



## **REPORT OF THE POLICY AND EQUITY COMMITTEE**

The Policy and Equity Committee met on Thursday, June 24, 2021, at 9:00 AM, via the Blue Jeans Video Conferencing Tool.

### **VIRTUAL ATTENDEES**

#### Policy and Equity Committee Members

Chairperson Mike Moroski, Eve Bolton, Ben Lindy

#### Administration

Susan Bunte, Assistant Superintendent; Krista Boyle, Chief Communications and Engagement Officer; Daniel Hoying, General Counsel; Paul McDole, Director of Human Resources; Sarah Trimble-Oliver, Chief Strategy Officer

### **Board Policies for Board versus Administration**

Committee member Bolton shared with the Committee the updated list of Board policies which actually pertain to and guide the work of the Board and not just set parameters for the Administration and teacher. She reported that the list is now complete and is attached at the end of this report.

### **Policy for COVID-19 Vaccine Requirement for Employees**

Dan Hoying, General Counsel, shared that the Administration was tasked with revising the draft COVID-19 Vaccine Requirement for Employees policy and also with meeting with the unions and community organizations for feedback.

Paul McDole, Director of Human Resources, reported he contacted the unions. He shared that the unions have all been supportive and positively encouraging their members to get vaccinated. He said there is concern regarding the small amount of their members that are not wanting to get the vaccine and what would happen to those employees.

Mr. Hoying said that the unions favor an incentive approach versus a policy mandate. Mr. McDole reminded the Committee there is already an incentive provided through the District's Wellness Plan for those who have been vaccinated.

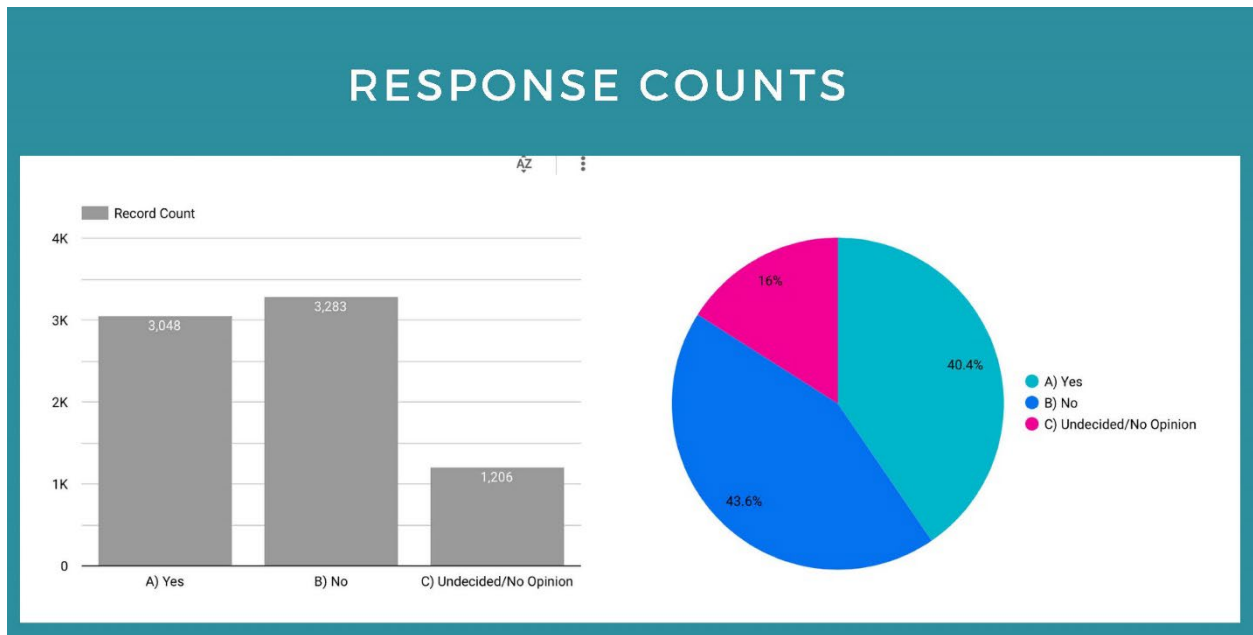
Mr. Hoying reported he contacted community partners and that they seemed to be slightly more positive than the unions. He reported that many of their employees have been vaccinated. They also shared the same concerns of the unions for those choosing not to get vaccinated.

