

TRSU Policy Committee Meeting Minutes

Tuesday, January 22, 2019

TRSU, The Roost

6:00 p.m.

I. CALL TO ORDER/ROLL CALL:

Committee Members: Fred Marin, Kate Lamphere

Staff: Linda Waite

Public:

Mr. Marin called the meeting to order at 6:07 p.m.

II. APPROVAL OF AGENDA:

Ms. Lamphere **moved** to approve the agenda. Mr. Marin seconded and the motion carried unanimously. Ms. Waite noted that they had other policies from other SU's to review.

III. PUBLIC COMMENTS:

None.

IV. APPROVE MINUTES:

A. December 11, 2018

There was discussion about the minutes not being included in the board packet. Ms. Lamphere **moved** to approve the minutes. Mr. Marin seconded and the motion carried unanimously.

V. OLD BUSINESS:

A. 3rd Review, Required Policies

i. D07 Volunteers & Work Study Students

Ms. Waite reported that she spoke with Chris Leopold today regarding this policy. He provided her with sample policies from Essex-Westford, Champlain Valley School District, and South Burlington. She advised that the Essex Westford policy is verbatim the same as the TRSU policy. She also advised that the VSBA re-worked their model policy in 2015. The CVSD policy references Supervised and Unsupervised volunteers and for the unsupervised volunteers, the requirement of a criminal background check is up to the discretion of the superintendent. Another difference is that the CVSD policy states that if a volunteer is unsupervised that the volunteer would have to go through the same process as a regular employee. Mr. Leopold advised her that he felt that this was a good route to follow. The South Burlington policy is only a little different than the TRSU'S policy.

Ms. Waite advised that Mr. Leopold gave some legal counsel on the matter. She noted that if there is a para-educator in a school for 10 years, and that para-educator is supervising a volunteer, that should be fine. Ms. Lamphere questioned how often the employees were required to go through a background check. Ms. Waite reported that Ms. Hudkins has advised that the employees are required to go through the check every 5 years. Ms. Lamphere also questioned if there is an attestation requirement that states that if the employee is convicted of a crime, they will report it to HR. Ms. Waite noted that for the professional staff, the background check is part of their license renewal, but the para-professionals and other staff

are separate from that. She will clarify those groups' requirement with Ms. Hudkins. Ms. Lamphere suggested that it would be good practice to include the requirement of the employee to report if they have been convicted of a crime subsequent to their hiring in the employee handbook.

There was discussion about any employee who has been vetted and background checked to be able to supervise the "do no harm" part of the supervision of volunteers. There was discussion about the background checks going through VCIC and the Vermont Sex Offenders' Registry. Mr. Leopold had reminded her that if someone were convicted of a drug related crime or of child abuse, they wouldn't necessarily show in either of these databases. There was discussion about the fiscal constraints—the cost of the checks being about \$45-\$50 per person. Ms. Waite advised that Mr. Leopold had advised that there is an important distinction between supervised and unsupervised volunteers, and the unsupervised volunteers should go through background checks.

Mr. Leopold noted that the TRSU policy doesn't require a background check on a work study student, but it should. He also felt that the cost of such should be the burden of the work study student or the sending school. He also advised that a student teacher is not a work study student, but felt that the policy should require a full criminal records check for student teachers. Ms. Lamphere felt that the CVSD policy with the addition of the work study and student teacher component is the most comprehensive. She felt that supervised volunteers were fine, but unsupervised volunteers getting background checked were at the discretion of the superintendent with the recommendation to be that they are background checked. This gives some level of leeway for the various existing programs with volunteers.

There was discussion about the financial burden of the background checks. Because this has budgetary implications, that part should be a board decision. Ms. Lamphere also advised that if there are going to be unsupervised volunteers without the backgrounds checks, parents need to be informed.

There was also discussion about some of the ski programs not being "school" programs. The committee also noted that all but LES students ride to the mountain on school buses, so the question arose about, wouldn't that make it a "school" program. There was discussion among the admin team about the distinction and that they need to check with the principals. Ms. Waite noted that Ms. Hammond is responsible for the VSBIT liability coverage so she should be aware of which programs are "school" programs. She will follow up with Ms. Hammond now that the budgets have been approved by the boards and she has a bit more time. The committee supported the background checks for the ski volunteers, however if that ends up being the "carve-out" and not required so as not to diminish an already low volunteer pool, that parents should be specifically informed that the volunteers have not been background checked.

Ms. Waite will draft a version similar to the CVSD, with a work study student and student teacher section, and a parental informed consent section if there is a "carve-out" on the background check requirement for unsupervised volunteers. She will have the draft reviewed by the senior management team. Ms. Waite noted that the "carve-out" piece would be part of the procedure that the superintendent would have to develop. Further discussion of this policy was delayed until the next meeting. There was discussion about the other reviewed policies with minimal changes made to them. These other policies will be warned for the next SU and SD meetings.

