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Loudoun County School Board, Human Resources and Talent Development (HRTD) Committee Meeting, Thursday, August 31, 2023

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Place Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV)
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- Official meeting video (Vimeo / LCPS-TV): <https://player.vimeo.com/video/859947672?rel=0>
- BoardDocs (School Board): <https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public>

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[00:01:02] Good evening. I am calling to order the August 31st Human Resources and Talent Development Committee meeting. Joined with me this evening is Mr. John Beatty. I'm sorry, Mr. Jeff Morse. John Beatty is absent this evening. We will start with public comment. How many people do we have signed up today? Okay, thank you. So given the number, each person can have three minutes for

[00:01:35] public comment thank you we'll start with sandy sullivan followed by andrea weisskopf and renee crawford thank you good evening tonight there are many policies up for discussion that do and will deeply impact your employees so let's briefly examine them in a lens that must be used in order

[00:02:14] to work toward being the employer of choice lcps says it strives to be in order to prevent lcps from developing or revising policies in ways that ultimately are not educator friendly and do not move forward in a way that will ultimately retain current employees and now get this one attract new ones I will start with this question which I hope will be posed by a school board member this evening and I hope we will receive an answer 112 licensed licensed vacancies were announced at the August 8th school board meeting 128 positions at the at the secondary level in 84 at the elementary level What is the current number of vacancies?

[00:02:54] Have the vacancies diminished? On to a specific policy, 70-30, staff time schedules. I do sincerely acknowledge that the proposed language in this current redline version of the policy has shown some improvement from its former iteration at the May 25th committee meeting.

[00:03:11] The largest concern LEA still has is language in the redline copy on page 2, section 4, letter C. The present language being considered still extends the workday beyond the contract day. More discussion about what occasionally means is needed.

[00:03:28] What is the number of times per month duties would extend beyond the workday? If those duties become regular and ordinary, that changes the spirit of the contract, requiring unpaid work. If seven-and-a-half-hour days grow into eight hours, let's say, the conditions of employment have changed.

[00:03:47] Stop times and parameters must be adopted. Please be reminded what you already know. Your educators are devoted to working with their students, but as additional work continues to become an added expectation and nothing is taken away, you do see where I'm going with this, don't you?

[00:04:03] On to Policy 7040, Calendar. When a survey is sent to staff, as it was last year, in order to receive input about the calendar, and this should go for any relevant topics as well, all employees who are impacted by that should, must be honored, and their input sought out and considered.

[00:04:22] When licensed staff received their calendar survey last year, reclassified employees, all of whom are impacted by calendar creation, were ignored, dismissed. Simply aggregating and analyzing the data received via all stakeholders can be completed easily and should be done.

[00:04:40] And while some positions are reclassified and the length of their calendars extended, as we have seen, and some employees become essential personnel. We must ensure that their input and expertise is included and considered. Policy 7012, sick leave, I will simply say, despite the LA's efforts over many years through our Compensation Committee recommendations, bereavement leave has never made it to an operating budget.

[00:05:06] LCPS, we can do better. Thank you. Good evening. First, HRTD and LCPS vastly inflated the cost of collective bargaining to attempt to dissuade you from voting for it.

[00:05:31] Now that collective bargaining nears reality, they are working to enshrine as many anti-worker policies as they can before collective bargaining happens. For example, Policy 7030, staff time schedules.

[00:05:48] This policy needs more transparency. Red line, page 2, section 4, letter C, the language still extends the contract day. What is occasionally? Is it back to school night and graduation, or is it multiple times a month before school, after school, parent meetings before school, committee meetings after school?

[00:06:16] At some point, occasional duties just become unpaid expectations. Stop times and parameters must be adopted. If more work is needed to keep a school running, then you need more workers.

[00:06:35] Workers you won't attract if you adopt policies such as these. Additionally, you need to ensure that classified employees and licensed employees are both treated with the same respect.

[00:06:50] when a calendar survey was sent out and you neglected to ask classified employees about something that would impact them, you created two sets of employees. We're all in this together.

[00:07:09] If I also suggest that next time you create such a survey, that I would have Dr. Tyler write it out and analyze it because as of now i don't generally figure out the data that is presented um when the hrted also downplays the number of vacancies i would like to know if there are more than five at one building how quickly can you get that data and will that data also be

[00:07:48] released if there are more than five at a building we need to know the lea is ready to work with you and wants to work with you we are educators and we are here because it is our job but because we do this job because we like children and we like educating the future black lives matter thank you thank you that's me again renee crawford teacher at heritage high school in my 35th year teaching on my 30 for St. Loudoun County, and the first thing that I'm going to ask you to do is please

[00:08:25] put your devices away. That's what I ask my kids to do. I've made it a practice the past two years to inform you, the school board, and people who make decisions about the staff's working conditions why it is the teachers are leaving not only education, but Loudoun County specifically.

