

MINUTES OF BOARD OF EDUCATION MEETING – September 10, 2020

MEMBERS PRESENT

MEMBERS ABSENT

ADMINISTRATION PRESENT

Dr. Archer
 Dr. Corcoran
 Mrs. DeForest
 Mr. Gross
 Mr. Leach
 Mrs. James-Murad
 Mrs. Rhodes
 Mrs. Rivera-Ortiz
 Mrs. Woodcock Dettor

Dr. Smith, Superintendent of Schools
 Mr. Decker, School Business Administrator
 Mr. Reyes, Assistant Superintendent
 Mr. Franz, Assistant Superintendent

At 7:03 p.m. Mrs. Rhodes called the Board of Education meeting to order via Zoom. Mrs. Rhodes opened the meeting with a statement thanking the community, including students and staff for the feedback received expressing a variety of viewpoints for the SRO and the MOU. She also thanked the Board for their diverse perspectives on this issue. She said that despite the pandemic, we are required to follow a process for our District Safety Plan and encouraged the Board to be guided by the Strategic Plan and to consider the needs and feedback of all stakeholders while remaining focused on objective data and facts. She said that although there is no public comment tonight, there is a Public Hearing on the Districtwide Safety Plan on Monday, October 5th in addition to the public comments period at the regular meeting on September 14th.

Superintendent’s Personnel Recommendations

Dr. Smith presented the Board with the following Personnel Recommendations:

INSTRUCTIONAL

Name and position	Location	<u>Appointments</u> Annual Salary	Cert	Effective
Sophia King Language Arts Teacher Regular Sub Replacing K. Gallivan	HS		COVID ELA 7-12	9/9/20-1/29/21

Extra duty assignments/extended teaching 2020-2021
Tecumseh Elementary School

Name	Assignment	Stipend
Joshua Swanson	Student Supervision	

Name and position	Location	<u>Request for Leave</u> Type of Leave	Effective
Molly Anthony Math Teacher	MS	Parental (Paid)	2/4/21-4/4/21
Amanda Burt Spanish Teacher	MS	FMLEA	9/8/20-12/31/20
Cassi Crossman	TEC	FMLEA	9/17/20-12/31/20

K-6 Classroom Teacher			
Gayle Franklin Teaching Assistant	HS	Unpaid	9/3/20-11/30/20
Kristen Gallivan Language Arts Teacher	HS	Unpaid	9/2/20-1/29/21
Susan Ransier K-Classroom Teacher	TEC	FMLEA	9/2/20-11/24/20
Kari Sebast Social Studies Teacher	MS	FMLEA	9/22/20-12/31/20
Lindsay Voigt Teaching Assistant	MS	FMLEA	9/2/20-12/7/20

Change in Status

Name and position	Location	Reason	Effective
H. Sheila Schweitzer Teacher Aide	TEC	From: Preferred Eligibility List To: Full-time Appointment	9/2/20

Request for Leave

Name and position	Location	Type of Leave	Effective
Kathleen Durkin Teacher Aide	JES	Unpaid Leave	9/2/20-6/30/21

Mrs. Woodcock Dettor moved and Mrs. James Murad seconded the approval of the Superintendent's Personnel Recommendations.

Motion carried (7-2-0). Mrs. Rhodes and Mrs. Rivera-Ortiz opposed.

**Discussion – District-Wide Safety Plan and
School Resource Officer**

Dr. Smith shared a presentation (See Supplemental Minutes) which included a brief timeline leading to the Special Meeting tonight, a series of events which he hopes to happen given the global pandemic and the requirements for a safety plan, the Board's goal of reviewing the Resource Officer as well as approach to the District safety. Dr. Smith reviewed the Commissioner's Regulations and Education Law and safety plan with regard to the SRO, MOU and then a series of options for the Board to move forward with the goal of approving a the 2020-21 District Safety Plan and also looking ahead to work for the Safety Team during 2020-21.

Dr. Smith said despite the fact that we do not have an approved District Safety Plan, we do have a safety plan that outlines all that plans and procedures in place at the building level that inform our response to emergencies and contingencies and includes training for all staff and students.

