances, and celebrations cannot promote, encourage,
78 discourage, persuade, dissuade, or discriminate against a religion or religious activity and cannot
79 be oriented to religion or a religious holiday.

80 Student Religious Clubs

81
82
83 Students may organize clubs to discuss or promote religion, subject to the same constitutionally
84 acceptable restrictions the District imposes on other student-organized clubs.

85 Distribution of Religious Literature

86
87
88 Students may distribute religious literature to their classmates, subject to the same
89 constitutionally acceptable restrictions the District imposes on distribution of other non-school
90 literature. Outsiders may not distribute religious or other literature to students on school
91 property, consistent with and pursuant to the District policy on solicitations.

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Religious Holidays

Staff members may teach objectively about religious holidays and about religious symbols, music, art, literature, and drama which accompany the holidays. They may celebrate the historical aspects of the holidays but may not observe them as religious events.

Legal Reference: *Kennedy v. Bremertson Sch. Dist.*, 142 S. Ct. 2407 (2022)
Art. II, Sec. 5, Montana Constitution - Freedom of religion
§ 20-7-112, MCA Sectarian publications prohibited, religious
materials allowed, prayer permitted (*revised*
by House Bills 744, 745)

Policy History:
Adopted on: 2.12.2013
Reviewed on:
Revised on:

2
3 SCHOOL/COMMUNITY RELATIONS

4
5 Conduct on School Property

6
7 In addition to prohibitions stated in other District policies, no person on school property shall:

- 8
- 9 • Possess, carry or store a weapon at any time;
- 10 • Injure or threaten to injure another person;
- 11 • Damage another’s property or that of the District;
- 12 • Violate any provision of the criminal law of the state of Montana or town or
- 13 county ordinance;
- 14 • Smoke or otherwise use a tobacco product, vapor product or alternative nicotine
- 15 product or marijuana product (tobacco includes, but is not limited to, cigarettes,
- 16 cigars, snuff, smoking tobacco, smokeless tobacco, or any other tobacco or
- 17 nicotine innovation); (marijuana products include but are not limited to edible
- 18 products, ointments, tinctures, marijuana derivatives, marijuana concentrates, and
- 19 marijuana intended for use by smoking or vaping);
- 20 • Consume, possess, or distribute alcoholic beverages including powdered alcohol
- 21 or any alcohol innovations, illegal drugs, including or medical marijuana, ~~or~~
- 22 ~~possess dangerous weapons at any time;~~
- 23 • Impede, delay, or otherwise interfere with the orderly conduct of the District’s
- 24 educational program or any activity occurring on school property;
- 25 • Use vulgar or obscene language or gestures;
- 26 • Disregard the directives of school officials or security personnel;
- 27 • Enter upon any portion of school premises at any time for purposes other than
- 28 those which are lawful and authorized by the Board; or
- 29 • Violate other District rules and regulations.
- 30

31 “School property” means within school buildings, in vehicles used for school purposes, or on
32 owned or leased school grounds. These regulations are in effect year-round, and during all
33 District extra or co-curricular activities. District administrators will take appropriate action as
34 circumstances warrant, up to and including recommending that the individual violating this
35 policy be denied access to District property. If a recommendation is made to the Board to deny
36 access to District property to an individual, that individual will be notified of date, time and
37 place of the meeting of the Board as well as of the specific allegations to be presented to the
38 Board.

39
Legal References:

- | | |
|------------------|---|
| § 16-11-302, MCA | Definitions |
| § 20-1-206, MCA | Disturbance of school |
| § 20-1-220, MCA | Use of tobacco products in public school building or on |

§ 45-8-361, MCA public school property prohibited (revised by HB 128)
Possession of a weapon in a school building
§§ 50-46-301 et seq., MCA Montana Marijuana Act
20 USC §§ 7101 et seq. Safe and Drug Free Schools & Communities Act

40

41 Cross References:

42

43 Policy History:

44 Adopted on: 12.9.2014

45 Revised on: 9.10.2019

46 Reviewed on:

2 **COMMUNITY RELATIONS**

3 Cooperative Programs with Other Districts and Public Agencies

4 Whenever it appears to the economic, administrative, and/or educational advantage of the
5 District to participate in cooperative programs with other units of local government, the
6 Superintendent will conduct an analysis of each cooperative proposal.

7 When formal cooperative agreements are developed, such agreements shall comply with
8 requirements of the Interlocal Cooperation Act, with assurances that all parties to the agreement
9 have legal authority to engage in the activities contemplated by the agreement.

10 The District may enter into interlocal agreements with a unit of the Montana University System,
11 public community college, and/or tribal college, which would allow students enrolled in the 11th
12 and 12th grades to attend and earn credit for classes not available in the District. Tuition and
13 fees, if assessed, will be provided for in the interlocal agreement.

