



**Superintendent**  
Rex Weltz  
406-324-2000

**Business Manager**  
Janelle Mickelson  
406-324-2007

**BOARD OF TRUSTEES  
POLICY COMMITTEE MEETING**

**Lincoln Center - 1325 Poplar Street**

**February 6, 2024**

**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 JANUARY 2, 2024, BOARD POLICY MEETING MINUTES**

**V. PRESENTATION OF POLICIES FOR FIRST READING**

**A. 3050 Student Discipline**

Revised to reflect House Bill 128 which prohibits the use of marijuana products (as well as tobacco products) on district/school property. “Marijuana products” are defined as those products which include but are not limited to edible products, ointments, tinctures, marijuana derivatives, marijuana concentrates, and marijuana intended for use by smoking or vaping. It also reflects the self-defense/defense of others exception to the use of physical force by a student adopted under House Bill 450. The legal references were also updated to reflect House Bill 361.

**B. 3080 Maintenance of Student Records**

Legal references were updated to reflect a parent’s right to access and review student records under House Bill 676 as well as a reference to MCA 52-2-211 (which was revised by Senate Bill 213) that allows for a county interdisciplinary team / school safety team to access student records.

**C. 3305 Use of Restraint or Seclusion**

This is a new and recommended policy that reflects the changes in the law from HB 676 and SB 518. The policy now includes methods for parental consent for health intervention or screening.

**VI. PRESENTATION OF POLICIES FOR SECOND READING**

**A. 3010 School Admissions: Entrance, Placement and Transfer**

Revised to reflect changes in the definition of “exceptional circumstances” under House Bill 946 for students under 5 and over 19. Districts who currently are operating an early kindergarten should also include the criteria for students to be admitted for such program – the board must approve each student admitted for such program.

*NOTE* that such programs will change pursuant to House Bill 352 starting July 1, 2024, and changes will be made to this policy after next school year to reflect this change. The language also reflects the requirement from House Bill 396 that a district enroll a home school or nonpublic school student part-time at the request of the parent.

- B. 5000      Equal Employment Opportunity and Nondiscrimination**  
Revised to incorporate a cross reference to Policy 5015 - Bullying/Harassment/Intimidation Prevention Reporting which addresses retaliation.
- C. 5040      Personnel Records**  
Legal references were updated to reflect the transfer of evaluation language from an existing rule to a new rule in the accreditation standards in Chapter 10.55 of the Montana Administrative Rules.
- D. 5065      Evaluation of Non-Administrative Staff**  
General update to align with updated model language. Revised to reflect a new rule adopted in the accreditation standards in Chapter 10.55 of the Montana Administrative Rules regarding the evaluation of certified employees.
- E. 6020      District Organization: Building Administrators & Districts Administrators**  
Legal references were updated to reflect the transfer of evaluation language from an existing rule to a new rule in the accreditation standards in Chapter 10.55 of the Montana Administrative Rules. Updated language regarding access to the evaluation tool.
- F. 8225      Tobacco and Marijuana Free Schools**  
Revised to reflect House Bill 128 which prohibits the use of marijuana products (as well as tobacco products) on district / school property.

**VII.    PRESENTATION OF POLICIES FOR THIRD READING**

- A. 4040      School, Student, Parent, Family and Community Engagement in Education**

**VIII. SUPERINTENDENT OR BOARD COMMENTS**

**IX.    ADJOURNMENT**

**NEXT MEETING:**

**March 5, 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, January 2<sup>nd</sup>, 2024

12:00 p.m.

Lincoln Center

1325 Poplar St., Helena, MT 59601

And via

TEAMS

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## MINUTES

### *Attendees*

#### *Committee:*

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

#### *Others:*

Rex Weltz, Superintendent  
Barb Ridgway, Chief of Staff  
Gary Myers, Director of Technology  
Bea Kaleva, District Legal Counsel  
Josh McKay, Assistant Superintendent  
Candice Delvaux, Executive Assistant  
Joslyn Davidson, Curriculum Director  
Jane Shawn, HEA President  
Keri Mizell, Human Resources Director  
Karen Ogden, Communications Officer  
Kaitlyn Hess, Assessment & Federal Programs  
Melissa Romano-Lehman, Instructional Coach  
Tim McMahon, Activities Director  
Hanna Warhank, Guest of the Public

**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 12.05.2023 POLICY COMMITTEE MINUTES**

The committee reviewed and approved the 12.05.2023 Policy Committee meeting minutes.

**V. PRESENTATION OF POLICIES FOR SECOND 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 went before the full Board of Trustees for information with no recommended changes and the Policy Committee determined that Policy 2100: Recognition of Native American Cultural Heritage would go before the full Board of Trustees for action.

B. Policy 2103: Religion and Religious Activities

The committee reviewed and discussed Policy 2103: Religion and Religious Activities. This policy went before the full Board of Trustees for information with no recommended changes and the Policy Committee determined that Policy 2103: Religion and Religious Activities would go before the full Board of Trustees for action.

C. Policy 4015: Conduct on School Property

The committee reviewed and discussed Policy 4015: Conduct on School Property. This policy went before the full Board of Trustees for information with no recommended changes and the Policy Committee determined that Policy 4015: Conduct on School Property would go before the full Board of Trustees for action.

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 went before the full Board of Trustees for information with no recommended changes and the Policy Committee determined that

Policy 4030: Cooperative Programs with Other Districts and Public Agencies would go before the full Board of Trustees for action.

- 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 went before the full Board of Trustees for information with no recommended changes, however, this policy has been revised and expanded since the policy and board reading to more comprehensively address all aspects of HB 676 and SB 518. Additionally, several more citations and cross references have been added. The additional language added on page two is referenced from the MTSBSA model policy. The committee discussed that schools are now required to present artifacts that show they are performing the duties outlined in the policy, and those artifacts will be reported to OPI yearly as part of the accreditation standards. Trustee Janet Armstrong suggested that the Board of Trustees be presented yearly with a summary of the reporting that is sent to the OPI. Trustee Armstrong suggested the words *if practical* be removed from line 81 of the policy. The Policy Committee determined that Policy 4040: School, Student, Parent, Family and Community Engagement in Education would come back to the Policy Committee for further discussion.
- 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 went before the full board for information with no recommended changes. The Policy Committee determined that Policy Tobacco Products, Marijuana, Drug and Alcohol-Free Workplace would go before the full board of trustees for action.
- G. Policy 7060: District Safety  
The committee reviewed and discussed Policy 7060: District Safety. This policy went before the full board for information with no recommended changes. The Policy Committee determined that Policy 7060: District Safety would go before the full board of trustees for action.

## VI. PRESENTATION OF POLICIES FOR FIRST READING

- A. Policy 3010: School Admissions: Entrance, Placement and Transfer  
The committee reviewed and discussed Policy 3010: School Admissions: Entrance, Placement and Transfer. This policy has been revised to reflect changes in the definition of “exceptional circumstances” under House Bill 946 for students under 5 and over 19. Districts who currently are operating an early kindergarten should also include the criteria for students to be admitted for such program – the board must approve each student admitted for such program. The committee discussed that such programs will change pursuant to

House Bill 352 starting July 1, 2024, and changes will be made to this policy after next school year to reflect this change. The language also reflects the requirement from House Bill 396 that a district enroll a home school or nonpublic school student part-time at the request of the parent. The Policy Committee determined that Policy 3010: School Admissions: Entrance, Placement and Transfer would go before the full Board of Trustees for information.

B. Policy 5000: Equal Employment Opportunity and Nondiscrimination

The committee reviewed and discussed Policy 5000: Equal Employment Opportunity and Nondiscrimination. This policy has been revised to incorporate a cross reference to Policy 5015 - Bullying/Harassment/Intimidation Prevention Reporting which addresses retaliation, and some additional legal references were added. The Policy Committee determined Policy 5000: Equal Employment Opportunity and Nondiscrimination would go before the full Board of Trustees for information.