[00:08:42] On the docket today are several policies that affect the working conditions of both teachers and classified employees, and I have some questions. Number one, why are there still so many unfilled vacancies within school buildings in Loudoun County? Are there buildings with a higher level of vacancies than others? Might that not speak to the working conditions in those buildings? At the August 8th meeting of the school board, there were 212 licensed vacancies announced. How many of those positions have been filled? Second question, why does LCPS still not provide bereavement leave for employees? The Loudoun County government does. Other local school

[00:09:19] districts do. My aunt, who was a teacher in Beaufort County, North Carolina, which is very rural, had bereavement leave when her husband died 14 years ago. LCPS employees do not get bereavement leave. We must use our sick leave to cover leave while we are grieving the loss of a family member. Third question, when designing the school calendar, why were the needs of classified employees ignored and dismissed? LCPS has a severe shortage of classified employees, correct?

[00:09:49] Correct? And yet does not see fit to attract and retain those employees through taking their input on the calendar. Fourth question, why do the people making decisions think that it is okay to add language on page two, section four, letter C, that allows unpaid duties to extend beyond the normal workday? As a teacher, I am dedicated to my students, and anyone who has worked with me knows that I voluntarily often work beyond the school days. Most teachers do, but when you change the language and the option of teachers to do so you are changing our contract hours and therefore

[00:10:26] need to change both our contracts and increase our pay. You want to affect and attract and retain staff you need to adopt policies that are educator friendly. Rumor has it and this is what I have heard that JMU is only graduating 20 teachers in its education program this year that not too long ago used to graduate over 100 there's a severe teacher shortage coming if it's not already here and the time is now to adopt policies that are attractive to a shrinking pool of educators

[00:10:57] honestly we can do much better thank you thank you item 3.0 for the draft minutes is there a motion move to approve the draft minutes from may 25th 2023 i'll second all those in favor please raise your hand and say aye. That motion passes unanimously with all committee members present.

[00:11:29] Moving on to action four, is there a motion and then I believe we'll have some time for discussion as well. Yes, I move that the HRTD committee accept the revisionist policy 7030 staff time

schedules and move to the full school board on September 12, 2023. Okay, I'll second any discussion.

[00:11:52] Yes, so the discussion about, and I think we're working on the right policy, we had several that we're reviewing, the discussion about occasionally, using the word occasionally, and I think we even brought this up at the last committee meeting, trying to get some better definition on what that might mean.

[00:12:12] Do we have the ability to scope that better than just using the word occasionally? Is the expectation that it is once a week or once a month or once a year? I think we need to frame that a little bit better so that it's not quite as unknown.

[00:12:37] Thank you. Yes, we did discuss it a little bit at the last meeting that we had. And I did work with DDI to try to get some additional information to see if we could get an inclusive list, which, of course, could vary depending by school level, school, different events going on, and address the importance of ensuring that it wasn't frequently.

[00:13:01] Now, in terms of a specified amount of time per month, per year, I think that's extremely difficult to be able to provide. but do understand that if there is an issue or a concern by a particular, if it's a particular school or a particular employee, that there is a chain where they can take their concerns, which then could be shared with HRTD to address those matters.

[00:13:25] I can continue to work with them to see if we can get some type of procedural guidance as well. I think that scoping it more for the principals and for the supervisors is the most important, but the teachers also have to understand what the implications are.

[00:13:43] So I would look for even some kind of notification to staff saying our expectation is, and more of a narrative involved, even if we don't capture it here. I prefer to capture things in policy, but now we're getting into a layer that it doesn't belong in policy.

[00:14:00] But it does belong in either a regulation or some kind of communications, And it's important that the teachers and staff and all of our employees know what the expectation is. So I think that would go a long way toward helping with that expectation.

[00:14:20] And I think we can definitely make sure that communication is appropriately delivered to principals. HRTD has time at every single principal meeting this coming year. We have the ability to provide it to principals in a principal update.

[00:14:36] I know that level directors meet with their principals in forums. by level. So we can definitely add some type of communication to make sure that happens each year. I don't know how we would, to your point, I don't know how we add specificity to policy. I feel like it would probably be limiting to principles. It would be hard to articulate by level.

[00:15:02] And I understand the difficulty in not being able to estimate. And absolutely, we know what a frenetic day they have every day. So it's kind of impossible to define. Do we have a newsletter or something that goes to all the employees in which we can capture the kind of a better idea of what we interpret occasionally? It's, you know, when we talk about legal proceedings from the Supreme Court, there's always a commentary that comes out that helps people understand why they made the decisions. I think that if we share that with the employees and say our expectation for occasional

[00:15:37] overtime would be for these events we you know we anticipate that it would not be a you know three times a week occurrence that this would be you know a rare I can't say rarity because now we've set up a whole nother categorization but somehow we need to be able to provide them feedback so that they know when they are when that policy is being abused that they at that point that they would come forward they could talk to the LEA they could talk to the the supervisor and say, hey, you know, I think that this is not complying with the intention of the language of the policy. So that's what I would encourage us to do and to make sure that I like

[00:16:15] the idea of the annual notification to the principals, but also that that goes in the newsletter and is updated to all the staff as well. So I'll add to that. I think that occasionally is just there's too much room for interpretation. I know we spoke about that before and it is hard to specifically quantify it, but if an employee, putting it on the employee to bring a complaint when they don't know what the level of that threshold is for when it would be unreasonable or when their complaint would be heard is something that we need to consider.