Dr. Smith stated after the previous meeting, he spoke with the Chief of Police for the Town of DeWitt to request an increase in patrols at arrival and dismissal times at our schools. He also talked about reintroducing the school familiarization program where officers visit the schools and maintain a

familiarity with the schools and the layouts of the buildings. He also talked about organizing guest teaching opportunities, which occurred within the district for many years prior to having an SRO. He spoke about the district creating a culture of wellness focusing on the social emotional learning supports for students and staff.

With regard to the Commissioner's Regulations and Education Law, the Districtwide Safety Plan requires that District Safety Team review and update the District Safety Plan annually, with a required 30 day public comment period and a Public Hearing within that 30 days. He said that following the 30 day public comment period, the Board of Education needs to adopt the plan and within 30 days the Supt. must submit to the Commissioner of Education and other appropriate authorities.

He said that with regard to developing an MOU, it is required that the roles and responsibilities of the SRO be defined as it relates to student misconduct and clearly delegate the role of school discipline to the school administration and not the SRO. He said the MOU must be incorporated and published as part of the School District Safety Plan and developed with stakeholder input around the roles and responsibilities of the SRO. He said the draft of the 20-21 MOU for the SRO, has roles and responsibilities clearly defined in Section 1 and Section 5.

Dr. Smith said that any MOU concerning a school resource officer must be developed with stakeholder input into the roles and responsibilities.

He said the Board is faced with two decisions tonight; first, in an effort to make sure the District is in full compliance with laws and compliance should the District Safety Team convene prior to the passage of the Safety Plan and second, should that team review a safety plan that includes a school resource officer.

Dr. Smith presented the Board with the different options and associated timelines (See Supplemental Minutes).

Dr. Archer asked if we are confident the District Safety Team can meet given we are in the middle of a pandemic and trying to meet those needs. Dr. Smith responded that we are in a situation of no choice and the expectation is that we need to do this.

Mrs. Woodcock Dettor asked if reconvening the District Safety Team within a week is a possibility. Dr. Smith said the work the District Safety Team has before them is not an evaluation and re-evaluation but an aggressive approach to review the plan. There is information that the former SRO would inform some minor changes for the plan.

Mrs. DeForest asked what school familiarization plan would look like, how often the officers would come in, and who they would be. Dr. Smith stated they would be patrol officers who would come to the school, walk through the buildings, familiarize themselves with the buildings and have conversations with the administrators. He said it an opportunity to learn the layout and be a short term presence in the buildings. Mrs. DeForest said that when Dr. Kendrick explained Officer Pienkowski's background in August of 2018, she said, she has had training in diversity and ethics, racial profiling, ethics bias, field safety training and training in sex crimes and domestic violence. She asked if we know if all DeWitt Police Officers have that training and Dr. Smith responded that he didn't know the answer to that question.

Mrs. Rivera-Ortiz asked about the Task Force and recommendations, versus the recommendations that come from the Safety Team and what do we feel is the difference that will come out of those two

groups. Dr. Smith stated the Task Force to evaluate the SRO is focused on the SRO and the roles and responsibilities of that position. He said the subsequent work of the District Safety Team will focus on safety and all aspects of the safety plan. Mrs. Rivera-Ortiz asked why we wouldn't want the District Safety Team to look at the SRO as a component to the overall plan versus a separate piece. She said it seems redundant to her. Dr. Smith said the original plan was to approve a short term MOU and then give the Task Force time to evaluate that. The work of the District Safety Team will be longer and more involved. Mrs. Rivera-Ortiz asked if the Safety Team should only meet once a year, gauging the number of letters she has received about safety and the fact we are in a global pandemic. Dr. Smith said the requirement is they review the plan once a year; and the team may convene more often. Mrs. Rivera-Ortiz asked what our number one safety issue is currently. Dr. Smith stated that safety of students and staff is the most important concern and we have been focused on it all summer. He said we have heard the need to focus on diversity and equity and inclusion, culture of wellness and other areas related to the District Strategic Plan. He said we want to make sure we allocate our resources to accomplish the goals we set.

Mrs. DeForest stated that during the July 13th Board Meeting, the board provided a list of data that the Task Force should include. She compared the Strategic Plan and how they were broken up into expert groups and suggested that the Task Force is the expert group and suggested other expert groups for the Safety Plan.

