

Regular School Board Meeting
October 12, 2009

Call to Order: 7:30 p.m.

Roll: Terry Prongua, Frank Salmi, Dirk Roosma, Kim Baker, Sheila Matt, Carol Heath, Sean Estill, Larry Markuson and Carmen Jackson

Absent: Julie White

Visitors: Donna Johnson and Pat Ingraham

Minutes: Move to approve the minutes of the September 14, 2009 regular board meeting.
Baker/Heath (P)

Correspondence:
None

Warrants:

- Elementary Warrants
 - Claims #32375 – 32396 \$91,956.01
#32423 - 32476
 - Payroll #32397 – 32422 \$84,366.38
Baker/Salmi (P)
- High School Warrants
 - Claims #32375 – 32396 \$99,325.43
#32423 - 32476
 - Payroll #32397 – 32422 \$53,926.67
Matt/Baker (P)

Extracurricular Fund Review:

Move to approve the September Activity checks #12805 - #12845 (\$1,807.57).
Baker/Matt (P)

Mini-National FCCLA Conference

At the September 14, 2009, Board meeting the Board agreed to allow the FCCLA attend the Mini-National FCCLA Conference in Salt Lake City, UT, in November. There will 8 Hot Springs students and 2 chaperones attending the conference. Four schools in the area contacted Mrs. Johnson in regards to splitting the cost of transportation to Salt Lake. The hotel rooms will cost the District approximately \$1254, Mrs. Johnson asked the Board if the District would pay for the lodging. Move to approve payment of the FCCLA hotel rooms in the amount of approximately \$1254.
Baker/Salmi (P)

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Principal's Report:

1. Enrollment – 109 Students
2. Elementary Open House
 - a. Kindergarten 9/14
 - b. First Grade 15/20
 - c. Second Grade 10/13
 - d. Third Grade 14/19
 - e. Fourth Grade 10/13
 - f. Fifth Grade 16/20
 - g. Sixth Grade 8/11
 - h. Overall 82/110 74.5%
3. Peoples' Center Visit
 - a. September 23rd
 - b. K-5th Grade
4. Water Festival
 - a. October 6th, Thompson Falls
 - b. 5th Grade
5. Curriculum Meetings
 - a. IEFA – Donna Johnson, Candy Franklin, Lisa Mueller, Chris Clairmont
 - i. September 18th – In conjunction with Tribal PIR Day
 - b. Music Curriculum – Heidi Holmquist
 - i. September 29th
 - c. Library Media Arts – Robin Miller
 - i. October 6th
 - d. Art Curriculum – Donna Johnson
 - i. October 8th
6. Picture Day
 - a. October 8th
 - b. Taken by Interstate Studios
7. HSEPTO
 - a. Meet the first Wednesday of each month
 - b. Fall Family Fun Night in October
 - i. October 22nd 6:30 p.m. – 8:00 a.m.
 - ii. Carnival Theme
 - c. Christmas Bazaar – December 5th
8. Early Childhood Screening
 - a. October 12th
9. Lifetrack Survey Results
 - a. 2009 Exit Survey
 - b. Question for 2008 Follow Up Survey

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Superintendent's Report:

