



**Superintendent**  
Dr. Tyler Ream  
324-200

**Business Manager**  
Janelle Mickelson  
324-2007

**BOARD OF TRUSTEES  
POLICY COMMITTEE MEETING**

**May Butler Center  
55 South Rodney  
Tuesday, April 6, 2021  
Noon – 1:00 p.m.**

- I. INTRODUCTIONS**
- II. REVIEW OF AGENDA**
- III. GENERAL PUBLIC COMMENT**
- IV. REVIEW MARCH 2, 2021, BOARD POLICY MEETING MINUTES**
- V. PRESENTATION OF POLICIES FOR FIRST READING:**
  - A. 5056 Vacation
- VI. PRESENTATION OF POLICIES FOR GENERAL REVIEW - FIRST READING:**
  - A. 1027 Board Member Conflict of Interest
  - B. 1030 Resignations and Other Vacancies
  - C. 1035 Board Development and Self Evaluation
  - D. 1040 Board Member Expenses
  - E. 1045 Board – Superintendent Relationship
  - F. 1050 Qualifications, Terms and Duties of Board Officers
  - G. 1055 Communication To and From the Board
  - H. 1060 Committees
  - I. 1065 Board Meetings
  - J. 1070 School Board Meeting Procedure
  - K. 1075 Records Management and Access to Public Records
  - L. 1080 School Board Policy
  - M. 1085 Uniform Grievance Procedure
- VII. SUPERINTENDENT OR BOARD COMMENTS**
- VIII. ADJOURNMENT**

**NEXT MEETING:**  
**Tuesday, May 4, 2021 - May Butler Center or Online**  
**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, March 3, 2021

### MINUTES - DRAFT

#### *Attendees*

#### *Committee:*

Libby Goldes, Committee Chair  
John McEwen, Committee Member  
Jennifer McKee, Committee Member  
Terry Beaver, Trustee

#### *Others:*

Tyler Ream, Superintendent  
Josh McKay, Assistant Superintendent  
Barb Ridgway, Chief of Staff  
Tim McMahon, Activities Director  
Stacy Collette, Human Resources Director  
Elizabeth Kaleva, District Attorney  
Jane Shawn, HEA President  
Christine Roberts, member of the public  
Justin Stolp, member of the public

#### I. CALL TO ORDER

The meeting was called to order at 12:05 pm by Committee Chair, Libby Goldes.

#### II. REVIEW OF AGENDA

No changes were requested to the agenda.

#### III. GENERAL PUBLIC COMMENT

There was no public comment.

#### IV. REVIEW OF THE 02.02.2021 POLICY COMMITTEE MINUTES

The committee reviewed minutes from the 02.02.2021 committee meeting.

#### V. PRESENTATION OF POLICIES FOR FIRST REVIEW

##### A. Policy 1902: Alternative Grading

Dr. Ream provided an overview of the policy, describing it as a guiding document outlining already utilized processes during the declared emergency and effective through June 30, 2021. This policy allowed for students to choose a “pass/fail” option for classes rather than letter grades. This policy also allowed

students who received an “incomplete” for a class the opportunity to receive a passing grade within the grading period; this semester’s grading period will end June 30, 2021, correlating with requirements for Fall activities eligibility. Dr. Ream clarified the policy did not supplant Montana graduation requirements or any requirements stipulated by a student’s 504 or IEP plan.

Ms. Kaleva asked how this policy affected the selection of Valedictorians and Salutatorians. Dr. Ream responded it would be outlined within administrative procedures. Ms. Kaleva asked how a “pass” would be weighted compared to a letter grade. Dr. Ream replied there was no weight to a “pass;” it would count neither for nor against a student’s GPA.

After a discussion on the policy, the committee determined Lines 16-36 worked best within administrative procedures and should be removed from the policy. Ms. Ridgway agreed to remove the section and adjust the language in Line 38 to accommodate the change.

Ms. Goldes asked how “incompletes” affected a student’s ability to participate in graduation ceremonies. Mr. McKay replied high schools had found students were more motivated at the end of a school year if they needed to pass all course work to participate in ceremonies.

Ms. Goldes asked how the June 30, 2021, deadline had been determined. Ms. Kaleva replied it was set by Montana High School Association to determine participation eligibility for fall sports. Dr. Ream added the intent of recovering an “incomplete” was to ensure students didn’t end up one credit short of graduation. He added there were more students facing this issue than last year, and more last year than previous years.

The committee agreed to forward the policy to the Board for approval due to the timeliness of the issue.

#### **B. Policy 1905: Face Coverings as Personal Protective Equipment**

Ms. Ridgway described this policy as one of the COVID-related policies adopted by the board last spring.

Mr. McEwen asked if schools routinely provided masks to students. Ms. Ridgway replied schools were provided masks for students who did not have them/forgot them and received weekly shipments.

Ms. McKee referenced Lines 51-53 and asked for confirmation that discipline was in line with other school-specific discipline. Ms. Ridgway confirmed.