A POSSIP survey was sent to CPS parents, with the question:

*We are planning for back-to-school. Would you be supportive of making COVID vaccinations mandatory for CPS Staff? Please select a letter.*

A) Yes      B) No      C) Undecided/No Opinion

There were approximately 7,500 respondents and the results were 40 percent responding YES and 44 percent responding NO.



Committee member Lindy was impressed with the response to the survey, but questioned how it related to the total of CPS families.

Krista Boyle, Chief Communications and Engagement Officer, reported that it is not quite 30 percent.

Mr. Lindy questioned about the representation of that 30 percent and asked if the results could be broken down by Title schools versus non-Title schools.

**ACTION:** The Administration will sort the survey data by the requested demographics and will provide the information to the Committee.

Mr. Hoying reported that the CPS Performance Leadership Team (PLT) is supportive of the vaccine, but does have some concerns regarding the ability to staff if the vaccine is mandated.

Committee Chair Moroski questioned if there is still the belief that it is legal to mandate the vaccine requirement.

Mr. Hoying shared that there have been some court cases where the mandate has been upheld, but said there is probably not just one way to challenge the mandate.

Committee member Bolton suggested interfacing the vaccine issue with the mask mandate. She believes the mask mandate creates issues for students and teachers. She also stated she supports an

incentive for getting the vaccine, but that the incentive should not be additional leave as that disrupts instructional time.

Mr. Moroski is concerned about the legality of the policy and said he also doesn't want employee morale to suffer because of it. He said that the policy should be a full Board discussion and decision.

**ACTION** Committee Chair Moroski will submit the *COVID-19 Vaccine Requirement for Employees policy* as an item for Board Matters at the Board meeting on Monday, June 28, 2021.

The Committee then heard public comment from union presidents Emily Bell, AFSCME (American Federation of State, County and Municipal Employees), and Julie Sellers CFT (Cincinnati Federation of Teachers).

Ms. Sellers reported that CFT sent out a survey to their members and had 11,000 responses within 12 hours. In response to the question of being vaccinated, the survey showed that 85 percent are fully vaccinated and 15 percent are not.

She reported that some teachers have indicated they will leave the District if the vaccine is required.

In response to the question of if they support the mandatory vaccine policy, the survey showed that 58 percent said NO and 42 percent said YES.

Ms. Sellers stated that she found it disheartening that the POSSIP survey regarding the healthcare of teachers went to parents.

**ACTION:** Ms. Sellers will share the CFT survey information with Dan Hoying in order for the Board to receive.

Ms. Bell reported that there are probably a lot of AFSCME members who are not vaccinated. She stated she believes it has a lot to do with fear, and also with being made to do something.

### **Review of Policy 5321 – Requirement to Wear Masks to Prevent the Spread of COVID-19**

Committee Chair Moroski introduced the topic of students and teachers being required to wear masks.

While she is concerned about the Delta variant, Committee member Bolton stated that she believes that if you are fully vaccinated, you should not have to wear a mask.

Sarah Trimble-Oliver, Chief Strategy Officer, reported that the Centers for Disease Control and Prevention (CDC) is still recommending the same prevention strategies from those as updated in the spring. She stated the reason is because the students are mostly unvaccinated—only 11 percent of those ages 12-18 have been vaccinated. The Cincinnati Health Department is also recommending the use of masks.

The State of Ohio did lift the mandate for schools, so schools can now make the decision regarding the use or requirement for masks.

Committee member Lindy questioned what things are lost with the use of masks—not just comfort, but also instructional.

Ms. Trimble-Oliver stated it is important to weigh the health, academic, social/emotional, instructional, and social connection risks. She suggested it may be a bit early to completely drop the mask mandate until further along with the percentage of those vaccinated.

Committee member Bolton questioned what the risk is for those who are fully vaccinated not wearing masks.

Susan Bunte, Assistant Superintendent, reported that the Pfizer vaccine is 88 percent effective against the Delta variant.

Ms. Bolton suggested the greatest incentive for getting vaccinated may be not having to wear a mask. She said the reason for asking employees to be vaccinated is because CPS is promising a safe environment for children and promising students will not be infected by adults.

