Policy 2600: Work Based Learning **Status:** DRAFT

Original Adopted Date: 09/09/2022 | **Last Revised Date:** Pending | **Last Reviewed Date:** 06/17/2025

Work Based Learning Program

The Board recognizes that education should be making classroom experiences a meaningful process of learning about all practical aspects of life. The Board believes that the inclusion of career education in the basic curriculum will provide students with information about the many career opportunities available and will establish a relationship between what is taught in the classroom and the world of work.

Work-based learning must provide all participating students with on-the-job experience and training along with career and complimentary vocational/technical classroom instruction to contribute to each student's employability. The students' classroom activities and on-the-job experiences must be planned and supervised by the school and the employer to ensure that both activities contribute to the student's employability. Students enrolled in a work-based learning program must receive credit for related classroom instruction and on-the-job training. In the absence of a proficiency model, the time requirement for students in work-based learning must be converted and is equivalent to the time requirement for credit to be earned.

Students may submit a proposal for a tailored Work Based Learning program that divides their time between instruction in school and specific learning at a job. Each proposed program will be planned by Work Based Learning coordinators and the employer (or employer groups) and shall be in accordance with state and federal laws and regulations governing employment of students under age 18. The Work Based Learning coordinators will communicate with employers on a monthly basis and will visit work sites to determine if the placement is appropriate for student employment.

The particular program designed for each student shall be set forth in a written protocol approved by the student, his or her parents or guardians, the work-experience coordinator and the employer. This shall stipulate the terms of employment and the provision for academic credit, the student's work-based experience goals, prioritizing the student's academic commitments, assessment of the work-based learning experience goals..

The Work Based Learning coordinator shall make such arrangements as necessary with employers for evaluating the student's on-the-job performance and for keeping records of job attendance.

~~The employer or supervisor~~ The provider of work-based learning or any employee of the provider of work-based learning who will have unsupervised contact with students shall complete the District's volunteer agreement form and satisfy a ~~name-based and fingerprint criminal background check~~ fingerprint-based national criminal history background check that has been reviewed by the Superintendent or designee prior to having unsupervised contact with a student ~~in accordance~~

~~with District Policies 5120 and 5122.~~ Any individual who will never have unsupervised contact with students is not required to undergo a fingerprint-based national criminal history background check.

The employee and District shall also complete workers compensation insurance and general liability insurance requirements in accordance with the attached procedure in a manner consistent with the Work-Based Learning opportunity provided to student.

Credit for Employment at Congregate Care Facilities, Child Care Facilities, and School-Age Programs

A student of the District who is 16 years of age or older and who is employed on a paid or voluntary basis at a congregate-care facility, child-care facility, or school-age program may earn one unit of credit for graduation for every 8,100 minutes worked at the congregate-care facility, childcare facility, or school-age program.

The Superintendent or his or her designee shall develop conditions and requirements on the type of work the student is performing that the student shall satisfy to earn credit toward graduation and a process for verification of the number of minutes the student works at the congregate-care facility, child-care facility, or school-age program.

To be eligible to receive credit towards graduation, an application must be received by the District on an annual basis prior to [DATE]. Applications will be accepted at a later date in the event the student begins employment with a facility during the school year. Credits will be granted for work performed after the application is received and approved by the District.

Definitions

For the purposes of this Policy, the following definitions apply:

(a) "Child-care facility" means a day-care center, group day-care home, or family day-care home licensed or registered under the provisions of Title 52, chapter 2, part 7.

(b) "Congregate-care facility" has the same meaning as:
(i) "community residential facility" as defined in 76-2-411;
(ii) "developmental disabilities facility" as defined in 53-20-202;
(iii) "long-term care facility" as defined in 50-5-101; and
(iv) "residential care facility" as defined in 50-5-101.

(c) "School-age program" means a program serving children 5 years of age or older during the school year or summer.

(d) All definitions set forth in Policy 3665 also apply to this policy.

