



POLICY REVIEW COMMITTEE

Mike McDonough, Deputy Superintendent
Friday, April 8, 2022, 2:00 PM Central Office

Hilliard City School District
Operations Department

Committee Members

Beth Murdoch, Board of Education
Brian Perry, Board of Education
Brian Wilson, Treasurer/CFO
Mike McDonough, Deputy Superintendent
Jill Abraham, Assistant Superintendent
Stacie Raterman, Communications Director
Herb Higginbotham, Director of Elementary Education
Samantha Althouse, Director of Secondary Education

Jamie Lennox, Assistant Special Education Director
Hilary Sloat, Director of Diversity, Equity & Inclusion
Matt Middleton, Principal Hilliard Darby HS
Matthew Trombitas, Principal Hilliard Heritage MS
Erin Dooley, Principal Hilliard Station Sixth Grade
Holly Meister, Principal Scioto Darby Elementary
Stephanie Borlaza, Principal Britton Elementary

SUMMARY

The policies listed below were reviewed at the March 11, 2022 PRC meeting and were originally recommended for a first reading. They were pulled from the adoption process due to the extent of the proposed changes. Mrs. Murdoch submitted a proposed revision at the Board of Education meeting on March 31, 2022. It was decided at the Board meeting to have an additional PRC meeting to review the proposed revision submitted by Mrs. Murdoch. Below is a summary of the committee's discussion at the meeting on April 4, 2022.

Review of Policies/Regulations/Exhibits – Reviewed as requested at the March 31, 2022 Board Meeting

1. BF – Board Policy Development and Adoption
2. BFB – Preliminary Development of Policies
3. BFB-E – Preliminary Development of Policies
4. BFC – Policy Adoption

Reviewed as requested at the March 31, 2022 Board Meeting.

Mr. Perry explained that the goal was to combine the above policies into one policy. He asked Mrs. Murdoch to go through the proposed revisions. She explained that the differences are adding a process into the policy. Some of the language was taken out and some looks like it was taken out but was just moved to make it read a little more like a process. Part of this is addressing what Mr. Perry brought up at the last board meeting, resolutions versus policy - if they needed to take immediate action on something but they wanted it to really have the strength of a policy.

Mrs. Murdoch explained her use of the term "sponsor" in the revision. "It's kind of the way that we say okay we are going to make a recommendation that is going to go to the board but without a sponsor from the board that kind of lets us get rid of the things that maybe might be proposed not in good faith - for lack of a better term. If something like really, really crazy comes across and it doesn't get a sponsor then it doesn't necessarily have to move forward through all the hoops."

Mr. McDonough said he had quite a few questions about sponsor/non-sponsored. Does it have to be sponsored to come into this committee or does it have to be sponsored to get out of this committee? What

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would be an example of a non-sponsored?

Mrs. Murdoch explained that all of this is just sort of draft to give people something to react to. She answered with “her thinking of sponsorship is a sponsored policy pretty much will always make it back to the board for a vote. It is just this committee’s job to make a recommendation, to make changes and to do all the discovery, the language, maybe have different inputs and things like that. A non-sponsored policy could be killed in this room. That was my intent and we can write it differently to make that come through more clearly but that was my thinking about sponsorship.”

Mr. McDonough asked about the paragraph of the proposed revision that reads “Proposals regarding Board policies and operations may originate at any of several sources...Regardless of where the proposal originated, all proposals shall be shared with the entire Board. At that time, Board members will be given the opportunity to sponsor any given policy.” He said to him it sounds like that is happening outside of this committee.

Mrs. Murdoch stated that prior to coming to the committee, we will know if it has sponsorship or not.

Mr. McDonough then asked, “So it has to be sponsored to go into this committee?”

Mrs. Murdoch answered “No, but if it’s not sponsored, so if it’s sponsored it will come out of this committee and go back to the board. If it’s not sponsored, this committee can just say hey, this really is not in good faith. We don’t like it, we don’t want to move it forward. Not even needing to go to a board vote because it couldn’t even get the support of one sponsor.”

Mrs. Raterman asked, “Would that would be like if I said I wanted policy that we don’t work on Friday’s?”

Mrs. Murdoch answered, “Potentially...inaudible...laughter. Mrs. Murdoch continued, “If no one of the five of the board members thinks that it’s like hey this is something we should absolutely vote on then it’s up to this committee to decide do we change it to make it something they might want to vote on? Do we think we agree with them, it’s not worth voting on and just get rid of it? What does this group do?”

