



POLICY REVIEW COMMITTEE

Mike McDonough, Deputy Superintendent
Friday, May 13, 9:30 AM 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

This committee meets quarterly each school year. One of the objectives of this committee is to study each issue thoroughly making sure we have appropriate policies that reflect the mission and vision of the Hilliard City School District.

The Policy Review Committee considers all proposed new policies, revisions of current policies and/or rescinding of a current policy before being presented to the Superintendent for submission to the Board of Education. Two readings at two separate meetings shall normally be required before a new or revised policy may be adopted. Action to adopt will take place at a subsequent third meeting. However, the Board does have the option of voting for adoption at the second meeting.

The following is a summary of the issues discussed at the meeting on May 13th and the committee's recommendations.

Guest/Request to Address the Policy Review Committee

1. Kelley Arnold – Policy JFI – Student Demonstrations and Strikes
2. Julie Martin – District Legal Counsel

Review of Policies/Regulations/Exhibits – Continued from March 11, 2022 PRC 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

The policies listed above 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. That meeting was held on April 8, 2022. The committee decided it might be beneficial to have Julie

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Martin (legal counsel) work with us on this policy revision. Julie Martin joined us for the May 13, 2022 meeting. Below is a summary of the discussion that took place.

Julie shared that she had reviewed the minutes from our previous meeting, and she has a good understanding of our discussion and has some ideas of what we want to accomplish. Julie said that her goal is to help us get a policy that we want, that is clear and concise, and everybody will understand what it is. Her goal is not to tell us how to do it but to make sure that what we do will make sense, be operational and we can summarize it in writing so that everyone will know exactly how this process is to work.

We worked from the proposed revision submitted by Mrs. Murdoch. Julie stated that it seemed as though everyone was happy with the first two paragraphs. Julie suggested the we include “parents” as a source listed in the third paragraph. She also recommended that we revise the language that refers to Ohio School Boards Association Policy Development by name to “policy service provider” in case we decided to go with a different policy service.

The sentence that reads “Regardless of where the proposal originated, all proposals shall be shared with the entire Board” should also include who is sharing the proposals. The committee agreed that the Superintendent or designee is who shares the proposals.

Julie shared that she is taking notes and after today’s meeting, she will provide us with a fresh version of the policy from our discussion and her notes.

Next, we discussed what happens after a proposal is made. Mr. McDonough shared that what our practice has been more recent than in the past is if we have a proposed policy outside of OSBA, the two Board members on the committee and himself discuss the policy and decide if they want it to go to the committee to review. The committee’s discussion is captured in the minutes and is provided to the Superintendent. When the Superintendent and Board President set the Board agenda, they review the information and decide if it is something they want to move forward or not.

We discussed how the agenda for the Policy Review Committee is set and suggested including in the policy that the agenda will be set in consultation with the Superintendent/designee and the two board members on the committee and also including language to say that any two board members may request in writing that a proposal be placed on the Policy Review Committee’s agenda. Any recommended changes or additions received from our policy service will automatically be referred for evaluation by the Policy Review Committee.

What is the end product of the Policy Review Committee? Currently the Policy Review Committee will review the policies on the agenda. Any policy that goes before the Board must first be reviewed by the committee. The committee typically has made recommendations to the Superintendent and Board President on the committee’s views about the policies, if they should be moved forward, if they should be updated with references, tabled or if there should be no action taken. The issue then becomes how does the committee make a recommendation of any sort? Right now, we are noting the conversation in the minutes and providing that to the Superintendent and Board President to decide what it all means. We need clarity on what the committee is doing and what the Superintendent is doing.

The Policy Review Committee is a public committee and must follow Sunshine Law. If the committee were ever to vote it must be a recorded vote. It can be a voice vote or a role call vote. A secret ballot is not allowed. Mr. McDonough shared that he did not feel comfortable with putting the committee in a position of voting. He

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explained that our practice has been to come to a consensus on anything that we would move forward. If we were not able to get to a consensus, we tabled it, noted it in the minutes and did what we needed (researching with a specific department, reaching out to legal counsel, having more discussion with administration, etc.) to reach a consensus. Mr. McDonough could not recall a time that the committee was not able to reach a consensus.