Montana Code Annotated	**Description**

20-1-101	Definitions
20-7-1510	Credit for participating in work based learning partnerships
39-3-406	Work Based Learning
39-71-118	Employee, worker, volunteer, volunteer firefighter, and volunteer emergency care provider defined --election of coverage.
Title 41, Chapter 2	Child Labor

United States Code	**Description**
29 USC 212	Fair Labor Standards Act

1 **Cross References**

Code	**Description**
1005FE	Proficiency-Based ANB
2050	Innovative Student Instruction
2158	Parent and Family Engagement and Educational Involvement
2158-P(1)	Parent and Family Engagement and Educational Involvement - Student Pronoun Use
2410	High School Graduation Requirements
2410-P(1)	High School Graduation Requirements
2410-P(2)	High School Graduation Requirements - Graduate Profile
2410-NF(1)	High School Graduation Requirements - Commitments and Intentions
3121	Enrollment and Attendance Records
3121-P(1)	Enrollment and Attendance Records
3665	Student Safety

2

Policy 3665: Student Safety **Status:** DRAFT

Original Adopted Date: 06/18/2025 | **Last Revised Date:** Pending | **Last Reviewed Date:** 06/18/2025

~~In order to ensure the safety and welfare of students, no individual, regardless of employment status with the District, shall have any unsupervised contact with students while in school, at a school-sponsored activity, or in transit to a school-sponsored activity unless the individual has:~~

a. ~~completed a fingerprint-based national criminal history background check pursuant to the educator licensure policies of the board of public education; or~~

b. ~~the individual has provided to the Montana department of justice information and material sufficient to obtain a fingerprint-based national criminal history background check; and the trustees, the superintendent of the district, or another individual designated by the trustees has reviewed the results of the background check.~~

~~For the purposes of this Policy, the term "unsupervised contact" shall mean any interaction with students that does not involve direct supervision by an employee of the District. Additionally, any employee or volunteer who is responsible for supervising another employee's or volunteer's contact with children is considered to have unsupervised contact with children by virtue of their oversight responsibilities. Therefore, they must also undergo a background check prior to employment or assignment.~~

It is the policy of the District that no student shall have unsupervised contact with an adult who has not undergone a fingerprint-based national criminal history background check that complies with the requirements of Sec. 20-3-323(1)(d), MCA, while the student is in school, at a school-sponsored activity, or in transit to a school sponsored activity. This means that a student may not be left unattended and alone in the physical presence of an adult who has not undergone such a background check, except for in the case of a momentary absence.

When the fingerprint background check results are reviewed by someone other than the Trustees or the Superintendent of the District under 20-3-323(d)(ii), such individuals designated by the Trustees to review the results of the background check are limited to individuals authorized by law to receive, review Criminal History Record Information (CHRI).

Any individual reviewing the fingerprint background check results must possess a valid authorization from the person being fingerprinted to review and share the results with the District.

The following definitions apply to this policy:

1. "Contact" means any direct, personal interaction that involves communication or engagement of any kind between an adult and a student.

2. "In school" means physically present in a public school, an offsite instructional setting as defined in 20-1-101 or a work-based learning setting as provided in 20-7-1510 for which school credit is granted.

3. "In transit to a school-sponsored activity" means while a student is being provided transportation by a school district employee or a private contractor on a bus or other vehicle owned or contracted by the school district.

4. "Momentary absence" means brief, temporary intervals during which a second adult is not physically present. Such absences are short, typically involving situations like stepping away for a bathroom break or addressing an urgent matter.

5. "School-sponsored activity" means any event, program, or function that is organized, funded, or endorsed by a school district.

6. "Unsupervised " means where one or more students are left unattended and alone in the physical presence of an adult.

For the purpose of this Policy, the term "unsupervised contact" shall mean any interaction with students that does not involve direct supervision by an employee of the District. Additionally, any employee or volunteer who is responsible for supervising another employee or volunteer's contact with children is considered to have unsupervised contact with children by virtue of their oversight responsibilities. Therefore, they must also undergo a background check prior to employment or assignment.

The District may designate certain employees and volunteers who will not have unsupervised contact with students and are therefore exempt from the background check requirement. Such designations may include, but are not limited to: Guest speakers, members of the PTO, members of the Booster Club, maintenance workers, tradespeople, etc.

