

BARRE UNIFIED UNION SCHOOL DISTRICT
POLICY COMMITTEE MEETING
BUUSD Central Office and Via Video Conference – Google Meet
November 15, 2021 – 5:30 p.m.

MINUTES

COMMITTEE MEMBERS PRESENT:

Chris Parker, Chair (BT)
Abigayle Smith, Vice-Chair (BC)
Tim Boltin (BC)
Jon Valsangiacomo – (BT Community Member)

COMMITTEE MEMBERS ABSENT:

Andrew McMichael (BC Community Member)

OTHER BOARD MEMBERS PRESENT:

Sonya Spaulding

ADMINISTRATORS AND STAFF PRESENT:

Chris Hennessey, Superintendent
Luke Aither, SHS Assistant Principal

GUESTS:

Josh Howard Terri Reil

1. Call to Order

The Chair, Ms. Parker, called the Monday, November 15, 2021, meeting to order at 5:32 p.m., which was held at the BUUSD Central Office and via video conference - Google Meet.

2. Additions and/or Deletions to the Agenda

Mr. Aither advised that there are a number of policies on the Agenda for which he has not had time to research. It was agreed that the Agenda would remain as is and those Agenda Items will be updated to reflect their current status.

3. Public Comment

None.

4. Approval of Minutes

4.1 Approval of Minutes – October 18, 2021 Policy Committee Meeting

On a motion by Mr. Valsangiacomo, seconded by Ms. Smith, the Committee unanimously agreed to approve the Minutes of the October 18, 2021 Policy Committee Meeting.

5. New Business

5.1 Review of BUUSD Policy Manual Index

A copy of the BUUSD Policy Manual Index (dated 11/08/21) was distributed.
No discussion was held.

5.2 VSBA Model Policies

An undated copy of the VSBA Model Policy Index was distributed.

A document titled ‘Current VSBA Work – BUUSD Status – Updated 11/8/21’ was distributed.

Mr. Aither reported that the VSBA is currently reviewing 6 policies, and they do not have a set timeframe for when reviews will be completed.

Copies of all policies referenced in Agenda Items 5.3 through 5.8 were distributed.

5.3 Special Education Policy (D7) - (Required)

Mr. Aither advised that the AOE performs progress monitoring for compliance with regulations. The BUUSD has a policy on this subject that was put in place prior to D7’s creation. The AOE wants all Districts to adopt policy D7 no later than 01/15/2022. After the Model Policy is adopted, the District can rescind its local policy (D40).

On a motion by Ms. Smith, seconded by Mr. Boltin, the Committee unanimously voted to approve the Special Education Policy (D7), as written, and to present said policy to the Board for a First Reading (in December).

5.4 Special Education Policy (D40) - (local policy)

This Policy will be added to the Parking Lot until Policy D7 is adopted. It will then be brought to the Board to be rescinded.

5.5 Visits by Parents, Community Members or Media Policy – (E32) - (Consider)

Mr. Aither has not had a chance to review this policy yet, but he does have concerns regarding some of what is listed in the Implementation section. Mr. Aither wants to have administrators review the VSBA Model Policy prior to presenting it to the Committee. This item will be added to the December Agenda.

Mr. Aither believes that Policy F25 – Access Control Policy, may cross-walk with this policy. F25 is listed as Agenda Item 5.7.

Policies C42 -Searches, Seizures, and Interrogation of Students By Law Enforcement Personnel or Other Non-School Personnel (Agenda Item 5.8) and F32 – School Crisis Prevention and Response Policy (Agenda Item 5.6) will also be added to the December Agenda.

Mrs. Spaulding queried regarding why Policy C42 (which is already adopted) is being presented to the Committee, Mr. Aither advised that the District doesn't have a policy related to searches by outside personnel. It was confirmed that Policy C42 (searches/seizures by outside personnel) was adopted by the District (in June 2019) and that Mr. Aither was very involved in writing the policy. Ms. Parker queried regarding whether or not two separate policies need to exist. Mr. Aither believes that it is prudent to have two separate policies because the rules are very different for outside agencies, vs. school personnel. Ms. Parker queried why VSBA does not have a model policy for searches/seizures by outside personnel.

5.6 School Crisis Prevention and Response Policy – (F32) (Consider)

In addition to the policy, a copy of Code E7-R (Procedures for Bomb Threats) was also distributed.

Mr. Aither has not had time to review this policy, but noted that it doesn't seem to refer to A.L.I.C.E Safety Protocols, which the District uses. It is not known if Procedures need to be attached to this policy. Some policies, by law, require that procedures be included with the policy. This policy will be added to the December Agenda.

5.7 Access Control Policy – F25 (Recommended)

See discussion under Agenda Item 5.5. Add this Policy to the December meeting.

5.8 Searches, Seizures, and Interrogation of Students By Law Enforcement Personnel or Other Non-School Personnel Policy (C42) – (Local)

See discussion under Agenda Item 5.5. This item will be added to the December Agenda.

