

Policy Committee Meeting

Minutes

June 25, 2013

Present: Jim Martin, Chair, Christine Kushner, Kevin Hill, Bill Fletcher, Keith Sutton, Attorney- Jonathan Blumberg. Staff Members Present: Cathy Moore, Marvin Connelly, Laura Evans, Tina O'Neal, John Williams.

Welcome and Introductions

- Jim Martin Called the meeting to order at 1:16PM and recognized the agenda for the meeting
- Deputize Kevin Hill and Bill Fletcher
- Minutes are approved-noted to summarize with not so much detail
- All in favor. Minutes have been approved.

Revisions to Board Policy 6204-Temporary Membership Capping

Agenda item began 2:24PM

- Laura Evans presented revisions to the policy 6204, and mentioned that this went to SLT on May 6, 2013. The main purpose of the change is formatting and getting in align for board policy.
- Revision to Letter "A"- Change the date to implement a membership cap, no later than May 31.
- Revision to Letter "C"- Continue membership to May 31 each year. New cap or continuing cap will be brought to the board by May 31 each year.
- Jim Martin suggested we say the last Friday in May so it does not fall on a weekend. Conversation continued around the table and committee members decided on the date of April 30 for Letter "A" & "C".
- Jim Martin noted at a previous policy meeting talking about the capping issue and that the committee noted a discrepancy in dates.
- Jim Martin asked for a motion to move to the full Board for a first reading with format changes and both dates would be no later than April 30.
- Jim Martin asked if we have a motion to move to the full board.
- So moved by Bill Fletcher.
- All in favor.

Board Policy 1035-Code of Ethics for School Board Members

Agenda item began at 12:40PM

- Jim Martin began by stating that on a recommendation of our Chair, this committee and legal counsel were charged at looking at the code of ethics for board members. He added that Mr. Blumberg has drafted a policy heavily based on the North Carolina School Boards Association code of ethics.
- Jonathan Blumberg noted having a highly honest highly ethical school board that is child based and does a fantastic job.
- Jonathan proposed a revision offering an organized approach. Talked about history and how the law use to allow school boards to remove one of its members. This statute has been removed. The law now states that the District Attorney can remove a board member.
- Jonathan mentioned that he has followed the North Carolina School Boards Association Code of Ethics for Board Members and this is the latest version. He referenced B5, C & D. He added that ethical misconduct matters will go to the full board and any action should require 2/3 vote of all members present. Actions could be reprimand, resignation, or have the District Attorney review the case and possible removal of the board member.
- Dr. Martin suggested talking about this in two sections A & B and then C & D.
- Chair Sutton thanked the committee and Mr. Blumberg for their work on this policy.

- Dr. Martin asked on Section A, if committee members are supportive of the idea that we agree to align with the School Boards Association Code of Ethics. Members agreed.
- Jonathan handed out of the updated School Boards Association Code of Ethics. Chair Sutton asked if there are any differences between the lists of violations in ours vs. the School Boards Association regarding confidential information in closed session. Jonathan mentioned that the new B-5, references closed session.
- Bill Fletcher asked to provide discussion on B12-*refrain from investigating or attempting to resolve complaints received personally, but instead directs the complainant to follow the board's complaint or grievance process to resolve concerns*. Jonathan Blumberg replied that the board legislates policy and presides over final decisions that come to it and the administrators are in charge of daily affairs of the district. Board Members can refer such complaints to administration. The question came up if we have a complaint process.
- Conversation continued around the table on thoughts and suggestions on the code of ethics policy.
- Cathy Moore discussed processes and how to handle complaints and added that there is always an ongoing review of processes in systems and constructive or negative comments become part of the data of refining the process.
- Chair Sutton stated the importance on clarifying the type of complaint.
- Jonathan Blumberg advised to direct the complainant to an appropriate school system official or follow the board's complaint or grievance process to resolve concerns or contact the principal, HR, or the Superintendent's Office. 27:52
- Christine Kushner noted the 2 hours of ethics education and the added 12 hours of training.
- Jim Martin suggested for letter-A-*Board Member Ethical Requirements*; drop "*the need to*" and start with a verb. He asked if there are any other questions or issues on A or B.
- Section C & D.
- Bill Fletcher stated that this is fairly well written, clear and it outlines a process. Questioned if there is a violation, and we are not able to determine which board member has an ethical lapse, what is the result of this activity? Jonathan Blumberg said this would not come to the board. Referenced "D."Only comes to board if a finding of an ethical violation. Becomes case by case depending on confidentially issues. Bill Fletcher added that he hopes that we never have to use this policy. Asked for more discussion on implication on what it would be and added that policy lays out a good process.
- Chair Sutton added that the Board Chair might notify the board of any pending complaint. The Board Attorney in consultation with Board Chair and Superintendent has a discussion in closed session under attorney client privilege. Jonathan Blumberg added that the Board Chair might share with the Full Board for his or her discretion. Jim Martin added that the accused should be notified first and to let the accused respond. The accused receives a written documentation of complaint
- Jonathan Blumberg added that these (2) amendments were excellent suggestions. 39:02
- Jim Martin suggested a word change in C, second to the last sentence. FROM: *The Board Chair is free to enlist...* TO: *The Board Chair may enlist the services...*
- Jim Martin suggested that the accused should be notified if there is a review and if it is determined frivolous, the accused should be notified of the finding to bring closure. Wording to be added to the end of "C."
- Kevin Hill mentioned to look back at B9-comply with North Carolina General Statute 115C-50 by earning annually the required 12 hours of continuous training. He added that there is no procedure to review complaints or consequences. Board chair and superintendent could review end of year hours. Chair Sutton added that this is a professional responsibility. Bill Fletcher