Montana Code Annotated	**Description**
20-1-101	Definitions
20-3-323	District policy and record of acts
20-7-1510	Credit for participating in work based learning partnerships

Montana Session Laws	**Description**
Chapter 716, Laws of 2025	HB745

Cross References

Code	**Description**
2600	Work Based Learning

2600-P(1)	Work Based Learning - Insurance
2600-NF(1)	Work Based Learning - Affiliation Agreement
5122	Fingerprints and Criminal Background Investigations
5122-F(1)	Fingerprints and Criminal Background Investigations - Applicants Rights and Consent to Fingerprints

Policy 4550: Registered Sex Offenders **Status:** DRAFT

Original Adopted Date: 09/09/2022 | **Last Revised Date:** Pending | **Last Reviewed Date:** 04/14/2025

The State of Montana has determined that perpetrators of certain sex crimes pose a continuing threat to society as a whole even after completion of their criminal sentences. Recognizing that the safety and welfare of students is of paramount importance, the East Helena School District declares that, except in limited circumstances, the School District should be off limits to registered sex offenders.

Employment

Notwithstanding any other Board policy, individuals listed by the State of Montana as registered sex offenders are ineligible for employment in any position within the School District. However, the Superintendent shall have discretion consistent with other Board policies to recommend an individual whose name has been expunged from the Sex Offender Registry.

School Off Limits

The District hereby declares that no registered sex offender ~~whose victim was a minor~~ may come on, about, or within one thousand (1,000) feet of any District-owned buildings or property except as otherwise provided in this policy. If an administrator becomes aware that such a sex offender is on, about, or within one thousand (1,000) feet of school property, the administrator shall direct the sex offender to immediately leave the area. The Board authorizes the administrator to request the assistance of the appropriate law enforcement authorities to secure the removal of any registered sex offender from the area. If a registered sex offender disregards the terms of this policy or the directives of the school administrator, then the Superintendent is authorized to confer with counsel and to pursue such criminal or civil action as may be necessary to enforce compliance with this policy.

This policy shall not be construed to impose any duty upon any administrator or any other employee of the District to review the Sex Offender Registry or to screen individuals coming on or within one thousand (1,000) feet of school property to ascertain whether they are on the Registry. ~~This policy shall only apply when administrators are actually aware that the person in question is on the Sex Offender Registry and that the offender's victim was a minor.~~

The provisions of this policy prohibiting a registered sex offender from coming on, about, or within one thousand (1,000) feet of school property shall not apply in the event that a sex offender's name should be expunged from the Registry.

Rights of Parents on the Sex Offender Registry

In the event that a registered sex offender whose victim was a minor has a child attending the

District, the administrator of the school where the child attends shall be authorized to modify this policy's restrictions to permit the parent to drop off and pick up the child from school and to come onto campus to attend parent-teacher conferences. However, the parent may not linger on or about school property before or after dropping off his or her child, and the parent is prohibited from being in any part of the school building except the main office.

This policy does not impose a duty upon the administrator of any school or any other employee of the District to review the Sex Offender Registry and the school system's directory information to ascertain whether a registered sex offender may have a child attending school in the District. The provisions of this policy shall apply only if an administrator actually becomes aware that a parent of a student at the school is a registered sex offender.

To facilitate voluntary compliance with this policy, administrators are encouraged to speak with any affected parents upon learning of their status as registered sex offenders to communicate the restrictions of this policy. At all times, the administrator shall endeavor to protect the privacy of the offender's child.

In the event of a truly exceptional situation such as graduation, a parent on the Sex Offender Registry may ask the Superintendent for a waiver of this policy to permit the parent to attend these special events. It is the intent of the Board, however, that these special circumstances be truly unusual and infrequent occurrences.

Montana Code Annotated	**Description**
20-3-324	Powers and duties
46-23-501	Sexual or Violent Offender Registration Act

Montana Constitution	**Description**
Article X, section 8	School District Trustees

Policy 5122: Fingerprints and Criminal Background Investigations **Status:** DRAFT

Original Adopted Date: 09/09/2022 | **Last Revised Date:** Pending | **Last Reviewed Date:** 06/18/2025

~~It is the policy of the Board that any finalist recommended for hire to a paid or volunteer position with the District involving unsupervised access to students in schools, as determined by the Superintendent, shall submit to a name-based and fingerprint criminal background investigation [federal fingerprint-based criminal history record check] conducted by the appropriate law enforcement agency prior to consideration of the recommendation for employment or appointment by the Board.~~

Any requirement of an applicant to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If an applicant has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent, who shall decide whether the applicant shall be declared eligible for appointment or employment in a manner consistent with the expectations and standards set by the board.