Mr. Perry stated that he would rather not have the committee vote but did want to have a formalized process. He was comfortable with having the two board members on the committee vote since it is what they do anyway. He did not want to put principals and staff members in that position. If the two board members are in agreement then that item moves forward, no action taken or whatever they agreed on. If they disagree, then that is noted in the minutes with both of their views.

Mr. Wilson did not like this process. He said "Let's play this out – So we have some policy that all of the administrators for whatever reason don't believe this will work, maybe there are some legal issues, something or other, and we have two board members sitting here who think it is the best thing since sliced bread. If we think we have some legal issues and we are all talking about this, we are going to want to bring it back to policy again and we are going to want to have our attorney review it to make sure we are not sticking our necks out there. So, at that point we are going to have another policy meeting, Julie is going to come here and explain to the board members, here is a way to tweak it, is this acceptable, you guys are putting yourselves at risk or whatever. At that point, if the board members still think it's a great thing and other board members think it's a great thing and we go through the process at a board meeting and say we want to adopt this policy, at that point everyone is going to know that administration thinks this isn't a great idea. It goes up for a vote at the board meeting."

Mr. Perry said his question is "What does it do now because we have been noting administrators and anyone else's dissent in the minutes anyway and I guess the Board President makes the decision on what any of that means. Right now, we could say that two board members think it's the greatest thing since sliced bread in the minutes and the Board president could say "Okay, well I am with them" but then everyone else (inaudible).

Mr. Perry said he could see Mr. Wilson's point. He was just trying to figure out what the difference is.

Mr. Wilson said, I just don't think you can add enough language to cure all the problems. There is going to be some issue and the language isn't going to, so you are better off being more general than trying to be totally prescriptive.

Mr. Perry said, "So are you saying you don't think we should give a recommendation? That shouldn't be our role?"

Mr. Wilson said, "No, I am not saying that. I would like to think that we are not at the point now. This committee has functioned for at least seventeen years and probably a lot longer than that prior to me without having to come to this point now where we have to take votes. If we can't come to consensus on these issues, we've got bigger problems."

Julie Martin said, "Let me ask you this question. So, a proposal comes to you and for example we are looking at you got a version from OSBA and Beth marks some things up and I am marking some things up so eventually something is going to come out of this committee that is likely going to look different than the proposal that came in. And even if it is OSBA they often give you a menu, choose A, B, or C here, choose D, E, or F here."

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Mr. Wilson said, "And OSBA isn't the end all be all for policy. Certainly, we can tweak it and make it better."

Julie Martin agreed and said, "A proposal doesn't come in here and just get a yay or nay. A proposal comes in here and you all do your magic to it and you make it presumably better in a way, so I don't want this just to say a proposal comes and you vote it up or down because that then severely limits what you do. A proposal comes in, you consider it, you can make changes to it and then either by consensus you could be recommending it to the Superintendent and Board President or Superintendent for consideration and copy the Board President. Or you can note that there was not consensus and here are a variety of drafts that came out of the meeting. That would be the other thing that you could do. We have consensus on some kind of...the law changed a couple of years ago about whether you could expel grades K-3. You kind of had to do what you had to do. You may have said you didn't like this sentence or that sentence but here it is and here it goes. Then there can be a more controversial thing and you're like well, actually a couple people like version A and a couple people like version B and then just give it to the Superintendent and then he decides which ones he recommends to the Board. If these board members or other board members don't like that, they do have the BDDC way to work around the Superintendent. That would be a consensus model. That sometimes goes back to the vote. What do you do on voting?"

Mr. Perry agreed and asked, "How do you gauge consensus? I think that is what I am trying to figure out."

Julie Martin answered, "That is a really good question, Brian. It's a legitimate question because people can feel like they cannot be heard. They don't want to be heard in this or they are concerned, and so they don't speak. That is a problem. Voting is likely not going to help those people."

Mr. Perry agreed and said he doesn't think that is helpful.

Julie Martin said, "That's not the solution necessarily, right?"