C. Policy 5040: Personnel Records

The committee reviewed and discussed Policy 5040: Personnel Records. Legal references were updated to reflect the transfer of evaluation language from an existing rule to a new rule in the accreditation standards in Chapter 10.55 of the Montana Administrative Rules. The Policy Committee determined that Policy 5040: Personnel Records would go before the full Board of Trustees for information.

D. Policy 5065: Evaluation of Non-Administrative Staff

The committee reviewed and discussed Policy 5065: Evaluation of Non-Administrative Staff. This policy had a general update to align with updated model language. It has been revised to reflect a new rule adopted in the accreditation standards in Chapter 10.55 of the Montana Administrative Rules regarding the evaluation of certified employees. The Policy Committee determined that Policy 5065: Evaluation of Non-Administrative Staff would go before the full Board of Trustees for information.

E. Policy 6020: District Organization: Building Administrators & Districts Administrators

The committee reviewed and discussed Policy 6020: District Organization: Building Administrators & Districts Administrators. Legal references were updated to reflect the transfer of evaluation language from an existing rule to a new rule in the accreditation standards in Chapter 10.55 of the Montana Administrative Rules. The policy also has updated language regarding access to the evaluation tool. The Policy Committee determined that Policy 6020: District Organization: Building Administrators & Districts Administrators would go before the full Board of Trustees for information.

F. Policy 8225: Tobacco and Marijuana Free Schools

The committee reviewed and discussed Policy 8225: Tobacco and Marijuana Free Schools. 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 had a robust conversation about CBD products and if those products would fall under the prohibited category outlined in this policy. The Policy Committee determined that Policy 8225: Tobacco and Marijuana Free Schools would come back to the Policy Committee for further review and discussion.

**VII. SUPERINTENDENT OR BOARD COMMENTS**

There were no further comments.

**VIII. ADJOURNMENT**

Committee Chair, Janet Armstrong, adjourned the meeting at 12:56 p.m.

2  
3 **STUDENTS**

4  
5 Student Discipline

6  
7 Students are expected to conduct themselves within the bounds set by the Board and the  
8 administrative regulations set forth by the Superintendent. Consideration for the rights and well-  
9 being of others, cooperation with all members of the school community and respect for oneself and  
10 others are the basic principles guiding student behavior.

11  
12 The primary responsibility for student discipline within the school rests with the principal. The  
13 primary responsibility for the maintenance of discipline within the classroom lies with the individual  
14 classroom teacher. Corporal punishment shall not be used. Corporal punishment does not include  
15 reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose  
16 of self-defense or defense of property.

17  
18 Disciplinary action may be taken against any student in violation of the Student Code of Conduct.  
19 Disciplinary action may range from conferring with a teacher to expulsion from school. Continued  
20 infractions will have a cumulative effect in terms of disciplinary action.

21  
22 These grounds stated below for disciplinary action apply whenever a student’s conduct is reasonably  
23 related to school or school activities, including, but not limited to the circumstances set forth below:

- 24 · On, or within sight of, school grounds before, during, or after school hours or at any other
- 25 time when school is being used by a school group;
- 26 · Off school grounds at a school-sponsored activity or event or any activity or event that
- 27 bears a reasonable relationship to school;
- 28 · Travel to and from school or a school activity, function, or event;
- 29 · Anywhere if conduct may reasonably be considered to be a threat or an attempted
- 30 intimidation of a staff member, an interference with school purposes or an educational
- 31 function, a threat to the safety and welfare of the student population, or conduct that
- 32 detrimentally effects the climate or efficient operations of the school.

33  
34 A student is in violation of the Student Code of Conduct if the student engages in any inappropriate  
35 behavior, including but not limited to:

- 36
- 37 • Using, possessing, distributing, purchasing, or selling tobacco products, vapor products,
- 38 or alternative nicotine products, or marijuana products (tobacco includes, but is not
- 39 limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, or any other
- 40 tobacco or nicotine innovation) (marijuana products include but are not limited to edible
- 41 products, ointments, tinctures, marijuana derivatives, marijuana concentrates, and
- 42 marijuana intended for use by smoking or vaping);
- 43 • Using, possessing, distributing, purchasing, or selling alcoholic beverages including
- 44 powdered alcohol or any other alcohol innovation.
- 45 • Using, possessing, distributing, purchasing, or selling drug paraphernalia, illegal drugs,
- 46 controlled substances, or any substance which is represented to be or looks like a narcotic



47 drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, medical marijuana,  
48 alcoholic beverage, stimulant, depressant, or intoxicant of any kind, including such  
49 substances that contain chemicals which produce the same effect of illegal substances  
50 including but not limited to Spice and K2. Students who may be under the influence of  
51 such substances will not be permitted to attend school functions and will be treated as  
52 though they had drugs in their possession.

- 53 • Using, possessing, controlling, or transferring a weapon in violation of the “Possession of  
54 a Weapon in a School Building” section of this policy.
- 55 • Using, possessing, controlling, or transferring any object that reasonably could be  
56 considered or used as a weapon.
- 57 • Disobeying directives from staff or disobeying rules governing student conduct.
- 58 1. Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable  
59 conduct toward anyone or urging other students to engage in such conduct, including  
60 gang or gang activity, except when physical force is determined to be reasonable and  
61 necessary and used as self-defense or the defense of another person after an investigation  
62 into such conduct.
- 63 • Causing or attempting to cause damage to, or stealing or attempting to steal, school  
64 property or another person’s property.
- 65 • Engaging in any activity that constitutes an interference with school purposes or an  
66 educational function or any other disruptive activity.
- 67 • Unexcused absenteeism.
- 68 • Misconduct of any sort on any means of District transportation.
- 69 • Hazing or bullying, including cyberbullying.
- 70 • Forging any signature or making any false entry or attempting to authorize any document  
71 used or intended to be used in connection with the operation of a school.
- 72 • Gambling for money.

73  
74 *Gun Free Schools*

75  
76 The Board will follow federal law for any student who uses, possesses, controls, or transfers a  
77 firearm on school property. The Board hereby authorizes the Superintendent to modify the  
78 disciplinary action on a case-by-case basis, including eliminating the requirement for expulsion.  
79

80 The administrator may immediately suspend a student if, prior to a hearing, there is cause to  
81 believe the student brought a firearm to school or possessed a firearm at school. In the case of a  
82 firearm violation the student may be expelled if the trustees find that the student knowingly  
83 brought a firearm to school or possessed a firearm at school.

84  
85  
86 *Possession of a Weapon in a School Building*

87  
88 The District will refer to law enforcement any person who possesses, carries, or stores a weapon in a  
89 school building, except as provided below. For the purposes of this section only, “school building”  
90 means all buildings owned or leased by the District that are used for instruction or for student  
91 activities; "weapon" means any type of firearm, a knife with a blade 4 or more inches in length, a  
92 sword, a straight razor, a throwing star, nun-chucks, brass or other metal knuckles, or any other

93 article or instrument possessed with the purpose to commit a criminal offense. The Board may grant  
94 persons advance permission to possess, carry, or store a weapon in a school building. All persons  
95 who wish to possess, carry, or store a weapon in a school building must request permission of the  
96 Board at a regular meeting. The Board has sole discretion in deciding whether to allow a person to  
97 possess, carry, or store a weapon in a school building.  
98  
99

100 Legal References:

101	§ 16-11-302, MCA	Definitions
102	§ 20-1-220, MCA	Use of tobacco products in public school building or on public school property prohibited ( <i>revised by House Bill 128</i> )
103		
104	§ 20-4-302, MCA	Discipline and punishment of pupils
105	<u>§ 20-5-201, MCA</u>	<u>Duties and sanctions (<i>revised by House Bill 450</i>)</u>
106	§ 20-5-202, MCA	Suspension and Expulsion
107	<u>§ 20-5-209, MCA</u>	<u>Bullying of student prohibited-self defense authorized</u> <u>(<i>revised by House Bill 450</i>)</u>
108		
109	§ 45-5-637, MCA	Possession or consumption of tobacco products, alternative nicotine products, or vapor products by persons under 18 years of age is prohibited – unlawful attempt to purchase - penalties
110		
111		
112	§ 45-8-361, MCA	Possession of a weapon in school building
113	§ 45-8-317, MCA	Exceptions
114	§§ 50-46-301 et seq., MCA	Montana Marijuana Act
115	20 USC §§ 7101 et seq.	Safe and Drug-Free Schools & Communities Act
116	20 USC § 7961	Gun-Free requirements
117	§ 1-1-204, MCA	Terms denoting state of mind ( <i>Cited by Senate Bill 283</i> )——
118	<del>Senate Bill 283</del>	<del>Expulsion Policies and Firearms on School Grounds</del>
119	<u>House Bill 361</u>	<u>Certain District Policies Prohibited</u>

120

121

122 Cross References:

123

124 Policy History:

125 Adopted on: 3.26.2013

126 Revised on: 8.15.2017, 2.8.2022

127

128

3  
4 STUDENTS

5  
6 Maintenance of Student Records

7  
8 School student records are confidential, and information from them will not be released other than as  
9 provided by law. State and federal laws grant students and parents certain rights, including the right  
10 to inspect, copy, and challenge school records.

