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## Loudoun County School Board, Human Resources and Talent Development (HRTD) Committee Meeting, Thursday, June 22, 2023

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Date Thursday, June 22, 2023  
Place Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV)  
Length 41m (video)

- Official meeting video (Vimeo / LCPS-TV): <https://player.vimeo.com/video/838817931?rel=0>
- BoardDocs (School Board): <https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public>

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-22. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

**[00:00:48]** Good evening. I am calling to order the June 22nd, 2023 Human Resources and Talent Development Committee. My name is Erica Ogadegbe. I am joined this evening by Jeff Morse.

**[00:01:04]** Do we have any public comment tonight? No? Okay. Moving on to the second item here for minutes. I move to adopt the minutes from the May meeting. Is there a second?

**[00:01:21]** Second. all those in favor of adopting the draft minutes from may 25th 2023 please raise your hand and say aye aye that passes unanimously with all committee members present well with all committee members present but with no i'm saying with all of those who are present said yes but mr baity was absent yes with committee members present does is that better that's fine okay item number four we have

**[00:02:00]** an action item for policy 7726 military leave is there a motion i move that the hrted committee accepts the revision of policy 7726 military leave and move to the full school board on june 27 2023 i'll second that any discussion or questions on this or does staff have any updates all those in In favor of the motion, please raise your hand and say aye.

[00:02:33] Aye. Aye. Voluntary leave. I'll give you a minute. Here we go. Thank you. That will pass with all committee members present in support.

[00:02:55] Item number five, I'd like to ask staff to begin an update on this information item for policy number 7030. We had discussed this as an information item last time, and so if staff can kick us off with updates from that last discussion.

[00:03:16] Perfect. Thank you. So as you will recall, I was not present during the last HRTD committee meeting, but I did go back and listen. And before I hand it over to Ms. Davis to go through more specific changes to address that topic, I did want to remind the committee and also bring Ms. Ogadegbe kind of up to speed in regards to an HRTD committee meeting, actually it was three separate meetings in which we discussed, it was the first three meetings of the school year

[00:03:53] in which we discussed policy 7314, duties and responsibilities of teachers. And so during that policy and during that meeting, originally there was an additional sentence added that stated working hours.

[00:04:10] Teachers are exempt-level employees and may need to work beyond regular hours. And if you will recall, we had great discussion because there was a lot of feedback in regards to why the ad. And the board or the committee decided to strike that verbiage from this policy in large due to the fact that it was that information was currently clearly defined and identified in the staff time schedule policy that defined exempt employees and what that meant.

[00:04:49] So I bring that up only to remind you that this is now the policy where that is identified. And part of the reason it is the policy where it is identified is because it's not just referencing teachers. It provides the information for all positions and all employees within LCPS as to whether or not they're exempt or non-exempt and what that means.

[00:05:17] And I'll hand it over to Ms. Davis to kind of talk through the other points. Okay, good evening. So based upon the discussion that occurred at last month's meeting, we did make some alternate suggested language changes to policy 7030, and I'll point each of those out.

[00:05:37] Starting with line 46, and I'm working off of the red lined copy. So page 2, line 46, we revised the language to include as established by their supervisor and as specified by contract or as established in applicable policies.

[00:06:01] And this is to support that a change in working hours should be in line with both policy and contractual guidelines rather than just by the supervisor's guidance the next I think there's an and missing I think you struck out the or but there's an and missing on the version we have okay I can add that in so the next adjustment is on line 49 it was also included on line 71

[00:06:34] to add the term occasionally to assigning duties or meetings because I believe the discussion last month was how frequently that could occur. So we added the term occasionally in there and I have some additional information and I'll share with just a moment based on DOI guidance on that.

[00:06:56] So if we're moving on to line 126 on page three, we added back in the term asking into the language to ensure that supervisors are aware that this is part of the procedure when assigning overtime.

[00:07:16] The last addition is on page 5. We added a cross-reference to policy 7022, employee classification, which also provides definitions of each individual work group in terms of their assigned

salary scale and additional exemption guidance clarification.

