

POLICY COMMITTEE

MINUTES

SEPTEMBER 29, 2009

WARREN COUNTY CAREER CENTER

347 EAST FIFTH AVENUE, WARREN, PA

COMMITTEE MEMBERS PRESENT:

Mrs. Kimberly Angove
Mr. John Grant
Mr. Thomas Knapp
Mr. Jeff Lockett
Dr. Jack Martin

Mrs. Katherine Oudinot
Mr. Arthur Stewart
Mrs. Kirsten Turfitt
Mrs. Donna Zariczny

COMMITTEE MEMBERS ABSENT:

None

OTHERS PRESENT:

Dr. Robert Terrill
Mrs. Amanda Hetrick
Mrs. Amy Stewart
Mr. Paul Giannini
Mrs. Diane Martin
Mr. Colin Kyler, WTO

Dr. Karen Pascale
Mr. Petter Turnquist
Mr. Chris Byham
Mr. Jeff Flickner
Mrs. Ruth Huck

1.0 Opening Activities

1.1 Call to Order

The Policy Committee of the Warren County School District Board of School Directors was called to order by Mrs. Angove, President, at 5:30 p.m. in the Board Room of the Warren County Career Center, 347 East Fifth Avenue, Warren, Pennsylvania.

1.2 Public Comment

There was no public comment.

2.0 Old Business

2.1 Policy 2325, titled – Regular Meetings

Discussion: Mrs. Angove stated that since the first reading of Policy 2325 there are several other changes that need to be made to the policy to coincide with the current outline for the board agenda.

- Under President's Statement item "C. Announcements" was added.
- Under Superintendent's Report items "B. Support Management Team and C. Instructional Management Team" were deleted.

- “Future Business for Committee Review” was added as item number six.

After discussion it was decided to change the wording in Line 14 on page one from “Board President and Vice President” to “Board President or Vice President”.

Action: This policy will be sent for second reading with the additional changes.

Motion: That the Board of School Directors approves on second reading Policy Number 2325, titled – Regular Meetings.

2.2 Policy 3140, titled – Disciplinary Suspension

Discussion: Mrs. Angove stated that Attorney Wassell is still reviewing Policy 3140, and the revisions have not been received from his office.

Action: This policy will be reviewed at the October Policy Committee meeting.

Motion: None

3.0 New Business

3.1 Policy 7610, titled – Personnel Records

Discussion: It was recommended by Dr. Martin that in line 9 of Policy 7610 the word ‘a’ be changed to ‘the’ indicating that there is one personnel file.

Mrs. Zariczny questioned whether the evaluation files reside in the schools or the personnel file. Dr. Pascale clarified that there is a personnel file, but evaluations are kept in a separate file. Employee medical information as well is kept in another separate file.

Dr. Martin stated personnel files should contain a document to indicate where the other information pertinent to each personnel file is kept if it is in a different location.

Dr. Pascale explained that support staff evaluations are kept in the employees’ personnel files, while the teachers’ evaluations are kept in a separate location. Dr. Pascale indicated there is no legal reference cited at the end of the policy regarding keeping the evaluations separate from the personnel file.

Mr. Grant questioned what the legal reference would be and asked Dr. Pascale to supply the school code reference for keeping separate files.

Mrs. Zariczny asked for clarification on the annual ratings so the Board members understand what the policy is saying and where the actual evaluation can be found.

Dr. Terrill recommended in line 22 the wording might be changed to “annual ratings or summary of ratings and/or letters of performance appraisal for clarification.”

Dr. Martin is not sure there should be multiple files in different locations, because an employee has the right to review and contest or refute information contained in his/her personnel file. If files are scattered all over the place, employees have not been afforded the right to review and contest the documents. The easiest way to administer files is to consolidate the files into one location.

Information received by Mrs. Angove from Attorney Wassell stated personnel files need to reference the location of additional employee information that does not reside in the official personnel file, e.g., evaluations and medical information.

Dr. Martin asked that the administration clarify the right of the employee to see what is in his/her personnel file.

Mr. Stewart requested, in addition to Dr. Martin's suggestion to change 'a' to 'the,' that the word 'folder' be changed to 'folders'.

Dr. Martin stated the word 'performance' should be added before appraisal in line 22.

Dr. Martin questioned if personnel files could be kept electronically. Dr. Martin asked that administration research and find out if that is legal before the policy is approved.

Mrs. Zariczny suggested that administration talk to IU5 regarding electronic record keeping because they just went through a policy revision regarding this issue. They are now scanning, storing documents electronically, and shredding hard copies. They may be able to shed light on what documents can be stored electronically.

Action: The policy will be moved forward for first reading with the suggested changes, and before the second reading the Board members would like to see the legal references and information indicating if personnel documents can be stored electronically.

Motion: That the Board of School Directors approves on first reading Policy Number 7610, titled - Personnel Records.

3.2 Policy 7115, titled – Employment

Discussion: This policy was first looked at in April, and it was sent to the attorneys for review. Two items need to be considered: 1) Does the policy line up with the current contracts, particularly the Superintendent's and Director of Human Resources', with the additional question being asked, "Should the policy line up with the contracts or the contracts with the policy?"; and, 2) Does the Board want to discuss the hiring procedures and decide whether to incorporate some of them into the policy? The athletic hiring procedures have also been included on Electronic School Board for this discussion as well as the Board Member participation survey solicited from districts in IU5 to show the level at which Board members participate in the interview process in other districts.