11  
12 ***Content of Records and Maintenance***

13  
14 The District maintains two (2) sets of school records for each student: a permanent record and a  
15 cumulative record.

16  
17 The permanent record will include:

- 18 • Basic identifying information including date of birth
- 19 • Academic work completed (transcripts)
- 20 • Level of achievement (e.g. grades, standardized achievement tests, grade level  
21 completed)
- 22 • Immunization records
- 23 • Attendance record
- 24 • Record of any disciplinary action taken against the student, which is educationally related
- 25 • The statewide student identifier assigned by the Office of Public Instruction

26  
27 The cumulative record may include, but is not limited to:

- 28 • Intelligence and aptitude scores
- 29 • Psychological reports
- 30 • Participation in extracurricular activities
- 31 • Honors and awards
- 32 • Teacher anecdotal records
- 33 • Verified reports or information from non-educational persons
- 34 • Verified information of clear relevance to the student's education
- 35 • Information pertaining to release of this record
- 36 • Disciplinary information

37  
38 Information in the permanent record will indicate authorship and date and will be maintained in a  
39 secure location in perpetuity for every student who enrolled in the District. Cumulative records will  
40 be maintained for eight (8) years after the student graduates or permanently leaves the District.  
41 Cumulative records which may be of continued assistance to a student with disabilities, who  
42 graduates or permanently withdraws from the District, may, after five (5) years, be transferred to the  
43 parents or to the student if the student has succeeded to the rights of the parents.  
44  
45  
46

48

49 The building principal will be responsible for maintenance, retention, or destruction of a student's  
50 permanent or cumulative records, in accordance with 20-1-212, MCA and District procedure  
51 established by the Superintendent.

52

### 53 *Access to Student Records*

54

55 The District will not release, disclose, or grant access to information found in any student record  
56 except under the conditions set forth in this document. The parents of a student under 18 years of  
57 age will be entitled to inspect and copy information in the child's school records. Such requests will  
58 be made in writing and directed to the Principal. Access to the records will be granted as provided  
59 by law. Where the parents are divorced or separated, both will be permitted to inspect and copy the  
60 student's school records, unless the school is made aware of a court order indicating otherwise.  
61 When the student reaches 18 years of age, graduates from high school, marries, or enters military  
62 service, all rights and privileges accorded to the parent become exclusively those of the student,  
63 except as provided below.

64

65 Access will not be granted to the parent or the student to confidential letters and recommendations  
66 concerning admission to a post-secondary educational institution, applications for employment, or  
67 receipt of an honor or award, if the student has waived his or her right of access after being advised  
68 of his or her right to obtain the names of all persons making such confidential letters or statements.

69

70 Other individuals or entities may access student records as follows:

71

72 • The District may grant access to or release information from student records to employees or  
73 officials of the District, including contractors or consultants to whom the District has  
74 outsourced institutional services or functions, or the Montana State Board of Education,  
75 provided a current, legitimate educational interest is shown, without parental consent or  
76 notification. Access in such cases will be limited to the satisfaction of that need.

77

78 • The District may grant access to or release information from student records without parental  
79 consent or notification where it is necessary in connection with the audit, evaluation,  
80 compliance, or enforcement of federal legal requirements to state and local educational  
81 authorities, entities or individuals designated by a state or local educational authority, or an  
82 agency headed by the Secretary of the United States Department of Education, the Attorney  
83 General of the United States, or Comptroller General of the United States.

84

85 • The District may grant access to or release information from student records without parental  
86 consent or notification to any person, for the purpose of research, statistical reporting, or  
87 planning, provided that no student or parent can be identified from the information released,  
88 and the person to whom the information is released signs an affidavit agreeing to comply  
89 with all applicable statutes and rules pertaining to school student records.

90

91 • The District will grant access to or release information from a student's records pursuant to a  
92 court order in an action where a parent is not a party without parental consent, provided that

93

95  
96 the parent will be given prompt written notice of the order, its terms, the nature and substance  
97 of the information proposed to be released, and an opportunity to inspect and copy such  
98 records and to challenge their contents. The District will comply with an *ex parte* order  
99 requiring it to permit the U.S. Attorney General or designee to have access to a student's  
100 school records without notice to or consent of the student's parent. When a parent is a party  
101 to a court proceeding involving child abuse and neglect or dependency matters, parental  
102 consent or notification is not required to release information from a student's record upon  
103 receipt of an order requiring disclosure in such case.

- 104  
105 • The District may grant access to or release information from any student record, without  
106 parental consent or notification, to a caseworker or other representative of a child welfare  
107 agency when that agency is legally responsible for the care and protection of the student.  
108 The caseworker or other child welfare agency representative shall present documentation  
109 evidencing legal responsibility for a student.  
110
- 111 • The District will grant access to or release information from any student record, as  
112 specifically required by federal or state statute. The parent will be given prompt written  
113 notice of its intended action, the nature and substance of the information proposed to be  
114 released, and an opportunity to inspect and copy such records and to challenge their contents.  
115
- 116 • The District will grant access to or release information from student records to any person  
117 possessing a written, dated consent, signed by the parent or eligible student, with particularity  
118 as to whom the records may be released, the information or record to be released, and reason  
119 for the release. One copy of the consent form will be kept in the records, and 1 copy will be  
120 mailed to the parent or eligible student. The parent will be given prompt written notice of its  
121 intended action, the nature and substance of the information proposed to be released, and an  
122 opportunity to inspect and copy such records and to challenge their contents.  
123
- 124 • The District may release student records to the Superintendent or an official with similar  
125 responsibilities in a school in which the student has enrolled or intends to enroll, upon written  
126 request from such official. The parent will be given prompt written notice of its intended  
127 action, the nature and substance of the information proposed to be released, and an  
128 opportunity to inspect and copy such records and to challenge their contents.  
129
- 130 • The District may release student records or information in connection with an emergency,  
131 without parental consent, if the knowledge of such information is necessary to protect the  
132 health or safety of the student or other persons. The Superintendent or Principal will make  
133 this decision, taking into consideration the nature of the emergency, the seriousness of the  
134 threat to the health and safety of the student or other persons, the need for such records to  
135 meet the emergency, and whether the persons to whom such records are released are in a  
136 position to deal with the emergency. The District will notify the parents or eligible student,  
137 as soon as possible, of the information released, date of the release, the person, agency, or  
138 organization to whom the release was made, and the purpose of the release.  
139
- 140 •

142

143 • The District may disclose, without parental consent, student records or information to the youth  
144 court and law enforcement authorities or a child interdisciplinary team or school safety team  
145 involved in the proceedings, pertaining to that student’s violations of the Montana Youth Court  
146 Act or criminal laws by the student prior to the adjudication of that student.

147

148 • The District may release student records or information, without parental consent or  
149 notification, to the U.S. Secretary of Agriculture or authorized Food and Nutrition Service  
150 representative, including contractors, for the purposes of monitoring, evaluations, and  
151 performance with regard to funding received for federal school lunch programs. The  
152 authorized representative or contract is not permitted to disclose personal identification of  
153 students and their parents aside from reporting results in an aggregate form. Any personally  
154 identifiable data will be destroyed once it is no longer necessary for program monitoring,  
155 evaluations, and performance measurements.