The committee agreed to present the policy to the full board for approval due to the timeliness of the issue.

### **VI. PRESENTATION OF POLICIES FOR GENERAL REVIEW – FIRST READING**

#### **A. Policy 1000: Legal Status and Organization**

Ms. Goldes informed the committee the following policies would not be taken to the full board unless there were changes to the intent and context.

Ms. Kaleva told the committee Policy 1000 was a required policy provided notice of the school district as a governmental entity established by the state of Montana to plan all the district’s operations. It also

detailed the composition of the board and designations between the elementary district and high school district trustees. No contextual changes were requested to this policy.

**B. Policy 1005: Governance**

Ms. Kaleva informed the committee this was another required policy. This policy detailed trustee voting, the definition of “meeting,” student representatives, and the limitations of school board members. No contextual changes were requested to this policy.

**C. Policy 1010: Powers and Duties of the Board of Trustees**

Ms. Kaleva told the committee Policy 1010, another required policy, outlined the responsibilities of the board as they related to district operations. No contextual changes were requested to this policy.

**D. Policy 1015: Goals, Mission, and Vision**

According to Ms. Kaleva, this policy was reviewed in 2019, but it was important to keep current since goals of one board may not be the same for the next. Ms. Goldes asked if community partnerships were included in this policy. Ms. Ridgway replied they were. Ms. Goldes recommended changing “community partnerships” to “educational partnerships.” The committee agreed. No contextual changes were requested to this policy.

**E. Policy 1020: School Board Elections**

Ms. Kaleva told the group this policy mandated school board elections were non-partisan elections held to standard Montana election law standards. It also determined each election would be held the first Tuesday after the first Monday in May. Any individual qualified to vote could run for the board using the process for declaration outlined in the policy. This policy was last changed in 2016 and typically did not change unless there was a change to Montana law. No contextual changes were requested to this policy.

**F. Policy 1025: Board Member Term of Office**

Ms. Kaleva said this policy outlined how trustees officially took office, which was only after taking an oath of office from the county superintendent or his/her representative. The oath was then filed with the clerk of court, and the election was certified and filed. If a trustee was re-elected, he/she needed to be sworn in after each three-year term. Also, a trustee held his/her term until a successor took the oath of office. No contextual changes were requested to this policy.

The committee agreed to discuss the last two policies on the agenda at the next committee meeting.

**VII. BOARD COMMENTS**

Mr. Beaver referenced Policy 1902 and asked if continued instruction through the summer for students with an “incomplete” in a class conflicted with teachers’ contractual obligations. Dr. Ream replied at the conclusion of a teacher’s contract, the administrator assumed responsibility of class completion.

Mr. Beaver referenced Policy 1905 and asked for confirmation that the state of emergency would remain in affect until the board rescinded it. Dr. Ream clarified the date on the policy was June 2021, but the board could rescind it prior to that date or extend it through additional board action.

**VIII. ADJOURNMENT**

Committee Chair, Ms. Goldes, adjourned the meeting at 1:11pm.

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**Helena School District**

5056

PERSONNEL

Vacation

Classified employees, Business Managers/District Clerks, and Superintendents will accrue annual vacation leave benefits in accordance with §§2-18-611, 2-18-612, 2-18-614 through 2-18-617 and 2-18-621, MCA. Nothing in this policy guarantees approval for granting specific days as annual vacation leave in any instance. The District will judge each request for vacation in accordance with staffing needs.

Employees are not entitled to any vacation leave with pay until they have been continuously employed for a period of six (6) calendar months.

Legal Reference:	§2-18-611, MCA	Annual Vacation Leave
	§2-18-612, MCA	Rate earned
	§2-18-617, MCA	Accumulation of leave – cash for unused – transfer – death benefit

Cross Reference:

Policy History:

- Adopted on:
- Revised on:
- Reviewed on:

2 SCHOOL DISTRICT ORGANIZATION

3 Board Member Conflict of Interest

4  
5 Board members are expected to be familiar with and observe those provisions of Montana law  
6 that define school board authority and govern conflict of interest. Board members shall not only  
7 to adhere to all laws regarding conflict of interest, but also to be alert to situations that may have  
8 the appearance of a conflict of interest and to avoid actions that might compromise himself or  
9 herself or the Board. Therefore, a trustee may not:

- 10 • engage in a substantial financial transaction for the trustee’s private business
- 11 purpose with a person whom the trustee inspects or supervises in the course of
- 12 official duties;
- 13 • perform an official act directly and substantially affecting, to its economic benefit,
- 14 a business or other undertaking in which the trustee has a substantial financial
- 15 interest or is engaged as counsel, consultant, representative or agent;
- 16 • act as an agent or solicitor in the sale or supply of goods or services to the
- 17 District;
- 18 • have a pecuniary interest, directly or indirectly, in any contract made by the Board
- 19 when the trustee has more than a 10% interest;
- 20 • perform an official act directly and substantially affecting a business or other
- 21 undertaking to its economic detriment a business or other undertaking in which
- 22 the trustee has a substantial personal interest in a competing firm or undertaking;
- 23 • be employed in any capacity by the District, except to officiate at athletic
- 24 competitions under the auspices of the Montana Officials Association; or
- 25 • take part in the appointment or employment of any person related or connected by
- 26 blood within the 4<sup>th</sup> degree or by marriage within the 2<sup>nd</sup> degree, except as
- 27 provided by statute.
- 28
- 29