Mrs. Rivera-Ortiz said that if you look at the members of the Safety Team and the Task Force, it's the same people. She said you are diluting your resources by breaking them up into two separate meetings. She suggested putting them into one team and dividing them up into committees.

Mr. Leach asked if one of the options was to approve a temporary MOU. Dr. Smith stated that if the Board wants the MOU as part of the Safety Plan the Board would need to make that decision. The Board could approve an MOU immediately or wait until after the recommendation from the task force is received. Mr. Leach asked if an option was to roll over last year's safety plan. Dr. Smith responded yes, it is an option but the problem is the safety team has not been convened to review it, yet.

Mrs. Rivera-Ortiz asked about the priorities of the District Safety Team in addition to the SRO. Dr. Smith responded the priority is to review the plan. He added that the former SRO had suggestions for the plan and that he would meet with her.

Mrs. James Murad said that since District Safety Team needs to meet annually to review, would it be possible to amend the MOU for a temporary MOU to be in compliance. Dr. Smith responded to clarify, you are looking to amend the MOU based on stakeholder input received and try to get a short term revised MOU passed as soon as possible. Mrs. James Murad said that would be her inclination since they have heard from numerous stakeholders on both sides. The MOU says the primary duty is to be a mentor, yet they heard from numerous parents and teachers that they believe the primary duty of the SRO is to protect the students and teachers. She has heard the former SRO has done an excellent job and has excellent credentials. She asked if the district is able to rewrite a temporary MOU to bring us in compliance. Dr. Smith responded that the Board could ask the Superintendent to rewrite the MOU and present it to the Town of DeWitt.

Mrs. Woodcock Dettor stated that she supports Mrs. James Murad's approach for a temporary MOU and asked Mrs. Rhodes how we work through this.

Mr. Leach stated his support.

Mrs. Rhodes called a vote for whether or not the District Safety Team should reconvene.

Mrs. James Murad moved to reconvene the District Safety Team and Dr. Corcoran seconded the motion.

Motion carried (9-0-0).

Mrs. Rhodes stated that now that the Team will be convened, the board needs to consider the options for the safety team to review. Dr. Smith said the options are to review either the plan that is currently on the website with the language of the SRO removed or go back to the 19-20 plan with the SRO language included.

Dr. Corcoran asked if we are going to get any data around the SRO. Dr. Smith stated that the District Task Force will do a thorough review. Dr. Corcoran asked if it was correct that they are expected to make a decision without any of the information in front of them. Dr. Smith stated that is a point of discussion for the Board.

Mrs. Woodcock Dettor stated that the decision to remove the SRO was made without any of the information. She suggested we go back to where the District Safety Team left it.

Mrs. Rivera-Ortiz stated no, we decided because we didn't have the data, not to change their decision. She said we didn't vote to remove the SRO, we voted to not to approve an MOU that had not been reviewed by the community.

Mrs. Woodcock Dettor again stated the District Safety Team should pick up where it left off.

Mrs. DeForest asked if there was a third option as we have stakeholder input and we have feedback and there is an opportunity to temporarily amend the MOU. She said the Board could take stakeholder input and amend the MOU. She said we could utilize data from past minutes as well.

Mrs. Rivera-Ortiz asked what stakeholder input have we received on the MOU.

Mrs. DeForest stated the stakeholder input on the role of the SRO and the 2801A, and we have received a significant amount of stakeholder input by the emails received on roles and responsibilities.

Dr. Archer stated it would weigh more heavily if the input was more in favor of the SRO but it is very balanced. Mrs. DeForest stated it is very balanced on what people believe the role should and shouldn't be. Dr. Archer said that a number of comments have been received for and against the position.

Mrs. Rhodes asked if anyone else on the Board has received any data, the data that Dr. Corcoran has referenced.

Mrs. Woodcock Dettor asked if the disciplinary data report that was asked for, was presented by Mr. Reyes.

Mrs. Rhodes, said, yes, we had a discipline report but that it didn't encompass all the SRO responsibilities. She asked Dr. Smith if SRO's are not part of school discipline and Dr. Smith stated that is correct.

Mrs. Woodcock Dettor said it was one of the data points.