156

157 The District charges a nominal fee for copying information in the student’s records. No parent or  
158 student will be precluded from copying information because of financial hardship. A record of all  
159 releases of information from student records will be kept and maintained as part of such records.  
160 This record will be maintained for the life of the student record and will be accessible only to the  
161 parent or eligible student, records custodian, or other person.

162

163 ***Directory Information***

164

165 The District may release certain directory information regarding students, except that parents may  
166 prohibit such a release. Directory information will be limited to:

- 167 • Student’s name
- 168 • Address
- 169 • Telephone listing
- 170 • Electronic mail address
- 171 • Photograph
- 172 • Date of birth
- 173 • Dates of attendance
- 174 • Grade level
- 175 • Participation in officially recognized activities and sports
- 176 • Weight and height of members of athletic teams
- 177 • Honors and awards received

178

179 The notification to parents and students concerning school records will inform them of their right to  
180 object to the release of directory information.

181

182 ***Military Recruiters/Colleges***

183

184 Pursuant to federal law, the District is required to release the names, addresses, and telephone  
185 numbers of all high school students to military recruiters and institutions of higher education

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189

190 upon request. The notification to parents and students concerning school records will inform  
191 them of their right to object to the release of this information.

192

193 ***Student Record Challenges***

194

195 Parents and eligible students may challenge the accuracy, relevancy, or propriety of the records,  
196 except (1) grades, and (2) references to expulsions or out-of-school suspensions, if the challenge  
197 is made when the student’s school records are being forwarded to another school. They have the  
198 right to request a hearing before the Board and, if necessary, to insert a written statement of  
199 reasonable length describing their position on disputed information. The school will include the  
200 statement in any release of the information in dispute.

201

202

203	Legal References:	20 U.S.C. § 1232g	Family Educational Rights and Privacy Act,
204		§ 20-1-212, MCA	Destruction of Records by School Officer
205		§ 20-1-213, MCA	Transfer of School Records
206		§ 20-5-201, MCA	Duties and sanctions
207		§ 40-4-225, MCA	Access to records by parent
208		§ 40-6-701, MCA	<u>Interference with fundamental parental rights</u>
209			<u>restricted (revised by House Bill 676)</u>
210		§ 52-2-211, MCA	<u>County or regional interdisciplinary child</u>
211			<u>information and school safety team (revised by</u>
212			<u>Senate Bill 213)</u>
213			
214		§ 41-5-215, MCA	Youth Court and Department Records
215		10.55.909, ARM	Student Records
216		10.16.3560, ARM	Special Education Records
217		20 USC 6301	No Child Left Behind Act

218

219

220 Cross References:

221

222

223

224 Policy History:

225 Adopted on: 10.8.2013

226 Revised on:

2  
3 **STUDENTS**

4  
5 Use of Restraint, Seclusion, and Aversive Techniques with Students

6  
7 *Conduct of Employees Directed Toward Students*

8  
9 The use of any form of restraint or seclusion as defined in this policy is prohibited except in  
10 circumstances when it is the reasonable belief of a District employee that proportional restraint  
11 or seclusion of a student is necessary because the conduct of a student has placed the student, the  
12 employee or any other individual in imminent danger of serious bodily harm. The use of  
13 seclusion or restraint must be administered by trained personnel.

14  
15 Any employee who is witness to an imminent danger event shall immediately seek out the  
16 assistance of the school’s administrator or, if the administrator is not available, a certified or  
17 classified employee with special training in seclusion and restraint who shall take control of the  
18 situation. The most senior trained individual shall direct another available staff member to notify  
19 the student’s parent or guardian of the situation.

20  
21 Seclusion or restraint of a student shall immediately be terminated when it is determined that the  
22 student is no longer an imminent danger to him/herself or to any other person. Seclusion or  
23 restraint should be terminated when appropriate administrative personnel or the parent/legal  
24 guardian have taken custody of the child.

25  
26 Regardless of employee training status, District personnel shall never use any form of an  
27 aversive technique or corporal punishment against any student. All seclusion will be in  
28 compliance with a student’s IEP or Section 504 plan.

29  
30 After a situation occurs where a properly trained employee must use restraint or seclusion with a  
31 student, the following shall occur:

- 32
- 33 1. The employee shall provide a written report to their building principal as soon as practicable  
34 after the event. The report should include the following:
    - 35 a. The date the event occurred;
    - 36 b. The circumstances leading to the event;
    - 37 c. The student involved; and
    - 38 d. Other witnesses or staff who assisted in the event.
  - 39 2. The building principal shall notify the Superintendent’s office of the event, providing the  
40 Assistant Superintendent’s office with a copy of the event report.
  - 41 3. If the event was captured on video the principal shall retain a copy of the recording in  
42 addition to the written report.
  - 43 44
  - 45



- 46 4. The Director of Special Education shall ascertain the special needs status of the student  
47 involved in the seclusion or restraint and shall ascertain and maintain documentation as to  
48 whether or not such events were consistent with or contraindicated due to the student's  
49 psychiatric, medical, or physical condition(s). Parental consent is required prior to any  
50 psychiatric, medical, or physical examination or services.  
51
- 52 5. The Principal shall provide the parent/legal guardian of the student with written notice of the  
53 event of restraint or seclusion of their student.  
54
- 55 6. The Assistant Superintendent's office and /or the District Special Education Director shall  
56 maintain documentation of the restraint and seclusion event and shall prepare any and all  
57 necessary reports to legal entities upon whom such reports are or may become due pursuant  
58 to State and federal regulations.  
59

### 60 *Training of School Personnel*

61

62 As part of the training and preparation of administrators, teachers, and classified staff of the  
63 District, the following shall occur:  
64

- 65 1. Training describing situations and events that could lead to student seclusion and  
66 intervention, including possible preventative alternatives to seclusion and restraint, safe  
67 physical escort, de-escalation of student crisis situations, and positive behavioral intervention  
68 techniques and supports;  
69
- 70 2. Training in crisis/conflict management and emergency situations which may occur in the  
71 school setting, including examples and demonstrations of proper activities and techniques in  
72 the training setting;  
73
- 74 3. Techniques to utilize to limit the possibility of injury to the student, the employee and any  
75 other person in the area;  
76
- 77 4. Information as to the school's student seclusion areas in each respective school building to  
78 which the employee is assigned; and  
79
- 80 5. Provision of the employee with a copy of this policy.  
81

82 Employees authorized to engage in seclusion and restraint will also be trained in CPR and basic  
83 first aid.  
84

85 During onboarding all new employees will receive and review a copy of this policy. If an  
86 employee has not yet undergone training and a situation necessitating student restraint or  
87 seclusion occurs, and another properly trained employee of the District is present at the event,  
88 the properly trained employee shall take the lead in addressing the situation.  
89  
90  
91

92 *Designated Locations*

93  
94 Each school building in which students are present must have a building designated location for  
95 student seclusion. It is the responsibility of the building principal to assure that the designated  
96 seclusion location is a safe and clean location and that such location has appropriate supervision  
97 when any student has been placed into seclusion pursuant to this policy. All seclusion will be in  
98 compliance with a student’s IEP or Section 504 Plan. Appropriate supervision shall include an  
99 adult in the seclusion location which has continuous visual observation of the secluded student.

100  
101 *Definitions*

102  
103 For the purposes of this policy, the following definitions shall apply:

104  
105 **Restraint:** The immobilization or reduction of a student’s freedom of movement for the purpose  
106 of preventing harm to the student or others through chemical, manual method, physical, or  
107 mechanical device, material, or equipment.

108  
109 **Seclusion:** Involuntary confinement in a room or other calm down space during which a student  
110 is prevented from leaving.

111  
112 **Aversive Technique:** Physical, emotional, or mental distress as a method of redirecting or  
113 controlling behavior including but not limited to corporal punishment.