Mrs. Zariczny inquired as to whether there was a summary sheet that outlined the conflicts between the policy and the contracts of the Superintendent and Director of Human Resources. The answer was no.

Mrs. Angove pointed out that both the Superintendent's and the Director of Human Resources' contracts contained the same wording, "The Superintendent or his/her designee (Director of Human Resources) shall be solely responsible for advertising, recruiting, interviewing, and screening qualified applicants for all administrative, teaching, support positions, and supplemental employment." She also stated that it is clearly in the Superintendent's contract to recommend the employment of all employees.

Dr. Terrill commented that the Human Resource department performs the clerical duties for advertising, and recruiting. The interviewing and screening of applicants is handled by the department or principal with the open position. He observed Policy 7115, Policy 3025, and Policy 3120 and the Superintendent's contract basically say the same thing, "Superintendent or his/her designee shall be solely responsible for advertising, recruiting, interviewing, and screening qualified applicants for all administrative, teaching, support positions and supplemental employment and that the superintendent is solely responsible for the hiring procedure." That being the case, he questioned why there is a procedure where Board members are becoming involved in the process.

Dr. Martin clarified that the Superintendent's job is to make a recommendation and the Board's job is to do the hiring. The risk the administration runs in not involving the Board in an open process is that at a public meeting the Board could vote no for a recommended candidate. His position is the earlier you engage the Board in the process, the better it is going to be to avoid that scenario. It is still the Superintendent's recommendation, but the Board needs the opportunity, as early as possible, to give feedback on the recommendation. He does not believe board members should interview and rate candidates, but they should be able to observe, which helps the Superintendent justify his recommendation. It is a good way to get an advocate on the Board to sell it to the Board.

Dr. Terrill stated he agreed that Board members should be able to observe, but that is not what the new hiring procedure introduced in April states. It states that Board members will be involved. His position is that when Board members become involved in the hiring procedures, then the possibilities exist that those who get a job are beholden to Board members and an unhealthy situation is created. Dr. Terrill referenced a survey that was sent out by the Director of Human Resources where half of the Districts stated that Board members are not involved and half do involve Board members. He cited the West Branch arbitration where Board member involvement was contested and the arbiter decided that Board members should not be involved. The procedures proposed contradict three policies and the Superintendent's contract. For those reasons, Dr. Terrill is not in favor of Board member involvement in the interview process.

Dr. Martin suggested the word ‘involved’ could be the problem. The Board could consider a model similar to the one Millcreek School District uses where candidates are presented to interested Board members before final selection takes place. Board members could be included in observation of the interviews, and communicate with the Superintendent on why he is recommending the candidate. There is a perception that qualified candidates were not getting a fair chance at being hired.

Mr. Stewart, referring to Policy 7115, stated that legal citations are not normally included in the policy but are listed at the end. He also asked Chris Byham if the policy had been looked at from a legal standpoint. Mrs. Angove clarified nothing in the policy has been changed, and it is the current approved policy. Mr. Stewart and Mr. Byham agreed many of the citations are not correct, and the whole policy needs to be reviewed.

Mr. Grant stated the two roles the Board members should take are observation and oversight of the accountability of process.

Mr. Stewart suggested that Mr. Byham use the PSBA policy service as a starting point for developing a policy to suit the needs of the District.

Dr. Martin recommended that the Board charge the solicitor to investigate the PSBA recommended policy on hiring, compare it with the current policy, and the administration would come back with recommendations to achieve the issues discussed. This information will be brought back to the October Policy Committee meeting. Things to be included are: the responsibility of a recommendation lies with the administration, the Board should take oversight of the process, and include legal requirements of the code citing them under “legal references”.

Mr. Stewart asked if part of the framework should include the language of “no political patronage, favoritism, etc.”

Mr. Grant responded that he is interested in initiating a process that insures that the Board has the highest probability of picking the best person for the job, and that probability is enhanced by broad based searches, a clear understanding of the criteria, and accountability to the criteria.

Mrs. Turfitt observed there is the perception not all administrative open positions under Act 93 have been posted in the past, and the question was raised if this type of requirement should fall under policy or procedure.

The question was asked if the athletic hiring should be included as part of the policy or wait until the policy comes back? After discussion it was determined that hiring is hiring encompassing all positions, and, if administration wants to discuss the specifics of procedures in hiring based on different types of positions, that can be done at another time.

Mr. Lockett pointed out on page 1, item 3c. the name of a website is listed and the website may or may not be around in the future. He recommended that a more generic term be used rather than a specifically named site.

Action: Mr. Byham and the administration will review and make a recommendation for a revised hiring policy for the October 2009 committee meeting based on the discussion that took place.

Motion: None

6.0 Closing Activities

6.1 Next Meeting Date - October 27, 2009, 5:30 p.m. - Warren County Career Center

6.2 Adjournment - The meeting adjourned at 6:30 p.m.