Mrs. DeForest, asked to clarify that if Mrs. Rhodes stated on July 27th during her president's report, that Dr. Smith needed to be focused on the monumental, all consuming task of figuring out how to open schools safely and effectively and it was very reasonable at this time, given the work they had to do, that we would not be getting that data and understandably so.

Mrs. Rhodes stated yes, and she understands that Dr. Smith needs time to pull together the data and she also understands we need to make decisions to move forward with our Safety Plan.

Mr. Gross stated we have gotten feedback from the community, which he is taking as data and he is considering this data very carefully.

Mrs. DeForest concurred that we are all weighing heavily with all of the feedback received. She said perceptive data is data. She said we have many different perspectives and equal feedback on the role of the SRO.

Mrs. Rivera-Ortiz wanted to encourage people to think beyond the SRO and that it saddens her that we have spent most of our time talking about the Safety Plan as it relates to the SRO and not to all of the other facets of safety our teachers, administrators and students have told us about.

Mrs. Rhodes asked for a motion on which plan we would bring to the Safety Team.

Mr. Leach moved to bring a Safety Plan that has a temporary MOU included.

Mrs. Woodcock Dettor seconded the motion.

Mrs. James Murad asked if the temporary MOU would be revised based on input from the community.

Mr. Leach asked Dr. Smith if he would be able to quickly revise an MOU. Dr. Smith responded that it is possible to revise the MOU and then present it to the Town of DeWitt Police Department.

Mr. Leach said he would be inclined to have the same as last time around, so we have an SRO in place when school starts and kids are in the building.

Mrs. Woodcock Dettor supports that but said there are a couple of items in the MOU that need to be modified.

Mr. Leach said he would defer to the District's counsel with regard to any update to the roles and responsibilities.

Dr. Smith asked Mrs. James Murad's ideas about modifying the MOU.

Mrs. James Murad stated the current MOU lists the primary duty is to establish relationships and act as a mentor and what was heard from members of the community is that the position primarily should be as a first responder and to provide safety for the students and staff. Also, the training and qualifications that Mrs. DeForest has listed will go a long way in addressing the concerns for those uncomfortable with police officers in the building.

Mrs. Rivera-Ortiz asked about the difference in language of the new proposed MOU, what change is planned in administrative procedures relative to the change or are these just legal requirements.

Dr. Smith responded changes made to the original MOU were made to bring it into compliance.

Mrs. Rivera-Ortiz asked how that translates into our children's experiences with the SRO. She asked how we will make sure the SRO is not handling discipline.

Dr. Smith stated that the SRO does not handle any discipline in the High School, the High School administration maintained all of that through the employment of the SRO.

Mrs. Rivera-Ortiz asked if Section 5.2 would allow administration to engage the SRO further.

Dr. Smith asked Mrs. Rivera to ask the question again.

Mrs. Rivera Ortiz asked if 5.2 would negate the exclusivity of 5.1 if administration asked the SRO to engage in discipline. She said 5.2 says the SRO will assist the administration in executing the Board and School Procedures and Policies.

Mr. Leach read Section 5.2 and stated it is talking about Board of Ed. Policies and Administrative Regulations.

Dr. Smith stated that 5.1 supersedes all of the other items and administration is responsible for discipline exclusively.

Dr. Smith stated that if the Board wants further modifications to be made, we can ask counsel to examine it further.

Mrs. Rhodes asked Mr. Leach to be clear, his motion where he asked for the MOU, does he mean the MOU with the language change required by State law or last year's MOU.

Mr. Leach said the amended MOU.

Mrs. Rhodes asked Mrs. James Murad for more information on the primary duty as a first responder as opposed to a mentor. Mrs. James Murad said that she has heard from parents and staff that the main reason they want a SRO in building is in the event of a school shooting to act as a first responder. She said she felt the mental health issues are better dealt with by health counselors. She said she would like issues to be clearer such as with what issues does the SRO help the administration. She said she does not necessarily know what the SRO helps with but has heard that now students with mental health issues are not being taken out in handcuffs which is a positive thing. She thinks that possibly putting this kind of training in the MOU until we get the data, she would support a temporary MOU.