Legal References:	§ 2-2-105, MCA	Ethical Requirements for Public Officers and Public Employees
	§ 2-2-121, MCA	Rules of Conduct for Public Officers and Public Employees
	§ 20-9-204, MCA	Conflict of interest
	§ 20-1-201, MCA	School officers not to act as agents
	§ 2-2-302, MCA	Appointment of relative to office of trust or emolument unlawful -- exceptions -- publication of notice.

Cross Reference:

Policy History:

Adopted on:	2.8.2011
Revised on:	9.10.2019

2 SCHOOL DISTRICT ORGANIZATION

3 Resignations and Other Vacancies

4

5 Any elected trustee position shall be vacant whenever the incumbent:

6

- 7 (1) dies;
- 8 (2) resigns;
- 9 (3) moves his residence from the District, or from the nominating district in the case of
- 10 an additional trustee in a high school district;
- 11 (4) is no longer a registered elector of the District;
- 12 (5) is absent from the District for 60 consecutive days;
- 13 (6) fails to attend three consecutive meetings of the trustees without a good excuse;
- 14 (7) has been removed under the provisions of § 20-3-310, MCA; or
- 15 (8) ceases to have the capacity to hold office under any other provision of law.

16

17 A trustee position also shall be vacant when an elected candidate fails to qualify under the  
18 provisions of § 20-3-307, MCA. A resignation of a trustee, for whatever reason, must be  
19 submitted in writing to the Clerk of the District and shall specify an effective date.

20

21 When a trustee vacancy occurs, the remaining trustees shall declare the position vacant and shall  
22 fill such vacancy by appointment. The Board may request applications from any qualified  
23 persons seeking to fill the position and may appoint one (1) candidate to fill the position.  
24 Should the Board fail to fill a vacancy within sixty (60) days from the declaration of such  
25 vacancy, the county superintendent shall appoint, in writing, a competent person to fill such  
26 vacancy. An appointee shall qualify by completing and filing an oath of office with the county  
27 superintendent with fifteen (15) days after receiving notice of appointment and shall serve until  
28 the next regularly scheduled school election and a successor has qualified.

29

Legal Reference:	§ 2-16-502, MCA	Resignations
	§ 20-3-307, MCA	Qualification and oath
	§ 20-3-308, MCA	Vacancy of trustee position
	§ 20-3-309, MCA	Filing vacated trustee position – appointee qualification and term of office

Cross References:

Policy History:

Adopted on:	2.8.2011
Revised on:	9.10.2019

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**Helena Public Schools**

SCHOOL DISTRICT ORGANIZATION

Board Development and Self Evaluation

The Board strives to learn, understand and practice effective governance for the benefit of the District. As determined by the Board, individual members have the opportunity to attend state and national meetings designed to familiarize members with public school issues, governance and legislation. Notice of training opportunities will be provided either through the Superintendent or through the Board Chair.

Newly elected or appointed trustees shall be given a copy of the District policy manual and shall have the opportunity to meet with the Superintendent and/or members of the Board for the purpose of answering questions and providing information about the District. The Board Chair may request that a veteran Board member mentor a new member.

As part of the Board’s professional development and in an effort to improve on a continuous improvement basis, the Board may conduct a self-evaluation as needed.

Legal Reference:

Cross References:

Policy History:

Adopted on: 2.8.2011  
Revised on:  
Reviewed on:



2  
3 SCHOOL DISTRICT ORGANIZATION

4  
5 Board Member Expenses

6  
7 Trustees are not compensated for their service to the District. Travel expenses in the form of a  
8 mileage reimbursement may be paid to any trustee who lives more than three (3) miles from the  
9 regular meeting place of the trustees at the rate specified in § 2-18-503, MCA.

10  
11 The District will pay the expenses for trustees to attend Board approved workshops, trainings  
12 and conferences both in state and out of state. The following expenses are eligible for payment  
13 and/or reimbursement at the rate established by the District:

- 14 1. Transportation as approved by the Board;
- 15 2. Hotel or motel costs as necessary;
- 16 3. Food costs as necessary;
- 17 4. Telephone services as necessary;
- 18 5. Incidental expenditures for tips and other necessary costs.

19  
20 The District will not pay for or reimburse expenses for liquor, expenses of a spouse,  
21 entertainment or other unnecessary expenses.