14 The District may enter into an interlocal agreement providing for the sharing of teachers,
15 specialists, superintendents, or other professional persons licensed under Montana statute. If the
16 District shares a teacher or specialist with another district(s), the District’s share of such
17 teacher’s or specialist’s compensation will be based on the total number of instructional hours
18 expended by the teacher or the specialist in the District.

19
20 The District may enter a multidistrict agreement with one or more districts for a district to
21 provide culturally rooted instruction aligned to a learning environment for English language
22 learners or an Indian language immersion program to pupils of a district participating in the
23 multidistrict agreement.

24
25

Legal Reference: § 7-11-101, et seq., MCA Interlocal Cooperation Act
§ 20-3-363 Multidistrict agreements – fund transfers (revised HB 214)
§ 20-7-451 through 456, MCA Authorization to create full service education cooperatives
§ 20-7-801, et seq., MCA Public recreation

Policy History:
Adopted on: 11.11.2014
Approved on:

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29
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2 **SCHOOL/COMMUNITY RELATIONS**

3 School, Student, Parent, Family and Community Engagement in Education

4 The ~~District's Board of Trustees~~ recognizes the importance of engaging families in the education of
5 children. The Superintendent and staff shall undertake activities designed to:

- 6 (1) Encourage families to actively participate in the life of their children’s schools;
- 7 (2) Ensure families feel welcomed, valued, and connected to one another, school staff, and to
8 what students are learning and doing in class;
- 9 (3) Encourage families and school staff to engage in regular, two-way meaningful
10 communication about student learning;
- 11 (4) Ensure continuous collaboration between families and school staff to support student
12 learning and healthy development both at home and at school and have regular opportunities
13 to strengthen their knowledge and skills to do so effectively;
- 14 (5) Empower families to be advocates for their own and other children to ensure that students are
15 treated equitably and have access to learning opportunities that will support their success;
- 16 (6) Allow families and school staff to partner in decisions that affect children and families and
17 together inform, influence, and create policies, practices, and programs; and
- 18 (7) Encourage students, families and school staff to connect and collaborate with members of the
19 community to expand learning opportunities, community services, and civic participation.
- 20 (8) Encourage families and school staff to collaborate with members of the community to
21 connect students, families, and staff to post-secondary education opportunities, including
22 workforce training, apprenticeship opportunities, career pathways, and degree programs, and
23 encourage students to explore college and career planning tools (including Free Application
24 for Federal Student Aid completion) and incentives provided by post-secondary institutions.
25

26 To the extent feasible and appropriate, the District will attempt to coordinate and integrate parent and
27 family engagement strategies with other relevant federal, state, and local laws and programs, including
28 but not limited to Title I programs.
29

Cross Reference: Board Policy 2035 Federal Funding and Title I

Legal References: ~~§ 10.55.701, ARM Board of Trustees~~
§ 10.55.722, ARM Family and Community
Engagement

Policy History:

Adopted On: 04.04.2006

Revised On: 01.14.2020

Reviewed On: 02.02.2021

3
4 **PERSONNEL**

5
6 Tobacco Product, **Marijuana**, Alcohol and Drug-Free Workplace

7
8 All District workplaces are tobacco product, marijuana, drug and alcohol product free. All
9 employees are prohibited from:

- 10
11 1. Smoking or otherwise using a tobacco product, vapor product, ~~or~~ alternative
12 nicotine product (tobacco includes, but is not limited to; cigarettes, cigars, snuff,
13 smoking tobacco, smokeless tobacco or any other tobacco or nicotine innovation)
14 (marijuana products include but are not limited to edible products, ointments,
15 tinctures, marijuana derivatives, marijuana concentrates, and marijuana intended for
16 for smoking or vaping) while on District premises or while performing work for the
17 District;
18 2. Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under
19 the influence of a controlled substance while on District premises or while
20 performing work for the District; including employees possessing a “medical
21 marijuana” card and
22 3. Distributing, consuming, using, possessing, or being under the influence of alcohol
23 while on District premises or while performing work for the District.
24

25 Nothing herein prohibits an employee from using a smoking cessation product on school property.
26 Upon prior notice and approval by a building administrator, a teacher or other employee may possess
27 a tobacco product, vapor product, or alternative nicotine product in a classroom or otherwise on
28 school property as part of a lecture, demonstration, or educational forum concerning the risks
29 associated with the use of a tobacco product, vapor product, or alternative nicotine product.
30

31 For purposes of this policy, a controlled substance is one that is not legally attainable, being used in a
32 manner other than as prescribed, legally obtainable but has not been legally obtained or referenced in
33 federal or state controlled-substance acts.
34

35 For purposes of this policy, a controlled substance includes medical marijuana.
36

37 As a condition of employment, each employee will:

- 38
39 1. Abide by the terms of the District policy respecting a drug and alcohol free workplace;
40 and
41 2. ~~Any employee must notify~~ Notify his or her supervisor of his or her conviction under any
42 criminal drug statute, for a violation occurring on District premises or while performing
43 work for the District, no later than five (5) days after such conviction.
44

45 In order to make employees aware of dangers of drug and alcohol abuse, the District will endeavor
46 to:
47

1. Provide each employee with notice of the District drug and alcohol-free workplace policy;
2. Post notice of the District drug and alcohol-free workplace policy in a place where other information for employees is posted;
3. Enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs, to provide information to District employees; and
4. Inform employees of available drug and alcohol counseling, rehabilitation, reentry, and any employee-assistance programs.