It is the policy and obligation of the District to provide a safe educational environment and protect students from harm while they are under the supervision and control of the District. In furtherance of this policy and obligation, prior to allowing any individual to have any unsupervised contact with students while in school, at a school-sponsored activity, or in transit to a school-sponsored activity, the District shall require that any such individual, regardless of their employment status with the District:

(1) has completed a fingerprint-based national criminal history background check pursuant to the educator licensure policies of the board of public education; or

(2) (a) has provided to the Montana department of justice information and material sufficient to obtain a fingerprint-based national criminal history background check; and
(b) the Trustees, the Superintendent of the District, or another individual designated by the Trustees has reviewed the results of the background check.

Based on the foregoing, the following-described categories of individuals will be required to undergo a fingerprint-based national criminal history background check prior to having any unsupervised contact with students of the District:

(1) Any individual seeking full- or part-time employment with the District;

(2) Any individual employed by a person or entity providing goods or services to the District

under a written or oral contract or agreement when the individual will have any unsupervised contact with students;

(3) Any individual approved to volunteer in the District, including chaperones, volunteer coaches, club advisers, and/or any other volunteer who will have any unsupervised contact with students; and

(4) Substitute teachers.

Individuals who have not completed a fingerprint-based national criminal history background check or have not provided to the Montana department of justice information and material sufficient to obtain a fingerprint-based national criminal history background check that has been reviewed by the Trustees, Superintendent, or designee, may not have unsupervised contact with students.

The definitions set forth in Policy 3665 are applicable to this policy. For rules and requirements specific to work-based learning, see Policy 2600.

~~Any~~ The requirement ~~of an applicant~~ for an applicant for employment with the District or an individual seeking permission to volunteer in the District to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If an ~~applicant~~ individual has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent, who shall decide whether the applicant or potential volunteer shall be declared eligible for ~~appointment or~~ employment or approval as a volunteer in a manner consistent with the expectations and standards set by the board.

~~The following applicants for employment, as a condition for employment, will be required, as a condition of any offer of employment, to authorize, in writing, a name-based and fingerprint criminal background investigation:~~

- ~~A certified employee seeking full- or part-time employment with the District;~~
- ~~A non-certified or classified employee seeking full- or part-time employment with the District;~~
- ~~An employee of a person or firm holding a contract with the District, if the employee is assigned to the District;~~
- ~~A volunteer assigned to work in the District, including a chaperone, who has unsupervised access to students; and~~
- ~~Substitute teachers.~~

Montana Code Annotated **Description**

20-3-323	District Policy and Record of Acts
44-5-301	Dissemination of public criminal justice information
44-5-302	Dissemination of criminal history record information that is not public criminal justice information
44-5-303	Dissemination of confidential criminal justice information – procedure for dissemination through court

Administrative Rules of Montana	**Description**
10.55.716	Substitute Teachers

United States Code	**Description**
Public Law 105-251	Volunteers for Children Act

Montana Session Laws	**Description**
Chapter 716, Laws of 2025	HB745

1 **Cross References**

Code	**Description**
1000	Legal Status, Operation and Organization
1521	Board/Superintendent Relationship
3665	Student Safety
5120	Hiring Process and Criteria
5120-P(1)	Hiring Process and Criteria - Federal Background Check, Fingerprints, and Information Handling Procedure
5120-F(1)	Hiring Process and Criteria - Determination Form
5120-F(2)	Hiring Process and Criteria - Privacy Act Statement
5120-F(3)	Hiring Process and Criteria - Determination Of Eligibility for Hire
5120-F(4)	Hiring Process and Criteria - Notice of Federal Background Check Determination
5120-F(5)	Hiring Process and Criteria - Dissemination Log
5120-F(6)	Hiring Process and Criteria - Re-dissemination of Criminal History to the Individual
5430	Volunteers
5430-NF(1)	Volunteers - Volunteer Agreement Form
8300	Risk Management
8301	School Safety