22  
23 Legal Reference: § 20-3-311, MCA Trustee travel reimbursement

24  
25 Cross Reference:

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27 Policy History:

28 Adopted on: 2.8.2011

29 Revised on:

30 Reviewed on:

2  
3 SCHOOL DISTRICT ORGANIZATION

4  
5 Board – Superintendent Relationship

6  
7 The Board –Superintendent relationship is based on mutual respect for the complementary roles  
8 of each entity. The relationship requires clear communication of expectations regarding the  
9 duties and responsibilities of both the Board and Superintendent.

10  
11 The role of the Board shall be to:

- 12 · define the Mission and Vision for the District;
- 13 · determine long and short-term goals that will move the District toward its Mission  
14 and Vision;
- 15 · provide stewardship of the fiscal resources in relation to the Mission of the District;
- 16 · maintain avenues for effective communication with all stakeholders;
- 17 · employ a superintendent and evaluate his performance;
- 18 · monitor and evaluate the District and its progress in relation to the Mission, Vision  
19 and goals; and
- 20 · advocate for students and quality public education.

21  
22 The role of the Superintendent shall be to:

- 23 · provide leadership to move the District toward its Mission and Vision by achieving  
24 established long and short term goals;
- 25 · manage the District within the parameters of established policy and law;
- 26 · provide the Board with appropriate information to facilitate its deliberations and  
27 informed decision-making;
- 28 · maintain avenues for effective communication with all stakeholders; and
- 29 · advocate on behalf of students, the District and public education.

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31 Legal Reference:

32  
33 Cross Reference:

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35 Policy History:

36 Adopted on: 2.8.2011

37 Revised on:

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3 SCHOOL DISTRICT ORGANIZATION

4  
5 Qualifications, Terms and Duties of Board Officers

6  
7 The Board officers are the Chair and Vice Chair. These officers are elected at the annual  
8 organizational meeting.

9  
10 The Board may elect any trustee as chair or vice-chair. If a high school trustee is chosen to serve  
11 as the chair or vice-chair he/she may not vote on issues pertaining only to the elementary district.

12  
13 The Board elects a Chair from its members for a 1-year term. The duties of the Chair are as  
14 follows:

- 15  
16
  - 17 • preside at all regular and special board meetings and conduct the meetings in the
  - 18 manner prescribed by the Board’s policies;
  - 19 • make all Board committee appointments; and
  - 20 • sign all papers and documents as required by law and as authorized by the Board.

21 The Chair must be able to perform the functions of a trustee in all matters over which he/she  
22 presides.

23  
24 The Vice Chair shall preside at all regular or special Board meetings in the absence of the Chair,  
25 and shall perform all of the duties of the Chair in case of the Chair’s absence or disability.

26  
27 Legal Reference: § 20-3-321(2), MCA Organization and officers

28  
29 Cross Reference: Policy 1065 Board Meetings

30  
31 Policy History:  
32 Adopted on: 2.8. 2011  
33 Revised on: 3.8.2016  
34 Reviewed on:

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3 SCHOOL DISTRICT ORGANIZATION

4  
5 Communications To and From the Board

6  
7 The Board encourages open lines of communication between members of the education  
8 community. It also must maintain a chain of command as an organization to promote efficient  
9 and effective communications.

10  
11 All **official** communications to the Board should be directed to the Superintendent. Board  
12 member questions or communications to staff about programs and/or requests for information  
13 should also be submitted through the Superintendent.

14  
15 The Board acts only as a body. Individual school board members have no authority to act  
16 independently, and cannot commit or bind the board by their individual actions. Powers and  
17 duties of the board must be exercised by the board as a whole. If contacted individually, Board  
18 members should refer the matter to the Superintendent. Individual Board members may not take  
19 action to compromise the Board or the administration.

20  
21 Use of electronic mail will conform to the same standards of judgment, propriety and ethics as  
22 other forms of Board related communication. E-mail may not be used as a substitute for  
23 deliberations at Board meetings or for other communications or business properly confined to  
24 Board meetings. E-mail and related attachments received or prepared for use in Board business  
25 may be regarded as a public record subject to disclosure upon request, unless otherwise made  
26 confidential by law.

27  
28 Legal Reference: § 2-3-301, MCA Agency to accept public comment electronically - -  
29 dissemination of electronic mail address and documents required --  
30 prohibiting fees

31  
32 Cross Reference: Policy 1065 Board Meetings

33  
34 Policy History:

35 Adopted on: 2.8. 2011

36 Revised on: 1.9.2018

37 Reviewed on:

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3 SCHOOL DISTRICT ORGANIZATION

4  
5 Committees

6  
7 *Board Member Committees*

8  
9 The Board may create Board member committees as deemed necessary. The Board Chair will  
10 make all appointments to Board member committees. Notice of Board member committee  
11 meetings shall be given in the same manner as notice for special meetings, and Board member  
12 committee meetings shall be open to the public.

