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# Loudoun County School Board, Human Resources and Talent Development (HRTD) Committee Meeting, Thursday, April 25, 2024

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Place Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV)  
Length 58m (video)

- Official meeting video (Vimeo / LCPS-TV): <https://player.vimeo.com/video/939415397?rel=0>
- BoardDocs (School Board): <https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public>

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[00:00:00] Forgive me. I'm just waiting for Ms. Bolin.

[00:00:18] Hello, everyone. My name is Dana Griffiths. I'm calling to order the HRTD committee meeting for April 25th, 2024.

[00:00:36] We will begin with public comment. We did have a sign-up sheet. Sandy Sullivan, if you mind. Thank you. Good afternoon.

[00:00:56] Previously, HRTD recommended to you as school board members to remove the employee complaint policy. You listen to employees and are keeping that policy. For that, we are thankful. School Board members, you've inherited a school division in which employee morale has been on the decline and working conditions continue to worsen.

[00:01:14] Proposed policies that gut employee rights and exclude employee voices only add to the issue. You cannot micromanage a school division from Cabinet. We've recently learned that all employee concerns must be submitted through the Guardian system. This removes the ability for administrators to handle low-level concerns and bogs down the investigation process in HRTD.

[00:01:35] Currently, an LEA member is awaiting a decision regarding a hostile work environment investigation. The initial complaint was filed in November. In March, we provided the employee's name to Ms. Boland for follow-up. It is April 25th, and the employee was notified yesterday that the investigation is still not complete.

[00:01:52] How long do employees need to remain in hostile work environments? How can an employee trust the system when the system is not responsive? Today, there are several policies listed as information items. It's concerning that the RIF policy, 7910, is redlined. The current policy language establishes the guidelines for employee termination should a RIF be necessary.

[00:02:13] I am not confident of this policy being applied fairly if the guidelines are left for staff to develop. You are the employer. This power should remain in your hands and the guidelines should remain in policy and not be left up to staff to determine and implement. I'm concerned that the significant change to this policy appears before you without the proposed regulation language. How can you give away your authority without being sure your intent will be followed? Thank you, Ms. Sullivan. I didn't mention

[00:02:45] before that this meeting will be audio recorded and posted to board docs. And with that, if we can move to 3.01 draft minutes from March 21st, 2024, do I have -- Chair Griffiths, move to approve the draft minutes from the march 21st 2024 hrted committee meeting thank you uh we will move to approve the draft minutes from march 21st 2024 uh miss donahue and miss chandler thank

[00:03:24] you all those in favor thank you very much we will move uh and now to move on to 4.01 human resources and talent development committee revisions to policy 7712 sick leave if you don't mind miss Bolin speaking to that yes thank you miss mrs. Griffiths good afternoon to all of you today if you will recall we are bringing forth policy 7712 sick leave as an action item this update to the

[00:04:00] policy will allow for our 10 and 11 month employees to utilize up to five days of sick leave for personal leave this gives them greater flexibility in their leave usage and under community feedback the question of why section 4a is necessary was raised. In outlining the family relationships covered, the family is afforded the opportunity to take necessary leave to deal with matters directly relating to illness and death of a defined family member and defines the amount

[00:04:36] of time an individual can take for non-family member relationships. Policy 7714 personal leave will be deleted if this leave is approved, as it is no longer necessary. And I'm happy to answer any additional questions.

[00:04:52] Thank you, Ms. Bolin. Any discussion? Yes, Ms. Donahue. Thank you, Chair Griffiths. Thank you, Ms. Bolin, for bringing this before us. I did have a question about under what circumstances a request to use a sick day as personal leave might be declined or refused so a personal day should not be denied unless it is simply impossible

[00:05:25] to cover the absence and is that i'm sorry i'm looking through this again is it clear in here that so we would not we would not want to limit we would not want to limit that for our principals and or hiring managers there are always exceptions to every rule um for example if a personal day It was asking to be utilized over an in-service, which is determined as a potential blackout

[00:06:05] date. It's a mandatory in-service training, or there are additional exceptions which are placed in the regulation, which were formally in the personal leave regulation, which would then transfer over to this regulation, for example, five days before students return or five days before they leave.

[00:06:27] There are exceptions. - Thank you. So the grounds on which a request under Section F could be refused are broader than simply where they cannot find a substitute to fill in?