6. Old Business

6.1 Electronic Surveillance Policy (F26) - (Recommended)

A copy of a locally written policy (labeled F26) was distributed.

Copies of the adopted Local Policy (F41) and the Model Policy version of F26 were not included in the packet.

A community member voiced concern that regardless of the good intentions of the policy, it may have a negative impact, e.g., not allowing access to classes (being held in the school) to be available to other students via electronic means (e.g. Zoom). Ms. Parker does not believe this policy precludes Zoom sessions from happening. Mr. Aither noted that this policy pertains to electronic surveillance, not the recording of students in classrooms. The District has a local policy, F41 (Video Surveillance Policy), which was written prior to the VSBA writing a Model Policy (F26). Mr. Aither advised that the version of the policy presented tonight does not contain the normal editing protocols, as he found showing the editing of the VSBA policy was quite messy and the VSBA policy does not go along with how the BUUSD is doing things. Rather than have a messy draft, a new policy was drafted and vetted by legal counsel. In response to a query, it was confirmed that there is an existing policy. Mrs. Spaulding queried regarding whether or not this new version is the same as the policy that is currently in place. It was noted that the existing policy does not contain much of the detail contained in the draft of the locally written policy. Mrs. Spaulding requested that if this new version is to be presented to the Board, that a copy of the current policy (F41) be included in the Board packet for comparison purposes. Mrs. Spaulding noted that the policy does not contain information pertaining to SRO's and asked how the policy pertains to SROs. Ms. Parker noted that SRO's are included in Policy C42 (related to searches, seizures and interrogation). Mrs. Spaulding is under the impression that SROs have access to video recordings and do view them when issues arise (issues that don't necessarily meet the definition of a 'crime', but are more disciplinary issues). As SROs have access to electronic surveillance, Mrs. Spaulding believes they should be referenced in the policy. Mr. Aither noted that in the draft policy, the last sentence of the Video Recordings section, advises that law enforcement are permitted to view video recordings on a case by case basis. Mrs. Spaulding queried regarding whether or not SROs are viewing live video. The Viewing of Live Video section does not reference viewing by SROs or other members of law enforcement. It was noted that technically, SROs are not employees of the District, and therefore are not covered under this section. Mrs. Spaulding believes the policy must be very specific if SROs are allowed to view live feeds. The draft policy will be modified to reflect that SROs may view live video feeds. Mr. Aither will modify the draft and have it legally vetted again. In response to a query regarding other law

enforcement viewing live feeds, it was noted that it should be rare, but there is the possibility that other law enforcement personnel may need to view live feeds during a crisis situation. Mr. Valsangiacomo supports having the policy legally vetted after changes are incorporated into the draft. A community member queried regarding staff members viewing live feeds. Mr. Hennessey noted that as part of 'best practices' it is best to limit access to viewing of live feeds. It was noted that monitors showing live feeds are positioned such that they are not easily viewed, such as by a parent who conducting business at the front office (checking out a student). After amendments are made to include SROs and law enforcement in the policy, the policy will be re-vetted by legal counsel. If everything is approved, the Policy Committee will then be ready to send a First Reading to the Board.

7. Other Business

Mrs. Spaulding queried regarding the status of written procedures (as some Implementation sections have been stripped from policies). Mrs. Spaulding noted that concern had been raised that written procedures be in place and the Board was assured that procedures would be documented. Mrs. Spaulding is not confident that the procedures were actually written. Though procedures do not fall under the Policy Committee's charge, she would like to take steps to see that there is follow up to this issue. Mr. Aither advised that procedures are written by each individual school's administration. Mr. Aither advised that SHS has started a rough policy/procedure manual, noting that it is a large undertaking. Discussions were held with Josh Allen regarding a link on the web site, linking policies and procedures. Mrs. Spaulding reiterated her concern that procedures are not documented, which makes it difficult for parents, students, and community members to know what the procedures are. Without written documentation, it is easy to change a procedure based on a particular student or situation. Though documentation is a large undertaking, it is very important that it exists. Mr. Hennessey noted that there will need to be an intentional effort to see that procedures are written.