114  
115 Cross Reference: Policy 4040 School, Student, Parent, Family and  
116 Community Engagement in Education  
117 Legal Reference: 37.111.825 ARM Health Supervision and Maintenance  
118 § 40-6-701, MCA Parental Rights  
119 § 20-3-324(20), MCA Powers and duties  
120 2 20 U.S.C. 1232h(b) General Provisions Concerning Education

121  
122 Policy History:

123 Adopted on:

124 Revised on:

125 Reviewed on:

2  
3 STUDENTS

4  
5 School Admissions: Entrance, Placement and Transfer

6  
7 *Age*

8  
9 No pupil may be enrolled in the kindergarten or first grade whose 5<sup>th</sup> birthday does not occur on or  
10 before September 10 of the school year in which the child registers to enter school. ~~A parent may~~  
11 ~~request a waiver of the age requirement. All waivers are at the discretion of and subject to the~~  
12 ~~approval of the Board.~~ No pupil may be enrolled in the District if that pupil has reached his or her  
13 19<sup>th</sup> birthday on or before September 10 of the school year in which the child registers to enter  
14 school. A waiver of the age limitation may be requested where there are exceptional circumstances  
15 and must be reviewed and approved by the Board in an executive session. The Trustees may also  
16 admit an individual who has graduated from high school but is not yet 19 years of age even though  
17 no special circumstances exist for waiver of the age provision or a student who is not yet 19 years of  
18 age and experienced educational disruption and was awarded a diploma as a result and seeks access  
19 to reasonable curriculum designed to advance postsecondary success.

20  
21 The trustees shall assign and admit a student who is enrolled in a nonpublic or home school and who  
22 meets the age and residency requirements on a part-time basis at the request of the student’s parents  
23 or guardian.

24  
25 *Enrolling Students Under the age of 5 Before September 10 for Exceptional Circumstances*

26  
27 It is the policy of the District to provide enhanced educational opportunities to students under the age  
28 of 5 when individual exceptional circumstances exist.

29  
30 The administration shall ensure admission, enrollment, and assignment of all qualifying children  
31 referenced in this policy. The administration shall place children enrolled pursuant to this policy in  
32 either a half-time or full-time program as part of the elementary school program. The administration  
33 shall review the criteria set forth in this policy and make the determination whether an individual  
34 student or class of students meets the criteria for exceptional circumstances.

35  
36 The administration shall present the information to the Board for approval. In presenting the  
37 information to the Board, the administration shall remove all identifying information in order to  
38 protect the privacy rights of the student under state and federal law. The Board shall make the final  
39 decision on the enrollment of students under the District’s exceptional circumstances policy.

40  
41 The administration shall include children enrolled pursuant to this policy in the District’s calculation  
42 of average number belonging (ANB) as reported to OPI to the extent allowed by law.

43  
44 The Board of Trustees declares the following to be qualifying “exceptional circumstances” within  
45 the meaning of that term as used in 20-5-101(3) and “special permission” within the meaning of that

46 term as used in 20-7-117 MCA, that merit waiving the age provisions of 20-7-117 MCA for  
47 qualifying children under 5 years of age  
48

- 49 1 A child at least 3 years of age with a disability qualifying the child for services under the  
50 federal Individuals with Disabilities Education Act.
- 51 2 A child who is 4 years of age or older on or before September 10 of the school year in which  
52 enrollment is to occur who meets one or more of the following:
  - 53 a. Meets the income eligibility guidelines for free or reduced priced meals under the  
54 National School Lunch Program;
  - 55 b. Is Limited English Proficient within the meaning of Title III of the federal  
56 Elementary and Secondary Education Act;
  - 57 c. Is Gifted and Talented within the meaning of that term as used in 20-7-901 MCA;
  - 58 d. Is an enrolled member of a federally recognized American Indian Tribe;
  - 59 e. Is homeless as defined in 42 U.S. Code § 11302, or as determined by the  
60 administration, exhibits other characteristics or lives in circumstances that are  
61 uncommon, unusual, atypical, rare or otherwise distinguished from ordinary or  
62 typical which place the child at risk of failing to achieve at adequate levels,
  - 63 f. Is an at-risk student as defined in Section 20-1-101(4). MCA;
  - 64 g. Child’s status as a member of a military family with prior enrollment.  
65

66 The administration is authorized to enroll students in a manner consistent with this policy and to  
67 develop procedures to implement this policy.  
68

69 *Entrance – Identity and Immunization*  
70

71 Students enrolling in the District for the first time must present a birth certificate or other reliable  
72 proof of identity and age within 40 days, as well as proof of residence. Students must also provide  
73 additional student records including original immunization records within 30 days. If the parent of  
74 the student does not provide proof of identification within 40 days, the District shall notify the  
75 Missing Children Information Program and a local law enforcement authority of the fact that no  
76 proof of identity has been presented for the child.  
77

78 Students who are homeless, in foster care, or are the child of a military family are entitled to  
79 immediate enrollment regardless of presentation of the required documentation. Nonresident  
80 students shall be admitted when required by law or as permitted by District policy.  
81

82 A student who transfers from one school district to another may photocopy immunization records in  
83 the possession of the school of origin. The District shall accept the photocopy as evidence of  
84 immunization. When a student enrolls in the Helena School District the school the student left must  
85 send the original immunization records within thirty (30) days after the student has transferred out.  
86

87 Parents who choose not to immunize their child based on religious tenets must annually submit to  
88 the District a signed ~~affidavit on the form~~ [religious exemption statement](#) prescribed by the State of  
89 Montana. The form must be presented to the District prior to the child’s first day of attendance. The  
90 statement must be maintained as part of the student's immunization records. The District will also  
91 accept medical exemptions as required by law.

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*Placement*

The goal of the District shall be to place students at levels and in settings that will enhance the probability of student success. Developmental testing, together with other relevant criteria, including but not limited to, health, maturity, emotional stability, and developmental disabilities, may be considered in the placement of all students. Final disposition of all placement decisions rests with the Principal subject to review by the Superintendent. If a student is assigned to a school in the District outside of the adopted school boundaries applicable to that student, this decision is subject to the District's Uniform Grievance Procedure. Upon completion of these procedures, the Board's decision regarding the assignment is final.

*Children of Relocated Military Families*

The Board shall assign and admit a child whose parent or guardian is being relocated to Montana under military orders to a school in the district and allow the child to preliminarily enroll in classes and apply for programs offered by the District prior to arrival and establishing residency. The student may attend classes during preliminary enrollment and may receive offsite instruction if not present in the District.

*Transfer Students*

Resident students seeking to transfer to a District school will be admitted and placed pursuant to the terms of this policy. The District will request the student's records from the prior school district prior to making any final decision on placement.

Elementary students shall be placed at their current grade level on a probationary basis for a period of two weeks. Should any doubt exist with the teacher and/or Principal as to grade and level placement of the student, the student shall be subject to an educational assessment to determine appropriate grade and level placement.

High school students shall be placed according to the number of credits earned in their previous accredited school districts, subject to Montana Accreditation Rules and Standards and local alternate procedures for earning credit.