[00:06:49] - Those that are broader are captured in the regulation, which is currently the personal leave regulation. It's a current regulation that would just transfer over to this sick leave policy once personal leave was removed. So there -- so the regulation that currently applies to personal leave, that substantive content would be grafted onto a regulation for this policy?

[00:07:18] Yes. It would need to be -- the language would need to be tweaked slightly to characterize it as sick leave days that are being utilized as personal leave. It's just a personal leave regulation that is attached to the personal leave policy So they would need to be tweaked slightly. It would also need to change a number and a title To transition to this policy and that will only be done if the full school board then takes action on this policy but the actual grounds for

[00:07:54] approving or declining a request for a leave day will remain the same. Yes, ma'am. Thank you very much. Any other discussion? i'll just say thank you thank you madam chair i am grateful to see this change proposed i think it's a great idea to give our teachers and staff a little bit more flexibility i know as the daughter of an educator and the daughter-in-law of an educator the sacrifices that teachers and staff often make to make sure that they show up at school and and being able to offer this flexibility

[00:08:32] is, in my opinion, a great idea. Thank you. Thank you, Ms. Chandler. I do have a question. I don't know if it applies to this. I haven't asked this before. Floating holidays, do you guys offer floating holidays, whereas if somebody needs to take more sick leave, they could use their floating holidays?

[00:08:56] We do not currently offer floating holidays. I know that is a topic that has come up before That could possibly be a topic that is considered as part of the calendar creation committee because that would impact more than just personal leave, sick leave.

[00:09:15] It would require the ability to transition. It would include potential sub-coverage. But I know that in the private sector they do a lot of floating holidays, but in the school division it's not something we've considered in the past.

[00:09:32] So with consideration to this calendar committee, it wouldn't just be the calendar for the school year. It would be for internally as well that we would go over. So I'm not sure I 100% understand your question.

[00:09:51] So if I'm answering it incorrectly, you'll have to correct me. We would start with the calendar creation because recognizing which holidays, how many holidays, what could be a floating holiday would start with what the school board recognizes as a school holiday so it is one of two things it's one getting a better understanding of the school board's philosophy around not just holidays all of the items some of which we presented at the last HRTD committee meeting but also getting a better sense of from this committee

[00:10:26] what they would like to see the new calendar develop to look like we would want to fully flesh out how we could offer floating holidays, that it would be equitable for all employees, regardless of whether or not they were on 10, 11, or 12-month contracts. Thank you, Ms. Boland.

[00:10:44] And yes, along with the calendar of implementing floating holidays, it could coincide with sick time as well. So I don't know if that is something we'd put in the policy later on. We could always add it.

[00:10:59] Thank you, Ms. Boland. Any other discussion? And with that, oh, I'm sorry, Ms. Donahue, go ahead. Thank you, Chair Griffiths. I would like to make a motion to refer policy 7712 to the full board for its consideration as an information item.

[00:11:24] Do I have a second? Thank you, Ms. Chandler. And we will go ahead and do that. We'll move that to the full school board as an information item. I'm sorry. All those in favor. Aye. Thank you. So, we will move that, and we will now move on to, let's see, 4.02, policy 7714.

[00:11:47] Ms. Bowling. So, 7714 is a recommended deletion. It is the personal leave policy, and with the committee's approval to move 7712 forward to the full school board we request that 7714 the recommended deletion be so moved to to accompany that policy for the full school board is there any discussion miss tonahue thank

[00:12:24] you chair griffiths so ms molyn do i understand correctly that the deletion of this policy is also something that would go to the full board and would need to be voted on by the full board yes ma'am it would go almost as a package we wouldn't delete 77 14 unless the board approved the updates to 77 12. thank you thank you miss fallen any other discussion well then I move to make this an information at the

[00:13:01] next board a school board meeting do I have a second second thank you miss Donahue thank you I'm sorry thank you miss Chandler and seconded by miss donahue and with that all those in favor thank you and we will move on to now the information items which is 5.01 human resources and talented talent development revisions to policy 7650 thank you mrs griffiths so this evening we are proposing changes to this policy that would bring

[00:13:38] it more current and into alignment with our business practices in 2024, and I'm going to ask Bob Phillips, HRTD director, to walk the committee through these changes. Thanks, Ms. Boland.

