



Policy, Personnel & Legal Committee Meeting Minutes May 13, 2021

Committee Purpose

The Policy, Personnel & Legal Committee provides the Board with a venue to fully vet policies, discuss personnel issues and address legal matters of concern.

Committee Leadership

*(Board) Chris Smiley, Mike Donato, Linda Johnston, Grant Keener
(Administrators) Tab Musser, others as applicable/available*

Per Board Policy, if you intend to record any portion of the meeting proceedings, you must notify the Communications Director or other Administrator prior to the start of the meeting. A public announcement will be made at the opening of the meeting to inform all attendees that all or part of the meeting is being recorded by an audience member.

Start Time: 5:00 p.m.

Location: Public Board Room at the District Administration Building

Attendees:

Board Members: *Adam Aloisi, Dylan Bard, Mike Donato, Linda Johnston, Grant Keener (virtual), Jim Maurer, Charles Merris, Pat Wagner, Chris Smiley*

Staff: *Mike Bromirski, Bill Brossman, Mike Graham, Tom Kramer, Tab Musser, Shannon Zimmerman*

Other: *Jacquelyn Strybos, Recording Secretary*

Time for Public Comment (5-minute limit per Board Policy 903):

None

Agenda Items:

Dr. Tab Musser, Assistant Superintendent, welcomed the group to the meeting. He mentioned the agenda includes new policies that are now required, several policies being brought before the committee as part of the district's intentional cycle of review to keep things current, and at least one policy that is being reviewed in response to a situation. While several policies are listed as consideration for first reading, Dr. Musser shared that not all of these will be ready to move to that level at the next school board meeting as they are still being worked on.



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1. First Reading Consideration

a. 216 Student Records

Mr. Michael Graham, Chief Information Officer, presented this policy and noted that although it was listed on the agenda for first reading consideration, it was still just a draft. He reiterated that the district's current policy, which was last revised in 2010, does not adequately address current legal requirements. He noted a lot has changed over the years with regards to privacy, electronic records, and records retention in student information systems. Mike presented a new draft of the policy, prepared by Sweet, Stevens, Katz & William, LLP as a first look, for review without specifically comparing it to the district's existing policy. He noted the new policy codifies and outlines specific practices to go with new legal requirements and contains several pages of definitions. Mike planned to highlight what is in the draft and then give the board areas to consider as a starting point for discussion in drafting a final version. A discussion ensued regarding the scope of the policy and whether or not the district needed to include everything in the draft. Mr. Graham shared that the draft policy does conform to our current practices and the legal things we must do. A decision was made to continue to work on a draft specific to Hempfield that addresses the legal requirements and district needs. A more concise version of this updated draft will be brought to the next committee meeting for continued discussion.

b. 225 – Relations with Law Enforcement Agencies

Dr. Bill Brossman, 11th grade Assistant Principal, presented this policy as a direct result of a situation that occurred within one of our district buildings. The current version of this policy was written as if the district did not employ School Resource Officers (SRO) and therefore was more appropriate to situations where a police officer would be coming into a school building from an outside agency. Bill suggested that the policy be updated to reflect the current language in the district's memorandum of understanding (MOU) regarding our SRO, which already spells out many of the definitions contained in this policy, making their inclusion redundant. Everything currently listed under crimes and offenses is currently covered under Safe Schools Reporting and can be removed from this policy. He would like to continue to work on getting this policy updated (for instance - adding a Purpose section and moving the first sentence currently listed under the Authority section to that area), and then reach out to include input from both elementary and middle school administrators as well as, local law enforcement agencies, and the district's safety officer. A decision was made to continue to work on the policy to clean it up and then bring a revised version back to the next committee meeting for consideration.

c. 207 Confidential Communications of Students

Mr. Tom Kramer, Centerville Elementary School Principal, presented this policy as part of the district's review cycle. During review the district's version of this policy was compared across several local school districts. The only suggested change to the current version of the policy was



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the removal of the notation related to age of a student in the Guidelines sections to conform with school code. With this minor edit, this policy will be on the agenda for approval of first reading at the June 8, 2021 school board meeting.

d. 705 Safety

Dr. Tab Musser presented this policy on behalf of Mr. Ryan Jones, District Safety and Security Officer, who was unable to attend the meeting. Dr. Musser reminded the committee that this policy was discussed at last month's meeting. Mr. Jones has continued to work on reviewing it along with the more comprehensive PSBA version shared at the April 15, 2021 policy committee meeting. The district's current safety policy more closely aligns with what should be included in Policy 805 Emergency Preparedness. His recommendation is to move forward with the PSBA version of policy 705 as a direct replacement of our current policy, moving it to first reading. And then work to incorporate additional language into Policy 805 to make sure we are fully covered with regards to both safety and emergency preparedness. Mr. Jones would bring the updated emergency preparedness policy, No. 805, to the next committee meeting for discussion. The committee was in agreement with this proposal and the new more comprehensive version of Policy 705 will be on the agenda for approval of first reading at the June 8, 2021 school board meeting.

