



**WASHOE COUNTY SCHOOL DISTRICT
BOARD POLICY COMMITTEE
MEETING MINUTES**

March 5, 2019

1. OPENING ITEMS

1.01 Call to Order

The meeting of the Board Policy Committee was called to order at 2:00 p.m. in the Board Room of the WCSD Administration Building, 425 East 9th Street, Reno, Nevada.

1.02 Roll Call

President Katy Simon Holland and Trustee Members Malena Raymond, Dr. Angela Taylor, Jacqueline Calvert, Andrew Caudill, Scott Kelley, and Ellen Minetto were present at roll call. Superintendent Traci Davis and staff were also present.

1.03 Public Comment

There was no public comment at this time.

1.04 Action to Adopt the Agenda

On motion by Scott Kelley, second by Ellen Minetto, the Board Policy Committee approved the agenda as presented (Yea: Katy Simon Holland, Malena Raymond, Dr. Angela Taylor, Andrew Caudill, Scott Kelley, Jacqueline Calvert, and Ellen Minetto). Final Resolution: Motion Carries 7-0

2. ITEMS FOR DISCUSSION AND/OR ACTION

2.01 APPROVAL OF THE MINUTES OF THE BOARD POLICY COMMITTEE MEETING ON FEBRUARY 5, 2019

There was no discussion or proposed changes to the minutes of the February 5, 2019 meeting of the Board Policy Committee.

On motion by Angela Taylor, second by Andrew Caudill, the Board Policy Committee approved the minutes of the meeting of the Board Policy Committee on February 5, 2019 (Yea: Katy Simon Holland, Malena Raymond, Dr. Angela Taylor, Andrew Caudill, Scott Kelley, Jacqueline Calvert, and Ellen Minetto). Final Resolution: Motion Carries 7-0

2.02 DISCUSSION AND POSSIBLE ACTION TO RECOMMEND REVISIONS TO AND/OR FORWARD THE PROPOSED REVISION OF BOARD POLICY 4400, EQUAL OPPORTUNITY IN EMPLOYMENT (FORMERLY BOARD POLCY 4111), WHICH REVISES AND CLARIFIES LANGUAGE RELATED TO ANTI-DISCRIMINATION LAWS FOR APPLICANTS FOR EMPLOYMENT AND CURRENT EMPLOYEES, TO A FUTURE REGULAR MEETING OF THE BOARD OF TRUSTEES FOR CONSIDERATION OF PRELIMINARY APPROVAL

Emily Ellison, Chief Human Resources Officer, presented proposed changes to Board Policy 4400, Equal Opportunity in Employment. The purpose of the policy is to reflect the commitment of the Board of Trustees to ensure that no harassment or discrimination occurs in the hiring or employment practices of the Washoe County School District. The non-discrimination language in the policy was updated to add protection for those being recruited for employment and to expand the definition of "sex" to include pregnancy, childbirth, and related medical conditions.

The policy "applies to all to all opportunities and privileges of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training; and Prohibits retaliation against any District employee or job applicant who complains, is a witness, or otherwise participates in the District's complaint procedures instituted pursuant to this policy."

Ms. Ellison explained that changes to the policy include removal of specific language related to reasonable accommodations as those details are being moved to a separate administrative regulation.

Trustee Dr. Taylor inquired if the removal of the reasonable accommodations language has any impact on the District protections related to the Americans with Disabilities Act as Amended (ADAA). Ms. Ellison responded that District policy supports the ADAA and the impacted protections. The language that was removed to an administrative regulation reflects the ways in which accommodations are requested and implemented and provides greater detail than that which is normally reflected in a policy.

President Simon Holland inquired about the use of the word "color" as a protected class and whether the word is antiquated in its use. Ms. Ellison responded that the word color is still reflected in federal law, as is the word sex rather than gender.

Trustee Dr. Taylor inquired about use of the term "merit based" in 1(c) of the policy. She added that the policy shows a commitment to diversity but that it is also merit based. There was discussion among the Trustees related to hiring and promoting with

diversity in mind versus a merit-based policy and the potential for conflict between the two. There was additional discussion related to the definition of merit-based.

Ms. Ellison suggested revising the language to be specific to employment decisions based on merit as it relates to the job description and the objectives and needs of the position.