[00:13:56] Good afternoon. The changes that you see reflected in the red line version were made to update language related to employee titles and classifications and to align this policy with policy and regulation 7318, separation of employees.

[00:14:11] Also the changes reflect better the business processes used to create, distribute, and receive signed contracts through the Human Resources Management System, HRMS, and our other LCPS electronic tools. The last revision of this policy was in 2016, and at that time paper contracts, memos, and assignment letters were still being issued.

[00:14:33] Currently, our practices provide contracts, memos, and assignment letters electronically through our HRMS, as well as permission click systems as outlined in the revisions. The links at the end of this document will be updated to reflect the changes possibly made to Policy 7910 once they are completed, as well as some of minor formatting errors.

[00:14:59] Thank you. Any discussion? Yes, Ms. Donahue. Thank you, Chair Griffiths. Thank you, Mr. Phillips.

[00:15:16] So this proposed policy mentions, as a reference to policy 7318, 7318 does not include that portion of the state code that allows employees to rescind a resignation.

[00:15:41] Is there any plans to incorporate any mention of that? Or can you describe the effect of LCPS probationary terms? The separation of employees is outlined in policy and regulation 7318, which were just passed I think on Tuesday night, and that's just a cross-reference about that.

[00:16:15] Yes, Ms. Chandler. Thank you, Madam Chair. Could you please walk me through the change in language between professional and licensed?

[00:16:33] Which line are you on? have the I I see it in the title and I see it in line one we're I hope I'm in the right place yes so our term our terms now when we refer to employees as more of the licensed employee rather than a professional employee which was the old terminology and that licensed employee matchups with VSBA language

[00:17:01] um that uh council suggested and if i may miss chandler um contracts are only issued to our licensed staff um what we learned when we were doing we we have tried very hard to be equitable in our language in our titling which is one of the reasons we eliminated the classified and administrative scales and really bridge that gap to create a universal scale is to eliminate

[00:17:34] employees being identified based on the scale that they sit on. Before we were able to bridge that gap, we had professional lanes, and employees took offense to some employees being identified as a professional versus other employees not being identified as professional. And so, yes, We are trying to update our language to really mirror what's identified in VSBA, in code, to take away any perceived inequity or appearance of elevating one employee group over another.

[00:18:14] I hope that's helpful. It is helpful. Thank you. And I appreciate that clarification because, of course, from my opinion, and I'm sure this is perhaps a widely held opinion and not necessarily needing to be couched in that way, but all of our employees are professionals.

[00:18:33] But in terms of being licensed, we are only talking about holding teaching license. There are other employees that have licenses that are employed by the division. Yes, ma'am, but they do not receive contracts. Okay, so the only employees that receive contracts are employees with teaching license.

[00:18:52] That's correct. Thank you. Thank you, Ms. Chandler. There are no changes. I would like to move that this item, 7650, goes back as an action item to the next meeting. And then we can move on to, oh, all in favor.

[00:19:09] I'll second that. Thank you, Ms. Chandler. Thank you, Ms. Tanya. And with that, we'll move on to 5.02, revisions to policy 7724. That's human resources and talent development. Thank you, Mrs. Griffiths.

[00:19:26] So this evening, we are bringing forth policy 7724, which is public service leave. The goal is to provide clarification and transparency on what is covered under public service leave and the conditions of this type of leave.

[00:19:44] So for awareness purposes, public service leave allows our employees who are interested in participating in public office the opportunity to take leave without pay for 60 days for campaigning purposes and provides the opportunity for them to take leave without pay to attend meetings for the office that they hold.

[00:20:07] This policy also confirms that those employees who are elected to the Loudoun County School Board are covered under policies 2110, Qualifications of School Board Members, and 7520, Non-School Employment.