[00:07:44] So in addition to the changes to the policy tonight, there was a question related to contract language for teachers. There is no reference to exemption status or assigned duties in that, but the language itself does specifically reference policy 70-30, specifically stating that in part, the employee shall perform duties in accordance with school board policy 70-30.

[00:08:14] I did get clarification from DOI on the type of guidance provided to school administration related to the assignment of duties after contract hours. They said generally most events are those that all staff are aware of, such as back to school nights that are limited to once a year.

[00:08:33] There are events that could be sponsored by specific departments, such as like the foreign language department. and if they put on an event that they would be required to attend that and that they do provide guidance to administration to limit the amount of after contract hours meetings when possible and that if they do occur to try to keep them to a short time frame and that if there are any concerns from employees that they would recommend that they reach out to the level directors because they do want to be aware of their concerns and then of course they can always come to HRTD if

[00:09:07] there are any concerns as well. So any questions? Yes, Mr. Mars. Thank you, Madam Chair. So two comments. The first, you mentioned within the contract that the language for exempt versus not exempt is not precise. It doesn't tell the employee whether they're exempt or non-exempt.

[00:09:29] And you mentioned that within the contract language, it says go to policy 7030. In policy 7030, it goes, it tells them to go to policy 7022. So now we're kind of driving them in a roundabout kind of way to find out the answer is there is there a reason why we can't put that language in the contracts so i know they are so contracts are not owned by hrted they are owned by um they're kind of a combo owned approach and so there is currently a process to include a focus group

[00:10:08] to revamp there are a number of things that really should be revised in a teacher contract to be included um to revamp that language but there are code uh specific requirements and i don't know all of those so um i don't know the answer as to whether or not it can or cannot but it is something we can certainly include as we revisit contracts before the next school year so if if we know yes but it doesn't define because there are some that are exempt and non-exempt and so it talks about

[00:10:43] the universal scale where some are exempt and some are non-exempt. So if it's challenging for HRT to imagine how hard it is for a first-year teacher or a first-year employee to try to navigate through that. So I would just, as whatever form... Keep in mind, teachers or licensed employees are the only ones that get contracts. So if we start to talk about the universal scale, non-exempt versus exempt, they don't get contracts. They get assignment letters or memos. Okay, assignment

[00:11:18] letters. And it is, and whether or not they get an assignment letter or a memo is specific to whether they are exempt or non-exempt. So they would have more information than a contract would provide. So if that's the way we discern, the employee can discern that, then it would be very easy to place that because if it's a contract letter and that is for non-exempt, then clearly we could just add that language in there because I think the teachers are probably well covered in here and I think that they'd be able to figure it out it's employees on the other scales that would probably be most challenged and we have more control over those so if that's what you're asking about the memos we can absolutely make those adjustments and the reason you know I just look

[00:11:57] at that because somewhere in here we talk about some employees in the I think it's universal some employees are exempt and some are not exempt well this policy if you're driving them here to find the answer of whether they're exempt or not they're not going to find it here they'll have to go to 7022 so we should probably reword that and send them directly to 7022 if that's the case and i don't know the language that miss davis read was from a contract a teacher contract we would have to look at i don't know what it currently says for non-exempt and exempt non-contracted employees we could pull

[00:12:34] that up but it may not point them to 7030 it may point them to 7022 i don't have that verbiage in front of me, but we will certainly look at it. Okay, and we may not see that in this cycle with HRTD, but I would ask that HRTD look for that in other instructions and make those adjustments the next time that they are reviewed. Last question was, it says approval from the appropriate member of senior staff on line 125. Can we define senior staff? What's the easiest way to define So we do define senior staff.

[00:13:08] It's currently being revamped, but it is in the regulation that is attached to the superintendent's powers and duties policy. Okay. Cabinet and senior staff are both identified, so we could cross-reference that. I think that'd be helpful because otherwise senior staff could be interpreted as something different.