Cross References:	<a href="#">Policy 1085</a>	<a href="#">Uniform Grievance Policy</a>
	<a href="#">Policy 2090</a>	<a href="#">Credit Transfer, Assessment for Placement Policy</a>
	<a href="#">Policy 3020</a>	<a href="#">Education of Homeless Youth</a>
	<a href="#">Policy 3023</a>	<a href="#">Education of Children in Foster Care</a>
	<a href="#">Policy 3155</a>	<a href="#">Part-time Attendance</a>

Legal References:	<a href="#">§ 1-1-215, MCA</a>	<a href="#">Residence -- rules for determining.</a>
	<a href="#">§ 20-5-101, MCA</a>	<a href="#">Admittance of child to school <b>(revised by House Bill 946)</b></a>
	<a href="#">§ 20-5-403, MCA</a>	<a href="#">Immunization requirements</a>
	<a href="#">§ 20-5-404, MCA</a>	<a href="#">Conditional attendance</a>
	<a href="#">§ 20-5-405, MCA</a>	<a href="#">Medical or religious exemption</a>

139 [§ 20-5-406, MCA](#) [Immunization record](#)  
140 [§ 20-5-502, MCA](#) [Enrollment by caretaker relative -- residency --](#)  
141 [affidavit](#)  
142 [§ 20-7-117, MCA](#) [Kindergarten and preschool programs](#)  
143 [§ 44-2-511, MCA](#) [School enrollment procedures for missing children](#)  
144 [10.55.701, ARM](#) [Board of Trustees](#)  
145 [10.55.906, ARM](#) [High School Credit](#)  
146 [10.16.3122., ARM](#) [Local Education Agency Responsibility for](#)  
147 [Students with Disabilities](#)  
148 [Individual with Disabilities Act Federal Rehabilitation Act 1973](#)  
149 [National School Lunch Act \(Public Law396, 79<sup>th</sup> congress, chapter 281,](#)  
150 [2<sup>nd</sup> session\)](#)  
151 [Title III, ESEA \(English Language Acquisition, Language Enhancement](#)  
152 [and Academic Achievement Act](#)  
153 [McKinney-Vento Homeless Assistance Act of 1987 \(Pub. L. 100-77, July](#)  
154 [22, 1987, 101 Stat. 482, U.S.C. §11301 et seq\)](#)  
155 [\*\*House Bill 352\*\*](#) [\*\*Targeted Interventions to Support 3<sup>rd</sup> Grade\*\*](#)  
156 [\*\*Reading Proficiency\*\*](#)  
157  
158

159 Policy History:

160 Adopted on: 2.12.2013  
161 Revised on: 10.8.2013, 12.10.2019, 10.11.2022, 6.13.2023  
162

2  
3 PERSONNEL

4  
5 Equal Employment Opportunity and Non-Discrimination

6  
7 As required by federal law, including but not limited to the Civil Rights Act of 1964, Title IX,  
8 and Section 504 and the Americans with Disabilities Act and their regulations The District will  
9 provide equal employment opportunities and will not discriminate in its educational programs or  
10 activities, including in the area of employment, with respect to all persons, regardless of their  
11 race, color, religion, creed, national origin, sex, age, gender, sexual orientation, gender identity  
12 and expression, ancestry, marital status, military status, citizenship status, culture, social origin  
13 or condition, use of lawful products while not at work, political affiliation or a mental, physical  
14 or sensory handicap, or by any other distinguishing characteristic if otherwise able to perform  
15 essential functions of a job with reasonable accommodations, and other legally protected  
16 categories

17  
18 The District shall not retaliate against any employee for complaining about not receiving equal  
19 employment opportunities or other unlawful discriminatory practices, participating in a  
20 proceeding regarding the denial of equal employment opportunities, or otherwise opposing  
21 discrimination.

22  
23 The District will make reasonable accommodation for an individual with a disability known to  
24 the District, if the individual is otherwise qualified for the position, unless the accommodation  
25 would impose undue hardship on the District. Covid-19 vaccine status will not be used as a basis  
26 to deny or allow equal opportunity to employment.

27  
28 Persons who believe they have not received equal employment opportunities or have been  
29 retaliated against should report their claims to the building principal or department supervisor.  
30 Inquiries regarding sex discrimination or sexual harassment may also be directed to the District’s  
31 Title IX Coordinator, the Assistant Secretary for the U.S. Department of Education, or both.  
32 Claims of sexual harassment will be handled through the District’s Title IX Sexual Harassment  
33 Grievance Procedures. Claims of disability discrimination will be handled through the District’s  
34 Section 504 and ADA Grievance Procedure. All other claims will be handled through the  
35 Uniform Complaint Procedure.

36  
37 No employee or applicant will be discriminated against because he or she initiated a complaint,  
38 was a witness, supplied information or otherwise participated in an investigation or proceeding  
39 involving an alleged violation of this policy or State or federal laws. The District reserves the  
40 right to take action against any individual who knowingly makes false accusations or knowingly  
41 provides false information.

42  
43 Retaliation against an employee who has filed a discrimination complaint, testified or  
44 participated in any manner in a discrimination investigation or proceeding is prohibited.

45  
46 Cross References: [Policy 5015](#) [Bullying/Harassment/Intimidation Prevention Reporting](#)

47 [Policy 1085 Uniform Complaint Procedure](#)  
48 Title IX Sexual Harassment Grievance Procedure  
49 Section 504 and ADA Grievance Procedure  
50

51 Legal References: [29 U.S.C. §§ 621, et seq. Age Discrimination in Employment Act](#)  
52 [42 U.S.C. §§ 12111, et seq. Americans with Disabilities Act, Title I](#)  
53 [29 U.S.C. § 206\(d\) Equal Pay Act](#)  
54 [8 U.S.C. §§ 1324\(a\), et seq. Immigration Reform and Control Act](#)  
55 [29 U.S.C. §§ 791, et seq. Rehabilitation Act of 1973](#)  
56 [20 U.S.C. §§ 1681, et seq.; Title IX of the Education Amendments](#)  
57 [34 C.F.R. Part 106 Nondiscrimination on the Basis of Sex in Education](#)  
58 [Montana Constitution, Art. X, § 1 - Educational goals and duties](#)  
59 [§ 49-2-101, et seq. MCA Human Rights Act](#)  
60 [§ 49-2-301, MCA Retaliation Prohibited](#)  
61 [§ 49-1-102, MCA Freedom from discrimination](#)  
62 [§ 49-2-303, MCA Discrimination in employment](#)  
63 [§ 49-3-201, MCA et seq Governmental Code of Fair Practices](#)  
64

65 [§ 49-2-101, et seq., MCA Human Rights Act](#)  
66 [§ 49-2-312 Discrimination Based on Vaccine Status or](#)  
67 [Immunity Passport Prohibited](#)  
68 [§ 50-16-502, MCA Legislative findings \(Cited by House Bill 702\)](#)  
69 *Bostock v. Clayton County*, 140 S. Ct. 1731  
70 (2020)

71 Policy History:  
72 Adopted on: 8.13.2013  
73 Revised on: 11.10.2020, 11.9.2021  
74  
75  
76



2  
3 PERSONNEL

4  
5 Personnel Records

6  
7 The District maintains a complete, confidential personnel record for every current and former  
8 employee. The employees’ personnel records will be maintained in the District’s  
9 administrative office, under the direct supervision of the Human Resource Office.

10  
11 Employees will be given access to their personnel records, in accordance with guidelines  
12 developed by the Superintendent.

13  
14 In addition to the Human Resource Office or other designees, counsel retained by the Board  
15 will also have access to a cumulative personnel file. Personnel files shall be maintained for  
16 minimum 10 years after the employee’s separation from employment.

17  
18 No material derogatory to an employee’s conduct, service, character, or personality shall be  
19 placed in the file, unless the employee has had the opportunity to read the material. The  
20 employee shall be entitled to respond to the material and to have that response placed in the  
21 file, if requested in a reasonable period of time, not to exceed 60 days.

22  
23 The District shall release information regarding the professional qualifications and degrees of  
24 teachers and the qualifications of paraprofessionals to parents upon request for any teacher or  
25 paraprofessional who is employed by a school receiving Title I funds and provides  
26 instruction to their child at that school.

27  
28 The District may release public information regarding the professional qualifications,  
29 degrees, and experience of teachers and the qualifications of paraprofessionals to parents  
30 upon request.

31  
32 The Superintendent shall develop procedures regarding the content, maintenance and  
33 access to personnel records maintained by the District.