[00:20:22] At this time, I would like to ask Jeanette Evans, HRTD Director for Employee Benefits, to provide clarification on updates. good afternoon thank you miss Bowen so the policy 7724 public service

leave has been updated to provide clarity and transparency to our employees to have a better understanding of if they're running for office if they want to if they're appointed to an office what that actually means to them so in section a we specified that an employee cannot serve 11 County School Board they

[00:21:01] would have to resign for that section B in lines 25 through 38 we provide clarification on the type of leave leave without pay the length of time that can be granted for campaign purposes and for attendance at those meetings that they are elected or appointed to lines 47 through 61 provides transparency on the requirements for taking this leave what they have to do who their response who's responsible for approving the leave as well as directions on what to do if for some reason they don't need to take that leave how they need to notify their

[00:21:39] supervisor administrators about that and then section C specifically C3 provides clarifying language that after five days of leave without pay they will be billed their per diem rates for benefits have to answer any questions do we have any further discussion. Ms. Donoghue. Thank you, Mrs. Griffiths. And thank you, Ms. Evans.

[00:22:11] I just had a couple of questions. So first, I think it's fantastic that we have this policy and that we encourage LCPS employees and educators to participate in this way in the community.

[00:22:27] I will say, when I first looked at this and I saw public service leave as the heading, I thought, teaching already is a public service, so what could this possibly mean? Which is neither here nor there, although I might suggest a new title, public office leave or something, but that's nothing to do with the substance.

[00:22:55] I did want to clarify, totally understand if someone is elected to the school board, they cannot take advantage of the policy after being elected. But if an LCPS employee wants to run for a school board, are they still, is this policy, is the benefit under this policy still available to them under Section B1 as a candidate for public office?

[00:23:25] So my answer to that would be they would take that 60 days of leave without pay, so they would not be actively serving LCPS while they're campaigning to be on the LCPS board. Understood. Thank you.

[00:23:44] I think that was all I had. Thank you. Any other discussion? If we're good and no other discussion, this policy on tonight's agenda will be moved to an action item to the full school board as an info item.

[00:23:59] Is there a second? Thank you, Ms. Donoghue, Ms. Chandler. All in favor? I'm sorry. Just a point of clarification. Yes. You said to the full school board. Well, action item first.

[00:24:15] To the committee. To the committee. Yes, ma'am. Thank you. So now we will, it's been approved to move as an action item to the committee. And now we will move on to the next item, which is 5.03, Religious Observance, 7730.

[00:24:36] Yes, ma'am. Thank you, Mrs. Griffiths. We are bringing forth Policy 7730, Currently Religious Observance. As an information item, we are updating this policy to provide consistency across the division for employees who wish to request accommodations for religious beliefs.

[00:24:57] Religious accommodations, accommodation leave has been updated to provide information on how to request an accommodation, who to look to for information, and the process for review of requests.

And at this time, I would again ask Jeanette Evans, HRTD Director for Employee Benefits, to add any additional points of clarification.

[00:25:22] Thank you, Ms. Bowen. So the title for this policy, being moved from religious observance to religious accommodation, is part of the language of being consistent in how we're applying accommodations, making accommodations for employees who have need to request those things.

[00:25:43] A statement was added at the beginning of the policy to share LCPS' respect in everybody's religious beliefs, practices, and observances, and clarified that on written requests, we will make an accommodation for practices and observances when a reasonable accommodation is available that does not cause the school division an undue hardship.

[00:26:09] A process has been established to request the religious accommodation, including the development of an online form for employees to make the request. And this provides clarity to the employee. They are making the request to the Human Resources Talent Development Leave and Disability Programs Office.

[00:26:31] We also, in the update of this policy, have added information for the employee who's applying, clarifying to them that we will be talking to their supervisor. If the request is denied for some reason, they can appeal it.

[00:26:49] And also making sure that the employee is aware that if they change locations, if their need for an accommodation changes, they must reach out to the HRTD Leave and Disability Programs Office to notify them so that they can work with the administrators at the new location or with whatever requested change is requested.

[00:27:14] Thank you. Any discussion? Yes, Ms. Chandler. Thank you, Madam Chair. I would love to hear a little bit more about the choice of the words sincerely held. Is there a significant meaning in that?

[00:27:34] Could you help us with a line? I'm so sorry. Sure. Well, I see it. So, sincerely held is we want to encourage employees who need an accommodation but they're uncomfortable with making it to their supervisor, but we also want to make sure that it is sincerely held and that it's not, I want to take a 15-minute break at 10 o'clock.