On motion by Angela Taylor, second by Jacqueline Calvert, the Board Policy Committee recommended the Superintendent make further revisions and bring the policy back to a future meeting of the Board Policy Committee (Yeas: Katy Simon Holland, Malena Raymond, Dr. Angela Taylor, Andrew Caudill, Scott Kelley, Jacqueline Calvert, and Ellen Minetto). Final Resolution: Motion Carries 7-0

2.03 DISCUSSION AND POSSIBLE ACTION TO RECOMMEND REVISIONS TO AND/OR FORWARD THE PROPOSED REVISION OF BOARD POLICY 4214, DRUG-FREE WORKPLACE, WHICH ADDRESSES POSSESSION AND/OR USE OF ALCOHOL AND CONTROLLED SUBSTANCES BY STAFF ON DISTRICT PROPERTY AND/OR WHEN SUPERVISING STUDENTS AT DISTRICT ACTIVITIES, TO A FUTURE REGULAR MEETING OF THE BOARD OF TRUSTEES FOR CONSIDERATION OF PRELIMINARY APPROVAL

Emily Ellison, Chief Human Resources Officer, presented proposed changes to Board Policy 4214, Drug-Free Workplace. The policy initially underwent review as a result of changes to state law related to state legalization of marijuana and the conflict that presents with federal law. Revisions to the policy are intended to provide guidance to staff and the community related to use of alcohol, tobacco, and controlled substances on District property and at District events, particularly when staff are supervising students.

The policy was revised to reflect the intent of the policy while stating that use of alcohol, tobacco, and/or controlled substances may not occur on District property or at District-sponsored activities. Further, language was added that staff are expected to conduct themselves appropriately and professionally, and allow enough time to pass between the legal use of substances and the commencement of their official duties, supervision of students, etc.

Ms. Ellison emphasized that the District is not attempting to interfere with staff use of prescription medications or decisions made in consultation with a medical expert.

Instead, the policy speaks to impairment and the ability of staff to do their jobs in a safe manner.

President Simon Holland inquired about using CBD oils for pain relief. Ms. Ellison responded that the policy was written to address impairment. The two-pronged test suggested includes: is the substance being used in the way prescribed; and does the substance cause an impairment.

There was also clarification offered that marijuana is prohibited under federal law. As the District is the recipient of federal funds, use of marijuana would be prohibited by the District.

On motion by Scott Kelley, second by Angela Taylor, the Board Policy Committee recommended forwarding the proposed revision of Board Policy 4214, Drug-Free Workplace, to a future meeting of the Board of Trustees for consideration of preliminary approval (Yea: Katy Simon Holland, Malena Raymond, Dr. Angela Taylor, Andrew Caudill, Scott Kelley, Jacqueline Calvert, and Ellen Minetto).
Final Resolution: Motion Carries 7-0

2.04 DISCUSSION AND POSSIBLE ACTION TO RECOMMEND REVISIONS TO AND/OR FORWARD THE PROPOSED ADOPTION OF BOARD POLICY 5100, STUDENT BEHAVIOR, WHICH ADDS LANGUAGE RELATED TO EQUITABLE PRACTICES AND POTENTIAL DISPROPORTIONALITY IN STUDENT DISCIPLINARY PRACTICES, TO A FUTURE REGULAR MEETING OF THE BOARD OF TRUSTEES FOR CONSIDERATION OF PRELIMINARY APPROVAL

Dr. Paul LaMarca, Chief Ombudsman and Strategies Officer, presented proposed changes to Board Policy 5100, Student Behavior. Proposed changes include addition of language related to promoting equitable practices to identify any potential disproportional impact of student disciplinary practices.

Additionally, language was added to the policy related to notification of parents/guardians when a student is questioned by administration or law enforcement.

Provisions related to the District's progressive discipline plan, or behavior matrix, were revised to read that the "Behavior Matrix shall identify potential interventions and consequences for student behavior, be reviewed annually, and revised as needed to ensure equitable and consistent practices are in place throughout the District."

Trustee Dr. Taylor inquired about questioning of a student and if the District would be violating a student's rights if he/she was questioned without parent/guardian permission. Dr. LaMarca responded that he did not believe this would be a violation and that a student can refuse to be questioned. He added that the intent is to only question a student without parent/guardian permission if/when a safety concern is present. Otherwise, the intent is to contact the parent/guardian first.

Trustee Caudill stated his belief that the District should inform students of their right not to respond to law enforcement without parental presence. Chief General Counsel Neil Rombardo added that there are times when a student may be questioned and when notice to a parent is prohibited, such as with child abuse or neglect investigations. Mr. Rombardo suggested adding language that the parent/guardian will be contacted whenever possible.

David Lasic, Chief of Staff, commented on the role of school police in speaking with students. Dr. Troy Parks, Area Superintendent, explained that school administrators have a lower threshold of reasonable doubt in which to question and/or search students than does law enforcement.