[00:13:28] Thank you. Any other comments? Okay, I have two questions. One of them is on line 126 related to overtime procedures. So this is... related to exempt non-exempt from all salary scales so this is overall over time right and i will just say so from my experience with non-exempt employees we um we're always asking

[00:14:00] and never demanding so i or scheduling so in other words we are i had always been under the operation And I don't know if it was an institutional norm or if this is an FLSA requirement, but we would not expect we would ask if non-exempt employees were able to work the overtime that we were requesting to get whatever project we were working on done.

[00:14:28] I may be able to answer that because I had the same concern. And then it dawned on me that we're looking at this from two perspectives. One is from the employee's perspective, that they cannot automatically give themselves. A hundred percent. And so you need the permission to come from above, but you also need the request to come from above.

[00:14:46] So they did add request or permission in there. Do you think that there's another change of wording that would answer your question, concern, your concern? I think that the process is different for exempt and non-exempt employees.

[00:15:04] So, again, my understanding and the practice has been that always for non-exempt employees, yes, They can't just work overtime and then they have to get paid for all overtime work, but you can't just work overtime to get paid more. You have to ask for permission because you have work that's going to extend your normal schedule.

[00:15:23] However, an employer, in my experience, shouldn't be expecting them to work the overtime if there's more work that week for that project, and therefore we should be asking. So I'm wondering if that paragraph should be split into exempt and non-exempt because the language as it says is supervisors may schedule overtime when it's deemed necessary and then fast forward to 126 and get approval before scheduling, permitting, or asking.

[00:15:59] And that's when we're talking about non-exempt and exempt together, it gets lumped together. So I'm wondering if we should be more specific there. We can add the word non-exempt to clarify that.

And I just want to put a reminder out there as well that there are some essential personnel where in the event of emergencies and stuff that they would be required to work overtime, but that's identified in their job description.

[00:16:24] They're well aware of that ahead of time. And if you're specifying, you might as well put in a sentence there that addresses essential employees and the fact that they, due to the nature of their work, will be asked when necessary to work overtime. And we do have a policy that covers that as well.

[00:16:42] Great. My second question was back on line 52. So this was related to teachers and supervisors.

[00:16:59] Occasionally the supervisors may assign scheduler duties in excess of seven and a half or eight. I'm wondering why there's both numbers instead of just a static number. Because we have licensed staff that work both. Some are seven and a half and some are eight. to address both of those.

[00:17:16] - Okay, understood. Any additional questions? Okay, so I think this does make sense and it's helpful to get that additional context that you shared before.

[00:17:34] Is there comfort with moving this forward as an information item at the next board meeting? Okay, so with the adjustments that we've spoken about, can this be brought forward as an information item at the next full board meeting? - So it's not an action item tonight, so you would have to suspend the rules too.

[00:17:54] - There we go, so this will come back as an action item to the next committee meeting, thank you. Okay, next item, number six for discussion item, we have an HRTD committee update on substitutes.

[00:18:13] - Okay, and so this evening they're paying me back a little bit and Mr. Phillips and Mr. Bennett are both not here, so I'm going to try my best to present appropriately and I do have Bonnie Robertson who is the epitome of the sub-central team here in case I mess anything up too poorly.

[00:18:34] So good evening. I'm excited to share with you the annual data update for the substitute program during the 22-23 school year and provide some insight on what's next for this program. So the data found on this slide highlights substitute stats from the 22-23 school year.

[00:18:57] As of June 8th, LCPS had 3,274 active substitutes available to work. This represents a 7% increase over last year. During the 22-23 school year, 2,564 substitutes worked at least one job assignment during the school year, which is greater than 400 substitutes working at least one job assignment last school year.

[00:19:28] During the 2022-23 school year, 1,295 long-term substitute positions were filled with substitutes. Two of the most significant in numbers you will find on this slide include the hiring of 1,216 additional substitutes this year, nearly doubling the number of substitutes hired from last year.

