

CHESHIRE BOARD OF EDUCATION
MINUTES OF THE POLICY COMMITTEE MEETING
Held Virtually via YouTube Live Stream
October 6, 2020 – 6:30 PM

Committee Members Present: Adam Grippo, Chair; Kathryn Hallen, Tim White

Administrators Present: Jeffrey Solan, Ed.D., Superintendent of Schools

1. CALL TO ORDER – 6:15 P.M.

Mr. Grippo called the meeting to order and led the group in the Pledge of Allegiance to the Flag.

2. Public Comment.

None.

3. Review Policy & Regulation to be Rescinded.

Dr. Solan explained that it is recommended that Policy and Regulation #6141.328 - Bring Your Own Device be rescinded. This policy was in effect for students who were using their own devices to access our network. As Cheshire Public Schools provides devices to all students and no longer allows students to use their own devices to access the school network, this policy is not needed. Students are allowed to use their own devices in their own homes, but our technology department cannot provide support for any personal devices.

MOTION by Mr. White and seconded by Ms. Hallen

MOVED to bring forth Policy #6141.328 - Bring Your Own Device to the full Board to be rescinded.

VOTE: The Motion passed unanimously 3-0.

4. Review Policies for Discussion/First Reading.

4117.5 Termination of Employment

Mr. White explained that he asked for the Committee to review this policy because he feels that if someone departs or if there is a disciplinary action, it should be public information. He said the Waterbury School district lists all of their employee departures on their website. He said if a teacher is disciplined for 5 days, people should be aware of it. He thinks it improves transparency within the school system. Mr. White is questioning the legality of releasing that information.

Dr. Solan said any discipline executed against any certified employee is subject to the FOI Act. Separation agreements are negotiated and often not publicized, but could be subject to FOI. Dr. Solan explained that with 600 employees, if there is an issue with an employee, there could be a business decision made to expedite their departure. The process of termination can be expensive and laborious, so it is cheaper to enter a separation agreement. The employee may not want to take the agreement if they know it will become public. Most times, employee

terminations go the route of settlement because it is more important to expedite the process, rather than going through a hearing process which can be lengthy. The Superintendent said publishing is not something he would advocate for and he doesn't think it is in the best interest of our students. He said he will get the option of the Board attorney.

Mr. White said he does not feel it is necessarily bad for students. He said it is like #METOO. If we keep quiet, people move on to another district, and there will be a problem somewhere else. This has happened in Cheshire before. It could become public and the public can hold the Board accountable at the ballot box. He said he feels disciplinary actions or departure should not be kept quiet. In principle, in some type of timely manner, public notice should be given that people have left or have been disciplined.

Dr. Solan said from a leadership perspective, there is an old axiom that you praise in public and punish in private. That goes back to the fundamentals of human motivation. Dr. Solan said it rises to a level of embarrassment or humiliation, which has no place in the way that we conduct ourselves with students or adults. He said he does not see the public benefit outweighing the cost to culture and climate.

Mr. Grippo asked how someone would know to FOI a separation agreement or discipline. Would they need to know a name? Dr. Solan answered, yes and said when it comes to FOI, we do not have to create a record. We only must provide records that already exist. Mr. Grippo said that perhaps some clarification from our attorney is needed. Perhaps there could be an anonymized report.

Ms. Hallen said she disagrees completely and thinks the policy they are discussing would create an intimidating and hostile workplace, as there are a number of reasons why a staff member could be the subject of disciplinary action, even for something as small as parking in the wrong space. Sometimes employers will mark the file but help the employee become better at their job. We don't want to drag employees through the mud. She said the Board is not supposed to be focused on what will happen at the ballot box. We are supposed to focus on what will help our students achieve at the highest level that they can achieve. If the Superintendent is going to take certain action and doesn't believe it is in the best interest of the district to publicize it, it is his call. There could be an egregious matter that the public should know about, but that would become public knowledge anyway. She asked what kind of atmosphere would we be creating for our students and staff and said it is not our job to be big brother. Our job is to foster a district where people love to come to work and students thrive.

Mr. Grippo said he agrees with both Mr. White and Ms. Hallen and a proposed policy like this could be overbearing. He said he thinks if someone wanted to make a general request for FOI information they could. Mr. Grippo asked for the attorney to clarify what is legally allowed to be released.

Mr. White asked in the last five years, how many suspensions, or disciplinary actions have been taken. Dr. Solan said he can recall maybe four separations in last 5 years for both certified and non-certified staff. He said our teachers do amazing work and we should be writing many more commendations than disciplinary letters. Dr. Solan said if a teacher is having significant

difficulty, we are advised to document it. In an instance where a progressive discipline is going to be broadcast, the union would more vigorously fight each item, creating grievances and bureaucratic gridlock. We might try to counsel-out a staff member if they are not a good fit for our district. In other cases, they may work toward termination which would come before the Board.

Mr. White said he would like to hear more from our attorney about what is permissible regarding separation or suspension.

Mr. Grippo said he would also like to know about the hearing process. He said they will continue this discussion at the next meeting.

9321.2 Bylaw-Time, Place, Notification, Type of Meetings-Electronic Board of Education Meetings

The Superintendent said he spoke with the attorney about the Board having virtual meetings going forward. Our attorney advised that, unfortunately, they can only hold virtual meetings as long as there is an Executive Order to do so in place. He said this bylaw would be focused on a scenario where an individual Board member cannot make a meeting in future. He said he would like to review this more to make some adjustments after receiving the guidance from our attorney and come back to the committee again next month. The Committee will continue discussions on this optional bylaw at their next meeting.

9325.43 Attendance at Meetings via Electronic Communications

Dr. Solan said this bylaw is not necessarily related to the Executive Order. It is an optional bylaw that allows members to participate in meetings by telephone or other electronic means, but provides guidelines to do so. The Committee will continue discussions on this bylaw at their next meeting.

5. Adjournment.

There being no further business, it was unanimously agreed to adjourn the meeting at 7:25 p.m.

Respectfully submitted,

Adam Grippo, Policy Committee Chair

Attest: _____
Carol Jesensky, Board Clerk

Filed Electronically: 10/15/2020 .