Mrs. Rhodes asked if Mrs. James Murad was putting a second motion on the floor for an amended temporary MOU. Mrs. James Murad said she would prefer a temporary MOU to be done with a school attorney, looking at input from stakeholders that we have received and make some revisions.

Mr. Leach said he thinks these motions are the same and that we should have a temporary MOU with input from counsel to bring it up to date to address things Mrs. James Murad mentioned tonight.

Mrs. DeForest stated there might be a slight distinction, being what Mr. Leach mentioned about starting the school year with an SRO. Could we do it as quickly as Monday and have the Board vote on it at the meeting on Monday night? She asked Dr. Smith how long it would take to make amendments and take to the Police Department. Dr. Smith stated we would work as quickly as possible with goal of bringing a revised MOU to the Board Monday night.

Dr. Corcoran asked what input we are talking about to use to craft the MOU. Dr. Smith stated the input is on the roles and responsibilities of the MOU not the entire MOU. She asked again, what stakeholder input have we received. Are we talking about emails.

Mr. Gross stated that he thinks that is important input.

Dr. Corcoran again asked what we are calling stakeholder input. She asked if the board is considering emails as stakeholder input.

Mrs. DeForest stated yes.

Mr. Gross asked about the SRO being a police officer already, can we infer that they are a first responder. He asked if that requires a change to the MOU.

Mrs. Rhodes said she thinks it speaks to the role in the school.

Mrs. James Murad said maybe it's a long term goal we look at, they will be a first responder whether we address it or not, but more important is that we address the training that a SRO should have and maybe we should list some of the things this SRO has, but limited to, will address some of the concerns.

Mrs. Rivera-Ortiz stated the MOU is to be developed not modified with stakeholder input and she doesn't see emails as stakeholder input but as opinions. She said we should be looking at reports.

Mrs. DeForest stated she respected Mrs. Rivera-Ortiz's statements but what is driving her decision is student's social emotional well-being and their safety.

Mrs. Rivera-Ortiz said she respected that as well but feels there are some students who feel safer with an officer and some people who are traumatized by an officer. She said that regardless of the training of an officer, this doesn't take all of our students into account. She said we need to be the body that makes decisions and if we say we are about data based decisions, we can't take just antidotal data.

Mrs. DeForest asked if that wasn't what Mr. Franz and Ms. Johnson presented with the Task Force, the data they collected and this is way to meet all the needs of the community.

Mrs. Woodcock Dettor stated that she understands about the students we haven't heard from and that Mr. Franz and Ms. Johnson will be looking at that issue. She said one of the things they have heard loud and clear is that there are numbers of parents who are very concerned about safety and change in the status quo from where we were in March. She said she has heard teachers and high school counselors that are under tremendous stress. She heard from counselors at the High School that have said Officer P. assisted them and made them feel more comfortable in doing their job. She said that is a data point from a valuable constituency in addition to a recommendation from the School Superintendent. She explained how some members did not have the clarity at the time to act as they

needed after information that was given at the last minute before the previous board meeting. She said that there has been some time since then and she supports the students and teachers and parents.

Mrs. DeForest asked if as we talk about amendment to the MOU, we could add the language, *provide training*, to section 1.5 – as we don't talk about the value to staff of training for safety.

Mrs. Rhodes asked which MOU should be voted on.

She asked Mrs. James Murad and Mr. Leach if they are united on a motion to have a safety plan version that includes an SRO with an amended MOU. They both responded yes.

Mrs. James Murad moved and Mr. Leach seconded the Motion to have a safety plan version that includes an SRO with an amended MOU.

Motion carried (5-4-0). Dr. Archer, Dr. Corcoran, Mrs. Rhodes and Mrs. Rivera-Ortiz opposed.

Mrs. Rhodes asked to talk about any amendments to the MOU.

Mrs. James Murad asked if we can designate the SRO we had last year. She would like that in an amendment.

Mr. Gross asked if that particular person was unable to work.

Dr. Smith stated if the MOU is approved, the previous SRO (Officer P.) would be the SRO. If she is out sick, we have a sub who comes in from the Town of Police Department. Mrs. Rhodes asked if the sub has the same training and Dr. Smith replied not the same training but very similar.

Mrs. Rhodes asked about Wednesdays with less students in attendance, would the SRO be in the school for all five days.