13  
14 *Citizen Committees*

15  
16 The Board or the Superintendent may create committees that involve community members as  
17 deemed necessary, either on an ad hoc or regular basis. The Board Chair or the Superintendent  
18 will make all appointments to citizen committees and will establish the parameters and duties for  
19 the citizen committees. Notice of citizen committee meetings shall be given in the same manner  
20 as notice for special meetings, and citizen committee meetings shall be open to the public.

21  
22 *Administrative Committees*

23  
24 The Superintendent may create administrative committees as deemed necessary. The  
25 Superintendent will make all appointments to the administrative committees. In determining  
26 whether an administrative committee meeting shall be open to the public, the following factors,  
27 although not exhaustive in nature, should be considered:

- 28 (1) the frequency of the meeting held;  
29 (2) whether the committee is deliberating or just gathering facts;  
30 (3) whether the deliberations concern a matter of policy rather than ministerial or  
31 administrative functions;  
32 (4) whether the committee members have executive authority and experience; and  
33 (5) the results of the meeting.

34  
35 If the presiding officer determines that the administrative committee should be held  
36 in compliance with the Open Meeting Act, he shall provide notice of the meeting in the same  
37 manner as notice for a special meeting, and the administrative meeting shall be open to the  
38 public.

39  
40 Legal Reference: § 2-3-203, MCA Meetings of public agencies open to the public

41  
42 Cross Reference:

43  
44 Policy History:

45 Adopted on: 2.8 2011

46 Revised on:

47 Reviewed on:  
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3 SCHOOL DISTRICT ORGANIZATION

4  
5 Board Meetings

6  
7 For all meetings of the Board and its committees, the Superintendent or designee shall satisfy all  
8 notice and posting requirements contained herein, as well as the Open Meetings Act. This shall  
9 include providing meeting notification to news media that have officially requested it. Except for  
10 an unforeseen emergency or as described below, all meetings must be held in a District building  
11 or, by unanimous consent of the Board, in a publicly accessible building located within the  
12 District. The Trustees may meet outside the boundaries of the District for collaboration or  
13 cooperation on educational issues with other school boards, educational agencies, or  
14 cooperatives. Adequate notice of the meeting as well as an agenda will be provided to the public  
15 in advance, and no decisions may be made at these meetings. Decision making must still occur  
16 only at properly noticed meetings held within the District’s boundaries.

17  
18 *Regular Meetings*

19  
20 Unless otherwise specified by the Board, all regular meetings are held on the second Tuesday of  
21 the month at 5:30 p.m. in a location to be published on the agenda. If the time or place of a Board  
22 meeting is changed, notice shall be given in the same manner as provided for special meetings.

23  
24 *Special Meetings*

25  
26 Special meetings may be called by the Board Chair or by any 2 members of the trustees. A  
27 written notice of a special meeting, stating the purpose of the meeting, must be provided to each  
28 trustee not less than 48 hours prior to the time of the meeting. The 48 hour written notice is  
29 waived in the event of an unforeseen emergency or to consider a violation of the student code of  
30 conduct within a week of graduation. Written notice shall also be sent not less than 24 hours  
31 prior to the meeting to each newspaper and radio or television station that has filed a written  
32 request for such notices.

33  
34 *Committee Meetings*

35  
36 Committee meetings may be called by the Committee Chair, and are subject to the requirements  
37 of the Open Meetings Act, including notice and posting requirements.

38  
39 *Budget Meetings*

40  
41 As required by state law, the Board shall meet to consider all budget information and any  
42 attachments required by law. The Board may continue the meeting from day to day but shall  
43 adopt the final budget for the District and determine the amounts to be raised by tax levies for the  
44 District not later than the fourth Monday in August and before the fixing of the tax levies for  
45 each district. As required by state law, the Clerk shall publish one notice, in the Independent

46 Record, stating the date, time, and place that the Board will meet for the purpose of considering  
47 and adopting the final budget.

48

49 *Organizational Meeting*

50

51 After the issuance of the election certificates to the newly elected trustees in May, and as  
52 required by state law, the Board shall convene and elect from among its members a Chair and a  
53 Vice-Chair to serve 1 year terms. The Chair shall serve until the next organizational meeting and  
54 shall preside at all the meetings of the Board. In addition, the Board shall employ and appoint a  
55 competent person as the Clerk of the District at this meeting.

56

57 *Emergency Meetings*

58

59 In the event of a storm, fire, explosion, community disaster, insurrection, act of God, or other  
60 unforeseen destruction or impairment of school district property that affects the health and safety  
61 of the trustees, students, or district employees or the educational functions of the district, the  
62 Board may meet immediately and take official action without prior notification.

63

64 *Closed Session of Any Meeting*

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66 The Board or any committee may hold closed sessions to consider matters of individual privacy  
67 or to discuss a strategy to be followed with respect to litigation when an open meeting would  
68 have a detrimental effect on the litigating position of the District. Prior to closing the meeting to  
69 consider matters or individual privacy, the presiding officer must determine that the demands of  
70 individual privacy exceed the merits of public disclosure. The litigation strategy exception is not  
71 available if the litigation involves only public bodies or associations as parties.