[00:19:54] As we continue to leverage technology and increase efficiencies within the hiring process and onboarding, we hope to only see additional increases. And the fact that 289 of our active substitutes have been hired into licensed teaching positions, a number that more than doubled from last year and indicates the value in this candidate pool as a viable pipeline for filling positions within the county. The data found on this chart

[00:20:31] provides a snapshot of substitute fill rates on an average school day during the 2022-23 school year. As you can see, the adjusted fill rate found in the very last column differs quite significantly from the fill rate column next to it. This difference is based on the adjustment made for the site-assigned substitutes

located at schools. The site-assigned substitutes are used to fill the unfilled teacher-requested subjobs at the school. Both the fill rate and adjusted fill rate increased

[00:21:05] by four percentage points when compared to last school year. On average, the number of unfilled jobs for teachers identified as 189 in total is less than two per school. Although substitutes largely support teachers. Substitutes are also currently available for teacher assistants, library assistants, nurses, nurse assistants, health clinic specialists, school-based clerical positions, and administrators. On the previous slide, I mentioned that with the use of site

[00:21:45] assigned substitutes, we are able to adjust our fill rate and provide for a greater number of teachers needing coverage. For background, site-assigned substitutes were created during the 2020-21 school year to assist during the return to in-person learning after the pandemic.

[00:22:04] In general, site-assigned substitutes are provided to schools on a 25 to 1 teacher-to-substitute ratio. However, based on the level of need or the inability for a school to regularly obtain subs to provide coverage for teachers, HRTD will work with those schools to provide additional site assigned substitutes. For the 22-23 school year, all site assigned substitute jobs available were filled. To create greater consistency among schools and care for our subs, as well as our

[00:22:42] site assigned subs, HRTD, DOI, and the Department of School Leadership is currently working to collaborate to create greater guidance for schools on the sub usage within their buildings. As you may recall, it was just a short time ago that the Substitute Incentive Program was created.

[00:23:06] We are delighted to report that more subs are picking up jobs since the implementation of these incentives just a short time ago on November 1st, 2021. The 22-23 school year is the first full school year with both incentives available. High volume days are defined as those school days that have historically had higher than normal requests for substitutes. Examples would be a Friday before a three-day weekend or a single workday between a weekend and a mid-week holiday.

[00:23:44] During the 22-23 school year, 26 days were identified as high volume days. As far as the loyalty rate is concerned. A substitute qualifies for the loyalty program once they have worked a minimum of 25 job assignments. They do not have to be consecutive. On their 26th assignment and every assignment after that during that school year, they would then be eligible for the increased

[00:24:15] rate. So what's next for the substitute program? So much more than I have time to share tonight on one slide, so please expect more to come in the beginning of the next school year. As a quick reminder, with board support, the subcentral team was restructured to include a new HRTD supervisor position scheduled to begin this July. This supervisor will provide oversight, leadership, and support for the substitute team and program, and will work collaboratively with the recruiting

[00:24:52] team, school administrators, and teachers to enhance and improve this program and provide greater support and care with an innovative approach to recruiting and staffing substitutes and with the ability to pivot quickly to meet the changing needs of the division and schools.

[00:25:11] The new HRTD supervisor will serve as a specialized leader offering LCPS the opportunity to be more strategically engaged in the day-to-day operations of the team and the substitute role within the schools. And that concludes my update for this evening. Any questions? Mr. Morse.

[00:25:37] Thank you, Madam Chair. You mentioned the possibility of certain schools that still have difficulties finding the substitutes. How many additional positions do you anticipate needing that's something you're looking at doing in the next budget cycle so we have not increased our ratio we typically do it on a needs-based approach um and i have um we would not take them

[00:26:13] away if that's what you're asking for the next school year but if we we track the information as far as higher needs schools. And if that were to shift in the new school year, we would then pivot to add additional site assigned subs to those schools.

[00:26:32] Okay, so then we are currently executing that with more site assigned subs to specific schools? That's correct. How many, and I don't need to know the schools, but do you know the approximate number of additional site assigned subs that we're adding in to help address those schools' concerns?

[00:26:49] So I have this chart in front of me, but I'm struggling to necessarily provide it. Bonnie, do you know off the top of your head?

[00:27:24] So division-wide, how many positions are we adding? And once they get into that position, we have not removed any of them. So is that correct? So those positions are kept at the school in order to allow them to fill it.