34  
35 Legal References: ~~Public Law 114-95-Every Student Succeeds Act~~  
36 ~~29 USC 201, et seq-Fair Labor Standards Act~~  
37 ~~§ 2-6-101, et al MCA Public Records Generally~~  
38 ~~24.9.805, ARM Employment Records~~  
39 ~~§ 2-6-1001, MCA Definitions~~  
40 [10.55.701\(45\), ARM Board of Trustees](#)  
41 [ARM 10.55.724 Evaluation](#)  
42 [§ 20-1-212, MCA Destruction of Records by School](#)  
43 [Officer](#)

44 Cross References:

45  
46 Policy History:

47 Adopted on: 10.8.2013  
48 Revised on: 2.14.2023  
49 Reviewed on:  
50

2  
3 **PERSONNEL**

4  
5 Evaluation of Non-Administrative Staff

6  
7 Each non-administrative staff member’s job performance will be evaluated by the staff member’s  
8 direct supervisor. ~~Certified staff members may be evaluated according to the terms stated in the~~  
9 ~~current collective bargaining agreement if applicable.~~ Employees in a position covered by a  
10 collective bargaining agreement will be evaluated based on the terms of the applicable  
11 agreement.

12  
13 The evaluation process ~~includes scheduled annual evaluations using forms applicable to the job~~  
14 ~~classification and description, and day to day appraisals.~~ shall identify what skill sets are to be  
15 evaluated, include both summative and formative elements, and include an assessment of the  
16 non-administrative staff member’s effectiveness in supporting every student in meeting rigorous  
17 learning goals through the performance of the educator’s duties. ~~Certified staff members may be~~  
18 ~~evaluated according to the terms stated in the current collective bargaining agreement.~~

19  
20 For employees covered by a negotiated agreement, there may be additional considerations or  
21 conditions defined in that document. In such situations, those aspects will be used to guide the  
22 evaluation process. Where a specific conflict exists between those agreements and this policy,  
23 the requirements of the negotiated agreement shall prevail.

24  
25 Employees shall be evaluated on a regular basis. Classified employees shall be provided  
26 performance feedback at least once each year. The Superintendent shall designate who shall  
27 perform the evaluations of each employee; normally they will be done by the employee’s  
28 supervisor. The Superintendent will develop an evaluation instrument for each position within  
29 the District.

30  
31 The supervisor will provide a copy of the completed evaluation to the staff member and will  
32 provide opportunity to discuss the evaluation. The original should be signed by the staff member  
33 and filed in the staff member’s personnel file. If the staff member refuses to sign the evaluation,  
34 the supervisor should note the refusal and submit the evaluation to the Superintendent.

35  
36 Legal References:     § 20-3-324, MCA — Powers and duties  
37                             § 20-4-402, MCA — Duties of district superintendent  
38                             10.55.701, ARM — Board of Trustees  
39                             [10.55.601, ARM](#)     [Accreditation Standards: Procedures](#)  
40                             [10.55.724, ARM](#)     [Evaluation](#)

41  
42 Cross References:

43  
44 Policy History:

45 Adopted on:             4.8.2014

46 Revised on:

2  
3 SCHOOL ADMINISTRATION

4  
5 District Organization: Building Administrators & Districts Administrators

6  
7 Building administrators are the chief administrators of their assigned schools. The primary  
8 responsibility of building administrators is the development and improvement of instruction. A  
9 majority of the administrator’s time shall be spent on curriculum and staff development through  
10 formal and informal activities, establishing clear lines of communication regarding school goals,  
11 accomplishments, practices, and policies with parents and teachers. Building administrators are  
12 responsible for management of their staff, maintenance of the facility and equipment, administration  
13 of the educational program, supervision of the students attending the school, management of the  
14 school's budget, communication between the school and the community, and reporting criminal  
15 offenses. Building administrators will be evaluated on their instructional leadership abilities and  
16 their abilities to maintain positive education and learning environments.

17  
18 *Evaluation*

19  
20 The Assistant Superintendent shall evaluate each building administrator at least annually. Building  
21 administrators have a right to access the evaluation instrument. Evaluations shall be based on the  
22 job description, accomplishment of annual goals and performance objectives, and established  
23 evaluative criteria. The building administrator shall sign a copy of the evaluation document and  
24 shall be given a copy of the document for his or her records. The building administrator shall also  
25 have the right to attach a written statement to the evaluation within 15 business days following the  
26 conference.

27  
28 District Organization: District Administrators

29 As authorized by the Superintendent, administrators shall have full responsibility for the day-to-  
30 day administration of the area to which they are assigned. Administrative personnel are  
31 governed by the policies of the District and are responsible for implementing the administrative  
32 procedures that relate to their assigned responsibilities.

33 Each Administrator’s duties shall include but not be limited to:

- 34 1. planning for the improvement of the program for which he or she is responsible;  
35 2. evaluating that program regularly;  
36 3. recommending to the Superintendent budgetary, program, staff and other changes that  
37 will enhance the program;  
38 4. advising the Superintendent of the impact of proposed policies or other administrative  
39 action on the program for which the administrator is responsible;  
40 5. evaluating the performance of staff as assigned;  
41 6. assisting his or her subordinates to improve performance;  
42 7. promoting effective working relationships with students, staff and patrons of the District;  
43 and

44 8. maintaining a progressive community/staff relations program within his or her building  
45 or assigned area.

46 *Evaluation*

47 The Superintendent shall establish procedures for the conduct of evaluations of administrative  
48 personnel. Each school year, the Superintendent shall inform each administrator of the criteria to  
49 be used for evaluation purposes, including the adopted goals of the District. Evaluation criteria  
50 shall include but not be limited to performance statements which address leadership;  
51 administration and management; school finances; professional development; professional  
52 interaction with students, staff and community; District building programs; and staff supervision.  
53 District administrators have a right to access to evaluation instrument.

54 Each administrator shall be evaluated annually so as to provide guidance and direction to the  
55 administrator in terms of job performance. The evaluation shall be based on his or her job  
56 description, accomplishment of annual goals and performance objectives, and established  
57 evaluative criteria.

58 Administrative personnel subject to the supervision and evaluation process shall sign a copy of  
59 her or her evaluation document and be provided a copy for his or her records. The administrator  
60 shall have the right to attach a written statement to the evaluation within fifteen (15) business  
61 days following the evaluation conference.

62 Cross References:

63 Legal References: ~~MCA § 20-4-403 Powers and duties of principal~~  
64 ~~ARM 10.55.701 Board of Trustees~~  
65 ~~ARM 10.55.705 Administrative Personnel: Assignment of School~~  
66 ~~Administrators / Principals~~  
67 [10.55.724, ARM Evaluation](#)

68  
69 Policy History:

70 Adopted on: 3.10.2015

71 Revised on:

1 **Helena School District**

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<b>STUDENTS—</b>	<b>3150</b>
<b><u>NON-INSTRUCTIONAL OPERATIONS</u></b>	<b><u>8225</u></b>

6 **Tobacco Free Schools**

8 The Board of Trustees of the Helena Public Schools is committed to providing a clean, healthy,  
9 ~~and safe~~ and tobacco-free / marijuana-free school environment for students, employees, and the  
10 general public.

11  
12 Use of tobacco, or tobacco innovations in any form is considered detrimental to the health of  
13 non-users as well as users of tobacco or tobacco innovations. The use of tobacco or tobacco  
14 innovations is inconsistent with the Helena Schools health education policy and is prohibited.

15  
16 The use of marijuana in any form (including THC and CBD products) in prohibited. Marijuana  
17 products are products that contain marijuana for use by a consumer and include but are not  
18 limited to edible products, ointments, tinctures, marijuana derivatives, marijuana concentrates,  
19 and marijuana intended for use by smoking or vaping.

20  
21 Helena Public Schools are tobacco-free and marijuana-free. The use of tobacco, ~~or~~ tobacco  
22 innovations, or marijuana in any form is prohibited from all school buildings, grounds, and  
23 school sponsored events 24 hours a day, 365 days per year unless used in a classroom or on other  
24 school property as part of a lecture, demonstration, or educational forum sanctioned by a school  
25 administrator or faculty member, concerning the risks associated with using tobacco or  
26 marijuana products or in connection with Native American cultural activities.

27  
28 Possession or use of tobacco, ~~or~~ tobacco innovation products or marijuana in any form by  
29 students, employees and the general public on district property, in district vehicles and at school-  
30 sponsored events (whether on or off district property) is prohibited at all times. This includes all  
31 days when school is not in session. ~~and all events and other activities not associated with, or~~  
32 ~~sponsored by, the school.~~

33  
34 The use of tobacco, ~~or~~ tobacco innovation products or marijuana in any form by all school and  
35 contract employees and all visitors on district property, in district vehicles and at school-  
36 sponsored events (whether on or off district property) is prohibited at all times. This includes  
37 non-school hours and all events sponsored by the school or others.