The Committee discussed updating the mask policy so that those who are vaccinated are not required to wear one. Mr. Moroski suggested a full Board discussion and decision was necessary.

**ACTION** Committee Chair Moroski will submit *Policy 5321 – Requirement to Wear Masks to Prevent the Spread of COVID-19* as an item for Board Matters at the Board meeting on Monday, June 28, 2021.

#### **Review of Board Bylaws – Committee of the Whole**

Mr. Hoying reported he reviewed the 2009 and 2019 versions of the Board Bylaws in order to include and define the role of the Committee of the Whole (COW). The previous versions of the Board Bylaws included responsibilities for COW that were distributed to other committees. The Committee discussed the recommended revisions.

Ms. Bolton recommended the format for COW be the same as the other committees.

**ACTION:** General Counsel will make changes to the policy for review at the Policy and Equity Committee meeting on Thursday, August 26, 2021.

#### **Review of Policy 1530 – Evaluation of Administrators (OPES)**

The Committee reviewed the Administration's recommended revisions to Policy 1530.

**ACTION:** The Committee agreed with the Administration's recommended revisions to *Policy 1530 – Evaluation of Administrators (OPES)* and will recommend the policy to the Board for approval at the Regular Board meeting on June 28, 2021.

#### **Review of Policy 6320 – Purchasing of Goods and Services**

The Committee reviewed the Administration's recommended revisions to Policy 6320. Mr. Hoying reported that Policy 6320 is a consolidation of the Board's existing policies.

**ACTION:** The Committee agreed with the Administration's recommended revisions to *Policy 6320 – Purchasing of Goods and Services* and will recommend the policy to the Board for approval at the Regular Board meeting on June 28, 2021.

**ACTION:** As a result of the consolidation, the Committee will recommend rescinding the following policies to the Board for approval at the Regular Board meeting on June 28, 2021:

- 6320 – *Business Policy*;
- 6320.01 – *Determination of Lowest Responsible Bidder*;
- 6320.02 – *Business Policy*;
- 6320.03 – *Local Business Enterprise Initiative*; and
- 6450 – *Equal and Fair Opportunity in Contract Employment and Business Opportunities*.

### **Review of Policies 3111 and 4111 – Creating a Position**

The Committee reviewed the Administration’s recommended revisions to Policies 3111 and 4111.

Committee member Bolton said that policy should not be built around procedure. She suggested more time to consider and discuss the policy is necessary. She also suggested Policy 1100 – District Organization be included for consideration and discussion.

**ACTION:** *Policies 3111 and 4111 – Creating a Position* and *Policy 1100 – District Organization* will be added as agenda items for the Policy and Equity Committee meeting on Thursday, August 26, 2021.

### **Review of Policy 3111.1 – Selection of Principals**

The Committee reviewed the Administration’s recommended revisions to Policy 3111.1.

**ACTION:** *Policy 3111.1 – Selection of Principals* will be added as an agenda item for the Policy and Equity Committee meeting on Thursday, August 26, 2021.

### **Review of Policies 3112 and 4112 – Board Employee Communications**

The Committee reviewed the Administration’s recommended revisions to Policies 3112 and 4112. The fact that the policies are dated and not reflective of the process was again discussed.

Committee Chair Moroski said that it is not reasonable for the Superintendent to receive all complaints. He mentioned the outdated references and brought up the countless ways for employees to contact Board members.

Committee member Bolton said that she does believe in the chain of command, but changes are necessary to update the policy.

Mr. Hoying said that much has been learned from this past year and all the input from employees. He suggested there may be something to the notion of circumventing the grievance process.

**ACTION:** General Counsel will revise *Policies 3112 and 4112 – Board Employee Communications* for review at the Policy and Equity Committee meeting on Thursday, August 26, 2021.

### **Other Business**

#### **Policy 1100 – District Organization**

Committee member Bolton shared that *Policy 1100 – District Organization* requires that “Responsibility shall flow clearly from the Superintendent through the administrative staff to the operational personnel.”

She said she has not seen a detailed organizational chart for CPS since early in Superintendent Ronan's tenure. The recent ones presented are top level only.

Ms. Bolton said it will be necessary that this be developed before the Superintendent Search.