Mr. Leach asked if the SRO could go to the elementary schools.

Mrs. Rhodes stated they have very few students on Wednesdays.

Mr. Leach stated they still have students five days a week.

Mrs. DeForest asked what that day would look like.

Dr. Smith said it is an operational decision with the Town of DeWitt and the question is really five or four days and we can determine the best use of her time.

Mrs. Woodcock Dettor recommends five days with many students attending five days and our special needs students attending five days. She would need time to prepare and she should be able to use that time like faculty uses that time.

Dr. Corcoran asked for the rationale of the SRO's time is that is spent in the buildings.

Dr. Smith responded that he couldn't say definitively but the vast majority of her time is at the high school.

Dr. Archer asked if there is a schedule.

Dr. Smith responded that she reports to and is scheduled at the High School. She has been called for coursework at the Middle School and for consultations as well. He said with the extra day it obviously be productive supporting the district in a number of ways.

Dr. Corcoran said if she is truly an SRO for the District we need to see her in the other buildings and need to figure that out.

Dr. Archer stated if there are significant safety needs at the High School then there should be significant safety needs at all the buildings.

Mrs. Rivera-Ortiz asked if we have any other security at any other buildings other than the SRO.

Dr. Smith replied she is the exclusive School Resource Officer for all five buildings. He said that was one of the original considerations when the SRO was first put into place, there was substantial discussion about how many SRO's should be put into place.

Mrs. Rhodes asked if there were additional safety protocols put into place at that time.

Dr. Smith replied yes.

Mrs. Rivera-Ortiz stated she was still concerned about 5.2 being a loophole for 5.1 – and if she could confirm that it was not.

Attorney Centrone stated that it can be revised if it is the preference of the Board. She said assisting with policies doesn't mean the SRO's are disciplining the students. They modify it so it is clear for the Board.

Mr. Leach suggested that 5.1 be amended to say that the role of discipline will remain solely with administration. He asked Mrs. Rivera-Ortiz if that would alleviate her concerns.

Mrs. Rivera-Ortiz stated she didn't know how 5.2 would be used, that it could be an area of opportunity for it to be a loophole.

Dr. Smith stated if there is any question at all, we should take a look at that to be amended.

Attorney Centrone said it is an expectation that there would be an overhaul of the MOU after the task force met, but if amendments are needed, it makes sense to address them.

Mrs. Rhodes asked for clarity on the use of force policy and who governs it and if it is the Town of DeWitt's policy it should be made available to us.

Attorney Centrone asked whose use of force policy you want to apply to the MOU.

Mrs. Rhodes responded the Town of DeWitt's as the police officer is a Town of DeWitt employee.

Mrs. Woodcock Dettor stated that the policy is on the Town of DeWitt's Police website.

Mrs. Rhodes stated is should be clearly linked,

Mrs. Rhodes asked Dr. Smith to walk the Board through a time frame.

Dr. Smith responded that we need to bring a revised MOU to the Board for approval on Monday, September 14, which would then be included with the District Safety plan that will be reviewed by the District Safety Team. He said it is his intention to bring forth the District Safety Plan that was in place in 2019-2020 as it had limited language of the SRO in there and the most significant difference, would be the inclusion of the MOU as an appendix to that plan. He said that would be the starting point for the District Safety Team. He said he would need to engage them as quickly as possible, ideally in a week to ten days with intent of getting the District Safety Plan on the website to begin a 30 day public review period starting on or around September 21st with October 21st being 30 days. There will be a public hearing on October 5th. Dr. Smith said he will try to get the plan on the website so that it can be approved by the Board at the October 19th Board meeting.

Mrs. Rhodes stated if we need to add another meeting, we can do that. She also said that the Board approved the roles and responsibilities and that Dr. Smith will be appointing who is on the team. She asked interested Board members to email her.

Mrs. Rhodes thanked the Board for working collaboratively and addressed the community telling them there is public comment at the next meeting, Monday, September 14th as well as the public hearing on October 5th.

At 8:53 p.m. Mr. Gross moved and Dr. Corcoran seconded the meeting be adjourned.

Motion carried (9-0-0).

Respectfully submitted,

Timothy Decker
Clerk of the Board

BOARD APPROVED: 10/5/20