38  
39 Advertising of tobacco, ~~or~~ tobacco innovation products or marijuana in any form is prohibited in  
40 school buildings, on school property, at school functions and in all school publications. Any

41 visual representation of tobacco, ~~or~~ tobacco innovation products or marijuana in any form  
42 including logos, signage, or product names is not allowed. This includes clothing that advertises  
43 tobacco, ~~or~~ tobacco innovation products or marijuana in any form.

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45 Violation of the policy by students and staff will be subject to actions outlined in District  
46 discipline policies.

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48 Cross References:

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51 Legal References: [§ 20-1-220, MCA](#) [Use of tobacco product in public school  
52 building or on public school property  
53 prohibited \(\*revised by House Bill 128\*\)](#)

54 [§§ 50-40-101, \*et seq.\*, MCA](#) [Montana Clean Indoor Air Act of 1979](#)

55 [ARM 37.111.825](#) [Health Supervision and Maintenance](#)

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59 Policy History:

60 Adopted On: 3.13.01

61 Revised On: 2.13.01, 6.12.01, 9.9.2014

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2 **SCHOOL/COMMUNITY RELATIONS**

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

4 The Board believes that engaging students, parents, families and the community in the education  
5 process is essential to improved academic success for students. The Board recognizes that a  
6 student's education is a responsibility shared by the District, students, parents, families and other  
7 members of the community during the entire time a student attends school. The Board believes  
8 that the District must create an environment that is conducive to learning and that strong,  
9 comprehensive stakeholder involvement is an important component. Engagement and  
10 involvement in education requires a cooperative effort with roles for the Office of Public  
11 Instruction (OPI), the District, students, parents, families and the community.

12 The District's Board of Trustees recognizes and supports the importance of engaging all  
13 stakeholders in the education of children. The Superintendent and staff shall ~~undertake activities~~  
14 ~~designed to:~~ will continue to:

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

37  
38 To the extent feasible and appropriate, the District will attempt to coordinate and integrate parent  
39 and family engagement strategies with other relevant federal, state, and local laws and programs,  
40 including but not limited to Title I programs.

41 The Board in consultation with parents, teachers, administrators, and students supports the  
42 District plan for meeting engagement and involvement goals.



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1. Provide activities that will educate parents/families regarding the intellectual and developmental needs of their children at all age levels. This will include promoting cooperation between the District and other agencies or school/community groups (such as parent-teacher groups, Head Start, etc.) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development.
2. Implement strategies to The District will continue to involve parents/families in the educational process and laws regarding parent/family rights, including;
  - Keeping parents/families informed of opportunities for involvement and encouraging participation in various District programs.
  - Providing access to Board policies, handbooks, Board and committee agendas, District grievance procedure, and contact information for administrators and Trustees on the District website.
  - Providing access to educational resources and the course of study for parents/families to use together with their children.
  - Keeping parents/families informed of the objectives of District educational and activity programs, and their child's participation and progress within these programs.
  - Provide methods to opt out of educational and instruction programs consistent with parent/family rights.
  - Promoting parents/families and teacher cooperation in homework, attendance, and discipline.
  - Providing information about the nature and purpose of student clubs and groups meeting at the school and right of parents to consent to such participation or withdraw their child from a club or group.
  - Providing an explanation of rights regarding student name and pronoun use consistent with the Family Education Rights and Privacy Act.
3. Enable Schools will continue to involve families to participate in the education of their children. through a variety of roles. For example, parents/family members should be given opportunities to provide input into District policies and volunteer time within the classrooms and school programs.
4. Schools will continue to provide professional development opportunities for teachers and staff to enhance their understanding of effective parent/family involvement strategies.
5. Perform regular evaluations of parent/family involvement at each school and at the District level.
6. Provide access, upon request, to any instructional material used as part of the educational curriculum.
7. If practical, provide information in a language understandable to parents.

83 8. Provide annual notification of Provide educational opportunities of the District. in student  
84 handbooks and on the District web site.

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86	Cross Reference:	<a href="#">Policy 2035</a>	<a href="#">Federal Funding and Title I</a>
87		<a href="#">Policy 1085</a>	<a href="#">Uniform Complaint Procedure</a>
88		<a href="#">Policy 2015</a>	<a href="#">Curriculum Development and Assessment</a>
89		<a href="#">Policy 2020</a>	<a href="#">Student and Family Privacy Rights</a>
90		<a href="#">Policy 2025</a>	<a href="#">K-12 School Counseling Program</a>
91		<a href="#">Policy 2040</a>	<a href="#">Special Education and Accommodations</a>
92		<a href="#">Policy 2050</a>	<a href="#">Section 504 of the Rehabilitation Act of</a>
93			<a href="#">1973 (“Section 504”)</a>
94		<a href="#">Policy 2135</a>	<a href="#">K-12 E-Learning Online Policy</a>
95		<a href="#">Policy 2423</a>	<a href="#">Personalized Learning Opportunities</a>
96		<a href="#">Policy 3110</a>	<a href="#">School Admissions: Entrance, Placement,</a>
97			<a href="#">and Transfer</a>
98		<a href="#">Policy 3120</a>	<a href="#">Compulsory Attendance</a>
99		<a href="#">Policy 3025</a>	<a href="#">Discretionary Nonresident Student</a>
100			<a href="#">Attendance Policy</a>
101		<a href="#">Policy 3155</a>	<a href="#">Part-Time Attendance</a>
102		<a href="#">Policy 3080</a>	<a href="#">Maintenance of Student Records</a>
103		<a href="#">Policy 4040</a>	<a href="#">School, Student, Parent, Family and</a>
104			<a href="#">Community Engagement in Education</a>
105			

106	Legal References:	<a href="#">§ 10.55.701, ARM</a>	<a href="#">Board of Trustees</a>
107		<a href="#">20 U.S.C. § 1401 et seq.</a>	<a href="#">Individuals with Disabilities Education</a>
108			<a href="#">Act</a>
109		<a href="#">29 U.S.C. § 794</a>	<a href="#">Section 504 of the Rehabilitation Act</a>
110		<a href="#">§ 20-3-324, MCA</a>	<a href="#">Powers and Duties</a>
111		<a href="#">§ 20-5-101, MCA</a>	<a href="#">Admittance of child to school</a>
112		<a href="#">§ 20-5-112, MCA</a>	<a href="#">Participation in extracurricular activities</a>
113		<a href="#">§ 20-7-117, MCA</a>	<a href="#">Kindergarten and preschool programs</a>
114		<a href="#">§ 20-7-118, MCA</a>	<a href="#">Remote Instruction</a>
115		<a href="#">§ 20-7-411, MCA</a>	<a href="#">Regular Classes Preferred -- Obligation To</a>
116			<a href="#">Establish Special Education Program</a>
117		<a href="#">§ 20-7-1601, MCA</a>	<a href="#">Forms of personalized learning</a>
118		<a href="#">§ 20-7-1506, MCA</a>	<a href="#">Incentives for creation of advanced</a>
119			<a href="#">opportunity programs</a>
120		<a href="#">§ 20-7-1510, MCA</a>	<a href="#">Credit for participating in work-based</a>
121			<a href="#">learning partnerships</a>
122		<a href="#">§ 20-9-706, MCA</a>	<a href="#">Running start program</a>
123		<a href="#">§ 20-7-1201, MCA et seq.</a>	<a href="#">Montana Digital Academy</a>
124		<del><a href="#">§ 20-5-301, MCA et seq.</a></del>	<del><a href="#">Attendance Outside School District</a></del>
125			<del><a href="#">REPEALED</a></del>

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§ 20-7-xxx, MCA et. seq. Vocational and Technical Education

129 Policy History:  
130 Adopted On: 04.04.2006  
131 Revised On: 01.14.2020