**ACTION:** *Policy 1100 – District Organization* will be added as an agenda item for the Policy and Equity Committee meeting on Thursday, August 26, 2021.

### **Hearing the Public**

The following persons addressed the Board regarding the topic indicated:

1. Beth VanWassenove            DRAFT Vaccine Policy and Mask Policy for CPS Employees

After Dr. VanWassenhove spoke, Committee member Bolton wanted the public to be clear that it was not the District nor the Board that felt it was inappropriate to survey parents for their opinions regarding staff members being vaccinated.

2. Joe Keller                            DRAFT Vaccine Policy

After Mr. Keller spoke, Committee Chair Moroski said that the Committee will consider the employees as they wonder whether or not they will have a job if they don't take the vaccine if the policy is adopted.

Ms. Bolton stated that accommodations are part of the policy and will be made as necessary for those who are not vaccinated.

The meeting adjourned at 11:01 a.m.

### **Policy Committee**

Mike Moroski, Chair

Eve Bolton

Ben Lindy

### **Staff Liaisons**

Dan Hoying, General Counsel

Paul McDole, Director, Human Resources

ABOUT THE "PHILOSOPHY"		
0000	Bylaws - ALL	General Counsel to review
1100	District Organization	
1110	Assessment of the Boards Vision, Mission, and Goals	
1220	Employment of the Superintendent	
1310	Employment of the Treasurer	
1411	Whistleblower Protection	
2114	Meeting State Performance Indicators	
2120	School Improvement	
2131	Educational Outcome Goals	
2210	Curriculum Development	
2220	Adoption of Courses of Study	
2255	Equity and Excellence in Education	
2256	Anti-Racism Policy	
2260	Nondiscrimination and Access to Equal Educational Opportunity	
2261.01	Parent and Family Engagement in Federal Programs	Giant – may want to focus
2261	Federal Services	
3112	Board Employee Communications	
3122	Nondiscrimination + Equal Employment Opportunity	
6110	Grant Funds	
6144	Policy Investments	
6150	Tuition Income	
6152	Student Fees, Fines and Charges	
6152.01	Waiver of School Fees	
6210	Fiscal Planning	
6220	Tax Budget Preparation	
6230	Tax Budget Hearing (should be merged with 6220)	
6320	Purchasing of Goods and Services	
6320.01	Determination of Lowest Responsible Bidder	
6320.02	Business Policy	
6320.03	Local Business Enterprise Initiative (Could/Should these be consolidated?)	
6440	Cooperative Purchasing	
6450	Equal and Fair Opportunity in Contract Employment and Business Opportunities	
6460	Policy Vendor Relations	
6460.01	Vendor Management	
6700	Fair Labor Standards Act (FLSA)	
6830	Audit	
6835	Audit Committee	
6836	Internal Auditor	
7500	Community Learning Centers	
8400	School Safety	
8462	Student Abuse and Neglect	
8600.01	Supervision of Transported Students	
8800	Religious, Patriotic Ceremonies and Observations	

<b>ABOUT THE "PHILOSOPHY"</b>		
9140	Parent - Family Engagement	
9141	Community Engagement	
9142	Local School Decision Making Committee (LSDMC)	

<b>ABOUT THE "WORK"</b>		
1130	Conflict of Interest	
1210	Board Superintendent Relationship	
1230	Superintendent of Schools	
1240	Evaluation of the Superintendent	
1320	Duties of the Treasurer	
1330	Evaluation of the Treasurer	
2430	Community Partnerships	
2510	Adoption of Textbooks	
3120.07	Contracting With Consultants	
6140	Depository Agreements	
6145	Borrowing	
6151	Insufficient Funds	
6231	Appropriations and Spending Plan	
6332	Appropriations Implementation	
6510	Payroll Authorization	
6520	Payroll Deductions	
6610	Student Activity Fund	
6680	Recognition	
6900	School District Records Retention Disposal	
8525	Good Food Purchasing (as it relates to procurement)	

<b>PARKING LOT</b>		
2412	Homebound Instruction Program	General Counsel to review
3531	Unauthorized Work Stoppage... ORC...4117.01	Should be reviewed – negotiations
5421	Grading	Updating required
7560.01	Creation of High Quality Schools	Review required
9555	Partnerships with Businesses	Possible consolidation of 9555, 9500, 9700