A Human Resources Committee meeting was held on Thursday, October 15, 2009 in the Board Room. Ms. McCormack opened the meeting at 10:15 a.m. Committee members present were John C. Allen, IV (arrived telephonically at 10:30 a.m. and departed at 11:00 a.m.); Jacques A. Conway, Terry Finnegan, Dr. Ralph H. Lee, Amy McCormack, Dr. Dietra D. Millard, and Sharon Patchak-Layman. Also present were: Dr. Attila J. Weninger, Superintendent; Jason Edgecombe, Assistant Superintendent for Human Resources; Philip M. Prale, Assistant Superintendent for Curriculum and Instruction; Nathaniel L. Rouse, Principal; Cheryl Witham, Chief Financial Officer; and Gail Kalmerton, Executive Assistant/Clerk of the Board.

Visitors: Kay Foran, Communications and Community Relations Coordinator; James Paul Hunter, FSEC Chair; Donna Sebestyen, OPRFHS Coordinator of Benefit, and Terry Dean of the Wednesday Journal.

**Recruitment and Employment of Administrative Employees**

Dr. Lee asked for a legal opinion on the following items.

1) Are there legal ramifications to adopting a process which gives members of a collective bargaining unit the ability to limit consideration of candidates for administrative positions to those that the collective bargaining unit approves? What has been proposed is a process that actually permits members of a collective bargaining unit to limit its consideration to only those of which they approve?

2) If there are no legal ramifications, does legal counsel consider it advisable in the District’s relationships with a collective bargaining unit?

Dr. Weninger stated that he would get that information. In Dr. Lee’s opinion, it would not be responsible to adopt procedures that would allow for a committee with a majority of collective bargaining unit members to limit consideration to only those candidates of which they approve. Dr. Millard stated that the faculty members’ composition would be 50%. She felt two division heads could be included on the interview team, even if it were a retiring division head.

Dr. Millard had used the document to clarify the hiring process. Her concerns were:

1) Referring to the First Interview Team as FIT, she suggested that its composition have two division heads as originally proposed.

2) Number 5 should include both the job description and characteristics and qualities as identified in Number 4. It was clarified that postings occur once the job description is completed. The qualities and characteristics is an internal document for the committees’
use in determining whether the candidates meet the desired qualities and characteristics at an initial level. It comes after the posting occurs. Convening the teams to do this now would be very time intensive. Ms. Patchak-Layman felt it was only fair for people applying for these jobs to know the desired characteristics and qualities. Ms. McCormack concurred, noting that the candidate would make sure examples of the desired characteristics, etc., were included in the process. Mr. Edgecombe felt that the position description would give a sense of the critical components of the responsibilities. The committee will talk about the subtle characteristics different from those listed in the position description. Dr. Millard was concerned that the Second Interview Team (SIT) could have different characteristics from FIT. Mr. Edgecombe stated that if there were different characteristics and traits, they would be discussed with FIT. Mr. Finnegan did not want FIT to eliminate candidates only to have SIT resurrect them because of a change in emphasis. He wanted FIT to have the postings and a DLT member on the team who had a good understanding of what SIT wanted. Mr. Edgecombe assured him that a DLT member would chair the committee and would be able to inform the committee as to which candidates would be most viable.

Ms. Patchak-Layman felt that the process should be fair and open to any candidates and all information should be available to them. This document is not just for now but for future years as well. Ms. Patchak-Layman wanted the conversations to take place before the posting. However, because of the lateness of this hiring season, she suggested postings updated job descriptions on the web and also giving them to the candidates.

Mr. Allen asked not to move past Number 7, but allow Mr. Edgecombe to move forward that day with the postings. A follow-up meeting was scheduled for Tuesday, October 20, 2009 at 7:00 p.m. He supported Dr. Lee by saying he did not believe the team should be a majority of faculty members and he did not consider the division heads to be administrators. He agreed that the bargaining units or their influence should not rule the interview teams. He objected to the references to New York State in Ms. Patchak-Layman’s document (distributed at the table), as that state is hypocritical about human rights.