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program. The Board will take disciplinary action with respect to an employee convicted of a drug offense in the workplace, within thirty (30) days of receiving notice of a conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant, ~~of \$5,000 or more,~~ the Superintendent will notify the appropriate state or federal agency from which the District receives contract or grant moneys of an employee's conviction, within ten (10) days after receiving notice of the conviction

Legal References:	20 USC 7101 20-1-220, MCA	Safe and Drug Free Schools & Community Act Use of tobacco products in public school building or on public school property prohibited (revised by House Bill 128)	§
	§ 50-46-101 <i>et al.</i> , MCA § 50-46-205(2)(b), MCA 10.57.601a, ARM	Montana Medical Marijuana Act Limitations of Medical Marijuana Act Definition of Immoral Conduct	

Cross References:

Policy History:

Adopted on: 8.12.2013

Revised on: 9.10.2019

Reviewed on:

2 **OPERATIONAL SERVICES**

3 School District Safety

4

5 The Board recognizes that safety and health standards should be incorporated into all aspects of the
6 operation of the District. Rules for safety and prevention of accidents will be posted in compliance
7 with Montana Safety Culture Act and the Montana Occupational Safety and Health Act. Injuries and
8 accidents will be reported to the District office.

9

10 There will be at least eight (8) disaster drills a year. All teachers will discuss disaster drill procedures
11 with their class at the beginning of each year and will have them posted in a conspicuous place next
12 to the exit door. A record will be kept of all fire drills. The drills will be held at different hours of
13 the day or evening to avoid distinction between drills and actual disasters. The Superintendent will
14 develop safety and health standards that comply with the Montana Safety Culture Act.

15

16 *Safety or Emergency Plans*

17

18 The Board shall review the District safety or emergency operations plan at least annually and
19 update the plan as determined necessary by the trustees based on changing circumstances
20 pertaining to school safety. Once the Board has made the annual certification to OPI, it may
21 transfer funds pursuant to Section 20-1-401, MCA to make improvements to school safety and
22 security.

23

24 The school safety plan or emergency operations plan must include threat assessment practices
25 regarding the following:

26

- 27 1. The adoption of a threat assessment protocol, outlining policies and procedures for
28 implementation when there is notification of a student threat of harm to others or property; and
- 29 2. An identified threat assessment team, composed of key staff, that meets at least monthly and
30 may include behavioral threat assessment addressing students in need of academic and
31 behavioral supports or interventions.

32

33 *School Closure*

34

35 The Superintendent is authorized to close the schools in the event of hazardous weather or other
36 emergencies that threaten the safety of students, staff members, or school property. Specific
37 procedures for school closures may be found in the District’s Safety Plan or Emergency Operations
38 Plan. The Board shall periodically review the District’s Safety Plan or Emergency Operations Plan
39 and shall update the plan as necessary based upon changing circumstances regarding school safety.

40

41

42

43 *Hazardous and Infectious Materials*

44

45 The Superintendent shall take all reasonable measures to protect the safety of District personnel,
46 students, and visitors on District premises from risks associated with hazardous materials, including
47 pesticide, and infectious materials. Specific procedures for handling hazardous or infectious
48 materials may be found in the District’s Safety Plan.

49

50 *Safety Measures*

51

52 The Superintendent is authorized to adopt reasonable safety measures to protect the health and safety
53 of District personnel, students, and visitors on District premises and during school-related activities.
54 Reasonable safety measures include adoption of cleaning/sanitization plans, use of physical
55 safeguards/barriers, and required use of personal protective equipment (*e.g.*, face masks). Exceptions
56 to any requirements adopted by the Superintendent may be granted as required by law and on a case-
57 by-case basis.

58

59 Cross References:

60

61	Legal References:	§20-1-401, MCA	Disaster drills (<u>revised by Senate Bill 213</u>)
62		§20-1-402, MCA	Number of disaster drills required
63		§20-1-801, et seq., MCA	Emergency School Closure
64		§39-71-1501, MCA	Montana Safety Culture Act
65		§50-71-111, et. seq., MCA	Montana Occupational Health and Safety Act

Policy History:

Adopted on: 8.22.2013
Revised on: 8.11.2020, 2.14.2023