added that the General Statute states; all members of local boards should receive a minimum of 12 clock hours of training annually.

- **Discussion continues on Ethics.**
- Jonathan suggested adding a line that the chairs discretion can handle this. Keith Sutton commented that not every little thing needs to go to the full Board. 50:22
- Jim Martin reviewed what was agreed upon; Section A- Strike the "need to." Start each one with a verb. B12-change to; direct the complainant to the " *appropriate school official*" or to "*follow the appropriate*" complaint or grievance process to resolve concerns; C- Accused board member is promptly notified of complaint. Board Chair the latitude to share with the full board as appropriate. Accused board member is notified the outcome of review. D- Add language, if violation highly technical or minor in nature- the Chair can address this instead of going to full Board through notice to the board member of the concern.
- Jim Martin asked if any further discussion.
- Bill Fletcher questioned if the Board Liaison keeps track of training and ethics compliance. Answered was, yes, Mellissa does.
- Jim Martin made a motion to move to work session.
- Seconded by Christine Kushner.
- All in favor. 53:23

Agenda Item 4: Review Board Policy 1326-Public Participation at Board Meetings

Agenda item began at 2:09PM

- Jonathan Blumberg began discussion. Personnel or student matters are confidential and best if handled by grievance through HR. Protect confidentiality of student information. Not for public comment settings.
- Christine Kushner asked how we could balance when students or parents want to discuss specific incidences that happen to their children regarding confidential information. Jonathan responded that Individual student issues should not be aired at public comment and that public comment should be addressing public interest issues.
- Jim Martin agreed that Christine Kushner brought up a very good issue. Jim Martin added that we need to be careful with language.
- Cathy Moore added that parents at a public comment might say something to make their child or school identifiable and do they as a parent have a right to do that regardless of what a board policy says. How do we stop a parent in public comment? Bill Fletcher added to talk about their experience or general condition at the school. Concerns about protecting the confidentiality of students and it may need some additional thought. I think this is a direction for the Chair to have a healthy public comment section. Discussion continues on public participations. Jonathan Blumberg suggested to limit issues for public comment and to write a policy.
- Jim Martin stated to Strike the words" or students" in Number 9. Marvin Connelly added through staff processing, issues could be resolved. You do not necessary need a grievance process. Dr. Martin asked do we want to decide on the language today. Answer was to toss. 1:10:12

Agenda Item 5-Review Board Policy 6410-Code of Student Conduct

Agenda item began at 2:21pm

- Marvin Connelly presented the policy and asked to receive direction from staff. He stated that this is an ongoing process on the comprehensive review of all discipline policies. He indicated that he met with all principals in the district who were in attendance at the principals' meeting,

elementary, middle and high school, and met with sub-groups of HS, MS, ES, and will continue to look at the data. Some was due to miscoding. Presented draft language for Level 1-2 and shared some options for Level 1 rule violations, should result in an in-school intervention rather than out of school suspension. Marvin Connelly added that we need to look at more data, what are options for schools, and how do we get more consistency; offered an option to have board look at wrapping into districts strategic plan and to include in revision of the strategic plan.