Following discussion by Trustees and staff, Mr. Rombardo suggested the following sentence be added to 2(h): "Prior to questioning a student, the administrator or WCSD law enforcement will contact the parent/guardian regarding disciplinary matters unless there is a risk to the health, safety and welfare to students or the school community."

On motion by Scott Kelley, second by Angela Taylor, the Board Policy Committee recommended forwarding the proposed adoption of Board Policy 5100 Student Behavior, with the proposed change, to a future meeting of the Board of Trustees for consideration of preliminary approval (Yea: Katy Simon Holland, Malena Raymond, Dr. Angela Taylor, Andrew Caudill, Scott Kelley, Jacqueline Calvert, and Ellen Minetto). Final Resolution: Motion Carries 7-0

2.05 DISCUSSION AND POSSIBLE ACTION TO RECOMMEND REVISIONS TO AND/OR FORWARD THE PROPOSED REVISION OF BOARD POLICY 6000, SHARED DECISION-MAKING, WHICH SPEAKS TO SEEKING INPUT FROM ADMINISTRATION, STAFF, STUDENTS, AND THE COMMUNITY IN MAKING INFORMED DECISIONS RELATIVE TO SCHOOLS AND THE DISTRICT, TO A FUTURE REGULAR MEETING OF THE BOARD OF TRUSTEES FOR CONSIDERATION OF PRELIMINARY APPROVAL

David Lasic, Chief of Staff, and Dr. Troy Parks, Area Superintendent, presented the proposed changes to Board Policy 6000, Shared Decision-Making. The purpose of the

policy is to reflect the belief of the Board of Trustees “that the most effective decisions are made when those most closely impacted play a significant role and are able to provide input.”

Mr. Lasic explained that the policy was very old and, therefore, underwent a thorough re-write. Language was added about strengthening equity and equitable practices; and ensuring equitable access to programs. President Simon Holland added that while the District encourages empowering schools, the language in the policy reinforces that such decisions should not create inequity between schools. Mr. Lasic commented that there are times when shared decision-making may not work, particularly when inequity could result.

Trustee Kelley inquired about a school administrator making a decision based on the feedback of a few parents versus consensus among all parents. Mr. Lasic responded that such large decisions should include the buy-in of staff and then potentially a school committee of parents. The policy, though, was written to be philosophical and not to provide specificity related to such input.

Dr. Parks commented that shared leadership or shared decision-making is an important tenet in education. The policy speaks to shared vision by the school community under the leadership of the school administrator. Dr. Parks added that the best leaders work to create shared vision by talking to staff, families, and the community.

President Simon Holland suggested removing the word “all” from the 2nd sentence of the Purpose statement. She noted that it isn’t always possible or necessary to get input from all individuals impacted by a decision.

On motion by Malena Raymond, second by Andrew Caudill, the Board Policy Committee recommended forwarding the proposed revision of Board Policy 6000, Shared Decision-Making, with the proposed revision, to a future meeting of the Board of Trustees for consideration of preliminary approval (Yea: Katy Simon Holland, Malena Raymond, Dr. Angela Taylor, Andrew Caudill, Scott Kelley, Jacqueline Calvert, and Ellen Minetto). Final Resolution: Motion Carries 7-0

2.06 DISCUSSION AND POSSIBLE ACTION TO RECOMMEND REVISIONS TO AND/OR FORWARD THE PROPOSED REVISION OF BOARD POLICY 5450, RELEASE OF STUDENTS (FORMERLY BOARD POLICY 5040), WHICH CLARIFIES LANGUAGE REGARDING TO WHOM A STUDENT MAY BE RELEASED DURING THE SCHOOL DAY OR AT A SCHOOL ACTIVITY,

**TO A FUTURE REGULAR MEETING OF THE BOARD OF TRUSTEES FOR
CONSIDERATION OF PRELIMINARY APPROVAL**

Dr. Troy Parks, Area Superintendent, and Dr. Bryn Lapenta, Senior Director of Student Accounting, presented the proposed changes to Board Policy 5450, Release of Students. Dr. Parks explained that the policy title was changed to remove "and Student Information" as such information is included in the Student Records policy.

The purpose of the policy is to reflect the commitment of the Board of Trustees "to ensure students are safe and secure while in the custody of the Washoe County School District." The policy specifically addresses such areas as release of a student during school hours or from a District-sanctioned, sponsored, or recognized activity. Additionally, the policy speaks to the release of a student from a class to confer with an individual who is not an authorized staff member without parent/guardian permission or when required by state law (such as Child Protective Services).