[00:28:10] From my perspective, one of the things that makes good policy is being clear with our intentions and I'm not sure if the division wants to be in a position to make judgment calls on whether or not someone's religious beliefs are sincere I think if someone's coming forth to ask first I mean I understand I believe it's a complex issue and I understand that there are always instances where humans are concerned where people like to challenge the boundary and the rules

[00:28:43] but I feel a little hesitant about this idea I'll just express that I also would love to know if you could walk us through some of the examples where the circumstances might be what types of circumstances might be denied certainly so I just to circle back to your question about sincerely held and I did not phrase that well it is a legal standard and it is part of the language in the laws regarding religious observation.

[00:29:17] So that's kind of where that comes from. We're not asking people to give us an affidavit in any way, shape, or form. So I hope that provides clarity there. That is helpful. Thank you. And that is something that we could track back to the statute to where it's clearly defined?

[00:29:38] I can get that information. Absolutely. Thank you, Ms. Donahue. So I – Ms. Donahue. Ms. Chandler. You did have the question about when would it be denied.

[00:29:53] So if, for example, if someone needed an hour three times a day, that seems extreme, but that is something that we would probably for a teaching position or TA or BA, for example, we may not be able to accommodate that.

[00:30:11] But we'll talk about what other things we can do to assist the employee in taking the time they need for their faith. thank you so that that is more of an ongoing conversation that you would have that's why this process is set up this way is it's and it's the conversation goes through leaving disability programs to help keep the administrator and the employee so that everybody has a chance to have their their opinion or their concerns raised thank you thank you miss Chandler miss Donahue thank you

[00:30:46] mrs. Griffiths and thank you again miss Evans I have a couple of questions and I I would like to piggyback on some of Ms. Chandler's comments. I absolutely understand the division wanting to guard against the possibility that someone might try to take advantage of this allowance, not for an actual religious reason, but I

[00:31:24] have similar concerns as to what Ms. Chandler expressed, and I know that in the previous version of this policy, we did not include the words "sincerely held." And my concern is that if a person -- understanding that we're not requiring someone to file an affidavit, but just to say, "I have sincerely held personal religious beliefs and I would would like the following accommodation.

[00:31:56] I mean, my concern is what if someone challenges that? Who is going to determine whether a religious belief is sincerely held? Or is the division going-- if the division is going to take requesters at their word because they say, I have a sincerely held religious belief, then why do we need that language there?

[00:32:21] Not that we have to necessarily answer that question right now. But I just wanted to note that I share some similar concerns as Ms. Chandler. You looked like you wanted to have made Ms. Bowen respond. Did you want to respond, Ms. Bowen? Yes, that would be great.

[00:32:36] So I wholeheartedly respect the Pauls. I do want to clarify a few things. The policy before this policy really was only in regards to a request for a day off.

[00:32:52] We have, up until this point, no policy in regards to an employee requesting a religious accommodation. And therefore, we have no documented process by which employees requested.

[00:33:10] And so it is currently us guiding them, but if they do not know, it could be a very inequitable process across the division. And so the add of these, even the verbiage, the sincerely held, the add is because this policy and its intention is changing.

[00:33:31] It is not just about a day off. It is more extensive than just a day off. And it's the development of a process. And just like requesting a medical accommodation, there is no real way for us to document every reason as to why it would be denied, because it does depend on the ask, it depends on the position of the employee, the work location, there are just too many external factors to identify everything that could be denied. This is why we are creating this policy to go through

[00:34:08] the leave-in disability office rather than a supervisor to create that criteria to be able to justify the denial. And in the event an employee is uncomfortable with the denial, the school division has many

avenues by which an employee could bring forth their concern or complaint, if that helps, which we could also cross-reference at the bottom of this policy.

[00:34:36] That is helpful, Ms. Bolin. Thank you for that. I am curious, particularly because you compared this to so sorry back up uh i am glad that the that your department is looking uh in a in a broader context at this issue and making sure that that we are documenting that employees are entitled to religious accommodations that extend beyond a day off i'm very glad to see that It does make me curious about what was happening before.

[00:35:14] If, for example, an employee, you know, because of sincerely held personal religious beliefs and practices needed to, you know, pray in the middle of the day, what was happening there? Was that a conversation with a principal? Was the employee doing it without talking to anyone?

[00:35:33] Do you have any anecdotal instances for us? So I will tell you what I know, and then I will ask Ms. Evans to chime in. It was a conversation with a principal, and I believe the only time our office, or the Leave and Disability Office, which hasn't always sat in HRTD, got involved is if an employee complained.