1. Enrollment (10/12/09)
 - a. 7th Grade 18
 - b. 8th Grade 17
 - c. Junior High Total 35 down 3 from last month
up 7 from last year
 - d. 9th Grade 14
 - e. 10th Grade 15
 - f. 11th Grade 13
 - g. 12th Grade 22
 - h. High School Total 64 down 1 from last month
up 2 from last year
 - i. 7-12 Total 99 down 4 from last month
up 9 from last year
2. Web page
 - a. Mr. Herbert is working at refining our needs for the RFP.
 - b. We are confident that we will have some proposals for you to see at the November Board meeting.
3. Count Day was Monday, October 5.
4. MCEL is in Missoula this year. October 14, 15, & 16. Anyone interested in attending, Mr. Markuson will register you on line if you let him know.
5. Kitchen position
6. Attendance incentive policy
 - a. Mr. Clairmont will be putting together meetings for that group.
7. College Fair was held in Kalispell on October 1st.
8. Picture Day was on October 8th.
9. The juniors will be taking the PSAT exam on Wednesday, October 14th.
10. MEA/MFT will be in Billings this year on October 15th & 16th.
11. The first quarter ends on October 22nd.
12. District Volleyball Tourney will be October 30th & 31st in Pablo at Two Eagle.
13. Divisional Volleyball Tourney will be November 5th – 7th in Butte.
14. Parent Teacher Conferences will be the evenings of November 2nd & 4th.
15. Illnesses – On Wednesday October 7th there were 5 students absent from school. By the end of the day Thursday, October 8th, 30 students and 7 staff members gone. Over the weekend Mr. Markuson wiped down every desk and door knob with disinfectant wipes and he set off bombs in every class. Today there were 25 students gone. No confirmed cases of N1H1, all cases they were thought to be N1H1 were treated as such, a few cases were bronchitis and sinus infections.
16. The future of MQEC – Montana Quality Education Coalition – The new focus of the MQEC will be to improve the working relationship between legislature and the MQEC to raise the quality of education for Montana's youth.

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AD Report:

- Varsity Football – We are currently 5 – 1 overall and 3 -1 in conference play. A win on Friday against Mission will ensure a spot in the playoffs. Senior night for the Football players will be on October 23rd in Plains, we will be playing Cascade.
- Varsity Volleyball – Are currently 9 -2 with 4 games left in the season. District Tournament will be held in Two Eagle October 30th & 31st. Senior night for the Volleyball girls will be October 24th in Hot Springs we will be playing Granite.
- Junior High Football – are currently 2-3 and are playing their final game today.
- Junior High Basketball – Practice began on October 5th. The team will play their first game this Saturday at Noxon.
- Volleyball All Conference Meeting will be held at Quinn's Hot Springs on Monday, October 26th.

Personnel Issues

- Kitchen Aide – In September the District opened up a Kitchen Aide position for 2 hours per day. After reviewing the applications Mr. Markuson recommended Charlotte Gray for the position for the 2010 school year.

Move to approve the hire of Charlotte Gray as a Kitchen Aide for the 2010 school year.

Roosma/Baker (P)

Board Policies

1000 - Legal Status and Operations – 1st Reading

The Board of Trustees of Hot Springs School District No. 14J is the governmental entity established by the state of Montana to plan and direct all aspects of the District's operations, to the end that students shall have ample opportunity to achieve their individual and collective learning potentials.

Policies of the Board define its organization and the manner of conducting its official business. The operating policies of the Board are those that it adopts from time to time to facilitate the performance of its responsibilities.

All handbooks approved by the Board are operating policies of the District.

This statement is a recent addition to the policy.

Move to approve the 1st reading of Board Policy 1000 – Legal Status and Operations as presented.

Matt/Baker (P)

1110 – Taking Office - 1st Reading

A newly elected trustee shall take office as soon as election results have been certified and the newly elected trustee has taken and subscribed to an oath to faithfully and impartially discharge the duties of the office to the best of his/her ability. A newly appointed trustee shall take office, after the trustee has taken and

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subscribed to an oath to faithfully and impartially discharge the duties of the office to the best of his/her ability. Such oath will be filed with the county superintendent within fifteen (15) days after the receipt of the certificate of election or the appointment.

This statement is a recent addition to the policy.

Move to approve the 1st reading of Board Policy 1110 – Taking Office as presented.

Baker/Matt (P)

1310 – District Policy - 1st Reading

Adoption and Amendment of Policies

~~Proposed new policies and proposed changes in existing policies shall be presented in writing for reading and discussion. Unless it is deemed by the Board that immediate action would be in the best interests of the district, the final vote for adoption shall take place not earlier than the next succeeding regular or special Board meeting. Any written statement by any person relative to a proposed policy or amendment should be directed to the Board secretary prior to the second reading. The Board may invite oral statements from staff members or patrons as an order of business.~~

Proposed new policies and proposed changes to existing policies shall be presented in writing for reading and discussion at a regular or special Board meeting. Interested parties may submit views, present data or arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement by a person, relative to a proposed policy or amendment, should be directed to the District Clerk prior to the second (2nd) reading. The final vote for adoption shall take place not earlier than at the second (2nd) reading of the particular policy.

