

Special Board Minutes (Draft)

Thursday, August 10, 2023 @ 5:00 p.m.

Administration Conference Room

Present: Brian Gallup-Chair, Donna YellowOwl, Rae TallWhiteman, James RunningFisher. Via Internet: Lockley Bremner. **Absent:** James Evans, Michael Hoyt, Steve Conway.

Mr. Gallup called the meeting to order at 5:00 pm

Approval of Agenda: Motion by Ms. TallWhiteman to approve the agenda with the following change: add “Jim Vaile” to Approvals, item a. Second by Mr. RunningFisher. Motion passed with Brian Gallup, Donna YellowOwl, Rae TallWhiteman, James RunningFisher, Lockley Bremner voting for.

ITEMS OF ACTION

Hiring: Motion by Ms. Yellow Owl to approve the following hiring pending successful background checks/drug tests: Kortni Guardipee, Elementary Teacher 2023-2024 (\$42,195.00) and Kourtney Vielle, Elementary Certified Teacher Renewal-Nonrenewal-KW Vina 2023-2024. Second by Ms. TallWhiteman. No public participation. No board discussion. Motion passed with Brian Gallup, Donna YellowOwl, Rae TallWhiteman, James RunningFisher, Lockley Bremner voting for.

Contract Service Agreements: Motion by Ms. TallWhiteman to approve the following contract service agreement pending successful background checks: Bristen Belcourt, Innovation Grant Retention Stipend 2023-2024 (\$1,500.00); Crystal Augare, Innovation Grant Retention Stipend 2023-2024 (\$750.00) and Maggie Many Horses, Innovation Grant Retention Stipend 2023-2024 (\$750.00). Second by Mr. RunningFisher. No public participation. No board discussion. Motion passed with Brian Gallup, Donna YellowOwl, Rae TallWhiteman, James RunningFisher, Lockley Bremner voting for.

Approvals: Motion by Ms. YellowOwl to approve Resignation for Consideration and Possible Action: Jim Vaile. Second by Ms. TallWhiteman. *Board discussion:* Superintendent Hall stated that Debra Silk, MTSBA is online for the resignation and consideration of possible action. Mr. Bremner stated that Mr. Vaile decided to resign and felt there must be a reason. Mr. Bremner stated he would like to know what the reason is and noted that they won't know unless they go through with the termination hearing. No further discussion. Motion passed with Motion passed 4-1 with Brian Gallup, Donna YellowOwl, Rae TallWhiteman, James RunningFisher voting for and Lockley Bremner voting opposed.

Motion by Ms. YellowOwl to approve the following items: Request to Purchase Items for Homecoming Parade 2023 and Purchases Over \$10,000.00. Second by Ms. TallWhiteman. *Board discussion:* Ms. YellowOwl stated that the board will also be purchasing candy. Mr. Gallup stated that he wants the items purchased for the parade to go to kids first. Ms. YellowOwl stated they can hand these out on elementary row. Mr. RunningFisher asked what the price is per ball and also asked if anyone thinks t-shirts would be better for the kids. Ms. YellowOwl stated that it will cost \$4,920.00 to purchase 1500 balls (\$3.28 ea) and noted that you can't buy t-shirts for that amount. Toni Tatsey stated the teachers at KW Vina gather everything for the kids and not everyone will get a ball if there are only a few but they can play with them during recess. Ms. YellowOwl stated that the board will fill 100+ bags for the schools. No further discussion. Motion passed with Brian Gallup, Donna YellowOwl, Rae TallWhiteman, James RunningFisher, Lockley Bremner voting for.

Recess at 5:12 pm for Facilities Meeting

Reconvene 6:35 pm

ITEMS OF DISCUSSION

Policy Review: Ms. YellowOwl stated that has specific polices that she would like reviewed. Superintendent Hall stated that she went through some of the policies and felt that some of the board's policies should also be reviewed.

#1310 Adoption and Amendment of Policies: this policy changed the timeline for new policy to have 2 readings, page 2, line 50.

#1420 Agenda Preparation: when the agenda is final and posted, you cannot add new items. MTSBA said to have a special meeting. Unless there is an unforeseen emergency such as a storm, fire, explosion, disaster, an act of God, you must schedule a special meeting and post within 48 hours.

#1441 Public Participation: line 43 & 44, if public is recognized by the board chair, they are allowed to speak for the length of time given. Mr. Bremner suggested asking for public discussion regarding an item on the agenda. Mr. Gallup stated he does, but will be more aware of those in the audience.

#1511 Board Code of Ethics: No discussion.

