

**BARRE UNIFIED UNION SCHOOL DISTRICT  
POLICY COMMITTEE MEETING**  
Via Video Conference – Google Meet  
February 21, 2022 – 5:30 p.m.

**MINUTES**

**COMMITTEE MEMBERS PRESENT:**

Giuliano Cecchinelli, II, Vice Chair (BC)  
Tim Boltin (BC)  
Andrew McMichael (BC Community Member)  
Jon Valsangiacomo – (BT Community Member)

**COMMITTEE MEMBERS ABSENT:**

Chris Parker, Chair (BT)

**OTHER BOARD MEMBERS PRESENT:**

Alice Farrell

**ADMINISTRATORS AND STAFF PRESENT:**

Chris Hennessey, Superintendent  
Luke Aither, SHS Assistant Principal

**GUESTS:**

Josh Howard                      Pietro Lynn                      Terry Reil                      William Toborg

**1. Call to Order**

**The Vice Chair, Mr. Cecchinelli, called the Monday, February 21, 2022, meeting to order at 5:30 p.m., which was held via video conference - Google Meet.**

**2. Additions and/or Deletions to the Agenda**

None.

**3. Public Comment**

None.

**4. Approval of Minutes**

**4.1 Approval of Minutes – January 17, 2022 Policy Committee Meeting**

**On a motion by Mr. McMichael, seconded by Mr. Cecchinelli, the Committee unanimously voted to approve the Minutes of the January 17, 2022 Policy Committee Meeting.**

**5. New Business**

**5.1 District Counsel – Policy/Procedures/VSBA Model Policies**

Mr. Cecchinelli advised that District Counsel, Pietro Lynn is in attendance to provide some clarity related to policy development. Mr. Aither advised that the District is looking for differentiation between policy and procedure, noting that a number of the model policies seem to include procedures in them. Mr. Aither also reported that there are some inconsistencies between some of the VSBA Model Policies, noting that the Title IX policy conflicts with the HHB Policy. The last item is whether the District should adopt policies as written, or review them to decide what is relevant for the Barre Community. Mr. Lynn advised that there are some mandatory policies that contain both policy and procedure, and it can sometimes be confusing to define where policy ends and procedure begins. Mr. Lynn advised regarding the distinction between policy and procedure. Policy is a high level articulation of the District's goals, values, and guiding principles. The Board typically creates the expectations for the District, defining what they want achieved and what they want implemented to achieve the goals. The procedures are most often left to administration to establish and implement (e.g. many of the VSBA required and recommended policies, include a requirement that the Superintendent establish, adopt, and implement procedures that give life to the principles that are contained in the policy). Mr. Lynn noted that the Title IX and HHB policies are filled with procedures, which causes confusion. The AOE has decided that these policies must contain procedures and the inclusion of procedures is not discretionary. Not all policies include procedures. Regarding contradictory policies, Mr. Lynn acknowledged that the Title IX (sexual harassment, including sexual assault) and HHB (which includes sexual assault) policies are wholly inconsistent in terms of the process that needs to be followed. There is no clear guidance from the AOE regarding which one ought to be the one that is followed. Mr. Lynn advised that because Federal law is supreme, VSBA's advice is consistently to follow the Federal law (Title IX). Mr. Lynn advised that the VSBA has made available to districts, policies that can be adopted. Some policies are required, some are recommended, and some are 'available' (optional). Unless a policy requires specific language, districts