e. 910 Community Engagement

Ms. Shannon Zimmerman, Director of Communications, presented this policy, which was being reviewed as part of the district's policy cycle. The suggested edits to the current policy were minor and included a change in the Purpose area to reflect language used in the district's comprehensive plan, and an update to the definition of community engagement. Mr. Grant Keener recommended changing one proposed edit in the draft as presented, from *credence* to *consider*, to reflect the proper intention in the sentence as it relates to community input. With these minor edits, this policy will be on the agenda for approval of first reading at the June 8, 2021 school board meeting.

f. 919 District/School Report Cards

Dr. Musser presented this policy on behalf of Dr. Doug Dandridge, Landisville Middle School Principal, who was unable to attend. Dr. Musser indicated that the policy was on the agenda mainly due to the fact that it was adopted back in 2006 and has not been reviewed or updated since that time. He noted that the committee has worked on removing language from policies linking them to specific laws and requirements, such as Adequate Yearly Progress (AYP) and No Child Left Behind (NCLB), over the past few years. The current version of this policy does reference laws that are no longer in place. Dr. Musser suggested cleaning the policy up, removing old and outdated language, adding references to current requirements and the outside sites where information is held and managed (Future Ready Index, Annual Report) before returning it to committee. The hope would be to provide an update in such a way as to avoid creating a similar



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issue when the current educational laws change. A draft of an updated version of this policy will be brought to the next policy committee meeting for consideration.

2. Discussion

a. 248/348 Unlawful Harassment

Dr. Musser lead the discussion regarding the PSBA recommendation that these policies be retired based on the recent Title IX updates to Policy 103 and 104. According to the PSBA email message received earlier this year, and discussed at last month's policy committee meeting, harassment is now covered under Policies 103 & 104 as it is a form of discrimination. Upon closer review of the district's current version of Policies 248/348, it was determined that this is not the case at Hempfield. Dr. Musser shared that while certain parts of 248/348 are redundant and should be eliminated, there are parts of the policy that are not adequately addressed under discrimination in Policies 103 & 104. His recommendation to the board is to not retire these policies, but to revise them, to remove any duplication, and bring back updated versions to the committee for first reading consideration at the first policy committee meeting during the next school year. Policies 248 & 348 will be updated and brought back to committee for consideration in 2021-2022.

b. 903 Public Participation in Board Meetings

Dr. Tab Musser brought this policy to the attention of the committee based on concerns from community members. One of the requirements outlined in this policy presents a potential privacy issue around the sharing of an individual's demographic information especially now that the public board meetings are being streamed across the internet via Zoom. As the policy is currently written, anyone wishing to address the board must state their name and home address before sharing their comments. The administration confirmed that the sole reason for requesting a person's address is to ascertain their status as a resident or taxpayer in the district. The board discussed alternative ways to ensure residency/taxpayer status. A decision was made that this could be handled as a procedural guideline allowing the district to take reasonable steps to validate residency through appropriate measures, without the need for public announcement. The policy will be updated to reflect the removal of the requirement for the public announcement of home address in order to protect the privacy of individuals, mainly students, participating in the public comment section of our board meetings. There will be one addition to the Authority section of the policy to note "district" residents, clarifying those entitled to address the board. The changed language will be shared through Board News. Following that, the policy, incorporating these minor changes, will be on the agenda for approval of first reading at the June 8, 2021 school board meeting.



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3. Update

123 Interscholastic Athletics

Mr. Chris Smiley noted that the special committee did not meet during the current week, but will be meeting with Dr. Robert Lombardi, Executive Director of PIAA, for a presentation at 5:00 p.m. on Monday, May 17, 2021. An update will be provided to the board following that meeting.

At the end of the scheduled agenda items, Mr. Mike Bromirski, Superintendent, shared the information he had just received on the latest update from the Center for Disease Control, and confirmed by the acting Secretary of the Pennsylvania Department of Health, regarding mask-wearing. According to the new update, masks will no longer be required in most settings and situations (non-healthcare settings) for anyone “fully vaccinated” except where required by federal, state, or local laws, rules, and regulations, including local business and workplace guidance. It appears that Pennsylvania will automatically move to this change, which goes into effect at 12:01 a.m. on Friday, May 14, 2021. This new order is in direct conflict with the Governor Tom Wolf’s mask mandate in the state and puts districts in a grey area with little warning or additional guidelines. Mr. Bromirski asked the board to consider allowing the district to keep things the same at least temporarily, and to operate our schools using the Health and Safety plan. A discussion was held regarding what the ramifications of this sudden change may be within the school district as it relates to both staff and students. If we are to change our operations the district will need time to figure out how and if we are going to be able to manage this, as the Covid-19 vaccine is not one of the vaccines mandatory for school attendance. A recommendation was made for Mr. Bromirski to notify the leadership team ahead of the start of school on Friday to reiterate that our board-approved Health and Safety plan remains in place across the district and that proof of vaccination will be required for individuals 16 years of age and older to be present in our schools without a mask.

There was an executive session immediately following the committee meeting to discuss two student matters.

Future Meeting Dates:

2021-2022 Policy, Personnel, and Legal Committee meeting dates will be determined during the Summer of 2021 and advertised accordingly.

Board Review / Action Items: *None*

The meeting concluded at 6:14 p.m.