~~In the event that immediate action on a proposed policy is necessary, the motion for its adoption shall provide that immediate adoption is in the best interest of the district. No further action is required. ...~~

All new or amended policies shall become effective on adoption; unless a specific effective date is stated in the motion for adoption.

Policies, as adopted or amended, shall be made a part of the minutes of the meeting at which action was taken and also shall be included in the District's policy manual. Policies of the District shall be reviewed annually by the Board.

Policy Manuals

~~... The manual is intended both as a tool for district management as well as a source of information to residents of the district, staff, and others about how the district operates. To that end each administrator shall have ready access to the manual. In addition, a manual shall be available in each school library and such other places as the superintendent may determine for the use of staff, students and other residents.~~

The Superintendent shall develop and maintain a current policy manual which includes all policies of the District. Every administrator, as well as staff, students, and other residents, shall have ready access to District policies. All policy manuals distributed to anyone shall remain the property of the District and shall be subject to recall at any time.

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Suspension of Policies

~~All policy manuals distributed to anyone shall remain the property of the district. They shall be subject to recall at any time.~~

Under circumstances that require waiver of a policy, the policy may be suspended by a majority vote of the trustees present. To suspend a policy, however, all trustees must have received written notice of the meeting, which includes the proposal to suspend a policy and an explanation of the purpose of such proposed suspension.

Current District Policy is in red, the sections that are stricken are replaced with the highlighted sections. The Highlighted sections are updated MTSBA Policy.

Move to approve the 1st reading of Board Policy 1310 – District Policy as presented.

Baker/Matt (P)

1400 – Board Meeting – 1st Reading

Board meetings will be scheduled in compliance with the law and as deemed by the board to be in the best interests of the district and community. The board will function through regular and special meetings. A meeting, as defined by Sec. 2.3 202: means the convening of a quorum of the constituent membership of a public agency, whether corporal or by means of electrical equipment, to hear, discuss, or act upon a matter over which the agency has supervision, control, jurisdiction or advisory power.

All meetings will be held within the district. Additional meetings may be required for purposes of board reorganization and adoption of a budget. All meetings and committee meetings shall be open to the public with the exception of executive sessions authorized by law. Any final action will be taken at an open meeting.

Notice

Public notice shall be properly given for any special meeting, whenever a regular meeting is adjourned to another time, or when a regular meeting is held at a place other than the high school library. Notice is provided in front of the high school on the reader board and inside the door of both the high school and elementary offices.

Regular Meetings

Unless otherwise specified, all meetings will take place in the Hot Springs High School Library. Regular meetings shall take place at 7:30 p.m. on the second Monday of each month, or at other times and places determined by a majority vote. Except for an unforeseen emergency, meetings must be held in school buildings or, upon the unanimous vote of the trustees, in a publicly accessible building located within the District. If regular meetings are scheduled at places other than as stated above or are adjourned to times other than the regular meeting time, notice of the meeting shall be made in the same manner as provided for special meetings. The trustees may meet outside the boundaries of the District for collaboration or cooperation on educational issues with other school boards, educational agencies, or cooperatives. Adequate notice of the meeting, as well as an agenda, must be provided to the public in advance. Decision making may only occur at a properly noticed meeting held within the District's boundaries. When a meeting date falls on a legal holiday, the meeting shall take place the next business day.

Emergency Meetings

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In the event of an emergency involving possible personal injury or property damage, the Board may meet immediately and take official action without prior notification.

~~... Action of this nature has questionable authority and should be restricted to situations where the circumstances present a grave and clear danger that immediately threatens physical or mental health or would result in irreparable harm or in immediate disaster to life or property unless some action were taken.~~

Budget Meetings

Between July 1 and August 4 of each year, the Clerk shall publish a notice stating the date, time, and place trustees will meet for the purpose of considering and adopting a final budget for the District, stating that the meeting of the trustees may be continued from day to day until final adoption of a District budget and that any taxpayer in the District may appear at the meeting and be heard for or against any part of the budget. This notice shall be published in *two (2) of the three (3) local newspapers*.