may look at their structures, boards, and communities and make decisions regarding whether the language in the policies is appropriate for the District. Recently, the VSBA worked on the Equity Policy to create new language to better protect districts from liability and that are consistent with districts' obligations to the law under other areas. This policy is not required, and some districts have chosen to use a more robust policy. Mr. Valsangiacomo queried regarding policy vs. procedure, noting that he believes most of the VSBA policies have procedures written in as part of the policy. Mr. Valsangiacomo believes school board members are questioning the difference between policy vs. procedure, as he believes most of the VSBA Model Policies have procedures written in as part of the policy. Mr. Valsangiacomo advised that the Committee has been trying to take out/separate the procedure section from the policies, but it has been questioned, whether or not the District should be doing that. It was noted that written procedures are not keeping up with policy adoption, which poses an issue. Mr. Lynn advised that he is working on (with VSBIT) establishing procedures for districts, where the VSBA policies reference procedures. Mr. Lynn advised that there are a number of policies that do include procedures, but those policies are ones that, under the law (Federal or State), require procedures. Mr. Lynn suggests that if Federal or State laws do not require procedures be included, the procedures should be left out. Mr. Hennessey confirmed that it is the responsibility of the Superintendent and administrators to see that procedural manuals are up to date. Mrs. Poulin believes there is confusion that the Implementation section listed in the policy is procedures. Mrs. Poulin provided historical information, advising that when the District began to use VSBA Model Policies, it was determined that the Implementation sections of policies were present to give clear direction to administrators regarding what procedures need to be implemented. It was believed that the Implementation sections provide clarity to the policy, and that use of them assures that every school within the District, receives the same 'direction' from the Board, regarding what is expected of them. It was decided that the Implementation sections should be left in the policies. The VSBA web site advises that they do have a distinction between policy and procedure, and that procedures generally have a different coding section. Mrs. Poulin reiterated that it was the understanding of the Board, that the Implementation sections were not procedures, but rather were in the VSBA policies to provide clear direction to administrators regarding what procedures they need to write. Mrs. Poulin noted that the removal of some Implementation sections has been problematic (e.g. Substitute Policy - the District no longer has a policy on how substitute rates are set). Mrs. Poulin noted that the VSBA policies were not adopted verbatim, but rather were subject to minor changes to reflect things unique to the District. Mrs. Poulin believes there is confusion in that some individuals believe the Implementation section is procedures. Mr. Aither believes that the Interscholastic Sports Policy's (C24) Implementation section, which states that "The board will make determinations..." is a procedure, as it tells what will be done. Mr. Lynn is not familiar with all of the policies being discussed, or what is included in the VSBA's Implementation sections, but advised that implementation is something that administrators need to be doing and that where policy ends and procedures begin can sometimes be borderline. Mr. Lynn likened policy to an itinerary (the where to go), and that procedures are more of the 'route on how to get there'. Mr. Lynn advised that it could be that when the District is talking about implementation, it sounds like it is discussion on how the policy will be implemented, and he would suggest that may be procedure. Mr. Lynn advises Boards that one of their most important roles is to set the goals, and then judge administrators' ability to meet those goals. If goals are not met, administrators must be held accountable. One of the greatest responsibilities of Boards is to supervise and evaluate the Superintendent and hold the Superintendents accountable, and give them the freedom to do their job as contemplated by Vermont law. If they don't do a good job, they must be held accountable. Mr. Hennessey understands his responsibility and administrators' responsibility to see that procedures are up to date and that they comply with policies. Mr. Lynn advised that he has drafted a number of procedures that are going to be reviewed by VSBIT members in the near future. Mr. Lynn advised that 5 or 6 of the policies speak to some of the most 'litigation rich' areas where procedures are necessary. The procedures are being drafted to comply with the law and limit exposure to districts. Mrs. Poulin advised regarding a recently reviewed policy, where, should the implementation section be removed, the policy could be interpreted differently by different administrators (the implementation section defined what circumstances administrators needed to write procedures for). Mrs. Poulin believes that the implementation section was providing clear direction regarding what procedures need to be written by administrators. In past discussions, where it was decided to leave the implementation sections in policies, it was agreed that the implementation sections were providing clear direction to administrators, and was not actually writing the procedures for administrators. There was concern that if the policy contained only a generic policy section, the policy could be interpreted differently by different administrators (resulting in inconsistent enforcement of the policy). Mr. Lynn noted that if the Superintendent is doing their job right, each school will be informed on what is expected, and if they do not comply, the Superintendent will need to have hard conversations with building principals to make sure that they do follow expectations. If administrators do not follow expectations, (procedures written by the Superintendent), then the Board would need to have a strong conversation with the Superintendent. The procedures need to be legally compliant and need to include; the circumstances when to report students as truant, various other circumstances relating to absenteeism, and for a variety of different issues; who does reporting go to, who takes information, where is it stored, who needs to know, etc. All of these different issues need to be addressed by the Superintendent when he creates procedures and the "Board needs to see the procedures and know what they are, and then see if they are being complied with". It is the Board's responsibility to make sure that the policy is followed and that the procedures are legally compliant and are being followed. It was noted that the Board has never reviewed procedures, and that it is an understanding that most procedures are 'in people's heads', which is very concerning given the current turnover of administrators. Though the VSBA website states the importance of written procedures, and that the Board needs to follow up to assure they are in place, and though the Board asked for written procedures well before COVID, the procedures have yet to be presented. It was noted that previously it was understood that the Implementation section was part of the VSBA Model Policy. If the information contained in the Implementation section of VSBA Model policies is really procedures, why is contained in the VSBA Model Policies? In response to the query, Mr. Lynn advised that he does not know what specific policy(ies) the question pertains to, and advised that he is trying to speak generically about the