#1700 Uniform Complaint Process. Ms. YellowOwl stated on Line 15, if there are complaints against the superintendent or district administrator the complaint shall be filed with the "board". If a complaint comes in, what does it mean to give it to the "board" and asked why did our HR person tell someone with a complaint to the board that they were out of compliance. Ms. YellowOwl stated that everyone needs to follow the process and the timelines in the policy. The Board does not always know what is happening and they could be told if a complaint has been sent to the lawyer. People can go to union with issues, but people will not put their issues in writing because they are scared of retaliation; the board member does report it. The Board gets a lot of these complaints, policy is there for them. Brian is it clear to the board if it says the "board". The HR director will have to go over this policy and the legal council needs to follow the timelines too. If we do not have information on the issues, the administration needs to meet with the person on the date the policy gives them so they are meeting the timelines.

#2121 Administrative Organization: Ms. YellowOwl felt this policy needs change and noted that potentially the assistant superintendent is still 7.5 hours over the principals. Also noted is that there is no Dean at BHS because they have 2 assistant principals and there is 1 Dean at the middle school.

#2130 Assignment & Transfer of Administrators and #5210 Position, Creation, Assignment, Reassignment, and Transfer: Superintendent Hall wants to put people in positions that she feels fits those positions. Ms. YellowOwl stated she does not always agree. If it is an open position, and it is not open to the district, we can transfer but not force anyone into a position. Ms. YellowOwl stated there was one who was transferred 7 times and not at his choice. Superintendent Hall stated this person had to get a provisional to be where he wanted to be working, and also noted that it was the building principals who transferred that person within buildings; transfers of staff is at the principals discretion. Ms. YellowOwl suggested instead of superintendent transferring, open it up to the buildings to transfer. Superintendent Hall stated for forced transfers, yes; if no transfer request and someone has applied for it, we have to interview. Administration follows the master contract and if a position is open it has to be advertised for 10 days. Mr. Bremner suggested to change the policy to where the superintendent can transfer as they see fit, and if a person does not want to be transferred the board can do it. Ms. YellowOwl stated on line 14 & 15, the superintendent is supposed to provide information on transfers, prior to the transfer, to the board. This takes rights away from the principal and the employee may not be doing their job. Ms. YellowOwl stated instead of fixing the employee, they are transferred to someone else to deal with; administration needs to fix the problem instead of transferring. Superintendent Hall stated that has happened and sometimes it does work for that person to be transferred. Ms. TallWhiteman stated several people have left their jobs and you have to ask, was it all those people, or was it one administrator, and asked where do we balance 15 losses for one administrator. The superintendent needs to think about what is best for the district and take feelings out of the decision. Ms. TallWhiteman asked if the board needs to take the power back, and do the hiring and the firing, and the transfers. Mr. Gallup felt they need solutions to some of these issues. Transfers are reported to the board 2 weeks before or at the next board meeting. Steve if principal is having issues with an employee is there a pilot improvement program for them; they need to do this with their employees. Some turn out to be good employees. Superintendent Hall stated the union has grieved and sent letters, we were giving people LWOP if they were late and we are supposed to hold them accountable, this came from the union. Mr. Gallup stated that a transfer is not a disciplinary tool; you don't transfer them for that, you deal with the discipline. Ms. TallWhiteman stated the

superintendent has right to do that and the board has a right to know in advance and she feels the superintendent uses transfers as a discipline and it should be used to do things good for the district. Some transfers have been upsetting and as a board member she wants policy followed and has the right to say if she doesn't agree with things; she wants consistency. Mr. Conway stated he doesn't think any administrators that do that should be head shy of the board. Ms. TallWhiteman stated this is not in boards hands and policy should be followed and if there is a problem then people should back it up with meetings, plan of improvement, letters, etc. People are saying they are being told that they are moving and given a day to move; back it up with paperwork.

#2150 Suicide Prevention. Ms. TallWhiteman stated when we have a successful suicide, she is hesitant about personnel posting information. With QPR, you don't want to fanaticize suicide, it could cause those who are suicidal to do the same. Stay off the social media. BPS staff are not at these trainings or they get up and walk around during the trainings. This needs to be fixed. Mr. RunningFisher stated the superintendent needs to tell all administrators so that they are aware not to do this.

#2336 Significant Writing: will update and bring back.

#3010 absences. Ms. TallWhiteman wants to see district do campaigning in each school about attendance. Superintendent Hall stated the committee meets monthly and can send letters to all parents. Ms. TallWhiteman stated some kids are taken out of school because they say they are going to cultural activities and leave at 3.

#2510 School Wellness will bring back for discussion later.

#3200R Student Conduct-Discipline: These policies all have to be changed to early kindergarten, Line 33 take healing to wellness out and put in a program for prevention and intervention.