On the date and at the time and place stated in the published notice (on or before August 15), trustees shall meet to consider all budget information and any attachments required by law. The meeting may continue from day to day; however, the Board must adopt a final budget not later than the fourth (4th) Monday in August.

Special Meetings

Special meetings may be called by the Chairperson or by any two (2) trustees. A written notice of a special meeting, stating the purpose of the meeting, shall be delivered to every trustee not less than forty-eight (48) hours before the time of the meeting, except that the forty-eight-(48)-hour notice is waived in an unforeseen emergency as stated in § 20-3-322(5), MCA. Such written notice shall be posted conspicuously within the District in a manner that will receive public attention. Written notice also shall be sent not less than twenty-four (24) hours prior to the meeting, to each newspaper and radio or television station that has filed a written request for such notices. Business transacted at a special meeting will be limited to that stated in the notice of the meeting.

Closed Sessions

~~The chairman may close a meeting during the time the discussion relates to a matter of individual privacy and then if and only if the chairman determines that the demands of individual privacy clearly exceeds the merits of public disclosure and the individual in question has been given 48 hours written notice that the Board will be discussing him/her. Such individual shall have the right to attend the meeting with representation and he/she has the right to request the meeting remain open or closed.~~

~~No formal action shall take place during executive session. Minutes must be taken if the clerk is present during the closed session. The chairman should state its purpose for an executive session and record the purpose in the minutes. The discussion within the executive session should be restricted to the stated purpose.~~

Under Montana law, the Board may meet in closed sessions to consider matters of individual privacy. Before closing a meeting, the presiding officer must determine that the demands of individual privacy exceed the merits of public disclosure and so state publicly before going into closed session. The Board also may go into closed session to discuss a strategy to be followed with respect to litigation, when an open meeting would have a detrimental effect on the litigating position of the District. This exception does not apply if the

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litigation involves only public bodies or associations as parties. Before closing a meeting for litigation purposes, the District may wish to consult legal counsel on the appropriateness of this action. No formal action shall take place during any closed session.

Statements in red are current policy. If the statement in red has been stricken, it is excluded from the current MTSBA policy. Highlighted sections are statements that have been recently added by MTSBA.

- Move to publish the budget meeting in the Sanders County Ledger and the Baldy Press.
Motion dies for lack of second.
- Move to publish the budget meeting in 2 of the 3 local papers.
Salmi/Roosma (P) 2 opposed, Prongua & Baker

Move to approve the 1st reading of Board Policy 1400 –Board Meeting as presented.
Baker/Salmi (P)

1420 – School Board Meeting Procedures – 1st Reading

Agenda

The superintendent shall be responsible for preparing the agenda for each meeting, in accordance with the chairman. Copies of the agenda minutes of the previous meeting, and relevant supplementary information will be delivered to each Board member at least 48 hours in advance of the meeting and will be available to any interested citizen at the superintendent's office 24 hours prior to the meeting.

The agenda can be developed based upon the perceived needs of the superintendent and individual Trustees. In some districts the superintendent and Board chairman review the potential agenda items about one week before the agenda is formalized. Once printed, the agenda should be distributed to individual directors and any individuals who have expressed a wish to be informed. While the 48 hour advance notice to Trustees applies to special meetings only, such notice is recommended for regular meetings also.

The agenda for any Board meeting shall be prepared by the Superintendent. Items submitted by Board members to be placed on the agenda must have prior approval of the Board Chairperson. Citizens may also suggest inclusions on the agenda. Such suggestions must be received by the Superintendent at least 5 days before the Board meeting, unless of immediate importance. Individuals who wish to be placed on the Board agenda must also notify the Superintendent, in writing, of the request. The request must include the reason for the appearance. If the reason for the appearance is a complaint against any District employee, the individual filing the complaint must demonstrate that the Uniform Complaint Procedure has been followed. Citizens wishing to make brief comments about school programs or procedures or items on the agenda need not request placement on the agenda, and may ask for recognition by the Chairperson at the appropriate time.