difference between policy and procedure and how to think about it and how to assure that procedures are consistent with policies and are legally compliant, and to assure that administrators are following them. If the District doesn't have written procedures, it is a problem, and they need to be written. Mr. Hennessey agrees that it is administrators' responsibility to see that procedure manuals are up to date and complete. Mr. Aither advised that the Committee has held discussion regarding seeing that procedures are complete and are in one easy to find place. The web site is set up to contain both policies and procedures (for each of the campuses). Mr. Aither believes many procedures are in place and are contained in the student handbooks. The procedures in the handbooks do not have a consistent format across the District. Mr. Aither believes there is much work to be done, but believes there are written procedures in place, but they are not located in the same place. Mr. Aither believes he is hearing that when it comes to policy "less is more" and that policies should just give guidance and that the schools should determine the procedures given the various schools' population, ages, etc. Mr. Aither advised that he believes sometimes 'Implementation' is a grey word, but some policies do have sections labeled 'Procedure'. Mr. Aither advised that the Student Attendance Policy (C7) contains a section titled 'Administrative Rules and Procedures'. This section advises that "The Superintendent shall develop administrative rules and procedures to ensure the implementation of this policy", then lists issues that must be addressed in procedures. (The policy also contains a separate Implementation section). Mr. Aither does not like that the policy defines what procedures need to be written because he feels that definition 'paints administrators into a corner'. Mr. Hennessey noted that there are many procedures on the BUUSD web site, citing that there are two procedures related to Intra-District Transfer Procedures that he uses often. Mr. Cecchinelli queried whether administrators should be working on procedures while policies are in development, allowing the Board to review draft policies and procedures, assuring that when the policies are adopted, they have written procedures. Mr. Lynn believes it is a great idea to have all the work done at the same time. This method will assure the Board that written procedures will be in place. Board members have voiced concern that there is a gap between when policies are adopted and written procedures are in place. Mr. Lynn advised that this gap should not be happening. All policies that require procedures should have written procedures in place. Mr. Lynn advised that the VSBA has spent a lot of time, energy, and money creating policies, and that he and other members of his firm review the policies prior to them being made public. Mr. Lynn cautioned that the Board not make too many changes to VSBA policies, because then the Board needs to worry about whether or not the policies are legally compliant, or consistent with other obligations. Mr. Lynn reiterated his caution not to make too many changes, and if substantial changes are made, to please consult with him to have the amended policies reviewed. Mr. Lynn advised that most of the policies that require procedures indicate that the Superintendent is responsible for writing procedures. Mr. Lynn advised that the policies make it very clear, what needs to be done. Mr. Lynn advised that the policies may not be 'the be all, the end all' and the District may need to modify them some for specific situations. Mr. Valsangiacomo queried regarding when Mr. Lynn anticipates that the procedures he is developing will be complete, and queried regarding if there is a list of procedures being written, so the administrators don't start writing procedures (for the same policies). Mr. Lynn advised that his work is complete and he is waiting on VSBIT to have them reviewed by others. Mr. Lynn did advise that most of the procedures he has written are not procedures that have much 'wobble room', they are procedures that are required under Federal law. Mr. Lynn anticipates the procedures will be available within the next three weeks. Mr. Lynn advised that policies and procedures should be written to assure uniformity, predictability, equity, and fairness. Mr. Aither advised that administrators have started writing procedures intentionally, starting with procedures that are most likely to come up, particularly in the section of policies pertaining to students, because it is important that those policies are administered consistently. Mr. Aither advised that he is currently up to page 58, and has only written a handful of procedures. Mr. Aither confirmed that administrators were asked prior to COVID to write procedures. It was noted that in addition to the procedures he is writing for the high school, procedures also need to be written for the other schools (BCEMS, BTMES, CVCC, and SEA). Mrs. Poulin clarified that procedures were supposed to be posted to the web site as soon as they were written, and that posting to the web site should not be postponed until all procedure are written. Mrs. Poulin reported that there are only 9 procedures posted on the web site; two Intra District Transfer procedures (that were written by Superintendent Pandolfo when he wrote the Intra District Transfer Policy), two Administrative procedures (school closures and visits by non-school staff), and 5 Board procedures). If there are written procedures available, they should be added to the web site as soon as possible. Mr. Lynn was thanked for his assistance. Mr. Lynn will forward a copy of his FERPA procedures in the near future. Regarding next steps; Mr. Hennessey advised that he, directors, and administrators need to start working to see that procedures are written, and that those that do exist in writing are posted to the web site. Mr. Aither voiced concern that there is no defined, consistent format to be used in procedure development. Additionally, Mr. Aither advised that the student handbooks also vary between schools. In response to a query, Mr. Hennessey advised that he is not aware of other districts that have performed extensive policy/procedure work. Mrs. Farrell advised that during the transition under Act 46, there was a belief that 'like' grades (throughout the schools within the District), utilize the same policies and procedures and she would like to see policy/procedure development that is consistent amongst like grades (District-wide procedures). Mr. Hennessey agrees that consistency of expectations is very beneficial. Mr. McMichael confirmed that he has the same understanding as Mrs. Farrell (consistency throughout the District). Mr. Aither advised that prior to the merger, the Committee performed an amazing amount of work to assure that policies were aligned and consistent, and he is very proud of the work that was accomplished. Mr. Aither did acknowledge that some procedures will differ based on the resources of the school communities and that 100% alignment will not be possible. Students benefit from consistency, but not all procedures will be identical. Mr. Cecchinelli queried Mr. Hennessey regarding how the Board can assist with accomplishing the writing of procedures. Mr. Hennessey suggested that a timetable/work plan be developed and that a defined number of procedures be completed by specified dates. Mr. Aither suggested that administrators write procedures between First and Second Readings/adoption of policies (to assure procedures are in place at the time of adoption), and that those procedures are formatted, align with policies, and are posted on the website after policy adoption. Mr. Aither suggested that procedures that are