72

73 Legal Reference: § 2-3-203, MCA Meetings of public agencies open to the public  
74 § 20-3-321, MCA Organization and officers  
75 § 20-3-322, MCA Meetings and quorum  
76 § 20-9-131, MCA Final budget meeting

77

78 Cross Reference:

79

80 Policy History:

81 Adopted on: 2.8.2011

82 Revised on: 4.12.2016

83 Reviewed on:

84



2  
3 SCHOOL DISTRICT ORGANIZATION

4  
5 School Board Meeting Procedure

6  
7 *Agenda*

8  
9 All meetings shall be guided by an agenda prepared and delivered in advance to all Board  
10 members and to other persons upon request. The Superintendent shall prepare agendas in  
11 consultation with the Chair or presiding officer. Items submitted by Board members or other  
12 individuals may be included on the agenda. Individuals or groups that would like to address the  
13 Board through an agenda item must submit a request to the Superintendent in writing at least  
14 seven (7) days prior to the regular Board meeting. The notification must include the reason for  
15 the request. The Superintendent may determine that the individuals or groups must follow the  
16 uniform grievance procedure in order to appear before the Board and refer the individuals or  
17 groups to the appropriate step on that procedure.

18  
19 All agendas must contain a public comment section to allow members of the public to comment  
20 on any public matter under the jurisdiction of the District that is not specifically listed on the  
21 agenda. Contested cases and other adjudicative proceedings are not appropriate topics in the  
22 public comment section. The presiding officer may place reasonable time limits on the comments  
23 received during this section of the meeting to ensure effective and efficient operations of the  
24 Board. The Board may not take action during that meeting on any matter discussed in the public  
25 comment section.

26  
27 Board packets will be distributed to Board members not less than 48 hours prior to the meeting.  
28 This material shall be available to the public not less than 48 hours prior to the meeting.

29  
30 *Quorum*

31  
32 Four (4) members the Elementary Board shall constitute a quorum of that Board. Five (5)  
33 members of the High School Board shall constitute a quorum of that Board. If there is less than a  
34 quorum present at a Board meeting, the members may not hear, act upon or discuss any business.  
35 Board members may be present physically or present via electronic means to establish a quorum.  
36 Unless otherwise provided by law, affirmative votes by a majority of the membership of the  
37 Board are required to approve any action under consideration.

38  
39 *Minutes*

40  
41 The Clerk or the Clerk’s designee shall keep written minutes of all meetings which are open to  
42 the public. The approved minutes must be signed by the Chair and the Clerk. The minutes must  
43 include:

- 44 · the date, time and place of the meeting;
- 45 · the name of the presiding officer;
- 46 · a record of Board members present and absent;

- 47 · a summary of the discussion on all matters discussed, proposed, deliberated or decided,
- 48 and a record of any motions made and votes taken;
- 49 · a detailed statement of all expenditures;
- 50 · the purpose of recessing into closed session; and
- 51 · the time of adjournment.

52

53 The Clerk shall keep minutes of educationally related student disciplinary actions taken by the  
54 Board, including those portions held in closed session. The Board shall keep minutes of all  
55 closed sessions. Minutes taken during closed sessions shall be sealed.

56

57 The Board may direct the Clerk to make a verbatim record of any meeting. Any verbatim  
58 recording may be destroyed after the minutes are approved. A file of permanent minutes of all  
59 meetings shall be maintained in the office of the Clerk. A written copy of the minutes shall be  
60 made available to the public within five (5) days following approval by the Board. Sealed  
61 minutes taken during any closed session of the Board shall not be made available to the public  
62 absent a court order.

63

64 If the meeting is audio recorded and designated by the Board as the official record, a written  
65 record of the meeting must also be made and must include the information specified above. In  
66 addition, a log or time stamp for each main agenda item is required for the purpose of providing  
67 assistance to the public in accessing that portion of the meeting.

68

#### 69 *Meeting Conduct and Order of Business*

70

71 The Board will use general rules of parliamentary procedure to govern the conduct of its  
72 meetings. Robert's Rules of Order shall be used as a guide at any meeting, although rules  
73 adopted by the Board and any laws or regulations of the State of Montana in conflict with  
74 Robert's Rules of Order shall take precedence. The order of business for each meeting shall be  
75 set out on the agenda. The Board may change the order of business by consent or by majority  
76 vote.

77

#### 78 *Voting Method*

79

80 Unless otherwise provided by law, when a vote is taken upon any measure before the Board, a  
81 majority of the votes cast shall determine its outcome. Voting shall be by acclamation or show of  
82 hands. The use of proxy votes or secret ballots is not permitted. Trustees are encouraged to vote  
83 on all issues before the Board unless they are prohibited by law from voting on the matter. A  
84 trustee may abstain from voting on any issue before the Board.