[00:35:58] So I can't speak to every process. However, I do know that this question recently is coming up more and more. And so we felt the need to really have a clear path for employees and an approach that would be more equitable in regards to how we accommodate.

[00:36:27] And with that, I have a, oh, I'm sorry. Go ahead, Ms. Chandler. I was just going to say that Ms. Bullen was correct. So it was, this is just a much more fair and equitable way for employees.

[00:36:47] Ms. Chandler? Thank you, Madam Chair. So I just, for a point of clarification for me, do we feel as a division that the best way to make sure that this policy is handled consistently is to take it off the principal's plate and to put it in the hands of HRTD?

[00:37:07] So I would say principals will be relieved if they do not feel like they are having to make these decisions. I think they don't feel that they are best placed.

[00:37:25] I think they want to be part of the conversation, just like a medical accommodation in regards to what could potentially be a hardship or what they could accommodate. But ultimately, I think the final decision rests with leave-in disability.

[00:37:41] As a follow-up, Madam Chair, if it's okay, this policy and this process will model or mirror the accommodation policy, and the principals will be included in the conversation by policy?

[00:38:01] Yeah, principals will be included in the conversation. It won't obviously be an exact modeling, but yes, principals will always be part of the conversation. Thank you, Ms. Chandler. Ms. Donahue? Thank you, Mrs. Griffiths.

[00:38:20] So, following up on you, Ms. Bolin, and I believe Ms. Evans, you've compared this to, for example, medical leave. And that made me curious. I had already been wondering. Sorry, Ms. Donahue, can I just clarify?

[00:38:37] Not medical leave, medical accommodations. Medical accommodation. Yes, please, thank you. Yes, medical accommodation, thank you. Words matter, it's important to be precise. So, I was curious when I was looking at this, because it talks about employees taking paid leave for religious accommodations.

[00:38:56] But we're also talking about, you know, things happening during the school day, not just needing to take a day off from school entirely. So, in our previous hypothetical, if someone, because of their religious observance, their religious beliefs and practices, needs to pray multiple times during the school day, is that something that we require them to take paid leave for during that time?

[00:39:21] Or is there a minimum amount of time that if a person is going to be out of their duties for X number of minutes, that is what triggers a requirement to take leave? And also, related to that, is that what we require for medical accommodations?

[00:39:39] If someone, I've had two foot surgeries And in the recovery times from those instances, I was strongly advised and encouraged by my doctor to do physical therapy exercises multiple times a day, only for 10 minutes at a time.

[00:39:55] So if you have an employee who is in a similar situation, would they be required to use paid personal leave for those 10-minute blocks during the course of the day? - So I'm gonna ask Ms. Evans to jump in, but I believe something that would exceed a certain number of hours could potentially be a hardship, especially if you're talking about sub-coverage for multiple classes every single day, but I'm gonna ask Ms. Evans to chime in.

[00:40:27] - So it's like any accommodation, it's on a case-by-case basis. So we will look at each situation in and of itself, but yes, if someone, for example, needed, to use my example earlier, an hour, then we would ask that they utilize leave or leave without pay during that time.

[00:40:48] Thank you. So, is that -- I mean, I'm trying to think ahead to, obviously, if we move this to action, it will go out for comment, and I assume we will receive lots of feedback from the community and questions, but, you know, trying to put myself in the mind of what are those questions going to be I'm already thinking you know well our how are our educators going to respond to being told I have to use I have to use my paid leave to you know for my religious accommodation and that's why I was wondering if there's

[00:41:26] particularly like a time limit trigger that would that would result in meeting to request paid leave so there's not a specific trigger right it's it literally is case-by-case. So say we have a teacher who needs to take two 15-minute breaks, but it occurs during their specials time, and they don't have an assigned responsibility then. Or if it's somebody who is taking it as part of their lunch period, or somebody

[00:42:03] who is, I mean, there's so many different things that can be considered, which is why we literally say on a case-by-case basis but it can't be a hardship for the school so in your example if somebody is having to not to use their planning period because they have to cover for somebody else then every day that might very well be considered an undue hardship so we have to talk about what we can do to support both well this I I appreciate you I appreciate you drawing

[00:42:39] that point out I guess but when you're talking about the undue hardship right that's that goes back to whether we're allowing the accommodation right not the not whether an employee is going to be required to use paid personal leave so if we do not present them with the ability to utilize accommodation if it's denied then they would have to use their personal leave thank you for that and if I may that's where floating holidays would come into play maybe take

[00:43:18] note of that for the future are we moving to strike any language my colleagues if we're bringing forth the referencing the statute and the policy I'm comfortable with that okay but if we are bringing it back to action I think that's a conversation we can have after we see so just to be clear so do you want it to come back to committee as an action item?