Mr. McDonough asked, “So any policy that is initiated by anyone has to be discussed in this committee? So, let’s say, Joe Smith, a regular community member proposes a policy, and no one sponsors it. Are we talking about it in this committee?”

Mrs. Murdoch said she thinks this committee then decides what we do with it. We either talk about it, we, if we can put something in there, there is a pre-vote to say we don’t even want to talk about it, and it goes away.

Mr. Perry said to him that is agenda setting then who would then set the agenda? Currently it is technically set by the superintendent and board president with input from folks like him and everybody else here. There are things he could leave off the agenda. Say it’s like if someone goes, you know, if our president comes to us and says they would like to talk about it let’s not put it on the agenda. We could say that’s a good idea, we maybe put it on the next agenda, or we say thanks for that suggestion but no thanks. He would like to spell that out. Who is setting the agenda for policy committee and then we need to figure out what does policy committee do? Does it just review, or does it make a recommendation? And if it makes a recommendation in one way or the other, how? If there is a recommendation where we can’t come to a

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consensus, do we just note the dissent in the minutes? He shared that you can't hold a secret ballot. If it's a public committee it has to be a public ballot. He said he worried a little bit about putting administrators in a spot where that is maybe not what they want to be doing.

Mrs. Murdoch said that is maybe how sponsorship helps us. We know it's going to go to in front of the board if it is sponsored. Then the question is documenting the dissents, the pros and the cons.

Mr. Perry said we do that in the minutes. He said that for linguistics sense, sponsorship is mostly like city council language. We don't use sponsorship in our policy, we make a motion or a second and he would like to clarify that point so we stay internally consistent. He asked how this works with the president's ability to set the agenda? If you have a sponsor, then it would override?

Mrs. Murdoch answered that yes, it needs to be on the agenda if it is sponsored.

Mr. Perry stated that we can put things on the agenda now, if we have three, we can override the president because we can make an amendment to the agenda. He thought this would limit the president's ability to set the agenda.

Mrs. Murdoch asked Mr. Perry if he was talking about the board agenda or this committee's agenda?

He answered that he was talking about the board agenda.

Mrs. Murdoch said she was talking about this group's agenda.

Mr. Perry then said so this group would then recommend and said even if the committee makes a recommendation the president can ignore it and put it on or not put it on the agenda. If three members agree, they can make an amendment to the agenda.

Mrs. Murdoch said she was thinking of the sponsorship.

Mr. Perry confirmed with Mrs. Murdoch that sponsorship makes it come to the committee.

Mrs. Murdoch said she did not want to make it so it has to be like a resolution with a three vote to move it in. Any individual could say yes, they sponsor it.

Mr. Perry said he would say it would need a motion and a second to send it to the policy review committee.

Mrs. Murdoch agreed and said that was the spirit and the idea of the word sponsor.

Mr. Perry said the next process is how does this committee operate? Who sets the agenda, that would be part of the thing where that would be outside the realm of setting the agenda because it would automatically come, as far as he understands, but the rest of the agenda from outside non-sponsored information, something from a community member might be put on, might not be? And then what happens at that point? We would have to determine do we make recommendations? He tends to think maybe we should. When we recommend something, it doesn't automatically go on the agenda, but it gives the superintendent and board president a stronger suggestion that it should.

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Mrs. Murdoch agreed.

Mr. Perry asked how does that process look? He doesn't want there to be a situation where admin can out vote the board members because that seems like something they shouldn't be able to do. He would have a suggestion that if the board members on the committee agreed, that would control the recommendation. If they are not in agreement, then the admin weighs in to break a tie.

Mr. McDonough said that he feels like when we have board policy, it should be written in such a way that the layperson that has no idea about schools can understand what we are trying to accomplish. He still did not understand the sponsor versus non-sponsored piece.

Mr. Wilson suggested we say that a board member has the right to make a motion and to second it that the board president will place this item on the agenda and get rid of sponsorship.

Mr. Perry stated that this would not change the role of the president to work in consultation with the superintendent for the agenda.

Mrs. Murdoch agreed and said she did not think that would change anything about the committee being empowered to change the wording, rewrite and end up with something to make a recommendation on. There might be a split recommendation. We couldn't come to a consensus, but here are the pros and cons, back to the board, you have all the information to pick what goes on the agenda. Mrs. Murdoch continued explaining the proposed revisions.