[00:27:57] So if they had four assigned instead of three and one of them went vacant, that wouldn't drop the requirement. The requirement stays there. It really is based on the requirement. Right. So if their need were to go down, for example, if a school, if the number of requests from a teacher population significantly reduced or significantly increased, Usually we see that when there's a large change in maybe school leadership, right?

[00:28:34] There's a change in the culture, or there may be more individuals taking leave, more subs required. We see it a lot in our Title I schools, in our Sterling area schools. But they are constantly watching the fill rates.

[00:28:53] I get a daily report of the fill rates and which schools may fall below 80%. So that adjustment is made. And the last question I had was, I appreciate the incentive programs.

[00:29:08] I think they're valuable. And obviously your numbers are supporting that. The question I have is, what is the total cost of the incentives? How much did we provide to our substitute pool with those incentives in mind for the last year?

[00:29:25] I assume that it resets every year, so if you do 25 jobs in 22, 23 school year, it goes back to zero and you build again. You don't continue to maintain that. So I'd be interested in knowing for the last year, what was the total cost of that incentive program?

[00:29:42] And I can find out. Although HR supports the sub-program, that budget lives between DOI and special education, between teaching and learning and special education. So we don't get a regular report of the costing or what's spent. So I will get with.

[00:30:04] Yeah, if you could pass that to finance, maybe they could determine that. That helps us understand the value of the program versus the cost-benefit analysis is what I was hoping for. Thank you. Mr. Beatty. Thank you, Chair. Looking at the substitute stats, for the total jobs, should that be considered a teacher out for the whole day, or is that just like a period that you need someone to fill it?

[00:30:29] I assume it could be both, but in general, should it just be someone has to fill in like four blocks or two blocks that day? my understanding is it's more of a whole day or more than a half of day because anything other than that the principal typically utilizes other individuals within the building for coverage so that's we could assume it's about a thousand teachers out and then if we look at the number of teachers i think it's about 5 000 from what i just googled so that's like 20 out on a particular

[00:31:04] an average per day. Is that correct? Keep in mind that it's not just teachers that are out on a given day. Okay. So should it be out of the 12,000 employees, right? If I recall. So not all employees are provided subs. So where it says total jobs, remember that could include teacher assistants, library assistants, nurses, nurse assistants, health clinic specialists, and school based clerical positions. It probably wouldn't include the administrators. We do currently have

[00:31:41] 6,011 classroom teachers and librarians. And then additionally, you know, if we pulled in additional data in regards to those other positions, I would say maybe another 500. Okay, so it's not about 20%. And then for the 352 of the site assigned subs, Would that make up every one of those filled jobs, or are they also kind of on their own pattern where sometimes they're not able to fill in?

[00:32:12] No, there are days that we go with unfilled jobs. I'm sorry, is that the question? No. So I'm looking at that chart again. I see filled jobs, 868. And then on the next page, it says there are 352 site assigned subs. So is it safe to assume that of that 868, all 352 are filling those spots?

[00:32:34] And then we've got another 500 or so on top that we have to... So the 868 filled jobs would be those jobs that are filled by regular substitutes, not site-assigned substitutes.

[00:32:49] And that 868 fill rate is what gets us to the 78.4%. And then from that, we then utilize the site-assigned subs to fill additional positions or openings in those specific schools. And that's what gets us to the 87.9% daily average fill rate.

[00:33:11] So then all 352 are not necessarily being utilized because I don't think that the percentages don't quite add up then if we still have unfilled jobs. Or are we getting 100%? Well, no, we're not getting 100% because you said the adjusted fill rate is 87.9%.

[00:33:26] So there's... Correct. Now, keep in mind, these are averages. We pulled the daily average. So it won't be an exact specific. We do have site-assigned subs that call out. We do have site-assigned subs that also don't show up. And we do try to utilize or we ask the principals to utilize site-assigned subs to fill their positions in that school before requesting a substitute to make sure that one school who might have five site-assigned subs doesn't have someone without a position to fill because another substitute has already filled it.