The agenda also must include a "public comment" portion to allow members of the general public to comment on any public matter under the jurisdiction of the District which is not specifically listed on the agenda, except that no member of the public will be allowed to comment on contested cases, other adjudicative proceedings, or personnel matters. The Board Chairperson may place reasonable time limits on any "public comment" period to maintain and ensure effective and efficient operations of the Board. The Board shall not take any

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action on any matter discussed, unless the matter is specifically noticed on the agenda, and the public has been allowed opportunity to comment.

With consent of a majority of members present, the order of business at any meeting may be changed. Copies of the agenda for the current Board meeting, minutes of the previous Board meeting, and relevant supplementary information will be prepared and distributed to each trustee at least twenty-four (24) hours in advance of a Board meeting and will be available to any interested citizen at the Superintendent's office twenty-four (24) hours before a Board meeting. An agenda for other types of Board meetings will be prepared, if circumstances require an agenda.

Consent Agenda

To expedite business at its meetings, the Board approves the use of a consent agenda, which includes those items considered to be routine in nature. Any item that appears on the consent agenda may be removed by a member of the Board. Any Board member who wishes to remove an item from the consent agenda must give advance notice in a timely manner to the Superintendent. Remaining items will be voted on by a single motion. The approved motion will be recorded in the minutes, including a listing of all items appearing on the consent agenda.

Minutes

The Clerk shall keep written minutes of all open Board meetings, which shall be signed by the Chairperson and the Clerk. The minutes shall include:

- Date, time, and place of the meeting;
- Presiding officer;
- Board members recorded as absent or present;
- Summary of discussion on all matters discussed (including those matters discussed during the "public comment" section), proposed, deliberated, or decided, and a record of any votes taken;
- Detailed statement of all expenditures;
- Purpose of recessing to closed session; and
- Time of adjournment.

When issues are discussed that may require detailed record, the Board may direct the clerk to record the discussion verbatim. ~~Such verbatim records shall be maintained on file for a period of five years. Any other verbatim records of a meeting shall be destroyed after the minutes have been approved.~~

When issues are discussed that may require a detailed record, the Board may direct the Clerk to record the discussion verbatim. Any verbatim record may be destroyed after the minutes have been approved, pursuant to § 20-1-212, MCA.

Unofficial minutes shall be delivered to Board members in advance of the next regularly scheduled meeting of the Board. Minutes need not be read publicly, provided that Board members have had an opportunity to review them before adoption. A file of permanent minutes of Board meetings shall be maintained in the office of the Clerk, to be made available for inspection upon request. A written copy shall be made available within five (5) working days following approval by the Board.

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Quorum

No business shall be transacted at any meeting of the Board unless a quorum of its members is present. A majority of the full membership of the Board shall constitute a quorum, whether the individuals are present physically or electronically. A majority of the quorum may pass a resolution, except as provided in § 20-4-203(1), MCA, and § 20-4-401(4), MCA.

Electronic Participation

The Board may allow members to participate in meetings by telephone or other electronic means. Board members may not simply vote electronically but must be connected with the meeting throughout the discussion of business. If a Board member electronically joins the meeting after an item of business has been opened, the remotely located member shall not participate until the next item of business is opened.

If the Board allows a member to participate electronically, the member will be considered present and will have his or her actual physical presence excused. The member shall be counted present for purposes of convening a quorum. The Clerk will document it in the minutes, when members participate in the meeting electronically.

Any Board member wishing to participate in a meeting electronically will notify the Chairperson and Superintendent as early as possible. The Superintendent will arrange for the meeting to take place in a location with the appropriate equipment so that Board members participating in the meeting electronically may interact, and the public may observe or hear the comments made. The Superintendent will take measures to verify the identity of any remotely located participants.

Meeting Conduct and Order of Business

~~All Board meetings will be conducted in an orderly and business-like manner, using *Roberts Rules of Order* as a guide except when such rules are superseded by Board policies. The order of business will be that indicated in the agenda. Any additions or changes in the prepared agenda may be requested by the superintendent or a Trustee and must be approved by majority vote of the Trustees present. The Board shall establish its regular order of business, but may elect to change the order by a majority vote of the members. The minutes shall reflect the voting records of each Trustee present.~~

General rules of parliamentary procedure are used for every Board meeting. *Robert's Rules of Order* may be used as a guide at any meeting. The order of business shall be reflected on the agenda. The use of proxy votes shall not be permitted. Voting rights are reserved to those trustees in attendance. Voting shall be by acclamation or show of hands.

Statements in red are current policy, and should be compared to current MTSBA policy. If the statement in red has been stricken, it is excluded from the current MTSBA policy. Highlighted sections are statements that have been recently added by MTSBA.

- Amend the motion to eliminate the consent agenda from the policy.
Baker/Matt (P)

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Move to approve the 1st reading of Board Policy 1420 –School Board Meeting Procedure as presented.
Matt/Heath (P)

1420F – Notice Regarding Public Comment – 1st Reading

Montana law requires school districts and other public agencies to include on the agenda for public meetings an item allowing public comment on any *public matter not otherwise specifically listed on the agenda* that is within the jurisdiction of the agency. As has also been the practice of the District, and in accordance with Montana law, if any member desires to speak to an item that is *specifically listed/identified on the agenda*, you will be allowed to do so when the item comes up for discussion and action. The public comment portion of the agenda is not the time designated to hear items that are specifically listed/identified on the agenda.

For those individuals who desire to address the Board during the “public comment” portion of the meeting, if you haven’t already done so, please sign your name to the sheet located **at the entrance of the Library** and indicate the general topic on which you will be commenting. The Board Chairperson will call individuals to speak in the order listed on the sheet provided. The Board would like to remind everyone in attendance that to avoid violations of individual rights of privacy, a member of the public wishing to address the Board during this time will not be allowed to make comments about any student, staff member, or member of the general public during his/her designated time to speak. In addition the Board will not hear comments on contested cases or other adjudicative proceedings.

Depending on the number of persons who wish to address the Board, the Board Chairperson may place reasonable time limits on comments, in order to maintain and ensure effective and efficient operations of the Board.

By law the District cannot take any action on any matter discussed during the “public comment” portion of the meeting, until such time as the matter is specifically noticed on the agenda, and the public has been allowed the opportunity to comment.

The above policy is MTSBA Policy that is new to the District.

Move to approve the 1st reading of Board Policy 1420F –Notice Regarding Public Comment as presented.
Baker/Salmi (P)

1441 – Audience Participation - 1st Reading

~~The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. In order to permit fair and orderly expression of such comment, the Board will provide a period which visitors may make formal presentations. Such presentations should be scheduled in advance and are subject to limitations as set by the chairman or action of the Board. The chairman will allow any individual to speak on any issue not included on the agenda if such person has identified him/herself and the topic of interest on the sign up sheet prior to the appointed time on the agenda.~~

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The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. The Board also recognizes the statutory and constitutional rights of the public to participate in governmental operations. To allow fair and orderly expression of public comments, the Board will permit public participation through oral or written comments during the "public comment" section of the Board agenda and prior to a final decision on a matter of significant interest to the public. The Chairperson may control such comment to ensure an orderly progression of the meeting.

Individuals wishing to be heard by the Chairperson shall first be recognized by the Chairperson. Individuals, after identifying themselves, will proceed to make comments as briefly as the subject permits. The Chairperson may interrupt or terminate an individual's statement when appropriate, including when statements are out of order, too lengthy, personally directed, abusive, obscene, or irrelevant. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings. It is important for all participants to remember that Board meetings are held in public but are not public meetings. Members of the public shall be recognized and allowed input during the meeting, at the discretion of the Chairperson.