currently documented, be posted on the web site, and that lastly, administrators should develop procedures for those existing policies which do not have written procedures. Completion of written procedures will require a defined process/timeline. In response to a query it was noted that procedures will reside in multiple areas (on-line, handbooks, and possibly other places). Mrs. Farrell stressed that the team working on procedures needs to have a clear and firm understanding of policy, procedures, and practices (which may be different school by school). Mr. Hennessey advised that there are administrators in each school that are well versed on policy and procedure. Mrs. Poulin noted that Pietro Lynn had advised that the Board needs to review procedures, and that Procedure Review may need to be added to Board Agendas (until now, the Board has never reviewed procedures). Mr. Aither believes Mr. Lynn's advise only means that the Board should be aware of procedures, but not take action and not read through each procedure and weigh in on whether or not they think the procedures are acceptable. Mr. Hennessey believes part of the work plan would involve making the procedures available to the Board, just so they know they are there. Mr. Cecchinelli interpreted Mr. Lynn's comment as being that the Board only needs to know that the procedures are there, and noted that for the Board to review the procedures would be micromanagement and take too much time. Mr. McMichael queried how the Board will know if the Superintendent is doing his job properly if they don't know the procedures and don't know if they are being followed? Mrs. Poulin suggested that the video be reviewed to provide clarity because she believes Mr. Lynn advised that the Board should be reading procedures and have assurance that the procedures are carrying out everything that is defined in the policies. Mr. Hennessey believes administrators just need to take responsibility to see that Board Members have access to procedures. Mr. Valsangiacomo believes the meeting was beneficial, and noted that the BUUSD worked very hard to get its policies in good shape (pre-merger, until now), and advised that he has reviewed other districts' web sites and has been shocked by the lack of policies and procedures. Mr. Valsangiacomo believes the District is far ahead of most districts on policy development.

#### **6. Old Business**

None.

#### **7. Other Business**

None.

#### **8. Future Agenda Items**

Items for the March 2022 Agenda:

- Work Plan for Procedure Development – Timetable
- Fiscal Management and General Financial Accountability Policy (F20)
- Role and Adoption of School Board Policies (A30)
- Board Member Education Policy (A31)
- Board Goal-Setting and Evaluation Policy (A32)

#### **9. Next Meeting Date**

The next meeting is Monday, March 21, 2022 at 5:30 p.m. via video conference.

#### **10. Adjournment**

**On a motion by Mr. McMichael, seconded by Mr. Valsangiacomo, the Committee unanimously agreed to adjourn at 6:35 p.m.**

Respectfully submitted,

*Andrea Poulin*