#3005 Compulsory Attendance-Admittance: attendance change early kindergarten, page 2, line 24 & 25 in accordance with MCA and tribal code, a student may not voluntarily withdraw from school; tribal code says the age is 18. Superintendent Hall, make change and say "or completing 8th grade." Ms. TallWhiteman thinks tribal law changed to 17. Superintendent Hall will check in to this.

#3226 Bullying-Harassment-Intimidation-Hazing: students did put this issue on the principals list and will bring back for board review.

#3431R Emergency Medical Treatment: Ms. YellowOwl stated that the AEDS are not being maintained. Superintendent Hall stated they have new batteries and will have them in all the buildings.

#3520 Academic Eligibility: Ms. TallWhiteman stated the board didn't approve the 8th grade participation policy but know you can only have 4 years in eligibility. Superintendent Hall stated an 8th grader can have 5 years. Ms. TallWhiteman stated in the past our district had a student missing ½ credit and BPS could have petitioned MTSBA to have that waived. The students' circumstance should have been brought into account but they weren't. Ms. TallWhiteman stated that BPS should fight for every one of our students to play in sports and wants the director of athletics to know that. Mr. Conway stated that sometimes BPS has hearings and the board should not have to hear about a kid not playing because their folks signed a handbook page; they are responsible and the kid is responsible. Mr. Conway felt that parents and students need to know about eligibility and the board should not be hearing it. Superintendent Hall stated that kids need to know that in advance, it is called communication. Changes: line 40, page 1 should be \$100.00. Ms. TallWhiteman stated that parents sign the handbooks and they don't know and our kids just want someone to sign because they don't have anyone who is being responsible for them; our kids don't know how to advocate for themselves and sometimes staff have to do this for them.

#3525 Mandatory Random Alcohol Testing. No discussion.

#4450 Interscholastic Activities: line 26, physical fitness but should say an "approved physical" prior to the sport.

#5001 Personnel Policies: no changes.

#5004 qualifications of certified staff: no changes.

#5015 Bullying, Harassment, Intimidation: Ms. TallWhiteman says a complaint against the superintendent or a district administrator shall be filed with the Board. Superintendent Hall stated this comment contradicts policy #1700 on level 1, and level 2, etc. Lockley this is specifically about bullying and harassment and the complaint should go directly to the board. Superintendent Hall stated it is not bullying and harassment to have someone do their job. Ms. TallWhiteman stated she wants them to understand bullying and retaliation is prohibited, and they should not get transferred unless they ask for a transfer, example: when person files complaint or grievance people don't know what to say about things and they are scared to say anything because they may take it wrong; sometimes it is just the people themselves, even if you have a loud tone of voice, etc. Ms. TallWhiteman stated on the complaint forms it says we can fire someone.

#5120 Recruitment and Selection: Scores are served as a guide to show each interviewer's choice. Page 3 states that significant scores are to be documented. Superintendent Hall stated mostly we go with the highest score. Ms. TallWhiteman stated that when the AD was hired, administration did not follow this. Ms. TallWhiteman stated that Deb Silk says it is illegal hiring practices if we are not taking the scores to serve as a guide and noted that significant disparities are to be documented at conclusion of the interview. Superintendent Hall stated it says "scores serve as a guide in determining the interviewers' but final selections are subject to deliberations of the committee". Ms. TallWhiteman stated some people at administration are saying they got 30 extra points but the scoring does not say why; the scoring does not identify what they are scored on and there are no points for their application, or resume. Ms. TallWhiteman stated she wants the district to secure highly competent staff and she is tired of hiring just what we can get. Line 17 says committee selects one finalist recommendation to the superintendent. Superintendent Hall stated the policy states "the interview committee may designate up to two alternates". Mr. Conway stated in the past the second recommendation was listed. Mr. Gallup stated it should be only #1 and the recommendation should be #1. Ms. TallWhiteman stated if they are not happy with #1 then would say to put #2 on. Superintendent Hall will work with Debra Silk on this.

#7220P Title I Financial Management: take line 24 & 25 out.

#7280 Investment of Funds: Superintendent Hall stated the investments are reported monthly and asked if the board prefers monthly or quarterly. Ms. YellowOwl suggested to leave as is. Mr. Conway stated that the school investments go to Stockmans Bank and they have millions and don't do nothing for this community. They gave scholarships at Cut Bank School and BPS got nothing here. Superintendent Hall stated that she recently talked to them about the scholarships, and told them that whatever was given to Cut Bank School should be doubled at BPS because of the amount of our money in the bank; they are looking into it. Mr. Conway stated that the tribe, the contractors on the reservation, the bank, etc. should all be doing this. Superintendent Hall stated she will check into this.