[00:43:47] I would be happy to have it come back to committee as an action item for further conversation. Thank you, Ms. Donahue. Thank you, Ms. Chandler. This policy on tonight's agenda will then move back to action item for the next committee meeting. Is there a second?

[00:44:04] Thank you, Ms. Chandler. Thank you, Ms. Donahue. And all in favor? Thank you. And now we move on to policy 7910, reduction in force. Thank you, Mrs. Griffiths. So this evening, similar to what you may see quite often, we are bringing back two policies.

[00:44:25] We are bringing back -- I shouldn't say back. We are bringing before the committee policy 7910 reduction in force and policy 7920 reduction in force classified employees as an information item. We are proposing changes to these policies to streamline and condense and simplify the reduction in force process. So one of these is a recommended deletion. And our goal is to really consolidate our policies so employees, when they go looking for the reduction in force policy,

[00:44:59] they don't have to attempt to clarify which policy refers to themselves, which position they're in. We also no longer utilize the term classified. For historical context, it has been approximately 10 years since LCPS has implemented a RIF. It is really a last resort. We do everything in our power to avoid a reduction in force. Our approach is to be proactive in lieu of having to reduce.

[00:45:35] And if a position reduction is identified, HRTD works to place employees into vacant-like positions or complete a position reduction over time as we see attrition. However, in the event a RIF is needed, the policy and regulation would guide that process.

[00:45:57] So it's important that we have something in place, but I will tell you, we do everything in our power. And I've been with the division nine years, and we have always been able to either find an individual a position or to phase a position out over time through attrition.

[00:46:18] At this time, I'll ask Nicole Davis, HRTD director, to assist with additional points of clarification. Thank you, Ms. Bolin, and good afternoon. So as Ms. Bolin mentioned, the revisions to this policy were to simplify and clarify the reduction in force process by combining policy 7920, reduction in force, classified employees, into policy 7910 reduction in force with one policy applying to all staff groups to do so

[00:46:51] policy and regulation 7920 reduction in force classified employees was struck with policy 7910 being revised and the procedural steps from 7920 incorporated into regulation 7910 reduction in force and again for additional clarify excuse me clarification and guidance the procedural items of a reduction in force removed removed from policy and included into the regulation the language from the policy incorporated into the regulation was reorganized so that there were

[00:47:28] clear definitions of each work group with clear procedural guidance outlined for each group as Well, thank you. Thank you. Is there any discussion? Yes, miss Donahue. Thank you, Mrs. Griffiths. Thank you, Mrs. Davis So it appears that the previous policy laid out guidelines for how a reduction in force should be approached

[00:48:04] Although even in the prior version of this policy final decisions, we're still up to the superintendent which I'm gathering from the The, the lengthy, uh, parts that are proposed to be cut, um, that talk about different categories of employees is, am I, is my understanding of that correct or.

[00:48:31] So I will defer regarding the superintendent question, but in terms of the procedural items, yes, we struck those from the policy and moved them into the regulation. Similarly to how 7920 was set up before where the policy was really the structure and the procedural pieces were in the regulation we did the same thing for 7910 so but in the prior version right this says when reductions in force are necessary reductions will be made in the following order so that is an order of priority

[00:49:04] that was set by the board and now we're taking all of that out and moving the order of priority of reductions into regulation which will be set by the the administration without input from the board.

[00:49:23] Do I understand that correctly? So that is how it's currently proposed. And why are we making that change? Or why are you proposing that we make that change? So it was just to clarify the actual policy piece versus procedural and set it up similarly to how we have a lot of the policies already with the guidelines outlined in the regulation.

[00:49:47] So if you're interested, we can propose language to add that specific part back in with the steps itself, keep that into the regulation, we can look at alternate options. If I may, Ms. Doningue, if I can refer you to line nine, yes, I knew it was in here.