- Bill Fletcher added in terms of improving teaching, learning, and support, the goal of RTI is that these infractions go away. There is an instructional issue if these level 1 violations are showing up.
- Marvin Connelly responded with RTI (Responsiveness to Instruction) Institute is held district wide. Students are tiered, level 1- strategies we should have in all classrooms, Level 2-students needs something different, Level 3- some more intensive frequency. Tight implementation district wide can influence this issue. Shared that we have (4) PBIS coaches in 169 schools.
- Cathy Moore added the goal of what we do is institute discipline policies. Weave it into the Effective Teaching Framework. It is all about engaging students, increasing levels of learning, and does these things for better classroom environment and school climate. Improving what goes on in classrooms will support reduced levels of infractions for Level 1 violations.

Discussion continues on Level 1

- Marvin Connelly talked about funding positions for ALC coordinator's in high schools. Suspensions went down from 6257- level 1 suspension, in 2010-11, To 3515 in 2011-12.
- Keith Sutton responded that we have an inventory of options. Reduction in suspensions and what implications do these have on staff at schools and resources; what do we have and what works. Have a second conversation on this and to bring it back to a work session.
Cathy Moore added; understanding the options that are available to schools, on what has been our policy and structure in past, language on Level 1 infractions- should result in in-school interventions and then look at out- of- school suspensions. What data can we pull from principals on what we know what interventions are doing. Add a dimension of knowledge to the data behind the level 1 suspension that shows data. Marvin Connelly continued that our vendor provided a drop down menu for principals to capture in-school suspensions. Added an option for students in lieu of long-term suspension; Spring Forest campus will be open 2013-14, working on a business case, opening additional alternative schools in 2014-15. Largest school district in NC, 16 largest in the country, we have fewer alternative options than many of our benchmark districts in the state or in the nation.
- Kevin Hill added that there would not be any out of school suspensions for level 1. Some concerns about used an example-15-dress code. May have student change their dress and if sent home, does this count as an out of school suspension or cursing, could be viewed as threatening or intimidating; third violation of the same rule.
- Cathy Moore mentioned that each scenario moves into a different arena. Principals understand suspensions. There are consequences and to look at tools. What student's needs are in order to change behavior?
- Marvin Connelly suggested continuing review, clarifying list, and not trying to put something in place before school starts. To continue a methodical data driven process, options for schools and what would be the costs. Jim Martin added we need to know the options. Reevaluation of the Level. Marvin stated that numbers are going down, but to make sure principals are properly coding violations correctly.
- Jim Martin asked if recommendation of committee is to create a task force of principals and staff.
- Cathy Moore asked what are options that are being used; track use of intervention prior to suspension; review level 1; Do they need to go to level 2. Changes to policy.

- Christine Kushner asked if this would be the policy meeting in July. Jim Martin added that Dr. Merrill would need to be heavily involved in this process.
- Bill Fletcher added; #1 student safety, #2 time on task, drives other decision; what is a level one and what is a level II. When does safety overcome the academic need of the student? Jonathan Blumberg added to give feedback to the administration to impact safety or instruction, move up to one level. Christine Kushner added to become part of strategic plan.
- Jim Martin - Sum up 4 things; stability, proximity, achievement, and efficiently use of facilities. Focus on what is it we are trying to do. Look forward to discussion and work continuing.
- Jim Martin commitment that we listen to principals, teachers, and students to get broad input into this.
- Jim Martin asked if we have a Motion to adjourn, so moved by Christine Kushner.
- All in favor. 1:38:18PM

Agenda Item 6: **Adjournment**

The meeting ended at 2:54pm

Respectfully submitted by:

Dr. James Martin, Policy Committee Chair Date

Dr. James G. Merrill, Superintendent Date

Jan Macpherson, Recording Secretary Date