[00:16:50] I, if, you know, moving this forward, I would suggest that when this comes as an information item in front of the full board, we have, you're prepared with a draft for what could be included in the employee newsletter and the guidance that would be given to the school administration so that the rest of the board can understand what the parameters are for this again we don't want to be we don't want to be taking advantage of or expecting beyond what would be

[00:17:22] reasonable for employees who are already tapped out in many cases the other question I have and and I know we spoke about this before, but I just want to confirm we're changing time in excess of seven and a half or eight to just eight. So can you clarify for me in terms of contracts we have with employees who are impacted? Are any of them on a contract that specifies seven and a half

[00:17:53] hours? And I'm wondering why we struck seven and a half, if that's the case. I think there's different classifications. I think you might be looking at a one of the specific subgroups of the employees because it's still seven and a half on the teacher salary scale and on the you're looking at supervisors and they are based on an eight hour scheduled day. Okay. Got it. Okay.

[00:18:22] Thank you so much. So um and the occasionally language is in several subsections. So I was looking specifically you're right under auxiliary under the supervisors. Okay. Additionally we talked and what was this, three months ago, we talked about where to find the definition of exempt and non-exempt employees, and we did not want to duplicate it here, but I think we wanted to reference it here, and I believe, was that in policy 7022, the employee classification, is that where it's captured? Can we reference, I mean, other than putting it as a cross-reference, which

[00:19:01] really, I think in the language, it would be helpful to say exempt in accordance with policy 7022 or verify through some kind of reference back so that, am I missing it? Is it in here? So we typically reference FLSA because it's the definition of non-exempt and exempt is really based on federal law, not just policy. So everywhere we have exempt and non-exempt, we've identified it as FLSA, exempt and non-exempt. But in each case, we have to make a determination of our employee classification if it is exempt or non-exempt, correct?

[00:19:40] Based on federal law, yes. Based on their descriptors. So we would need to update that to match federal law. But if we're going to update it, that means that we know what it is, and we can establish that and keep it updated in either a regulation or a policy.

[00:20:00] It doesn't have to be spelled out in this policy, but somewhere, because the employees aren't going to know where you know the fl flsa is located or where all the peace parts are right it's 7022 um but i think that if we because if we're capturing it it would be helpful for them to know you know where where they would find that so we could add a definition section at the top but the last time we we didn't want to do that yeah we and we do cross-reference the policy

[00:20:33] Because there's confusion, and there is confusion to this day for some employees as to whether they are exempt and non-exempt, because the definitions are kind of reversed, right? They're a little confusing. I think that it would be beneficial for them just to say, okay, I'm a librarian.

[00:20:51] Am I in or out? Am I exempt or non-exempt? And then they come back here and find out what that means. Or they start here and they say, okay, well, the exempt means this and the non-exempt means that. Where am I? So, we have to make that determination for all employee classifications. So, why don't we just steer them towards that information so that they know where to find it?

[00:21:11] We don't list in the policy which positions are exempt or non-exempt. We don't have – how do we – The class time schedules is – in the other policy that you're referring to, the employee classification policy, it gives the definitions of exempt and non-exempt.

[00:21:40] if you're classified as exempt and non-exempt. And so from those definitions, they can determine if they're paid hourly or if they're paid salary. But we don't, it does not list position by, we have so many positions.

[00:21:56] Let me ask this question. In every contract that we issue, does it spell out whether that employee is exempt or non-exempt? So it doesn't specifically say exempt or non-exempt.

[00:22:11] They get different contracts or they get an assignment letter if they're non-exempt. So they get different memos. The only other place it says it is in the buddy packet on the list of titles. It lists if those titles are exempt or non-exempt.

[00:22:29] Titles, positions. Okay. So we do have a list of positions that are exempt and positions that are not in policy. Oh, that's okay. As long as they have something to reference and it's current with a legal FLSA. Correct. I think that's what we're looking for. Just so that employees, I do think it should be captured in each and every employment letter we send out. I think that would be the easiest way to address this concern. And it may be. We have been working to update our contracts, assignment letters, memos, as we've moved away from using terms like classified or administrator into just the universal scale to get away

[00:23:06] from the two class system of employee groups. So it may now say exempt and non-exempt, but we can check with the ERP team. Okay, and so if it does not, that is something I would propose that staff pick up.

[00:23:22] And if you need the school board to weigh in, I think we could. But I think it's a pretty easy fix to provide employees that knowledge right up front that they know, hey, I'm exempt or I'm not exempt. It's pretty straightforward with some folks, not so straightforward with others, depending on their position.

[00:23:38] Thank you. Agreed. So given that, do you have any other thoughts? I'm comfortable moving this forward understanding that when it comes before the full board, we'll have a plan for how we're

communicating it and we're setting expectations for both administrators and for employees so that they have a sense of, you know, where that line is.

[00:24:08] Okay. All those in favor, please raise your hand and say aye. Aye. Thank you. That passes with all members present. Moving on to item five, information items, starting with 5.01 HRTD policy 7040, the school calendar.

[00:24:32] Wonderful. Thank you. And I'm going to actually hand this off to Nicole Davis, HRTD director, to walk through the proposed changes. All right. Good evening.