Mrs. Raterman said, "So, I know this isn't legal and probably more vague than you guys will want it but as Brian was just saying, for 17 years the committee at least has found a way to build trust with each other and be able to have difficult conversations. The people sitting around the table through the years, have been willing because, you know it's the group and working for the benefit of the kids. To speak their mind and come up with, you know, principals know what works in their buildings, even if it's unpopular. I remember at one of my first meetings, I remember one of the principals saying they were not doing any of this. It is valuable to hear them, but they just have to feel again that they're not voting, they are just giving their opinion of what's happening in their department or work. I mean the same as spec ed or communications. I clearly think way different than a lot of people do because it's just a different lens. So, my opinion shouldn't necessarily count more or less than anything else. Just the input."

Mr. Perry said, "So recommendations will be made by consensus, if consensus cannot be reached, the different opinions will be noted in the minutes sent to the Board President and Superintendent for their decision to put on the agenda or not – something along those lines. I am trying to breakdown some sort of mechanism to make it clear what we're trying to accomplish and how. I think that does accomplish it in a way that's not too offensive and everybody can get the idea. We come to a consensus we make a recommendation. If we can't come to consensus, we just tell people what we each said and let the Superintendent and Board President figure out what it means. That's on them."

Mrs. Murdoch said, "Yeah, I'm wondering where it's sent to the Superintendent and Board President with a copy

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to the remaining board members such that if you and I are completely wrong and the other three can feel completely differently, they at least can read that and know. They are prepared then to change the agenda or whatever they want to do.”

Mr. Perry said “Oh I see; how do the board members know? Once the minutes are a draft, we can give a copy to the full Board. We can put that in the policy that once the minutes are a draft, we give a copy to the full Board then they can read the minutes. There you go.”

Julie Martin said, “Let me ask you this question. So, you can make recommendations by consensus, if consensus isn’t reached, you memorialize the differences or draft suggested proposals in your minutes. What is your Superintendent’s role then? He is the one that is setting the agenda in consultation with the Board President. Are you making a recommendation to him and then he is making a recommendation to the Board? Or you are making a recommendation to the Board and he is just deciding if it gets placed on the agenda? My question to you is does he need to make a recommendation?”

Mr. McDonough answered, “In the past, if we have come to a consensus in this group, then it has gone on the agenda. The way I view it is the Superintendent is recommending a first reading and that would be his recommendation. I can’t recall a time in which this committee has come to a consensus on something and the Superintendent and the Board President have not put something on the agenda.”

Mr. Perry asked, “Is that something they can do? I know they haven’t, but does that mean that technically they couldn’t – you know legal sense involved?”

Mr. McDonough answered, “I think technically they could certainly do it. I am not saying that it has never happened, but at least in the time I have facilitated this committee if has not happened.”

Mr. Perry said, “I wouldn’t doubt that it has never happened. If that were to be the case, I think that still is part 2, if we recommend something forward, could the Superintendent and Board President, I mean they are the ones collectively who set the agenda, could they say no, thank you and at that point we would have a process to say you know we’re going to do it anyway. So, I think, yeah, a direct process, you know everything that could happen to get an account for.”

Julie Martin said, “Ok, so then let’s continue. With that process, I think this is where I was getting tripped up. It’s on Beth’s version, it’s at the top of the page. And I know we still have to deal with emergencies. It says “Final action on proposals, whatever their sources, is by the Board in accordance with this policy. The Board takes action on most matters on the basis of recommendations presented by the Superintendent. The Superintendent/designee bases his/her recommendations upon the recommendations from the Policy Review Committee, results of a study and upon the judgement of the staff and study committees.” I think that is where my question was going. Does that paragraph still make sense in the policy based on what we were just talking about?”

Mrs. Murdoch answered, “The first of the sentence does.”

Mr. Perry said, “I think it goes back to the whole thing, because of course there’s more things, most recommendations, you know most matters take on the basis of the recommendation by the Superintendent. Everything we have on our agenda says Superintendent recommends XYZ. That’s a given. It’s just stating a fact. I don’t know why that’s necessary to state here. And then the Superintendent bases recommendations, I guess

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but as far as the agenda is concerned, I suppose that they could set the agenda and Superintendent could recommend personally, no thank you, but (inaudible). As far as the agenda setting, I think those are two separate issues. The Board President and Superintendent set the agenda. I believe that is policy, verbatim. Those two set the agenda and then the Superintendent makes recommendations upon those agenda items. Because they need to one way or the other and that's how our Board policy is written as far as the agenda if you read our agenda it says Superintendent recommends and so and so seconds and whatever. So, I am not sure why that sentence is even in there at all because of course that's a fact. And as far as the agenda the recommendation doesn't matter for the agenda necessarily. They can recommend whatever they want."

Mrs. Murdoch said, "And literally I didn't want to rewrite the whole thing that was existing. The only thing at the time I'm like okay the only thing we probably need to change in that sentence is that they should also look at the recommendations from the Policy Review Committee. But if we want to gut the whole thing, then..."

Julie Martin said, "That is what I was trying to determine too."

Mr. Perry said, "You could rewrite that and say something along the lines with the Superintendent and Board President consider the recommendations of the Policy Review Committee while setting the agenda."

Julie Martin agreed and said that is what she had.

Mrs. Murdoch said, "The big take away was we probably should have just started from scratch. We have about pulled everything that I kept from the original policy."

Julie Martin said, "We are getting there though."

Mr. Perry said, "There is some valuable stuff here. I do appreciate it. When we are redoing 17 years of policy, Beth (inaudible) I appreciate you going through it."

Julie Martin said, "It spurred a lot of conversation too, which is what is key often times. It may not be what you do but it got you all thinking and got you moving forward, which is great."

Mrs. Murdoch said, "That was 100% the intent."

Julie Martin said, "So then it's going to go to the Board and then we are going to talk about first read and second read, right? That is currently in BFC. Two readings in two separate meetings. I do think we want some of BFC in here because one thing like Brian, you had said and I don't know except absent the emergency, everything needs to come through this committee first, right? I don't know that that's explicitly in here yet. But then it seems like this, like some of the things in BFC should go in here. About how proposals for a new policy or the amendment or repeal of an existing policy, must go to this committee first for the committees action, and then I would think unless you're concerned we could, by and large take everything that's in the second and third paragraphs of BFC and put them in here and then deal with emergencies after that. This is the normal routine you are adopting policies, right? So, I am kind of thinking we would take most of the second two paragraphs of BFC in some way. And then that last paragraph, I like this that unless otherwise specified when it goes into effect is good. Now, the long-awaited emergency."

Mr. Perry asked, "Do you like that second paragraph of BFB that specifies who is on the committee?"

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Mrs. Murdoch, Mr. McDonough and Julie Martin agreed that we need to include that paragraph.

Julie Martin asked, "Is there someplace in existing policy that talks about emergencies?"

Mr. McDonough shared that it is in the second to last paragraph in our current policy BF.

Mr. Perry read, "However, 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."

Julie Martin said, "That would be the same where we were just adding that one paragraph from BFB that all proposed new policy revisions shall be reviewed by the Policy Review Committee, but we would want to have an unless."

Mr. Perry said, "I think that requires supermajority and my question then becomes how do you define emergency so that it's not just four members want to do something now and don't want to go through the committee, which that's not an emergency, that's just people wanting to do stuff. How do you define that?"

Julie Martin shared language she found from another district, "The policies may be adopted or amended at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of this policy as any situation or set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety or welfare of the students or employees of the district."

Mrs. Murdoch and Mr. McDonough suggested more broad language such as something like "The Board has reason to believe the education or operations of the district will be substantially disrupted."

Julie Martin asked if it should be a supermajority?

After some discussion, Mrs. Murdoch, Mr. Perry and Mr. McDonough agreed that with the guardrails of the definition of an emergency, they were ok with a simple majority for an emergency.

Julie Martin will compile her notes and send us a cleaned-up version of the policy.

Review of Policies/Regulations/Exhibits as Requested by Board of Education

1. BDDH (Also KD) – Public Participation at Board Meetings

Mr. Perry requested that we make changes to policy BDDH to add clarification. He felt like the last sentence of the third paragraph made more sense being at the end of the second paragraph.

Mr. Perry also asked that we have persons wishing to address the Board include the topic they desire to present to the Board.

Mr. Perry suggested adding "All statements shall be made from the designated public speaking location and shall be directed to the Board. No individual may approach the Board or place documents at Board members' seats unless the Board President has granted permission for them to do so." After discussion with the Policy Review Committee, it was decided to add the first sentence of this to the statement the Board President reads at the beginning of the Board meeting rather than adding it to the policy.

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2. JFI – Student Demonstrations and Strikes

Mrs. Murdoch submitted proposed revisions for policy JFI. Mr. McDonough started this discussion by saying he thought it would be beneficial to hear what Mrs. Murdoch was hoping to have come out of this. He shared that we have done a lot of work with our administrative team since recent events and we have had other students express interest in doing some of the things. Our principals have had great conversations with our students around how they can get their voices heard. Mr. McDonough referenced one of the fundamental school case laws – the Tinker case. He has concerns about putting some of the requested revisions in policy because it does infringe on the freedom of speech rights of students.

Mrs. Murdoch said she requested that her proposed revision be reviewed by legal counsel ahead of time. Mr. McDonough explained that it was briefly discussed with Julie Martin, but they wanted to get a better understanding about what the goal was around it.

Mrs. Murdoch explained, “I started thinking about the Darby thing and wondered if there is a way that we can encourage students to express their first amendment rights, engage in public discourse and things like that in a more productive, more controlled, safe environment. Any time students leave the building they are, unless they have permission, they are in violation of policy (she is checking to see which policy it was) the one that required them to be in their designated place at all times during the school day. That’s direct verbatim from another policy that I cross-referenced that I will find for you.”

Mr. McDonough explained, “It would not be considered out-of-school truancy. There is a difference between being out of your assigned area at school and being out-of-school truancy.” He explained that if a student skips a class, but they are still on school premises it is different than House Bill 410 if the student falls under the truancy policy that we have.

Mrs. Murdoch said, “I will find the exact policy and add it as a cross-reference here. But that line came directly from another policy. The first paragraph was actually just a review of some of the ACLU recommendations on how students could appropriately express their first amendment rights. So, I don’t know if we want to take it broader. I mean, I have had community members even say ‘Hey, could principals hold an assembly, and can you bring people in from both sides?’ Things like that and I didn’t want to get prescriptive, but there are better ways I think we could make these learning experiences and we could support this and avoid what we had happen last time. So that’s why I would like to get the discussion going around. How can we better channel this?”

Mr. Perry said, “So your last two paragraphs here I think that we can check them off and we can move forward. I don’t have any issues with the last two paragraphs involving building principals rather than principal. As far as the second to last one, making every effort I think it should be every reasonable effort. Just from a legal standpoint, I think every reasonable effort is legally better there.”

Mr. Middleton said, “I have a question. The second paragraph, last sentence “students are required to be in their designated place at all times during the school day. Any student found otherwise shall be considered truant. The student’s parents will be contacted and the student shall be subject to the same policies” is designated place defined as within the classroom walls of a particular classroom or of the building? Because that is not what we do.”

Mr. Perry suggested we change principals concerned to principals responsible. Mrs. Murdoch agreed.

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Mrs. Raterman said, "We designated a location for the students to safely do that walkout. Would that be considered their designated area for that time? It doesn't mean they are following their designated class schedule but sometimes we have assemblies, pep rallies, cookouts, etc."

Mr. Perry said, "You allowed them to be there. You didn't designate them to be there."

Mrs. Raterman answered, "Yes, for the walkout but for the other things we would designate that they be there."

Mr. Perry said, "You told them they could go to the walkout. It's a big difference."

Mrs. Murdoch replied, "It's policy JED, Student Absences and Excuses. It's the third paragraph in that policy."

Mr. McDonough said, "Look at the parent piece."

Mrs. Murdoch said, "You are right, the parents would be contacted was an addition. I just felt like that was a softer thing to do. JED doesn't include parents will be contacted but everything else is verbatim. JED says they shall be truant and subject to the same policies and procedures as out-of-school truancy."

Mr. Perry said, "So you are saying they would be considered truant for disciplinary purposes not legally, is that the suggestion?"

Mrs. Murdoch answered, "I took it straight from JED. What was our intention with that?"

Mrs. Raterman asked, "What is the difference between a kid skipping a class or a kid just not being in the building? I guess I don't know the answer to that."

Mr. McDonough answered, "They would get similar discipline for that. When I think of the formalized out-of-school truancy, I am thinking more of the accumulated hours that goes with all the different definitions that are outlined with HB410. We have our own practices in place, and I can't imagine that Holly deals with kids skipping class too much at Scioto Darby, but I am sure Matt has had a fair share of kids skipping class. To say there is one standard discipline that we administer to them is not true. There's a lot of things that weigh into those conversations. The frequency, the reasoning behind that."

Mr. Middleton shared, "There is a difference when a kid just doesn't show up for school and is unexcused all day than a kid that skips 5th period class. Those two things are treated differently."

Mr. Wilson stated, "Modifying this policy is not going to change the kids from walking out. If they are passionate about an issue, they are still going to do it. And now, potentially we won't be able to keep them as safe. The Darby situation, Matt was able to direct them into the stadium, and other than that one person that looked like she was about seventeen..."

Mrs. Murdoch said, "At Davidson they were able to keep the students safe. Darby was an exception, but it was the same thing."

Mr. Wilson said, "It was a person that was invited there by the students, and again, looked like she was about seventeen."

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Mr. Perry said, "To Brian's point about the walkouts, the first sentence of the second paragraph, I wonder if that is not enforceable because define a protest. That's what Tinker was. It was a protest. It was an armband. Demonstration, that was a demonstration. Any other disturbances - define a disturbance. I don't know if the Board wants to take that position. I know the administration has recently taken a position on the walkouts and what not. I don't know that the Board itself wants to take a position on things that are inherently disruptive because I don't know how to define a protest being disruptive. It's intended to be slightly disruptive. A demonstration is intended to be slightly disruptive as long as it's within the parameters. I don't think you can do that. I don't think you have legalese. That would be my concern. I think the Superintendent and administration has some leeway here to make the rules and apply them differently to different situations. We had a protest at Bradley. They had a walkout that we didn't hear about because Bradley's didn't involve a politician showing up."

Mrs. Murdoch said, "We heard about it unfortunately, though, when we found out that one of the students didn't return back to class. It's the bigger safety issues. You lose a lot of that control that you have a safe environment in the building."

Mr. Perry asked, "So is it a Board thing or is it an administration thing? Is it something for administration to figure out? Ok, you guys are the administrators, figure out what you are doing here. I don't think we can define protests. Strike has a different legal definition. The walkouts are a little different because they are outside. We can't call that inherently disruptive. Where do we let administration administrate versus..."

Mr. McDonough said, "I think what I would say, in all of the cases, kudos to our students for having the maturity to come to administration first. I think since the incident that occurred recently, our administration has increased those conversations with students and suggested or talked through other ways in which students can make their voices heard beyond just a walkout. I don't know that we need to formalize..."

Mrs. Murdoch said, "That's the intention to have a Student Demonstrations and Strikes policy so can we add to that, here are the appropriate ways to express these..."

Mr. McDonough said, "My fear in calling out certain things is we are never going to get the list completely right and we may put something inadvertently in there that put's ourselves in a position that we can't legally do. My feeling is we have learned from some of the things that have occurred. Our administration has done a really good job of having critical conversations with students about how they can make their voices heard. I think some of the changes we have in the last two paragraphs are fine, but I don't know that calling everything inherently disruptive is the direction we would want to go in policy."

Mrs. Sloat said, "It's almost like the last policy we were just talking about. You can have it written down, but that doesn't mean that everybody is going to follow that. I think it's having those conversations of what will happen because, I think Brian, to your point, students are still going to walk out. It won't matter if they are considered truant or not, that's what they are going to do. I think it's having students come to us and say this is what we are thinking of doing and having that conversation is where that whole relationship comes. But I don't think, how does that look in policy?"

Mr. McDonough said, "I am not the one that would go out and publicly protest things, but I think if we are overseeing some of these things and helping our kids, what a great learning opportunity for them as they truly become ready for tomorrow."

Mrs. Sloat said, "Because we ask them to do those things in government. We ask them to go to Board meetings."

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We ask them to go to civic engagement meetings. I think of our students that came and spoke at our Board meetings. It's a great lesson. That's where you have those conversations."

Mrs. Murdoch asked, "Are we happy with the way our current Student Demonstrations and Strikes policy reads? That's where I started, and I don't think this expresses what we really want to achieve here."

Mr. Perry said, "We do want the kids in the classroom. I don't really want them wandering around the halls or anywhere else. Go to class is the point we are trying to get out here. I get we are trying to figure out how that works if they decide they don't want to. I worry about "any student found otherwise shall be considered truant" that seems prescriptive to me. I think we can leave that up to a general sentence for the administration to say, "shall be dealt with in an appropriate...find some way to word that."

Mr. Middleton said, "Truant is a big word Brian. I understand it's in policy, but we don't have truant when we go to put in attendance. We have excused, unexcused, excused tardy, unexcused tardy, with a principal, with a counselor, school business, those types of things. Truant is more like Mike said, the bigger picture of when they are now in front of a truancy officer for all of these hours they have accumulated."

Mr. McDonough added, "That unexcused time will count towards the truancy process. It's a running clock. It will ultimately count towards that. If I have one hour of unexcused absence, that's not going to..."

Mrs. Murdoch asked, "So do we look at JED?"

Mr. McDonough answered, "I would not touch JED. That is strictly legal."

Mr. Perry said, "Maybe we shouldn't say truant necessarily. But we should, I would just leave it up to you guys..."

Mrs. Murdoch said, "It says out-of-school truancy in JED."

Mr. McDonough explained, "That policy is all about truancy. Technically, this unexcused time would count towards that truancy clock, so it ultimately does count towards the truancy but to Matt's point, we don't code it in our system. We would just say unexcused absence."

Mrs. Sloat said, "That first line in JED says rules and regulations regarding excessive absenteeism and tardiness shall be enforced. So, when you use that absenteeism or tardy unexcused, that would be from JED."

Mr. Middleton said, "And I can also just tell you that with this, we don't always, let's just say a kid is unexcused from 4th period which then leads into lunch 5th period but they are there the rest of the day. There are 1600 students. We are not always catching it. My attendance secretary is not always catching that. The teacher is putting the unexcused absence in or not here, absent and they are teaching the class. We kind of gather information as we go. I guess my point is, if that is what you are wanting to have done, as far as some sort of consequence for this happening then you can give them an unexcused absence. I can tell you that most kids are not really going to care if they have an unexcused absence for a period. It's not going to matter to them. Because when the law changed it is now on hours. We can put it as insubordination but that's not really the route we go in a secondary building. It's a fine line."

Mr. Perry said, "That's why I want to leave it up to you guys to kind of say whatever appropriate and remove the

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prescriptive language. Whatever you feel is appropriate as an administrator then that is what should be done. I really want you guys to have the leeway to say this is what you normally do if they miss 4th period..."

Mrs. Raterman shared language from other districts for this policy. Lakota's policy reads "The Board of Education recognizes the right of each student to attend school for the purpose of receiving an education. The disruption of the educational program of the schools by disorder or any other purposeful activity will not be countenanced." The last sentence says, "The Superintendent shall develop administrative guidelines for the implementation of this policy."

Mrs. Raterman said, "I think it sounds like what you are saying Brian. I don't know, Beth, if that's what you are interested in. I think that is where the difference is. It says students shall not be disturbed in the exercise of their constitutionally guaranteed rights...but then it also says the District has the authority to preserve order for the proper functioning of the school day basically. It's general enough like Brian was saying earlier. It sets parameters. We could stop it if it's disruptive or if it's causing a problem. We can punish kids, but it doesn't say exactly what that is or what the punishment is. So, to Matt's point you take each case, case by case."

Mr. Perry said, "It does define disorder too. And again, yes, that's great but defining (inaudible)."

Mrs. Raterman said, "Brian, it does say which interferes with the normal operation of the school day when they are defining it. So that could be up to the administration to decide if it is the normal functioning day."

Mr. Perry said, "That does help. But you know we had folks who were complaining about the Day of Silence. That did not interfere with the normal operation of the school day."

Mrs. Murdoch said, "You can't make people speak."

Mrs. Raterman said, "They handled it at the building."

Mr. Perry said, "So define disruptive. Did that disrupt some individuals because they felt uncomfortable because they were not participating? I suppose. There is a level of discomfort, but I don't think it's inherently disruptive. That's what a protest does. It's going to make people uncomfortable on occasion. That's the goal. I like this better. To be honest with you, I don't know how anyone else feels about it, but I do tend to like this language a little bit better. It defines everything a little better for us and gives the Superintendent some leeway. It's just guidelines because I want the Superintendent, you know ultimately it comes down to the principals to say they have the ability to make decisions on disciplinary actions. I do want it to be consistent across the district. Principals do what they do, and I don't want to get involved in their lives too terribly much if I don't have to."

Mr. Perry asked, "Have we reached consensus?"

Mr. McDonough asked, "Are we leaning towards what Lakota has?"

Mrs. Murdoch asked, "First of all, does anyone think exactly what we have today is right?"

Mr. McDonough answered, "Personally, I don't feel like there is anything wrong with it."

Mrs. Murdoch said, "It talks about suspending from school. I guess my intention with the first paragraph was to make it more positive. Here are the things you can do as opposed to start out with the Superintendent, Assistant

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Superintendent or building principal should be authorized to suspend from school any student. That didn't feel right to me."

Mr. McDonough said, "Maybe it's not suspend but discipline."

Mr. Perry said, "Yes, I like how Neola starts off with a positive."

Mrs. Murdoch said, "That's sort of where I was trying to go. What are the ways we can encourage this where we feel these would be safe and not disruptive and keep the kids in class and accomplish all the things we talked about as opposed to just saying you could be suspended?"

Mr. Perry said, "I like the last two paragraphs of our current policy that says building principals concerned but you said responsible principals. Also make every reasonable effort to return school to orderly operation. I like those two, make sure to protect students and staff, get things back in line pretty quickly but then also adopt some of the Neola language like you said to start off with a positive. Maybe a hybridized?"

Mrs. Murdoch said, "Between Lakota and here's the positive ways to express? I really like how the ACLU put it. Here's when, where and how is appropriate to express. I thought it was spot on. The way they framed that and talked about what that means."

Mr. Perry said, "I am trying to think how we would define that. I kind of think we say here are some things, but I don't want to get too specific."

Mr. McDonough said, "What if we take a hybrid of those first two sentences? I agree, I don't like to specifically call out certain things because then you are continually adding or modifying things. The Board supports a student's first amendments rights. It is important that students understand when, where and how it is appropriate to express their views. Then we could use part of what Lakota has, The Board of Education recognizes the right of each student to attend school for the purpose of receiving an education. The disruption of the educational program of the schools by disorder or any other purposeful activity will not be (use a different word in place of countenanced). I do like the last two paragraphs of our current policy."

Mr. Perry and Mrs. Murdoch agreed.

Mr. McDonough said, "Then what was the first paragraph of our current policy we could rephrase as "The administration shall be authorized to discipline students", something like that."

Mr. Perry said, "Can we look at putting the last sentence of the Neola policy in there too?"

Mr. McDonough suggested, now that we know what the goal is, we can wordsmith something together with a combination of the three versions to send to Mrs. Murdoch and Mr. Perry for approval before we put it on for a first reading at our June 13th Board meeting.

Review of Policies/Regulations/Exhibits as Requested by Administration

1. ACB-R – Nondiscrimination on the Basis of Disability
2. ACB-E/IGBA-E – Procedural Safeguards Notice

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3. JB-R – Equal Educational Opportunities (Non-Discrimination Statement)

The above policies refer to a specific title in a couple different ways. We would like to change the title to “504 Compliance Officer” in policies ACB-R and ACB-E/IGBA-E and to Director of Student Well-Being in policy JB-R.

Mrs. Sloat suggested we also change he/she to they/their in this policy to make the language more inclusive.

The committee agreed with the above revisions.

4. DBDA – Cash Balance Reserve

Mr. Wilson suggested we change the cash reserve balance from 10% to 20%.

Then committee agreed with this revision.