

REPORT OF THE POLICY COMMITTEE

The Policy Committee met on Thursday, February 21, 2019 at 11:30 am at the Cincinnati Public Schools Education Center in the Board Office Conference Room.

ATTENDEES

Policy Committee Members

Chairperson Ozie Davis III, Melanie Bates

Administration/Staff

Ashley Addo, Assistant General Counsel; Kathleen Crable, Senior Executive Secretary; Dan Hoying, General Counsel; Paul McDole, Director, Human Resources; Jessica Shelly, Director, Food Services; Sarah Trimble-Oliver, Chief Information Officer; Lauren Worley, Chief Strategic Communications Engagement Officer

Cincinnati Federation of Teachers (CFT)

Kendra Phelps, Professional Issues Representative

Community Members/Parents

Marlena Brookfield, Craig Rozen, Aaron Pullins III

Review of Board Policies

ACTION: The Committee reviewed the following policies and will recommend approval of the documents at the Board's March 6, 2019 Business Meeting.

- 2261.01 – Parent Participation In Federal Programs
- 2412 – Homebound Instruction
- 5516 – Student Hazing
- 5540 – Interrogation of Students
- New Policy 8525 – Good Food Purchasing
- New Policy 9145 – Internal Communications and Engagement

The Committee reviewed the following policies and recommended no changes to the documents.

- 2210 – Curriculum Development
- 5517.01 – Bullying and Other Forms of Aggressive Behavior
- 5520 – Disorder and Demonstration
- 5530 – Drug Prevention
- New Policy 9120 – Internal Communications and Engagement

Resolution on Equal and Fair Opportunity in Contract Employment and Business Opportunities of Policies

Mr. Hoying reiterated he was tasked with reviewing the City's Disparity Study to determine if the report was sufficient for the District's purposes. Mr. Hoying informed the group that the study was based on the 1989 United States Supreme Court decision of *City of Richmond v. J.A. Croson Co.* and its progeny.

Croson dealt with the City of Richmond's locally funded Minority Business Enterprise (MBE) Program and established the most stringent evidentiary standard of review for race-based programs. *Croson*

announced that programs employing racial classification would be subject to “strict scrutiny,” the highest legal standard. *City of Cincinnati. (June 2015). Ohio Disparity Study. Mason Tillman Associates, LTD.*

He reported that there are portions of the study that could be applicable to the District’s use. Language in the area of using available contractors in Cincinnati, Ohio, would be an example that would apply to CPS. The majority of the information is specific to the City’s purchasing programs.

Mr. Hoying reported that the City’s policies on contracting with local small businesses are very strong.

ACTION: Mr. Hoying also informed the group that the District’s *Resolution on Equal and Fair Opportunity in Contract Employment and Business Opportunities of Policies* needs to be updated as well as contractor employment goals. He recommended that the contracting department do an analysis of the information.

Committee Chair Davis requested that Administration from Purchasing be present at the Policy Committee meeting on March 21, 2019.

ACTION: Mr. Hoying recommended that Policy 6320 – Purchasing of Goods and Services, and Policy 6320 – Business Policy be rescinded as they are duplicated. He is also recommending rescinding the policy due to Policy 6320.02 being titled Business Policy.

He reported that language in Policy 6320 has already been incorporated into Policy 6450 – Equal and Fair Opportunity in Contract Employment and Business Opportunities.

Mr. Hoying also reported that language about Ohio’s Prevailing Wage Law contained in Policy 6320 is now prohibited by [Ohio Revised Code 4115.04](#). The law does not allow school districts to offer prevailing wage.

ACTION: The Committee will continue review of the status of the policies at the March 21, 2019 Policy Committee meeting.

Readdress Policy 3220 – Teacher Evaluation (Shared Attribution)

Mr. McDole provided history of previous conversations that took place on Shared Attribution and reiterated the Administration being in favor of removing Shared Attribution for this year.

The Cincinnati Federation of Teachers (CFT), in a memo dated January 28, 2019, is asking to forgo Shared Attribution beginning with the 2018-2019 evaluation cycle, and will agree to the following change contained in the Collective Bargaining Agreement and Board Policy 3220 – Teacher Evaluation:

- Teachers will no longer have the option to choose their credentialed evaluator. Human Resources and CFT will work collaboratively in the assignment of an alternative credentialed evaluator, when a teacher raises good faith concerns about the objectivity of the assigned evaluator.

Kendra Phelps, Professional Issues Representative for the CFT, reported that the difference in the above language is to remove the elimination of the walk throughs.

The Committee discussed the request and Mr. McDole reiterated that the Administration is not in agreement with CFT’s request.

ACTION: The Policy Committee will inform the Board that they are not in favor of moving forward with the CFT’s request until a comprehensive review of the evaluation system takes place

during negotiations. Ms. Phelps informed the group that she will advise the CFT about the Committee's position.

Board Bylaws 0155

Board Committees and Committee Leadership Selection Process

Ms. Bates, on behalf of Board Member Messer, updated the group on Mr. Messer's request to review Board Bylaws regarding the process for the selection of committee chairs, committee members, how often members serve on various committees and the number of committees a Board member can chair to ensure the committee representation and chairs are equitably divided amongst the Board.

Ms. Bates also suggested looking at rotating Board leadership roles (President, Vice President) to avoid same groups of people serving as often.

ACTION: Mr. Hoying will review the Bylaws and suggest recommended language for equitable representation on Board Committees and leadership rolls. Committee Chair Davis advised to add language to the Bylaws that members be informed immediately about chair selections. The Committee will discuss recommended changes to the Bylaws at the March 21, 2019 Policy Committee meeting.

Mr. Hoying will also have a recommendation defining an appropriate quorum for the Audit and StEP (Strategic Planning and Engagement) Committees.

Other Business

Board Assignment – February 20, 2019 Business Meeting: Transportation Polices

Mr. Davis informed the Committee about the following policies that were assigned to the Policy Committee to review. The policies were "next steps" outlined in the presentation on transportation that took place at the Board's February 20, 2019 Business meeting.

ACTION: The Policy Committee will review the following policies at the March 21, 2019 Committee meeting:

- Policy 5113 – Inter-District Open Enrollment
- Policy 5120 – Enrollment in Neighborhood Elementary Schools
- Policy 5610.04 – Suspension of Bus Riding/Transportation Privileges
- Policy 8600.02 – Transportation of Students

Policy 2416 – Student Privacy and Parental Access to Information

ACTION: The Committee will review Policy 2416 – Student Privacy and Parental Access to Information at the March 21, 2019 Policy Committee meeting. Mr. Hoying will review the policy to determine if the policy prevents the Health Department from issuing mental health assessments to students who attend schools that do not have health clinics.

The meeting adjourned at 1:09 PM.

Policy Committee

Ozie Davis III, Chair
Melanie Bates
Ericka Copeland-Dansby, *absent*

Staff Liaisons

Dan Hoying, General Counsel
Paul McDole, Director, Human Resources
Sarah Trimble-Oliver, Chief Information Officer