[00:24:48] So policy 7040, I will be working off of the red line version tonight. Overall, the language in the policy was really just simplified and reorganized to clearly distinguish the development of both the student school calendar and staff calendars into separate sections and add language to mirror code as well as to align current practices.

[00:25:13] Specifically, starting on Section A, Line 8, focuses on the development of the student school calendar. Item three, line 21 through 22 was added to address the start date for students as outlined by the Code of Virginia, and this is in relation to starting prior to Labor Day.

[00:25:38] Item four, lines 24 through 29, was language that was previously at the end of the old policy, lines 56 through 60, which was reorganized and placed into the applicable section of student school calendar.

[00:25:56] Moving to item 5, lines 31 through 32, this language was added to outline the basis for the development of the staff calendar, which is done off of the approved student calendar. So section B was newly added to identify the guidance of the development of the staff calendar.

[00:26:21] Item 1, lines 36 through 41, was added to provide additional guidance on the establishment of this calendar as with lines 53 through 54 and again line 62 through 63 was removed as all staff observe their respective staff calendars not specifically 12-month staff so it doesn't necessarily apply to this policy at this time. With that I'm open to any questions that you may

[00:26:51] have. Mr. Morse. Thank you Madam Chair. The again we're thinking policy so we're thinking high level guidance. So at this level, we're capturing staff. We just have students, we have staff, and then we break it down further into the subdivisions. In the comments, and I also think

[00:27:23] comments today, we talk about making sure that we address all of the groups and that all of the groups have the ability to review. Do we have language in here that captures, or do we have anything in regulation that captures our outreach to all employees to make sure that they all have a voice when it comes to discussions of calendar items? No, currently we do not because it's

[00:27:58] changed over the years. But I do from last meeting and from feedback from the last survey and public feedback, we do have it on our documentation to ensure that we do specific surveys and outreach to all staff the next time we do. All staff and you know no matter what changes it should always be all staff so you know as we move forward I think that that's an essential element of our feedback from the community. We I mean we do a great job of putting it out there and then getting I think that's the number one email we get back from school board as school

[00:28:33] board members is we get more email about calendars than any other issue and so it would also be very valuable to have all of the classifications of employees be able to provide that feedback as well in

that employee voice so that they're all heard. And when it comes to us, we can hear that.

[00:28:52] And so I will say, and we are going to move forward with doing a separate survey for just employees, but we did send out the community survey to all employees regardless as well. And they did have an option to select that they were reporting based on being an employee.

[00:29:13] So they did have the ability still to provide kind of feedback on the calendars. It just wasn't separate from the survey that went out to parents. But we did send it out to teachers separately.

[00:29:30] That's correct. And so some of why we did that was because this was the first year we were separating out the teacher calendar and the student calendar when we brought them forth. so this year was sort of a different process and so it is a learning process but that was why we sent it out to the teachers separately. Okay and and they're going to come up with a different calendar necessarily than other subgroups so I anticipate that when we send it out it won't be a question just about teachers calendars anymore it will be about the calendars all of them so I would

[00:30:07] anticipate that it would go to all employees if you're going to send it to one group you send it to all of them for that information. I understand what you're saying if it was geared only towards the teachers, but in the future, we won't have that issue. Okay, thank you.

[00:30:23] - So I know this is going to kind of a level that's not normally in policy, but I would say if that is the expectation, is there any harm in putting that in policy that there will be an annual process for collecting feedback?

[00:30:39] - I think we could put it in the regulation. I wouldn't recommend putting it in the policy, only because it could change depending on, I mean, this year we moved to a three-year calendar cycle. I would hesitate to put that level of detail in a policy.

[00:30:59] Mr. Morse? I'm okay with that going to regulation. I think that that might, as long as we're capturing it and we're consistent with it, that's the most important thing. Okay. So this can go out for feedback, And is there a related regulation for this policy?

[00:31:19] And could that be updated to include the language around gathering feedback when this is posted? Do you normally post associated regulations? We do not post regulations. Okay. But the regulation is already updated. We had to update the regulation too as part of this due to the change of like election day and some other changes that we made with our current calendars.

[00:31:43] So we can absolutely add the language, but we don't typically post regulations for feedback. Okay, so fast forward to it going out for feedback, coming back when we go to the full school board, let's plan to bring the regulation in the information for the full school board when that comes for information for them.

[00:32:05] Okay, thank you. Moving on to item 5.02, we have policy 7562, professional learning. And I'm going to hand it over to Mr. Bennett.

[00:32:22] - Good evening. So this one is really pretty straightforward. There is no intent to change this particular policy, the intent of the policy. We've added a few pieces that actually come directly from code and that was at the, with our working with associate counsel, he felt that we should add some additional details into the policy.

[00:32:51] So that's primarily what you see in red, but the intent, the code, nothing has changed this particular policy? Happy to answer any questions. Okay. I don't have any questions

[00:33:13] either. 5.03 policy 7628. And I'm going to hand the next three actually, retirement benefits, sick leave and personal leave over to Jeanette Evans, the HRTD director for employee benefits.

[00:33:44] So the retirement benefits policy 7628, we added a sentence at the very top of the policy to clarify that these benefits are distinct from the Virginia retirement system because there is sometimes some confusion.