85

#### 86 *Public Participation*

87

88 The Board recognizes the value of public participation and encourages the public to attend and  
89 participate in its meetings. In order to permit the orderly and fair expression of such  
90 participation, the Board will solicit oral and/or written comments prior to a final decision on a  
91 matter of significant interest to the public. The Chair may place reasonable time limits on public  
92 comment and may interrupt or terminate any statement that is out of order, personally directed,

93 abusive, obscene, or too lengthy. Members of the public are encouraged to make comments  
94 during the public comment section of the agenda on matters that are of public concern and that  
95 are not on that particular agenda. The Chair will recognize individuals or groups for public  
96 comment on agenda items after the Board has discussed the issue. Comments may be presented  
97 orally or in writing for the Board's consideration.  
98

99 Legal Reference:       § 2-3-202, MCA Meeting defined  
100                           § 2-3-103, MCA Public participation  
101                           § 2-3-212, MCA Minutes of meetings  
102                           § 20-3-322, MCA Meetings and quorum  
103                           § 20-3-323, MCA District policy and record of acts  
104                           § 2-3-301, MCA Agency to accept public comment electronically –  
105 dissemination of electronic mail address and documents required --  
106 prohibiting fees  
107

108 Cross Reference:

109

110 Policy History:

111 Adopted on:               2.8.2011

112 Revised on:              10.13.2015, 2.12.2019

113 Reviewed on:

114

2  
3 SCHOOL DISTRICT ORGANIZATION

4  
5 Records Management and Access to Public Records

6  
7 The District is committed to effective records management including meeting legal standards for  
8 record retention and protection of privacy, optimizing the use of space, minimizing the cost of  
9 record retention, and properly destroying outdated records. This policy applies to all records,  
10 regardless of whether they are maintained in hard (paper) copy, electronically, or in some other  
11 fashion.

12  
13 The District requires that its records be maintained in a consistent and logical manner and be  
14 managed so that the District:

- 15  
16       1. Meets legal standards for protection, storage and retrieval;  
17       2. Protects the privacy of students and employees of the District;  
18       3. Optimizes the use of space;  
19       4. Minimizes the cost of record retention; and  
20       5. Destroys outdated records in an appropriate manner.

21  
22 The Superintendent shall establish appropriate records management procedures and practices,  
23 which shall be provided to staff members who manage records within the District.

24  
25 The Board acknowledges the importance of public records as the record of the acts of the District  
26 and the repository of information about the District. The Board acknowledges the public’s right  
27 to inspect and copy the District’s public records, with certain exceptions.

28  
29 Unless otherwise provided by law, a public record shall be accessible for inspection and  
30 duplication either by written or oral request. The District shall respond to all such requests within  
31 a reasonable period of time, generally not to exceed 10 business days. If the District cannot  
32 respond to the request within 10 business days, the records custodian shall notify the requestor in  
33 writing and provide a timeline for response to the request. If an oral request is not responded to  
34 within 10 business days, the requestor must put the request in writing.

35  
36 The Superintendent shall establish procedures for storage of and access to essential records. The  
37 Superintendent shall designate essential records which are immediately necessary to:

- 38  
39       • Respond to an emergency or disaster;  
40       • Begin recovery or reestablishment of operations during and after an emergency or  
41       disaster;  
42       • Protect the health, safety, and property of District students and employees; or  
43       • Protect the assets, obligations, rights, history and resources of the District, its  
44       employees, and students.

46 The District will provide copies of all documents, including electronic communications, in the  
47 medium in which those documents exist.

48  
49 Reasonable fees may be charged for copies and for time spent researching a request and  
50 reproducing materials as follows:

- 51
- 52 • actual costs directly related to fulfilling a records request including but not limited to
  - 53 the time required to gather, redact, scan, copy, or otherwise and reproduce the requested
  - 54 information; and • actual cost of purchasing the electronic media used for transferring
  - 55 data, if the person requesting the information does not provide the media;
  - 56 • copies of Board minutes at .15¢ per page;
  - 57 • copies of other materials at .25¢ per page;
  - 58 • no charge for copies emailed to requestor;
  - 59 • actual postage for any copies mailed.
- 60

61 The District shall comply with Montana law in addressing any unauthorized breaches of its  
62 computer data security system, including but not limited to complying with all disclosure and  
63 investigative requirements.

64  
65 Legal References: §20-3-324, MCA Powers and duties  
66 § 20-3-323, MCA District policy and record of acts  
67 § 2-6-1001 et al, MCA Public Records § 30-14-1704, MCA Computer  
68 Security Breach House Bill 123 Public Records Laws

69  
70 Cross Reference:

71  
72 Policy History:  
73 Adopted on: 2.8. 2011  
74 Revised on: 1.12.2016, 2.14.2017  
75 Reviewed on:

76

2  
3 SCHOOL DISTRICT ORGANIZATION

4  
5 School Board Policy

6  
7 It is the intent of the Board to develop written policies to serve as guidelines and goals for the  
8 successful and efficient functioning of the District. The policies are framed and are meant to be  
9 interpreted in terms of state statute, administrative rules, and all other regulatory agencies within  
10 our local, county, state, and federal levels of government. The policies are also framed and are  
11 meant to be interpreted in terms of those educational objectives, procedures, and practices that  
12 are broadly accepted by leaders and authorities in the public education field.