Statements in red are current policy, and should be compared to the current MTSBA policy. If the statement in red has been stricken, it is excluded from the current MTSA policy. Highlighted sections are statements that have been added by MTSBA.

Move to approve the 1st reading of Board Policy 1441 –Audience Participation as presented.
Baker/Matt (P)

1513 – Management Rights – 1st Reading

The Board retains the right to operate and manage its affairs in such areas as but not limited to:

1. Direct employees;
2. Employ, dismiss, promote, transfer, assign, and retain employees;
3. Relieve employees from duties because of lack of work or funds under conditions where continuation of such work would be inefficient and nonproductive;
4. Maintain the efficiency of District operations;
5. Determine the methods, means, job classifications, and personnel by which District operations are to be conducted;
6. Take whatever actions may be necessary to carry out the missions of the District in situations of emergency;
7. Establish the methods and processes by which work is performed.

The Board reserves all other rights, statutory and inherent, as provided by state law.

The Board also reserves the right to delegate authority to the Superintendent for the ongoing direction of all District programs.

Highlighted sections are statements that have been recently added by MTSBA.

Move to approve the 1st reading of Board Policy 1513 –Management Rights as presented.
Matt/Heath (P)

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1521 – Board-Superintendent Relationship – 1st Reading

~~The successful operation of schools requires a close, effective working relationship between the Board and the superintendent. The relationship must be one of trust, good will, and candor. As the legally designated governing body, the Board retains final authority within the district. The superintendent is the Board's professional advisor to whom the Board delegates executive responsibility.~~

The Board-Superintendent relationship is based on mutual respect for their complementary roles. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and the Superintendent.

The Board hires, evaluates, and seeks the recommendations of the Superintendent as the District chief executive officer. The Board adopts policies necessary to provide the general direction for the District and to encourage achievement of District goals. The Superintendent develops plans, programs, and procedures needed to implement the policies and directs the District's day-to-day operations.

Statements in red are current policy, and should be compared to current MTSBA policy. If the statement in red has been stricken, it is excluded from the current MTSBA policy. Highlighted sections are statements that have been recently added by MTSBA.

Move to approve the 1st reading of Board Policy 1521 –Board-Superintendent Relationship as presented.
Baker/Roosma (P)

1610 – Annual Goals and Objectives – 1st Reading

Each year the Board will formulate annual objectives for the District and will have available a written comprehensive philosophy of education with goals that reflect the District's philosophy of education. The philosophy of education and goals shall be in writing and shall be available to all.

At the conclusion of the year, the Superintendent shall submit a report to the Board which reflects the degree to which annual objectives have been accomplished.

The above policy is MTSBA Policy that is new to the District.

Move to approve the 1st reading of Board Policy 1610 –Annual Goals and Objectives as presented.
Baker/Salmi (P)

1700 – Uniform Complaint Procedures – 1st Reading

The Board establishes this Uniform Complaint Procedure as a means to address complaints arising within the District. This Uniform Complaint Procedure is intended to be used for all complaints except those governed by a collective bargaining agreement.

The District requests all individuals to use this complaint procedure, when the individual believes the Board or its employees or agents have violated the individual's rights under: (1) Montana constitutional, statutory, or administrative law; (2) United States constitutional, statutory, or regulatory law; or (3) Board policy.

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The District will endeavor to respond to and resolve complaints without resorting to this formal complaint procedure and, when a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder will not be impaired by a person's pursuit of other remedies. Use of this complaint procedure is not a prerequisite to pursuit of other remedies, and use of this complaint procedure does not extend any filing deadline related to pursuit of other remedies.

The Superintendent has the authority to contract with an independent investigator at any time during the complaint procedure process. Within fifteen (15) calendar days of the Superintendent's receipt of the independent investigator's report and recommendation, the Superintendent will respond to the complaint and take such administrative steps as the Superintendent deems appropriate and necessary.

Level 1: Informal

An individual with a complaint is first encouraged to discuss it with the appropriate teacher, counselor, or building administrator, with the objective of resolving the matter promptly and informally. An exception is that a complaint of sexual harassment should be discussed directly with an administrator not involved in the alleged harassment.