[00:34:01] In Section A, we defined that retirement benefits are based on the most recent hire date, specifically if an employee is hired prior to July 1, 2013, and they resign, they terminate, and they come back at a later date they're not eligible for retiree benefits because they left they terminated and now their new hire date is their start their eligibility determination date is that a change that's recent or is the policy

[00:34:36] being updated to reflect how it's been working it's the policy has been updated for how it's working it's a clarification so that we're we're trying to make it as clear, as transparent as possible.

[00:34:51] The next section in Section B, we talk about the health insurance that employees are eligible if they have been hired into that full-time position prior to July 1, 2013. Again clarifying that being employed part-time prior to July 1, 2013 does not make you eligible.

[00:35:13] And then after that, the next section in red is clarification for, again, you have a break in service. Your hire date is going to be the most recent rehired or hire date when you come back in. It is considered a break in service.

[00:35:31] So clarifying that anyone hired into a full-time position after July 1, 2013 is not going to be eligible for the retiree health insurance. And then in section B4, we are clarifying that while a long-term leave without pay is not considered a break in service, they can -- so that they can take that break in service and it -- or take that break but not be considered a break in service because they're not working elsewhere during that long-term leave without pay.

[00:36:09] Section 5, lines 42 through 45, again, we're getting, trying to be very transparent here and clarify that a change in status from full-time to part-time while not considered a break in service, that part-time time doesn't count towards the eligibility of the time requirement.

[00:36:36] Section 6, lines 51 through 54, we are clarifying that an employee who reaches the Medicare eligibility age, who is a retiree, I said an employee, a retiree who reaches the Medicare eligibility age has to provide documentation of their enrollment in Medicare within 90 days for them and or their spouse, and they'll be enrolled in a Medicare Advantage plan at that time.

[00:37:06] Then on line 69 and 70, there's currently a multi-tier structure based on when you retired, what your rate is, and we're looking to, in 2025, bring that into a more consistent offering.

[00:37:32] And so that's what that language is about. Can you clarify how does that impact people who've already retired, or is that retirees going forward from that point? So, that's going to impact the employees or the retirees who retired many years ago.

[00:37:50] Most of them have gone to the, will have gone to Medicare. There are some that may not be there yet. It will put everything on the same rate structure. They're not losing their benefits. And one of

the things we're doing now is an analysis to see who's going to have less premium or who's going to, might have more premium and if more, how much.

[00:38:14] that's the analysis we're doing now and what i mean can we change what's the expectations when somebody retires about the way that premiums are handled when they retire and we do that exit with them we say here's the proportion you're expected to pay how are we changing that after the fact so what we're saying is when it comes to premiums we have the ability to make changes to premiums We do it when we raise, if we were to raise their premiums, if we look to their percent of what they're paying versus what we're paying as the employer, which is one of the

[00:38:53] formulas that was developed after 2014, I believe. So we can put everybody on a rate structure. We don't guarantee their rate. We guarantee their coverage. Okay, thank you for that clarification. One more on that.

[00:39:13] Sure, I'm sorry. Before I'm comfortable adding that line, I'd like to know what the impacts are. I'd like that study. We need to have that information because if we're affecting employees that have long since retired, we need to see that it's an equitable adjustment with the rest of the employees as well.

[00:39:32] So I'd like to see the study so that we understand the impacts on our employees before we would put that in the language. Is this something that is going to be a longer-term study? It's going to be a longer-term study. So what I can do is remove it and then bring it back once we have the study completed and the analysis completed.

[00:39:52] And I would recommend we pull that out until such time as we have the analysis done to understand the impacts. That would be my recommendation. Agreed. And then in the bottom of the page, starting line 86, we are clarifying that the Medicare supplement plan, the retiree must enroll in Parts A and B with the effective date.

[00:40:20] And they have to submit that card to employee benefits. They have to submit it within that 90-day window as of the effective date or when they apply, if they apply after their effective date, because they do have a period of time after they turn 65 to apply.

[00:40:36] And then in lines 96 through 99, we are clarifying that employees who are in a critical shortage position who are hired back to LCPS can continue with the retiree health insurance so that they continue with that retirement benefit.

[00:41:03] And then for the next section, disability retirement, again we're providing that clarification that you had to have been hired prior to July 1, 2013 to be eligible. Anyone who is hired or rehired after that July 1, 2013 date and is applied for disability retirement will not be eligible for retiree health insurance.

[00:41:29] They can elect COBRA. But we want to, during their disability application process, we're going to continue their health insurance as active employees. Section 2 under disability retirement just clarifies that it's medical, dental, vision and prescriptions.

[00:41:49] So again, just trying to be transparent. And then on line 124, we are requiring that they apply for the retiree health insurance if they're eligible once they've been approved for disability retirement from VRS within 14 days of the approval, so within a couple of weeks of them being notified.

[00:42:19] The Section 4 is just clarification of how an employee can apply for disability retirement after they have separated with LCPS. They have 90 days and we will honor that application.

[00:42:44] We removed the language in lines 135 through 137 because we've covered that in the other sections and we make it as of the date of the event when it is a disability retirement, not as of the first of the month.