13  
14 Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and  
15 additions to the policies of the current Board and those of the future. The Board welcomes  
16 suggestions for ongoing policy development.

17  
18 Policy proposals and suggested amendments to or revisions of existing policies shall be  
19 submitted in writing prior to a regularly scheduled board meeting. All new or amended policies  
20 become effective upon adoption, unless a specific effective date is provided in the motion for  
21 adoption. Minutes of each meeting shall reflect any readings and action taken.

22  
23 Legal References: § 20-3-323, MCA District policy and record of acts  
24 § 10.55.701, ARM Board of Trustees

25  
26 Cross Reference:

27  
28 Policy History:

29 Adopted on: 2.8. 2011

30 Revised on:

31 Reviewed on:

32

2  
3 SCHOOL DISTRICT ORGANIZATION

4  
5 Uniform Grievance Procedure

6  
7 Students, parents, employees, or community members may file a complaint in accordance with  
8 this grievance procedure, if they believe that the District, its employees or agents have violated  
9 their rights guaranteed by the State or federal constitutions, State or federal statutes, or Board  
10 policy.

11  
12 These procedures do not apply to complaints for discrimination on the basis of sex (including  
13 sexual harassment) under Title IX of the Education Amendments of 1972, or disability under  
14 Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Separate  
15 procedures apply for complaints arising from these laws. District employees who file a grievance  
16 through their union grievance procedure surrender their right to file a grievance through this  
17 Uniform Grievance Procedure.

18  
19 District officials will endeavor to respond to and resolve all complaints without the need to resort  
20 to this grievance procedure and, if a complaint is filed, to address the complaint promptly and  
21 equitably. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies  
22 and use of this grievance procedure does not extend any filing deadline related to the pursuit of  
23 other remedies.

24  
25 *Filing a Complaint*

26  
27 The Complainant may file a complaint with any District Administrator, Principal or Supervisor  
28 within 60 days of the occurrence giving rise to the complaint. If a Complainant is not sure of the  
29 appropriate person with whom to file a complaint, he/she may ask for assistance from the  
30 Superintendent in identifying the appropriate Administrator, Principal or Supervisor.

31  
32 If the complaint contains allegations against the Superintendent, the Complainant may ask for  
33 assistance from the Board Chair in identifying the appropriate manner in which to file a  
34 complaint. Any individual receiving a complaint may request the Complainant to provide a  
35 written statement regarding the nature of the complaint.

36  
37 *Investigation*

38  
39 Within 15 calendar days of the date the complaint was filed, the individual receiving the  
40 complaint will initiate an investigation into the complaint or appoint a qualified person to  
41 undertake the investigation on his/her behalf. The complaint or identity of the Complainant will  
42 not be disclosed except;

- 43 (1) as required by law or this policy;  
44 (2) as necessary to fully investigate the complaint; or  
45 (3) as authorized by the Complainant.  
46

47 The Administrator, Principal or Supervisor shall issue a written decision at the completion of the  
48 investigation. If the complaint contains allegations involving the Administrator, Principal or the  
49 Supervisor, the Superintendent shall address the complaint in writing. If the complaint contains  
50 allegations involving the Superintendent, the Board shall address the complaint in writing.

51

52 *Decision and Appeal*

53

54 Within 7 calendar days of receipt of the written decision, a District official shall notify the  
55 Complainant of the investigator's determination regarding the complaint. If the Complainant is  
56 not satisfied with the determination of the investigator, the Complainant may appeal the decision  
57 to the Superintendent, or the Board if appealing a decision regarding the Superintendent, by  
58 making a written request to the Superintendent or Board Chair.

59

60 The Superintendent shall review the determination of the investigator and respond to the  
61 Complainant within 7 calendar days. If the Complainant is not satisfied with the determination of  
62 the Superintendent, the matter may be appealed to the Board if the Complainant is alleging a  
63 violation of Board policy, or state or federal law.

64

65 Within 30 calendar days, the Board shall meet to affirm, reverse, or amend the decision or direct  
66 the gathering of additional information. This meeting shall not be a de novo hearing, but a review  
67 of the written decision in the matter. Within 7 calendar days, the Complainant shall be informed  
68 of the Board's decision by mail. The Complainant may appeal the Board's decision to the Lewis  
69 and Clark County Superintendent as provided by law.

70

71 Legal Reference: § 20-3-210, MCA Controversy appeals and hearings

72

73 Cross Reference:

74

75 Policy History:

76 Adopted on: 2.8.2011

77 Revised on: 9.13.2016

78 Reviewed on: