



Superintendent
Dr. Tyler Ream
324-2000

Business Manager
Janelle Mickelson
324-2007

BOARD OF TRUSTEES POLICY COMMITTEE MEETING

May Butler Center | 55 South Rodney | Tuesday, May 4, 2021 | Noon – 1:00 p.m.

All in-person attendees must wear a mask/facial covering at all times and remain safety distanced from anyone not residing within the same place of residence. All other attendees are encouraged to attend the meeting via Microsoft Teams and/or email your public comment to boardoftrustees@helenaschools.org prior to the start of the meeting. Members of the public are able to attend remotely by clicking here: <https://helenaschools.org/event/board-of-trustees-policy-committee-meeting-05-04-2021/>. We ask that all participants mute their microphone until called upon by the Board Chair for general and/or specific public comments. Upon completing public comment, please ensure that your microphone is again muted.

AGENDA

- I. INTRODUCTIONS
- II. REVIEW OF AGENDA
- III. GENERAL PUBLIC COMMENT
- IV. REVIEW APRIL 6, 2021, BOARD POLICY MEETING MINUTES
- V. PRESENTATION OF POLICIES FOR SECOND READING:
 - A. 5056: Vacation
 - B. 1027: Board Member Conflict of Interest
 - a. Degrees of Family Relationships Chart
 - C. 1035: Board Development and Self Evaluation
 - D. 1040: Board Member Expenses
 - E. 1055: Communication To and From the Board
 - F. 1060: Committees
- VI. PRESENTATION OF POLICIES FOR GENERAL REVIEW - FIRST READING:
 - A. 1065: Board Meetings
 - B. 1070: School Board Meeting Procedure
 - C. 1075: Records Management and Access to Public Records
 - D. 1080: School Board Policy
 - E. 1085: Uniform Grievance Procedure
- VII. PRESENTATION OF POLICIES FOR TERMINATION:
 - A. 1904: Use of Transportation Funds During Periods of School Closure
- VIII. SUPERINTENDENT OR BOARD COMMENTS
- IX. ADJOURNMENT



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, April 6, 2021

MINUTES

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
Stacy Collette, Human Resources Director
Janelle Mickelson, Business Services Director
Gary Myers, Education Technology Director
Jane Shawn, HEA President

I. CALL TO ORDER

The meeting was called to order at 12:02pm 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 03.02.2021 POLICY COMMITTEE MINUTES

The committee reviewed minutes from the 03.02.2021 committee meeting.

V. PRESENTATION OF POLICIES FOR FIRST READING

A. Policy 5056: Vacation

Ms. Collette clarified vacation cash out was negotiated in CBAs, so this policy only applied to staff not covered by a CBA – independent employees, school and district administrators, etc. Ms. Ridgway added that while this policy was not required, it was recommended.

Mr. McEwen asked how much vacation was lost each year per this policy. Ms. Collette agreed to research this data with the business office.

Ms. Goldes requested budgetary information prior to presenting the policy to the full board. Ms. Mickelson confirmed there was no current data on loss of vacation, but she agreed to work with Ms. Collette to find that applicable data. She added the termination pay budgets for elementary and high school budgets were used to fund vacation pay outs.

Mr. McEwen led a discussion on the possibility of adjusting the policy and the ensuing effects on the budget. Ms. Mickelson and Ms. Collette agreed to research the budgetary effects of revising the early vacation payout prior to the next committee meeting.

The committee agreed to discuss this policy at the May committee meeting.

VI. PRESENTATION OF POLICIES FOR GENERAL REVIEW – FIRST READING

A. Policy 1027: Board Member Conflict of Interest

Ms. Ridgway informed the committee this was an existing policy that had been adopted in 2011 and revised in September 2019; there were no recommended changes to this policy. The committee discussed the definitions of “4th degree by blood” and “2nd degree by marriage.” Ms. Goldes asked if the language was per statute, and Ms. Ridgway replied it was. Ms. Ridgway agreed to clarify the verbiage as requested and bring it back to the next committee meeting.

B. Policy 1030: Resignations and Other Vacancies

Ms. McKee asked for clarification on “no longer registered to vote” in Subsection 4. Ms. Mickelson clarified the language was per statute. Voting status was confirmed by the county election official, along with residency.

Ms. McKee asked if you trustees are able to participate remotely and not be considered absent? Ms. Ridgway said yes and she would add clarifying language.

Ms. Goldes requested clarification on what qualified as a “good excuse” for missing a board meeting. Ms. Ridgway answered it was at the Board Chair’s discretion.

Ms. Goldes asked if this was state law. Ms. Ridgway confirmed it was.

No changes were requested to this policy.

C. Policy 1035: Board Development and Self-Evaluation

Ms. Goldes relayed a comment from Board Chair Muszkiewicz on whether the committee would like to include requiring the board to conduct an annual self-evaluation. Ms. Ridgway added several AA districts had language in a policy regarding a mandatory self-evaluation.

Ms. Goldes recommended the full board should submit feedback on the language inclusion. Ms. Ridgway agreed to research similar policies at other AA districts and present tentative language at the next policy committee meeting.

D. Policy 1040: Board Member Expenses

The committee discussed what qualified as “expenses” and requested several revisions to wording. Ms. Ridgway agreed to rework policy language and present it at the next committee meeting.

E. Policy 1045: Board – Superintendent Relationship

Ms. Goldes recommended adding legal reference to this policy. No changes were made to the intent of the policy.

F. Policy 1050: Qualifications, Terms, and Duties of Board Officers

No changes were made to the intent of the policy.

G. Policy 1055: Communications to and from the Board

Ms. Ridgway clarified the difference between informal and official communications – official is asking for something. She agreed to check legal references and bring it back to the committee’s next meeting.

H. Policy 1060: Committees

Ms. Goldes relayed a question from Board Chair Muszkiewicz whether the health and wellness committee needed to be noticed and open to the public. Ms. Ridgway answered the health and wellness committee differed from board committees since it was an administrative committee that included one trustee.

Ms. Goldes asked if it was a board decision to have a health and wellness committee or if it was required per law. Ms. Ridgway agreed to discuss it with legal council and bring the policy to the next committee meeting.

VII. BOARD COMMENTS

Ms. Goldes requested the following committee meeting begin with Policy 1065.

Mr. Beaver noted the antiquated descriptions in some policies and recommended making appropriate updates.

VIII. ADJOURNMENT

Committee Chair, Ms. Goldes, adjourned the meeting at 1:06pm.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

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
- 11 • engage in a substantial financial transaction for the trustee’s private business
- 12 purpose with a person whom the trustee inspects or supervises in the course of
- 13 official duties;
- 14 • perform an official act directly and substantially affecting, to its economic benefit,
- 15 a business or other undertaking in which the trustee has a substantial financial
- 16 interest or is engaged as counsel, consultant, representative or agent;
- 17 • act as an agent or solicitor in the sale or supply of goods or services to the
- 18 District;
- 19 • have a pecuniary interest, directly or indirectly, in any contract made by the Board
- 20 when the trustee has more than a 10% interest;
- 21 • perform an official act directly and substantially affecting a business or other
- 22 undertaking to its economic detriment a business or other undertaking in which
- 23 the trustee has a substantial personal interest in a competing firm or undertaking;
- 24 • be employed in any capacity by the District, except to officiate at athletic
- 25 competitions under the auspices of the Montana Officials Association; or
- 26 • ~~take part in the appointment or employment of any person related or connected by~~
- 27 ~~blood within the 4th degree or by marriage within the 2nd degree, except as~~
- 28 ~~provided by statute.~~
- 29 • Appoint or employ any person related or connected by consanguinity within the fourth
- 30 (4th) degree or by affinity within the second (2nd) degree.
 - 31 a. This prohibition does not apply to the issuance of an employment contract to a
 - 32 person as a substitute teacher who is not employed as a substitute teacher for more
 - 33 than thirty (30) consecutive school days.
 - 34 b. This prohibition does not apply to the renewal of an employment contract of a
 - 35 person related to a Board member who was initially hired before the Board member
 - 36 assumed the trustee position.
 - 37 c. This prohibition does not apply if trustees comply with the following
 - 38 requirements:
 - 39 1) all trustees, except the trustee related to the person to be employed or
 - 40 appointed, vote to employ the related person;
 - 41 2) the trustee related to the person to be employed abstains from voting;
 - 42 and
 - 43 3) the trustees give fifteen (15) days written notice of the time and place of
 - 44 their intended action in a newspaper of general circulation in the county
 - 45 where the school is located.
 - 46

47
48
49
50
51
52

Degrees of Affinity

Affinity is the legal relationship arising as the result of marriage. Relationship by affinity terminates upon the death of one of the spouses or other dissolution of marriage, except when the marriage has resulted in issue still living.

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:

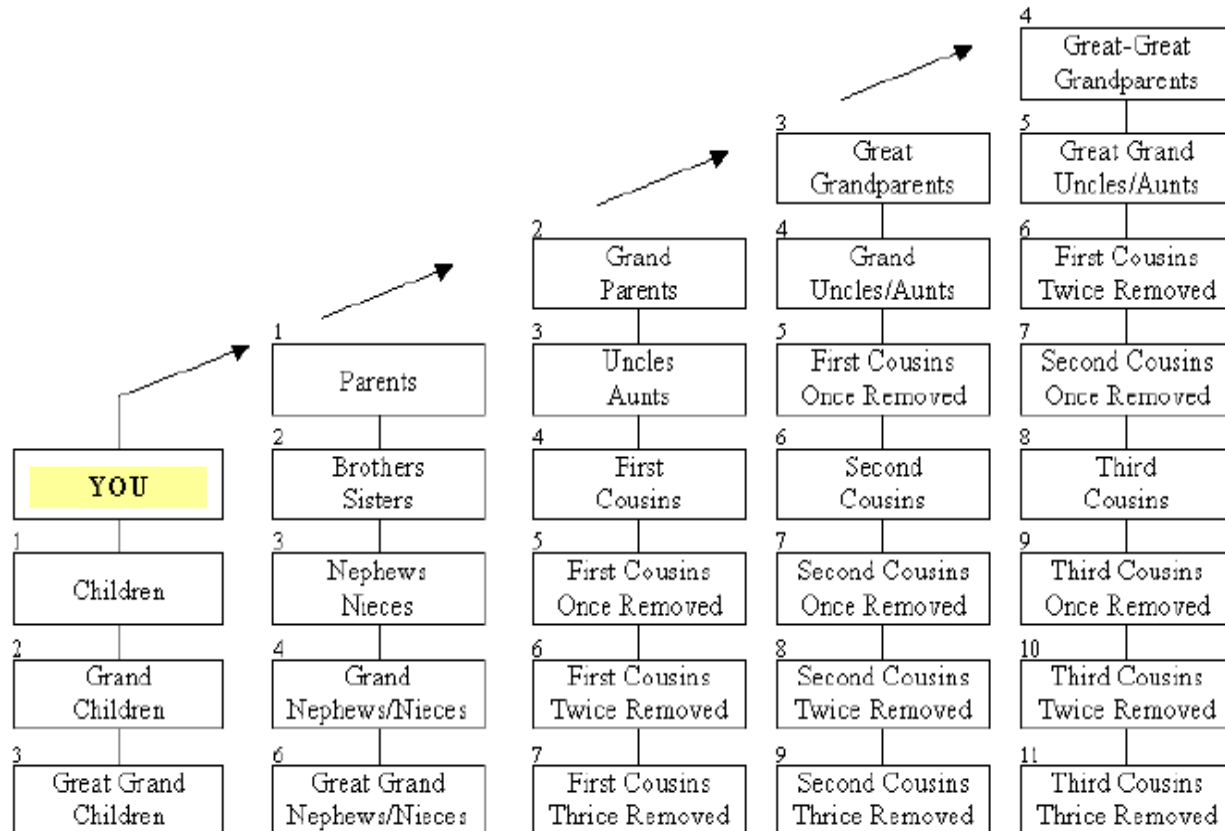
Policy History:

Adopted on:	2.8.2011
Revised on:	9.10.2019

53

Degrees of Family Relationships

Degrees of relationship by blood (consanguinity)



Relationships by Marriage (Affinity)

A relationship by blood is also referred to as being related by consanguinity. A relationship by marriage is sometimes referred to as being related by affinity.

A husband and wife are related in the first degree by marriage. For other relationships by marriage, the degree of relationship is the same as the degree of underlying relationship by blood. Example: John and Steve are brothers and are therefore second-degree relatives by blood. John's wife, Linda, is related to Steve in the second degree by marriage.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

Helena Public Schools

1035

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~~ made aware of the location of District policy manual on the District web site 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~~ ensure a continuous improvement ~~basis cycle~~, the Board ~~may conduct a self-evaluation as needed.~~ will conduct an annual self-evaluation.

The Board of Trustees will ~~periodically~~ make adjustments in its conduct and practices to ensure continued improvement in its performance over time based on their self-evaluation.

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~~ Communication services;
- 18 5. Incidental expenditures for tips and other necessary costs.

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

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

24
25 Cross Reference:

26
27 Policy History:

28 Adopted on: 2.8.2011

29 Revised on:

30 Reviewed on:

2
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~~ digital communication will conform to the same standards of judgment,
22 propriety and ethics as other forms of Board related communication. E-mail may not be used as a
23 substitute for deliberations at Board meetings or for other communications or business properly
24 confined to Board meetings. E-mail and related attachments received or prepared for use in
25 Board business may be regarded as a public record subject to disclosure upon request, unless
26 otherwise made 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:
38

2
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 A trustee participating remotely in a committee meeting has the same privileges, rights, and
15 responsibilities as if the trustee were physically present.

16
17 *Citizen Committees*

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

24
25 *Administrative Committees*

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

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

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

42
43 Legal Reference: § 2-3-203, MCA Meetings of public agencies open to the public

44
45 Cross Reference:

47	<u>Policy History:</u>	
48	Adopted on:	2.8 2011
49	Revised on:	
50	Reviewed on:	
51		

2
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.

10
11 Except for an unforeseen emergency or as described below, all meetings must be held in a
12 District building or, by unanimous consent of the Board, in a publicly accessible building located
13 within the District. The Trustees may meet outside the boundaries of the District for
14 collaboration or cooperation on educational issues with other school boards, educational
15 agencies, or cooperatives.

16
17 Adequate notice of the meeting as well as an agenda will be provided to the public in advance,
18 and no decisions may be made at these meetings. Decision making must still occur only at
19 properly noticed meetings held within the District’s boundaries.

20
21 Members participating remotely in any meeting of the Board have the same privileges, rights and
22 responsibilities as if the member were physically present, including the right, privilege and
23 responsibility to cast votes on all questions or other matters brought to a vote of the body.

24
25
26 *Regular Meetings*

27
28 Unless otherwise specified by the Board, all regular meetings are held on the second Tuesday of
29 the month at 5:30 p.m. in a location to be published on the agenda. If the time or place of a Board
30 meeting is changed, notice shall be given in the same manner as provided for special meetings.

31
32 *Special Meetings*

33
34 Special meetings may be called by the Board Chair or by any 2 members of the trustees. A
35 written notice of a special meeting, stating the purpose of the meeting, must be provided to each
36 trustee not less than 48 hours prior to the time of the meeting. The 48 hour written notice is
37 waived in the event of an unforeseen emergency or to consider a violation of the student code of
38 conduct within a week of graduation. Written notice shall also be sent not less than 24 hours
39 prior to the meeting to each newspaper and radio or television station that has filed a written
40 request for such notices.

41
42 *Committee Meetings*

43
44 Committee meetings may be called by the Committee Chair, and are subject to the requirements
45 of the Open Meetings Act, including notice and posting requirements.

47 *Budget Meetings*

48
49 As required by state law, the Board shall meet to consider all budget information and any
50 attachments required by law. The Board may continue the meeting from day to day but shall
51 adopt the final budget for the District and determine the amounts to be raised by tax levies for the
52 District not later than the fourth Monday in August and before the fixing of the tax levies for
53 each district. As required by state law, the Clerk shall publish one notice, in the Independent
54 Record, stating the date, time, and place that the Board will meet for the purpose of considering
55 and adopting the final budget.

56
57 *Organizational Meeting*

58
59 After the issuance of the election certificates to the newly elected trustees in May, and as
60 required by state law, the Board shall convene and elect from among its members a Chair and a
61 Vice-Chair to serve 1 year terms. The Chair shall serve until the next organizational meeting and
62 shall preside at all the meetings of the Board. In addition, the Board shall employ and appoint a
63 competent person as the Clerk of the District at this meeting.

64
65 *Emergency Meetings*

66
67 In the event of a storm, fire, explosion, community disaster, insurrection, act of God, or other
68 unforeseen destruction or impairment of school district property that affects the health and safety
69 of the trustees, students, or district employees or the educational functions of the district, the
70 Board may meet immediately and take official action without prior notification.

71
72 *Closed Session of Any Meeting*

73
74 The Board or any committee may hold closed sessions to consider matters of individual privacy
75 or to discuss a strategy to be followed with respect to litigation when an open meeting would
76 have a detrimental effect on the litigating position of the District. Prior to closing the meeting to
77 consider matters or individual privacy, the presiding officer must determine that the demands of
78 individual privacy exceed the merits of public disclosure. The litigation strategy exception is not
79 available if the litigation involves only public bodies or associations as parties.