[00:43:04] Section D is addressing the salary supplement and again, for clarification and transparency, We've added the word cumulative on line 141, so an employee has to have 10 cumulative years of full-time service to LCPS. So if they had part-time, that's not going to count to this retirement benefit.

[00:43:24] And it's a one-time payment, again, just trying to be clear on that. Section 2 is brand new, is referencing when we have an active employee who passes while they are in active employment, but the Virginia Retirement System considers them eligible as a retiree, so their family member, their spouse is able to receive a benefit.

[00:43:51] We are going to treat them as if they retired from LCPS, and if they were eligible for the benefit, we're going to pay it to the family. And then under Section 3, clarification, so if somebody receives a benefit, comes back to us and works 10 more years they don't get another salary supplement when they retire and then on line 164 we are doing the same thing with the sick leave payout as we did with the salary

[00:44:25] supplement if an employee dies in service their spouse is if they are considered a retiree by vrs then the benefit is available or paid to their spouse and again clarifying that if you return When you've been paid that previously, you don't receive the benefit again when you retire again.

[00:44:51] And that's it for retirement. Thank you. We'll move on to policy 7712. Policy 7712 is our sick leave policy.

[00:45:14] There's just a couple of minor changes in here, changing his/her to there, adding assignment as well as contract on line 18. On lines 32 through 35, we are clarifying that an employee may elect not to use their advanced leave.

[00:45:37] They just have to notify leave and disability or the payroll office in writing if they don't want to use advanced leave. And this really applies to our employees who are out for longer periods of time. They sometimes do not want to be in a position where if they're not coming back that they have to pay that leave back.

[00:45:55] So it's a way for them to have that, be able to tell us that. And then on lines 37 through 39, explaining where the sick leave information is, where an employee may look to see what their sick leave balances are.

[00:46:17] Line 61, we simply removed the physician or dentist and made it health care provider because there's multiple different kinds of health care providers now. And then on line 4, I'm sorry, section 4, line 76 through 78, we added some clarifications so that sick leave can be used for illness or in connection with the death of a family member.

[00:46:43] So we don't have any other, we don't have any documentation that you can use it in conjunction with or connection with the death of that family member. And then the relationships are below.

[00:47:01] We did remove wife and husband and put in spouse and remove brother and sister and put in sibling. And then on lines 107 through 109, again, family death, making sure that sick leave is documented

to be used to care for a family member or in connection with the death of a family member.

[00:47:30] That was it. So I'll start on this one. I would really like us to look at what we can do for bereavement that's not using sick leave.

[00:47:48] Where I will just say from personal experience and then working with staff over the years in teams that I've managed, a lot of organizations have bereavement leave and a lot of organizations have a couple of days. And it's just impossible.

[00:48:05] I lost my father and I came back to work and my boss said, are you all better now? So I know there's big budget impact for this, and I'm happy to support that, but I would like us to look and see what we can do in this area because, you know, 14 days of sick leave for a new employee who doesn't have, you know, rollover, accrual, and so forth available to handle, you know, taking care of, you know, final arrangements, taking care of somebody who's dying, and then having to attend funerals from a small pot of sick leave is really important.

[00:48:41] really difficult. And I think that this is an area of a time in our life where we need to be as compassionate as possible. So again, I know there's a lot, there's a budget impact, but personally, I'd really like to see what else we could do for this. So just a couple things. If you, I don't disagree. And in fact, 10 and 11 month employees don't get 14 days of sick leave. If you remember part of our budget request for fiscal year 24 was to increase all 10 and 11 month

[00:49:17] employees to 14 days of sick leave and five personal days. Now that didn't make it through and we are going to bring it back again in the hopes that we can get it through this year and we have spoken about can we also add something for bereavement leave. The attempt to add it to this policy was in not instead of but to ensure that it was captured somewhere for us to point back to when an employee says they're only giving me three days or they're not allowing me to use

[00:49:52] their sick leave. We needed to capture it somewhere to give employees the reassurance that they could in fact use their sick leave. I don't think this is instead of doing something in the future but we felt like we needed it documented somewhere that people could use their their sick leave and i i appreciate that clarification i know that you and i have spoken about this before um and that is the current practice so it is important i agree with you to have it in policy but i think we really need to do better for our people and um i think the other question i have is

[00:50:28] So what happens if somebody had a family member who was ill or they themselves were ill and they'd used all of their sick leave and now they have a terminally ill parent or spouse or child and then they also have to bury the person?

[00:50:52] So do we have personal leave available? Like what are the other provisions if somebody's used all of their sick leave? So depending on the circumstance, we have the paid leave program that was implemented last year, and the leave team will work with employees to help them through the process.

[00:51:15] For example, we often have employees who can't return right after somebody's passed, whether it's a parent, a spouse, a child, and we work with them on, okay, so you can take leave for you and this is how you fill out you and your doctor can work together and and these are the forms you fill out and then we have paid leave available again for them so we work with them as much as we can the other one of the things that when I asked about this a long time ago when I first started in the LCPS

[00:51:52] benefits aren't the reason they wanted it breathe or bereavement leave family death in the sick leave policy was to not limit people to a number of days so that somebody couldn't say, well, you've had your bereavement leave, you have to come back, you're done.

[00:52:09] So, that was one of the reasons and we work with employees in these situations. And when you say that there's the paid leave program, is that beyond annual leave, beyond sick leave, there's kind of a personal paid leave provision that's available?

[00:52:25] so in on July 1 2022 the um paid leave program started we have a parental 30 days of paid parental leave we have 30 days of paid leave for an ill family member and 30 days of paid leave available for the employee so um we do have these programs available and and we are utilizing them and do you feel like staff know about that so again like just getting to communication so So, I mean, we heard from public speakers that there was a concern around bereavement

[00:53:04] leave, and I still think we need to pursue this other option. But if that paid leave is something that could be leveraged, do people know about it? And that's where we rely on our leave and disability specialists.

[00:53:21] So we have a team of people who work with employees in these situations, whether it's a sudden passing or a long extended illness, um, our leave team reaches out to employees, supervisors reach out to the leave team and say, Hey, this person needs you. Um, we, we work with people, a lot of people every year. And if I may, um, when we developed this program, it was actually, um, Mr. Sorokin shepherd it through. We brought it to multiple HRTD committee meetings. It was a

[00:53:56] collaboration with business and finance we presented it before the school board so there was a ton of communication that went out we sent out a communication to staff it may have even gone out in a benefits newsletter so there was communication about it being approved it was in the budget it was in the budget presentation when and not just the budget presentation but my separate presentation so I do believe we have communicated it and like Jeanette said if someone if a benefit specialist is interacting with an employee and this

[00:54:35] may be an option it is something they talk through with them mr. Morse yeah it's all swirling in my head now the so the first comment is while I did not support I think I was one of the people that did not support providing extra personal days to all employees to cover other issues I completely support bereavement and I think that that's where where our attention should be and I'd like to take a look at other divisions and find out what they're doing concerning the the pool of uh of days the ability to to use those

[00:55:13] pools I think that after the three days of bereavement that would be a good time for them to reach into, you know, an excess pool of leave if that's available. But I do think that the bereavement should be there. And I think it should be spelled out as bereavement, the ability to use that, as opposed to capturing it in their sick leave.

[00:55:36] And then beyond whatever bereavement we come up with, at that point they could, you know, revert back to sick leave and burn days there and then reach out to staff. One thing I do appreciate about the way this is set up is that my understanding is on July 1st, all new employees, they are front-loaded.

[00:55:54] They receive all those days, they're front-loaded, so they don't start in the hole. But I also know that other organizations, federal government and other organizations, allow you to go into the hole if you

don't have the number of prerequisite days. If you were sick due to whatever circumstance and you ran out of days, you could actually go into a deficit.

[00:56:15] but with the understanding that there's a limit on that. Is that something that we had ever considered or is that just too hard to try to mix in with the other days? - So I would say that that's where the paid leave programs come in.

[00:56:32] We're the only county in our surrounding jurisdictions that have a paid leave for parental medical. - I would like to know if you could provide some examples, strip the names and the circumstances out, but several incidents in which an employee was uh reached out to you uh to receive that to all the employees who have reached out is it is it common for them to to be given those days or is it uncommon is it you know i'd like to know a little bit more about what that means to our employees so that uh as a backup when we talk about bereavement being used what is available is it something that they they really have access to

[00:57:11] or is it nice to have that we really don't execute much in? So if I may, Ms. Willoughby is actually having to up her numbers because the estimate of the number of employees that were estimated to utilize this program, the number of employees that actually utilized it far exceeded her estimate.

[00:57:35] I don't have those numbers in front of me, but that has been some of our conversations. Okay, and that's important because, I mean, when we look to our budget, we may have to make tough decisions, and where we park those days is going to impact how the employees can use those days and which they would use and what priority. Just as a typo here, paragraph four, line 76, we have family illness slash death, and then subsection A is family death. So is there also a family illness side, or is it just one in the same, and should it just be

[00:58:15] the same it is it is set up separately so the the logic to this would be if my uncle dies i didn't take time off for his illness but i'm going to take time off for his funeral and so that's why we changed it to a family member and in connection with the death of that family member so where i didn't care for my uncle so i didn't he i didn't take care of him while he was ill but i want to go to his funeral.

[00:58:46] I care why you say that. You didn't care for your uncle. I mean, that could have a different interpretation. That's a whole other conversation. No, never mind. So, I mean, it says the same thing in paragraph four. It says, sick leave may be used for the illness or in connection with the death. And so, it says the same thing under paragraph eight.

[00:59:01] So, I didn't know if it was just read. I think we can just strike it. Okay, thank you.

[00:59:16] Moving on to 5.05, policy 7714, personnel leave. Okay, so on this policy, the changes were, again, some clarification, changing his, her to their. And adding a section on prorated days. We added section C, lines 34 through 37. Specifically, for example, if we hire somebody in April, we want to be able

[00:59:51] to prorate their personal leave. And under our current policy, we are not able to do that. I think the language you use is a little confusing because you talk about a late start or early release um that sounds like a daily thing so i understand what you're trying to say and i agree with the premise that um you know starting later in the year or terminating early before the end of the year then you prorate so maybe maybe work a little bit on that language

[01:00:23] it's just that the a late start has different meaning to different folks so late in the school year or a late contract start or something to that effect maybe. We can clarify that. And can you clarify, so what's the difference between this personal leave, which is a maximum of three days per year, and the personal leave program we were just speaking about? So the paid personal leave

[01:01:01] can be used for any reason. So I want to take my kid to college. I want to go have a lunch with my mom. You can take personal leave for any reason. Paid medical leave is related to you caring for someone who is ill or caring for yourself when you're ill.