VI. NEW BUSINESS:

A. Review Recommended policies and Procedures

Ms. Waite reported that the senior management requested that the policy committee review these 4 recommended policies. She advised that the first two, C8 and F32, are listed as “recommended” by the VSBA, while the other two are listed as “to be considered” by the VSBA.

i. C8 Board Superintendent Relationships

The policy outlines a conceptual framework about how the board and superintendent should approach each other. The committee felt no changes needed to be made to this policy. There was discussion about the superintendent evaluation committee work. This policy will be forwarded to the boards for their consideration.

ii. F32 Transgender and Non-conforming Students

Ms. Lamphere questioned how the policy was crafted, such as whether it came from the VSBA and/or were transgender and non-conforming students consulted for their input. Ms. Waite advised that this policy came from the VSBA. She reported that this policy was developed around the time that the student issues were occurring. She also reported that they had received federal guidelines on this policy during its creation. There was discussion about this policy being needed in the schools due to some discussions and actions in the schools in the recent past. Ms. Waite discussed the student walk out a few years ago, AWOD and Circle, and the student forums where the students were able to provide input and talk through the changes at the schools.

There was discussion about the committee not creating a policy that is difficult to follow, and suggested seeking input from the principals and the SU senior management so that it meets the intended needs of the policy but is also able to be followed. There was discussion about the official warning of the policy technically asking those who wish to offer input to do so. There was also discussion about seeking input from non-cis-gendered people.

Ms. Lamphere felt that it didn’t go far enough regarding the anti-discrimination section. She did support the privacy section. She also questioned what happens when a student comes into the school and says this is my gender identity, and this is the pronoun I’d like to be referred to as, but the parent won’t allow it. She questioned how the school responds in that situation to be sure that they aren’t discriminating or causing the student harm in this situation. She wanted to be sure that they were in compliance with the law. There was discussion about whether transgendered people are a protected class under federal law. The committee discussed sharing the policy with the principals (or their designees) and asking them to take it to AWOD and Circle respectively.

Ms. Lamphere noted that the first page under privacy, regarding school staff “will respect any request to use the preferred name and pronoun” doesn’t have strong enough language and should say “will use the preferred pronoun and name that corresponds to the student’s gender identity.” She noted that “respect” implies that it’s ok to make mistakes and get the name and pronoun wrong, when it isn’t. The staff needs to do everything they can to use the correct word. Ms. Lamphere advised that mis-labeling a student can be experienced as aggressive and harmful to students and the latest YRBS data shows that LGBTQ students are much more likely to struggle with emotional distress and attempt suicide. Ms. Waite suggested “will comply with any request to use the preferred pronoun and name that corresponds to the student’s gender identity.”

There was discussion about the sports teams and whether a trans male can play on the boys' teams and a trans female can play on the girls' teams. Ms. Lamphere read aloud the portion of the policy noting that the transgendered student can participate in activities separated by gender based on the gender that they consistently assert at school. The committee will review this policy again once the principals and senior administration have done so.

iii. C09 Board Goal Setting and Evaluation

Ms. Waite reported that this policy was not previously a TRSU policy. There was discussion about the board chair being required to attend 7 hours of VSBA training. There was discussion about the superintendent having to create a procedure to go with this policy. The committee felt that it would be good for the board to "get out of the weeds" and back to their purpose. The committee also discussed implementation of the policy. The committee recommended this policy for adoption. There was discussion about most boards having an annual retreat to set goals.

iv. F33 Student Medication

There was discussion about there being a student medical procedure but no policy accompanying. Ms. Waite noted that there have been issues with school nurses and homeopathic medications. Dealing with these concerns has been challenging without a policy. There was discussion about prescription medication, including those that are emergency life safety medications.

The committee discussed the non-prescription medication as referenced in the policy, noting that it must be left in the custody of the nurse. It also requires a written request from the parent including their statement that the student has suffered no prior ill effects from the medication. There was discussion about the administration of the medication being up to the discretion of the nurse, but that is where the problem lies. If a nurse doesn't feel comfortable administering a medication without a doctor's order, they could withhold it. Ms. Waite noted that the nursing staff has turned over dramatically, so they could send the policies to the principals for them to review with the nursing staff for their input. There was discussion about the policy not specifically stating that the nurse must administer the medication. There was discussion about the communication paragraph referencing the ability of the nurse to consult with the student's doctor about the efficacy of the medicine.

The committee discussed essential oils and potential for those to be part of this policy. There was also discussion about the right of a student to have their medication, balanced with the rights of the other children to not experience that student's medication. Ms. Lamphere noted that she didn't classify essential oils as "medication" but she also didn't consider marijuana "medication" but a lot of people would, so there may be people who would consider essential oils a "medication". There was discussion about needing a definition of medication. There was also discussion about oils and olfactory sensitivities. The committee also discussed not writing a policy based on personal feelings about what constitutes "medication" and doing so in a non-judgmental way.

Ms. Waite will bring the policy to the principals to review with their nursing staff. There was also discussion about whether the non-prescription medication can be administered outside school hours.

VII. SET NEXT MEETING DATE AND AGENDA ITEMS:

The next meeting date will be March 19 at 5:45 p.m. at TRSU in the Roost. There was discussion about communicating with the LMHUUSD board and their policy committee contingency.

VIII. ADJOURNMENT:

Mr. Lamphere **moved** to adjourn at 7:20 p.m. Mr. Marin seconded and the motion carried unanimously.

Respectfully Submitted,

Amber Wilson
Board Recording Secretary