Responding to the formation of the committees prior to the posting in order for FIT to have the conversations about characteristics and qualities, Dr. Weninger noted that there was not enough time to do so. Ms. Patchak-Layman felt that to not include formal interview teams’ thoughts about the postings was saying that the District did not want their input at the outset. She proposed that the number of people involved in the process be expanded by opening up an application screening team that would mirror interview teams. The application team, as proposed, is two DLT members and two interview team members. Their job is to review the applications and determine who would go forward. She felt Dr. Lee’s concern about openness could be broadened and balanced by having different groups look at the applications to make sure they had the desired characteristics and qualities. Then, FIT would do the interviewing. She also broadened the interview and application screening teams to include more than just teachers and division heads; she added representatives from the employee services support group, members of the community and parents (who would come from groups already in existence). The unions would designate teachers to sit on the interviewing and screening committees. The Superintendent would select the administrators on the teams. She had omitted
from her proposal someone looking at this from an equal opportunity or affirmative action position to make sure the school gets quality candidates that would increase the number of minority staff at the school.

Relative to Mr. Allen’s comments regarding New York State, Ms. Patchak-Layman had suggested that as being important information for the interview committees to have. She also wanted the finished document posted on the website so that candidates knew that this was an open and welcoming process.

Mr. Finnegans felt sending the postings out as soon as possible would not limit anyone in the building even if the conversations about characteristics and qualities had not taken place and that the process would not hurt any particular candidate over another. He reiterated his concern about the conversations between FIT and SIT. He supported limiting faculty representation on the committees to 50% or less and that the committees’ makeup be an odd number. He looked at Division Heads as being outside of faculty. He did not share the same concerns of Dr. Lee and Mr. Allen. He wanted significant faculty input. Ms. McCormack also did not share Dr. Lee or Mr. Allen’s concern and would be interested in the attorney’s position on this as this was part of the screening process. She did not believe it was an issue. She also did not view the Division Heads as being part of the faculty.

Dr. Lee did not believe it was necessary to have a minority of faculty on the team; he was worried about the function of the team itself. From his experience at every level of this process, probably between 40 to 60 percent applicants will not satisfy the minimum technical requirements. He believed what is practical is to leave the interview teams the way they were constituted, except for constituting an odd number. FIT should pass those candidates with the minimum qualifications on to SIT. Their rankings might have annotations with reasons for ranking.

Dr. Weninger asked the Board of Education members as to whom they wanted to vet the administrative applications. The document says DLT and two interview team members would do that vetting. Should there be further vetting of that group or should they be interviewed by FIT with no further vetting? That was Ms. Patchak-Layman’s reasoning for suggesting an expanded application review team. Mr. Edgecombe stated that Number 3 was important as that committee would move the candidates forward to SIT. Mr. Edgecombe did note that this was not a straight line process and it could be fluid.

Dr. Lee stated that the function of Number 3 is a fixed thing; it is not fixed and it can be changed. If a committee is needed to decide the qualities desired; however, he suggested changing the name and leaving the composition as it is. It was the consensus of the majority of the Committee members to have FIT involved in the interviewing. Dr. Lee and Mr. Allen did not agree. Mr. Conway wanted information on how parents and students would be chosen and how faculty members would be shown their value. There was consensus to post the positions immediately. Dr. Lee wanted the Superintendent to appoint the parents and students.

Ms. McCormack reiterated that the Board of Education wanted formal input from everyone and that everyone was on the same team. Ms. Patchak-Layman wanted to add staff, counselors and
deans to FIT. Mr. Finnegan felt an EEOC person would enable someone else from DLT to be included on FIT, e.g., Mr. Edgecombe, etc. Mr. Edgecombe concurred that he would be a part of this process. Ms. McCormack suggested that the labor/employment lawyers should address the efficacy of having an untrained person as a part of this process. Ms. Patchak-Layman felt the EEOC position might function as a nonvoting member and perhaps a nonemployee of the school.

Mr. Edgecombe stated that the administration is the Board of Education’s representative in the fulfillment of Board of Education goals and objectives set for the District. However, because of the Board of Education’s lengthy conversations, the administration is prevented from doing its work. While Ms. McCormack understood his comments, she felt the Board of Education needed to articulate the goals to the administration well so that it could do its job.

Adjournment
At 12:10 p.m., the Human Resources Committee recessed until at 7:00 p.m. on Tuesday, October 20, 2009.