Trustee Caudill inquired about the section of the policy that refers to the Superintendent creating regulation related to questioning of students as also referenced in the Student Behavior policy. Mr. Rombardo, Chief General Counsel, responded that the regulation will allow for sufficient and appropriate discretion for school administrators. President Simon Holland suggested adding Board Policy 5100, Student Behavior, as an associated document to this policy.

Trustee Kelley asked about before and after-school programs and release of students from those programs. Vice-President Raymond commented about the waiver a parent/guardian signs with an outside entity acknowledging that the after school program is not affiliated with the District.

Lisa Scurry, Policy Coordinator, commented that the District has a Use of Facilities policy and terms and conditions that set forth the procedures outside entities must follow when utilizing District facilities. That generally includes language that outside entities acknowledge that the District is not responsible for non-affiliated programs or supervision of participants in those programs.

It was suggested that language encouraging outside agencies using District facilities for activities that involved students to have release of students/participants procedures in place. Such language would be added to an associated administrative regulation rather than the policy.

On motion by Angela Taylor, second by Malena Raymond, the Board Policy Committee recommended forwarding the proposed revision of Board Policy

5450, Release of Students (Formerly Board Policy 5040), to a future meeting of the Board of Trustees for consideration of preliminary approval (Yea: Katy Simon Holland, Malena Raymond, Dr. Angela Taylor, Andrew Caudill, Scott Kelley, Jacqueline Calvert, and Ellen Minetto). Final Resolution: Motion Carries 7-0

2.07 DISCUSSION AND POSSIBLE ACTION TO RECOMMEND REVISIONS TO AND/OR FORWARD THE PROPOSED REVISION OF BOARD POLICY 9065, BOARD OF TRUSTEES' COMPENSATION AND EXPENSES, (FORMERLY "BOARD OF TRUSTEES' TRAVEL AND OTHER EXPENSES") WHICH ADDRESSES TRUSTEE COMPENSATION AND LIMITS TO EXPENSE BUDGETS FOR TRUSTEES WHOSE TERM ENDS HALFWAY THROUGH A FISCAL YEAR, TO A FUTURE REGULAR MEETING OF THE BOARD OF TRUSTEES FOR CONSIDERATION OF PRELIMINARY APPROVAL

David Lasic, Chief of Staff, presented proposed changes to Board Policy 9065, Board of Trustees' Compensation and Expenses. This policy was formerly entitled, "Board of Trustees' Travel and Other Expenses."

Compensation of Trustees was not previously addressed in any policy. As the District receives inquiries about Trustee salary, it was suggested that compensation be added to this policy for clarification purposes. President Simon Holland added that Trustee salary is prescribed through state law (NRS 386.320) as \$9,000 per year (\$750 per month).

Mr. Lasic explained that, as the fiscal year runs July 1 through June 30 and the term of office for a Trustee runs January 1 through December 31, language was added to ensure funds remain in an individual account when a Trustee is known to be leaving due to a decision not to run for re-election, loss of an election, or term limits. Language was also added that at the conclusion of a fiscal year any remaining balance in the individual budget account of a Trustee will not be carried over to the next fiscal year.

President Simon Holland proposed adding language that Trustees "*may*" be provided technology equipment and/or reimbursement for technology services, rather than "*shall*". This change reflects the fact that not all Trustees request equipment or reimbursement.

Trustee Kelley commented that the policy refers to mileage reimbursement between home and a meeting or other event. He inquired about mileage reimbursement if the

starting point to a Board meeting or District event is the Trustee's work. Trustee Dr. Taylor added that the Trustee's starting point could be an appointment or a location other than work location. President Simon Holland suggested changing the language to remove reference to the Trustees home. Through the removal of that language, mileage reimbursement would be to and from the location where Board meetings or other applicable District events are held.

On motion by Angela Taylor, second by Ellen Minetto, the Board Policy Committee recommended forwarding the proposed adoption of Board Policy 9065, Board of Trustees' Compensation and Expenses (formerly entitled, "Board of Trustees' Travel and Other Expenses"), with suggested changes, to a future meeting of the Board of Trustees for consideration of preliminary approval (Yea: Katy Simon Holland, Malena Raymond, Dr. Angela Taylor, Andrew Caudill, Scott Kelley, Jacqueline Calvert, and Ellen Minetto). Final Resolution: Motion Carries 7-0

3. CLOSING ITEMS

3.01 Announcement of Next Meeting

The next meeting of the Board Policy Committee is scheduled for Tuesday, May 7, 2019 at 2:00 p.m. in the WCSD Board Room, 425 East 9th Street, Reno, Nevada

3.02 Public Comment

There was no public comment given.

3.03 Adjourn Meeting

There being no further business, President Simon Holland adjourned the meeting at 3:45 p.m.