[01:01:20] Parental leave is caring for your child. Those paid leave programs are specific to what we would generally view as FMLA events. Okay. Thank you. For some reason I had in my mind paid personal leave, but they were paid leave programs.

[01:01:39] So thank you. Okay. I don't have any other questions. Do you? Okay. Is there a new business? So can I just clarify something? Yes. So is it safe to assume that one, two, three, four, five, the five policies under information items we can send for feedback and bring back as action items?

[01:01:59] Yes. Okay. New business? How many vacancies do we have? You knew it was coming. I did know it was coming. School-based vacancies, we have 170. 59 of those are special education. And just today, I have, we have been working, um, with a curriculum agency on certain positions, um, and based on the number of vacancies that we have, we can take those vacancies, freeze them, and,

[01:02:34] and fund, um, working with agencies to support, um, bringing in teachers, and so we, just today we looked at starting with 10 so we are we are looking at programs across the country to to fill vacancies do we have any of those as the special designation positions the hard to fill positions that we could you know there are extra benefits and there are extra you know we talked about some policies here that support those special designation positions do we do we have

[01:03:11] any of those in that mix? You mean for special education? I mean for anything. I mean are there any positions that are considered special designation where extra recruiting, extra funding, or anything else? I mean I would dare to say all of them but for example one that we've been spending a tremendous time on is our dual language teacher position and so yes that right we are using or planning to use almost like an emergency contract release to bring a teacher over from another country through a participate learning.

[01:03:50] - Through a visa program? - Yes. So yes, I would say we are thinking outside the box in any way possible and following the rules, but that takes time too. - So at 170, what percentage does that place us at now? - I mean, it's still fairly high.

[01:04:07] I think it's like 98%. 98, because what I've seen on, you know, a lot of the news programs are showing, and the first question they state at the opening of the school year is the percentage, and I've heard everywhere from 92 to 95 to 98. So I think we're doing pretty well in comparison to the local, other jurisdictions.

[01:04:25] We are, and to be honest with you in HR, I don't like to compare us to other divisions. I like to compare us to ourselves in previous years, and this year isn't as great, and we know it could get worse. So we are trying to look for other avenues and really work outside the box to figure out what we're going to do.

[01:04:47] I appreciate that, and I would go one step further. I would say instead of looking at what our previous years, we should be at 100% because, I mean, it's all about making sure that we have. I just don't know if that's possible. No, but that's all right. That's our goal, and it's a stretch goal, but it's something we need to stay focused on, And I do appreciate the work that you're putting in to get us there, because 98 is getting there.

[01:05:09] And, you know, with the additional things we're putting in, you know, with substitutes to help that pool as well, I'm hopeful that you look like you're about to let loose scope. So just remember that that's our goal, to get to 100% when I bring my Christmas list at budget time for recruitment and retention.

[01:05:29] I will share that with people who are in the know. So one just follow-up question, would it be possible just to find out if there is any concentration for those vacancies or if they are kind of evenly spread throughout the system?

[01:05:46] When you say concentration, it's hard because there are bigger schools and smaller schools. So one vacancy at Waterford Elementary versus five at Cardinal Ridge, that's the same. So, yes, I mean, we get detailed listings, and myself, Tedra Richardson, and Ray Mitchell, they get them every day with me through the month of September, and we have conversations about what do we need to look at, what do we need to do.

[01:06:19] And like I said, we just talked about these 10 vacancies today, and I met with Ray and Tedra so that we could start to determine what's our priority, where do they need to go. And then once we have those 10, once we verify that they are quality candidates, we can start to look at whether or not we want to do more than 10.

[01:06:38] Okay. Since you have that information readily available, if you can follow up with us, perhaps you could have total number of positions and the number of vacancies so we could understand proportionality in terms of how the vacancies work. Sure.

[01:06:54] Great. I think that when we ask for data, sometimes what we're asking for doesn't quite compute and sometimes we get kind of off the wall numbers that we we're scratching our heads and you're asking why the hell did they ask for these numbers and that happens but there are questions that sometimes pop up that we don't ask that we would like to know and one of those is you know if there is a specific school or a site where there are a lot of turnover that is something the school board would want to know it's not traditionally something we always ask so when

[01:07:29] we're when we're looking at data any kind of metrics anything that drops out as unusual is probably something that the school board would be more interested in so as those as those type of things pop up I would encourage staff to bring those forward instead of us trying to you know play in that we're hunting for information we're just that's the kind of information that's really important and we do hope we have a data analyst in HRTD now who is pulling all the data from the different systems to try to tell that story because previously it's very hard for us to

[01:08:06] even pull that information based upon the various systems and so we're trying to bring us, bring ourselves to the 21st century and be able to tell those stories. Okay. Any other items? Okay.

[01:08:22] Thank you. With that, we are adjourned. Thank you.



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