Mrs. Poulin noted that there is a grey line/confusion, between what is policy and what actual procedures are. Mrs. Poulin provided some historical information on this issue, noting that extensive discussion were held in the past and the Board directed that the Implementation sections in the VSBA policies were to remain in the policies. Inclusion of this section more clearly defines what the Board is requiring be done (what the policy is). The reason to keep policies and procedures separate is because the Board has oversight of policies, but has no oversight of procedures. Leaving the implementation sections in the policy, allows the Board to retain control over what administrators are expected to do. The actual procedures were deemed to be step by step instructions that define exactly how the policies are to be administered (who is responsible for particular steps and exactly what that entails – step by step instructions). Procedures are clear instructions that define what needs to be done and assures that policies are administered consistently. Procedures are usually written at the school level and are not subject to Board oversight. The detailed procedures can change frequently, and therefore do not belong in policy as that would require Board approval of policies whenever the associated procedures were changed. The implementation sections of policies help clearly define the policy and are not subject to frequent changes. Concern had been raised that most procedures were in people's heads (not documented), and policies may be enforced differently based on who happened to be enforcing the policy at the time. It was agreed that written procedures needed to be created. There was also concern that when personnel leave and procedures are not documented, and the clear definitions have been removed from the policy, there is no longer any record of what is supposed to be done, and there is no clear direction in the policy regarding what the Board defined as policy (policies become too general / undefined). Additionally, if the policy does not clearly define what the Board's policy is, individuals enforcing or writing procedures, can modify procedures (unintentionally or intentionally) to exclude items that were originally defined as policy (in the implementation section). Past discussions included an understanding that the VSBA, through implementation sections, was not presuming to write procedures for individual schools/districts, and that procedures are totally in the hands of administrators, who are in charge of daily instructional procedures, which are subject to changes, and not subject to Board oversight. Mrs. Spaulding reiterated the need to document procedures, and that there be a planned approach (e.g., select the first ten top priority procedures, complete them, then move on to another prioritized list). Written procedures seem to be a 'back-burner' issue that continually gets delayed. Ms. Parker queried regarding policies containing the Implementation section at the District level, with the understanding that each building is able to breakdown their own procedures, at the school level, but the policies continue to contain the actual policy definitions/mandates, as documented in the implementation sections. This method allows for policies to be clearly defined, while allowing administrators to write their procedures at their local school level. Mr. Aither believes that some of the implementation sections from the VSBA feel relevant, but in other policies, the Implementation sections are trying to define exactly how policies are to be administered. Mrs. Spaulding believes there needs to be a system to document what policies had Implementation sections removed and a system of follow up to assure that written procedures exist. Mrs. Poulin reiterated that what is in the Implementation sections, does not define who does what at each building and where information is filed, what needs to be received in writing vs verbal, etc. Those are procedures that are written at the building level. Ms. Parker reiterated the need to link policies and procedures on line so that information is readily available and the processes are transparent. Mr. Aither cautioned that just because there is a written procedure, does not mean that is exactly how the policies are being implemented. There is a need for flexibility, as things can change rapidly. Mr. Aither noted that documenting procedures, especially when there are many different scenarios to deal with, is very complicated and will take much time. Mr. Aither suggested that there be a five year plan for writing procedures.

Brief discussion was held regarding The Firearms Policy (C5) and whether or not it needs to be added to a future agenda. The policy has been amended once (in October) to meet the legal requirement that the policy contain a section pertaining to referrals to law enforcement, and there is a question regarding whether or not the section from the VSBA policy regarding reporting (under this section of the law) needs to be added also. Mr. Hennessey advised that all expulsions are routinely reported, and the reporting section

is not necessary in this policy. It was noted that the version of the policy adopted in January, was deemed not to be in compliance with the law. Mr. Hennessey will confer with Mr. Aither to assure the policy is in compliance with the law. Policy C5 will be added to the Parking Lot.

8. Future Agenda Items

Brief discussion was held regarding the Fiscal Management and General Financial Accountability Policy (F20) and it was noted that Mrs. Perreault has distributed some information related to how some other districts have written their policies relating to Fiscal Management and General Financial Accountability. Mr. Hennessey advised that it would probably be best to distribute that information to Committee Members well in advance of the meeting for which it is slated for discussion. Mrs. Spaulding noted that there may be policies in place (in other districts) that are similar to the policy Mrs. Perreault proposes, and she would like to know if there are also policies (in other districts), that support having a Board approval threshold and/or having more accountability. Though some evidence has been presented to support the policy Mrs. Perreault is proposing, Mrs. Spaulding queried if those policies were presented solely because they support what the Business Manager is proposing. Are there any policies in place that support the direction the Board was supporting? Policy F20 will be added to the next Agenda.

- E32 - Visits by Parents, Community Members or Media Policy (Consider)
- F32 - School Crisis Prevention and Response Policy (Consider)
- F25 - Access Control Policy (Recommended)
- C42 - Searches, Seizures, and Interrogation of Students By Law Enforcement Personnel or Other Non-School Personnel Policy (Local)
- F20 – Fiscal Management and General Financial Accountability (Recommended) (invite Lisa Perreault to attend)
- D32 – Selection of Instructional Materials and Sensitive Issues(Consider) (has now been legally vetted)
- B22 – Complaints About Personnel (Recommended) (has now been legally vetted)
- B20 – Personnel Recruitment, Selection, Appointment, and Background Checks (Recommended) (has now been legally vetted)
- Electronic Surveillance Policy (F26) - (Recommended) – once revised and legally vetted

Parking Lot –

- Add Special Education Policy (D40) - (local policy) – (for rescinding after Policy D7 is adopted)
- Add C5 – Firearms Policy (Required)

9. Next Meeting Date

The next meeting is Monday, December 20, 2021 at 5:30 p.m. at the BUUSD Central Office and via video conference.

10. Adjournment

On a motion by Mr. Boltin, seconded by Ms. Smith the Committee unanimously agreed to adjourn at 6:35 p.m.

Respectfully submitted,
Andrea Poulin