Mr. McDonough shared that we did check with Julie (legal counsel) and we cannot have a secret ballot. That is a violation of the sunshine law. He asked if the second bullet was referring it back to the board in its entirety or to the superintendent.

Mr. Perry and Mrs. Murdoch answered that technically it was to the superintendent to make a recommendation to the board.

Mr. McDonough said we would need to make some clarification on who is taking the notes of the committee meetings. All agreed it would be the designee.

Mr. Perry said we nixed the language in the second sub-bullet point about written opinion from legal counsel. He said that would be too much.

Mr. Wilson said that for the most part anytime something needed a legal review, the committee came to that consensus.

Mr. McDonough shared that it is not uncommon once or twice a year for him to send something from our quarterly meetings to legal counsel asking them to help us out.

Mr. Perry explained that we usually do have three readings before adopting a policy, but they can do two if needed. The third reading when they vote counts as a reading. Policy typically starts at a business meeting, then a work session for discussion, then back to a business meeting so folks can see it, review it and provide commentary before voting.

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Mr. McDonough asked about the second new paragraph “with a specific finding by a *supermajority*” then the first sub-bullet to the third bullet point we talk about “suspending with a *majority*”. That seems to be in conflict.

Mrs. Murdoch said maybe that could be more eloquently stated, but her intention there was with the sentence “A policy may also be introduced and sponsored by a Board member at a regular meeting. With a specific finding by a supermajority of the Board for an emergency, temporary approval of a policy may be granted at the same meeting” was to address some of the things Mr. Perry brought up about there might be a situation where currently maybe we would pass a resolution instead of a policy because we want immediate action at that meeting at that time so this kind of puts it within the policy purview also making it then part of the code of ethics and all those other things it is tied to and allowing for that instant approval but again supermajority would be like it would be a one-shot thing. This other part she was thinking more in terms of the majority could decide to have a single reading maybe because of timing for something. She said we could take that out if that has never happened.

Mr. Perry stated that we have never had a single reading. We have shortened it to two from three but never a single other than to say at a certain level of emergency, we have had suspensions but there is a procedure for that.

Mrs. Murdoch said that suspension feels different.

Mr. Perry said suspension is different. The procedure for suspension is limited temporal suspension. He went on to read “temporary approval may be granted by the Board in lieu of formal adoption to address emergency conditions or special events, which may occur before formal action can be taken.” Mr. Perry said this sounds like resolution to him, but we can clarify that, and it should be clarified. It sounds like temporary approval would be a resolution to temporarily approve something pending policy review. It has to go through policy review before it goes to first reading, etc. and we really don’t have time. That may be a mechanism that is currently in our policy that we can kind of clarify and squish into this to make it make more sense. We would be reinventing the wheel if we already have a procedure but at least clarify how that procedure works. Mr. Perry said he was reading off Mr. McDonough’s revision.

Mr. McDonough suggested that since we do not have a fully drafted policy at this time and there are still a lot of ideas floating out there, it may be beneficial to have a separate session, whether it’s in public session or at a work session, to have Julie (legal counsel) work with our Board. Ultimately, if we are going to be writing a policy about how we set policy, we probably need to have the voice of all five board members in that and our legal counsel to make sure we don’t put something in policy that might cause us issues.

Mr. Wilson said we might be able to at least tweak some of this language. He thought we pretty much understood what was being said in the first paragraph.

Mr. McDonough said the piece he would like Julie’s assistance on is how we move it out of the committee. For a lack of a better word, the voting. He didn’t want to put something in the policy that we can’t do.

Mr. Perry asked how secret is secret? Do we have to name every single person, you said yes, you said no or eight said yes, seven said no?

Mr. McDonough said there is certainly some language clean-up like instead of referencing OSBA specifically

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we should say policy services so if we changed to a different vendor, we would not need to change the policy. It might be beneficial to have Julie walk us through what the process would look like getting a policy to the committee and getting it out of the committee.

Mr. Perry said he liked Mr. McDonough's idea of having Julie work with us. Now the question is when and how we do that?

Mr. McDonough said it would be up to Mr. Stewart and Mrs. Long to decide how we would want to facilitate something like that.

Mr. Wilson said it seems like we should be able to reach an agreement in the committee if we have Julie in there to craft the legalese.

Mr. McDonough said he would follow-up with Mr. Stewart to see how they want to move forward.