80
81 Legal Reference: § 2-3-203, MCA Meetings of public agencies open to the public
82 § 20-3-321, MCA Organization and officers
83 § 20-3-322, MCA Meetings and quorum
84 § 20-9-131, MCA Final budget meeting

85
86 Cross Reference:

87
88 Policy History:
89 Adopted on: 2.8. 2011
90 Revised on: 4.12.2016
91 Reviewed on:

92

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.

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:

1 **Helena School District**

2 **COVID-19 EMERGENCY POLICIES** _____ 1904

3 Use of Transportation Funds During Periods of School Closure

4
5 Pursuant to guidance issued from the Office of Public Instruction, the Board of Trustees
6 authorizes the following expenditures of its FY20 budgeted transportation funds that are in
7 addition to traditionally authorized expenditures. The expenditures below are, as noted in OPI
8 guidance, transportation services which provide instructional services to students.
9

- 10 • ~~Transportation of food and meals used in nutritional programs.~~
- 11 • ~~Purchase of equipment to ensure food safety.~~
- 12 • ~~Providing accessibility to student services for remote learning.~~
- 13 • ~~Providing instructional materials to students, including but not limited to internet service~~
14 ~~adequate to allow students to effectively access curriculum during periods of school~~
15 ~~closure.~~
- 16 • ~~Cost of instructional materials, supplies, and software licenses.~~
- 17 • ~~Costs of technological equipment needed for offsite/remote instruction and study~~
18 ~~purchased by the school district and loaned to students without such equipment.~~
- 19 • ~~Cost of online study.~~
- 20 • ~~Costs of providing services to students with an IEP or a plan adopted pursuant to section~~
21 ~~504 of the 1973 Rehabilitation Act.~~
- 22 • ~~Costs of time off or repurposed time for staff normally paid from the transportation fund.~~
- 23 • ~~Costs to contractors of transportation services.~~

24
25 *Cost Guidelines*

26
27 The Board of Trustees authorizes the Superintendent to exercise professional judgment and
28 discretion as to the necessity, quality and amount of all expenses referenced below. Aggregate
29 costs of items below are to remain within the budget limits adopted by the Board of Trustees for
30 the FY20 transportation budget, including any budget amendments adopted by the board of
31 trustees prior to the completion of FY20.
32

- 33 • ~~Any costs consistent with costs under normal operation, including costs referenced in any~~
34 ~~contract to which the district is a party.~~
- 35 • ~~Actual costs of delivering meals to students at locations authorized by any and all waivers~~
36 ~~of regular rules for school nutrition programs that have been adopted by the United States~~
37 ~~Department of Agriculture or the Office of Public Instruction.~~
- 38 • ~~Any costs consistent with and necessary to comply with an IEP or section 504 plan.~~
- 39 • ~~Actual costs of equipment, software and service necessary to bridge digital divides or~~
40 ~~provide a quality learning environment for students, including:~~

41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90

- ~~○ Equipment necessary to provide wi-fi in a student’s home, including any equipment qualifying for discount under the federal E-Rate program;~~
- ~~○ Equipment necessary to allow students to effectively participate in offsite instruction with an emphasis on ensuring opportunities for real-time interactions, collaboration, and effective engagement in the learning process by students.

 - ~~▪ Equipment purchased under this section may include any combination deemed necessary and appropriate by the Superintendent, including but not limited to mobile devices, tablets and laptops.~~
 - ~~▪ Equipment purchased under this section shall become and remain the property of the district and shall be provided to students through a loan/checkout service developed by the Superintendent.~~~~
- ~~○ Software to ensure a safe and appropriate online learning experience by students of the district.~~
- ~~○ Internet service at an adequate bandwidth to ensure full and effective use of instruction delivery and interaction methods employed by the district as part of its offsite learning program.

 - ~~▪ If there are multiple internet service providers in the community, the Board authorizes the Superintendent to choose either a single provider or to allocate/rotate selection from among all providers in the community meeting minimum bandwidth and other safety and quality standards deemed necessary and appropriate by the Superintendent.~~~~

~~Cross Reference: 2135 K-12 Online Learning
 2070 Network Information and Communication
 7065 Contracts with Third Parties Affecting Student Records
 7520 Data Governance
 High School Student / Parent Handbook
 Middle School Student/ Parent Handbook
 Elementary Student / Parent Handbook~~

~~Legal Reference: Section 20-10-101(5), MCA Transportation~~

Policy History:

~~Adopted on: 3.27.2020
 Reviewed on:
 Revised on: 4.28.2020
 Terminated on:~~