[00:34:06] Okay. So that's very helpful. And I guess that leads to sort of the final question that I'm trying to drive at. That ratio of 25 to 1, is that appropriate or does that need to be tweaked so that there's more side-to-side subs in order to have a better fill rate? So I don't know that I know the answer to that question. I think it would require more data.

[00:34:29] I think it would also, because of the incentives working so well, Our budget was a little higher than anticipated in regards to substitutes this previous year. So Ms. Willoughby and I will be taking a look at what that looks like and how to properly account for it moving forward.

[00:34:54] During that timeframe, we will also look at site assigned subs. My goal actually would be, because those aren't full-time positions, so those individuals don't get benefits. My goal in the future would be to figure out a ratio to have almost full-time floating per cluster type substitutes that actually get benefits that we can account for more appropriately within the budget as well.

[00:35:19] Okay. Thank you. Thank you. I had two questions. The first one is quick, but for the incentive programs, are they a percentage increase over their base pay and are they consistent for both programs or are they different?

[00:35:37] are different for both of them and they, um, their rates, their daily rates that are posted. It's not a percentage each, um, there's a daily rate for a regular sub, a daily rate for a long term sub and a, a daily rate for a, the loyalty, once you hit the loyalty program and a daily rate for a hard to fill date and whatever you qualify for on whatever day you work, the higher of those rates is what's applicable.

[00:36:11] So if you're in the loyalty program and it's a higher rate than the higher volume day or you're in the loyalty rate and the high volume day is higher, whichever is the higher rate, that's what you would earn. Okay. Thank you. And then the second question, and I believe you and I spoke about this, but I wanted not to put you on the spot, but just to get an update for the committee.

[00:36:33] I know one of the things that I've talked to people about or heard concerns around is sometimes the time to hire and I know you've been really focusing on that and overall the time to hire a sub but more specifically time to hire somebody who's a LCPS retiree so they've retired and they're interested in coming back on that part-time basis and just the perception of I'm in the system already I'm going through all of the same steps again I know some of that is perhaps mandated by law but just being clear about kind of why we have to do it and And then anything that you can share around how you're trying to make this more efficient.

[00:37:11] So, yes, as you said, some of the extended period of time is completely driven by VRS requirements to ensure that they don't essentially give up some of those benefits unknowingly.

[00:37:32] One of the major things that I've been talking to the team about is not even just with substitutes, just hiring in general, is greater communication, things that we take for granted because we know them, we work with it day in and day out, that isn't necessarily common knowledge for individuals trying to apply or gain employment with LCPS.

[00:37:58] And that includes retirees and substitutes. So it's putting together verbiage to clearly communicate why, the why behind the action, which I think is what is missing. So that's step one. Step two is with this supervisor starting in July, we have a list of things that we would like them to kind of get up to speed on and really start to look into and think outside of the box and strategically about how we can address.

[00:38:28] Candidate care is one of the major ones, to include retirees, and so I think that would help address that. It's also to look at, okay, if it is VRS requirements, is there legislation that we can ask for a change?

[00:38:48] You know, we're constantly getting asked by the LMP committee and our consultants, what do you want us to fight for? is this an area that we can ask, do we even have an opportunity? And I know that I think last year or the year before, we tried to start that in general with retirees, but there's also like IRS implications.

[00:39:10] So we don't know what we don't know, but at least starting the conversation. Great. Thank you. Any additional questions? Yes, Mr. Beatty. Thank you. I missed a note. A question about the site assigned teachers, and how does that work for smaller schools?

[00:39:25] Would a smaller school get a site assigned, and then a bigger school might be one out? So it's 25 to 1 with a minimum of one at every school. Okay. Okay, thank you. Any new business?

[00:39:41] Going twice? Okay. Do you have new business? The only thing I will say is I'm currently working with Annette Slattery to put together a calendar for next school year, and I will float that by Ms. Sokadegbe and then the rest of the team, at least for the initial part of the next school year.

[00:40:07] Thank you so much. And with that, we are adjourned and we will reconvene in August after the July recess. Thank you.



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