#3310 Student Discipline: This policy needs to be reviewed and teach our kids to use it responsibly.

#5210 Position Creation/Assignment/Transfers: Ms. YellowOwl stated that line 9, a position is created by recommendation of the superintendent and reminded the superintendent that the board creates all new positions and the policy does not allow the change of the title as a change in position.

4010 Academic Calendar: Ms. TallWhiteman felt that the academic calendar needs to come to the board and stated that the board gets raked over the coals because employees do not get to take some of the holidays off and felt there are some holidays that have to be taken into consideration. Ms. YellowOwl stated that she asked about this before to consider the same and was told there is only 7 holidays and it has to coincide with the negotiated agreement. Superintendent Hall stated that some of the days are offset by tournaments and other specialty days. Ms. TallWhiteman stated that this calendar does not coincide with tribal days off. Mr. RunningFisher felt that the district should take Martin Luther King day off.

#4020 Accreditation and Curriculum Development: Ms. TallWhiteman stated that she wants line 25 to state where we are teaching real history and don't want our kids to go home and tell their parents that Columbus was a great guy and noted that this came from a non-native teacher to a student. Ms. TallWhiteman stated that they need to be on the same page or get them professional development. BPS has 98% native students and they deserve the real history on Columbus Day. Ms. TallWhiteman stated that she wants this on the curriculum guidelines about this and does not want BPS kids to wear little colored feathers on their heads either; BPS needs to rethink the standards and if needed get different curriculum. Mr. Bremner stated that BPS teachers are teaching kids in lower grades that Columbus was a great person. Superintendent Hall will work with Rebecca on this and stated that Martin Luther King Day is very important and kids need to know it is important to vote. Mr. Conway asked if BPS teaches Montana History. Superintendent Hall will check into this.

#4210 Community Relations: on scholarships take out "closed by April 10". Mr. Conway asked the superintendent to find out what happened to the Joe Morris scholarship.

#4330 Controversial Issues and Academic Freedom: board members asked that academics be relative to age of student. Kids should be getting books that are relevant and/or controversial things.

#5011 Eligibility for Employment: change wording and waive GED requirements and allow those without GEDs to work. Mr. Conway stated that we are an educational establishment and suggested adding working that says BPS can help them get their GED/HiSet program. Page 2, line 5 concerned about person with several DUIs or potential of people that have felonies that work with extracurricular. Policy says a person *may be* ineligible. Ms.

TallWhiteman stated she wants clarification for who is chosen. Superintendent Hall stated that she does not allow any felons. Mr. Conway stated if they have multiple DUIs they shouldn't work in driving areas, and if it is a fiduciary felony, they should not work in a position with money. Mr. RunningFisher asked if a felon gets hired or not. Mr. Bremner stated that he feels if someone has paid their dues, and they are a felon, they should be looked at case by case.

#5213 Vacancies: No changes.

#5222 Evaluation of Non-Administrative Staff: Ms. TallWhiteman stated that certified staff say they get evaluated a certain way and policy says they will get evaluated a different way. Superintendent Hall stated she is working on this to address all evaluations consistently. Ms. TallWhiteman stated that in the evaluation it says the evaluator will sit down with the person they are evaluating and this has not always happened and she does not want to hear the excuse of "this is how I was taught". Everyone needs to follow policy and the negotiated agreement.

#5251 Resignations: No changes.

#6032 Conduct on School Property: Ms. TallWhiteman stated there are things happening on school property that needs to be tightened up on injuring or threatening to make something happen, or damaging a persons' property, and wants take things to a legal status for people doing things on BPS property and also stated that possession of fire arms should not be happening on school property. Mr. Conway stated this is our crowd, our own people, and it is getting bad, even in the elementary. Ms. TallWhiteman stated she has been embarrassed of the fights on school property and has had to break up adults fighting, and then they are allowed back in. BPS has very stiff policies on this, and those people should have high consequences.

Ms. YellowOwl asked if there is a policy on dogs and unless it is for the benefit of the student they should not be in our schools. Superintendent Hall stated BPs has a policy allowing service dogs.

Motion by Ms. YellowOwl to adjourn at 9:03 pm. Second by Ms. TallWhiteman. Motion passed with Brian Gallup, Donna YellowOwl, Rae TallWhiteman, James RunningFisher, Lockley Bremner voting for.

Respectfully submitted:

_____ Carlene Adamson, Board Secretary

_____ Brian Gallup, Board Chairperson

_____ Gwyn Andersen, District Clerk