Level 2: Building Administrator

When a complaint has not been or cannot be resolved at Level 1, an individual may file a signed and dated written complaint stating: (1) the nature of the complaint; (2) a description of the event or incident giving rise to the complaint, including any school personnel involved; and (3) the remedy or resolution requested. This written complaint must be filed within thirty (30) calendar days of the event or incident or from the date an individual could reasonably become aware of such event or incident.

When a complaint alleges violation of Board policy or procedure, the building administrator will investigate and attempt to resolve the complaint. The administrator will respond in writing to the complaint, within thirty (30) calendar days of the administrator's receipt of the complaint.

If either the complainant or the person against whom the complaint is filed is dissatisfied with the administrator's decision, either may request, in writing, that the Superintendent review the administrator's decision. (See Level 3.) This request must be submitted to the Superintendent within fifteen (15) calendar days of the administrator's decision.

When a complaint alleges sexual harassment or a violation of Title IX of the Education Amendments of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities Act of 1990, or Section 504 of the Rehabilitation Act of 1973, the building administrator may turn the complaint over to a District nondiscrimination coordinator. The coordinator will complete an investigation and file a report and recommendation with the Superintendent. A coordinator may hire, with the approval of the Superintendent, an independent investigator to conduct the investigation. Within fifteen (15) calendar days of the Superintendent's receipt of the coordinator's or independent investigators report and recommendation, the Superintendent will respond to the complaint and take such administrative steps as the Superintendent deems appropriate and necessary. If either the complainant or the person against whom the complaint is filed is dissatisfied with the Superintendent's decision, either may request, in writing, that the Board consider an appeal of the Superintendent's decision. (See Level 4.) This request must be submitted in writing to the Superintendent, within fifteen (15) calendar days of the Superintendent's written response to the complaint, for transmission to the Board.

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Level 3: Superintendent

If either the complainant or the person against whom the complaint is filed appeals the administrator's decision provided for in Level 2, the Superintendent will review the complaint and the administrator's decision. The Superintendent will respond in writing to the appeal, within thirty (30) calendar days of the Superintendent's receipt of the written appeal. In responding to the appeal, the Superintendent may: (1) meet with the parties involved in the complaint; (2) conduct a separate or supplementary investigation; (3) engage an outside investigator or other District employees to assist with the appeal; and/or (4) take other steps appropriate or helpful in resolving the complaint.

If either the complainant or the person against whom the complaint is filed is dissatisfied with the Superintendent's decision, either may request, in writing, that the Board consider an appeal of the Superintendent's decision. (See Level 4.) This request must be submitted in writing to the Superintendent, within fifteen (15) calendar days of the Superintendent's written response to the complaint, for transmission to the Board.

Level 4: The Board

Upon written appeal, the Board will consider the Superintendent's decision in Level 2 or 3. Upon receipt of written request for appeal, the Chair will either: (1) place the appeal on the agenda of a regular or special Board meeting; or (2) appoint an appeals panel of not less than three (3) trustees to hear the appeal and make a recommendation to the Board. If the Chair appoints a panel to consider the appeal, the panel will meet to consider the appeal and then make written recommendation to the full Board. The Board will report its decision on the appeal, in writing, to all parties, within thirty (30) calendar days of the Board meeting at which the Board considered the appeal or the recommendation of the panel. A decision of the Board is final, unless it is appealed pursuant to Montana law within the period provided by law.

Level 5: County Superintendent

When a matter falls within the jurisdiction of a county superintendent of schools, the decision of the Board may be appealed to the county superintendent by filing written appeal within thirty (30) calendar days of the Board's decision, pursuant to Montana law.

The above policy is MTSBA Policy that is new to the District.

Move to approve the 1st reading of Board Policy 1700 –Uniform Complaint Procedure as presented.
Matt/Heath (P)

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November Agenda

- Attendance Incentive Committee Update
- Board Policy
- Staff Christmas Prizes
- Web RFP

Adjourn 9:15 p.m.

Chairman _____

Clerk _____