[00:50:12] So ultimately, the school board remains responsible for making the ultimate decisions, and that is laid out and captured on line nine.

[00:50:39] And if I may further, when it states in lines, starting on line 11 and going through line 14, the previous policy also gave the division superintendent the authority to determine the positions that would be reduced or eliminated.

[00:51:02] So I understand what you're saying, that the school board made this decision, But ultimately, the school board gave the superintendent the authority to determine which positions. So my understanding of the proposal that you have before us, where it says, as determined by the school board, I interpreted that as it will be up to the school board to determine whether a RIF is necessary because of these conditions, not how the RIF would be carried out.

[00:51:41] That's correct. That's correct. It would ultimately be the division superintendent's responsibility to determine procedurally how a RIF is carried out in the event it was ever necessary.

[00:51:57] why I appreciate the clarification and I I will think on this more obviously we're not voting on it today but I I do have some concern with this proposal of removing some authority from the board into the administration thank you for your your comments and answers I appreciate your time and thoughts thank you miss Donahue and I too agree with miss Donahue that it should be up to the

[00:52:35] school board, and I guess we will look to make changes and strike some language if possible. Can you give me some thoughts on that, Ms. Boland? So if I may, I would recommend thinking through that and being prepared to strike language at the next meeting for an action item after this policy goes out for feedback.

[00:52:56] I'm sure there will be lots of feedback for you to consider that may even change further how you would like to proceed. What I would just like to add or emphasize is the goal of this is not to remove

the school board's authority or ability to make a decision as to any sort of RIF.

[00:53:22] This is really pulling out language that would guide staffs or administration's work to determine eligibility criteria when they were figuring out who would then in fact or which which employee would then be able to be recommended for a riff this wouldn't the intent of that is not to remove the school boards ability to make a decision about a riff it really is to guide staff on how to determine who would

[00:54:02] then qualify and I think we'll have a conversation about it so it should go back to I guess information we're gonna work on language so is it coming back as information or action well we're going to it's not coming back as action yet so we wouldn't send it out for a feedback unless it was coming back what are your thoughts miss Donahue thank you mrs. Griffiths I think that it makes sense to to schedule it to come back for action in particular because as Ms. Mullen pointed out that is what will enable us to receive additional feedback from the

[00:54:41] community and certainly when it come when it does come back for action if we are at that time not satisfied with the language we don't have to send it to the school board we can continue to consider it if we feel that that's necessary appropriate Thank You Miss Donahue miss Chandler did you have thoughts thank you madam chair I I agree I would really like to see this come back on action I would be very curious to see the additional feedback from the community I really I believe I understand I'm in the decision to execute a riff would be

[00:55:18] made by the school board the action to execute the riff would be executed by the superintendent and i think in general we have a lot of tools in play that allow us to model enrollment we track it very closely i don't think this would be a surprise um i do think it's important for us to consider the policy and keep it in place if it's possible that it could happen in the future um i mean we this you never i mean it's hard to imagine in loudon county but we can also acknowledge that we're not building three schools this year and after many

[00:55:57] years in which that was definitely the standard and that the birth rate is down I have no in my school visits I've been surprised to hear where the enrollment is at some of the elementary schools compared to where it was when my kids were in elementary school so you know I think it's worth having a meaningful conversation about it I'd I do appreciate that clarification thank Thank you, Ms. Chandler.

[00:56:23] So I move to add this item to action after we get feedback. Is there a second? Thank you. Thank you, Ms. Donoghue. All in favor?

[00:56:38] Thank you. And with that, we will move on to the deletion of policy 7920, reduction in force in what you just said. Okay.

[00:56:54] Yes, ma'am, it is. Okay. you still have to it's make a motion to take it as action for that one okay so i make a motion to take it as action we will be getting feedback um do i hear a second thank you miss chandler and uh all in favor hi thank you very much thank you much very much for that feedback um any new business anything you'd like to discuss um i do want to mention um per our last meeting um i haven't I haven't had a chance yet, but I was going to look over the presentation and come back

[00:57:30] with some changes, the presentation that you guys gave on the life cycle of a candidate. I was going to come back with that. I haven't had time yet, but that will come back hopefully next time.

[00:57:45] If there's no new business, with that, I would like to adjourn this HRTD meeting for today.  
Thank you.



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