



**New Hope-Solebury School District
Policy and Human Resources Committee Meetings
November 9, 2016
7:30PM—Upper Elementary School LGI Room**

Per Policy 006.2, all public meetings of the Board of School Directors, including committees, are audio recorded.

Agenda Items

A packet of materials will be available on the policy website by Monday, November 7, 2016 at 4PM.

Call to Order

Approve Minutes from October 5, 2016.

Old Business

- Third Reading of Board Operating Guideline
 - 006—Voting Procedures
- Second Readings of Policies
 - 320—Freedom of Speech in Non-School Settings
 - 321—Political Activities
 - 323—Tobacco Use

New Business

- First Readings of Policies
 - 336—Professional Necessity Leave
 - 810.2—Transportation-Audio/Video Recording
 - 827—Conflict of Interest

Public Comment

Adjournment

Immediately following the Policy Meeting, the Human Resources Committee will begin. Due to the confidential nature of the Human Resources Committee, public participation is not permitted.



New Hope-Solebury School District Policy Committee Meeting Minutes

October 5, 2016

7:15PM – Upper Elementary School Library

Attendance

- **School Board** – Doug McDonough,(Chair), Mark Cowell
- **Administration** - Steve Yanni, Suzan Rohn
- **Committee Members** – Drew Giorgi, Wenmei Ge, Meg Thompson
- **Presenters** - None
- **Public** – None

Mr. McDonough called the meeting to order at 7:15PM.

The minutes from the September 13, 2016 Policy Committee meeting were approved.

Old Business

The committee moved the following Board Operating Guidelines and Policies forward for board approval at the October 17, 2016 meeting:

- 005—Organization (Committees and ad/hoc committees)
- 213 - Assessments – Student Progress
- 222 - Tobacco Use (for students)

New Business

The committee reviewed the following Board Operating Guidelines (proposed changes/revisions can be found in the “Under Consideration” section of the online policy manual on the District’s website):

- 006—Voting Procedures

The committee reviewed the following policies (proposed changes/revisions can be found in the “Under Consideration” section of the online policy manual on the District’s website):

- 320 - Freedom of Speech in Non-School Settings
- 321 - Political Activities
- 323 Tobacco Use

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Mr. McDonough adjourned the meeting at 8:10PM.

Respectfully submitted,

Suzan M. Rohn
Director of Human Resources

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NEW HOPE- SOLEBURY SCHOOL DISTRICT

No. 006-BOG-1

BOARD OPERATIONS GUIDELINE

APPROVED: September 21, 2015

006-BOG-1. BOARD VOTING PARAMETERS

The Board recognizes the need for guidance and clarity on the proper procedures for roll call voting during public school board meetings. The Board President shall assume responsibility for voting protocols. The Board President may seek the assistance of the Board Secretary.

Guidelines for Roll Call Voting

1. The Board Secretary shall conduct a roll call vote in alphabetical order; however, the Board President and/or Board Vice President may request that his/her name(s) be read last.
2. When a board member's name is called, s/he can vote yes, no, or abstain. If a member is not ready to vote, s/he should say "pass". Once the Secretary reads the roll, the Secretary calls again the names of those members who answered "pass", giving them one more opportunity to vote. All members of the Board must vote before the President and/or Vice President if they elect to have their names called last.
3. At the conclusion of the vote, the Secretary announces if the motion passes or fails based upon the vote.



Book	Policy Manual
Section	300 Employees
Title	Copy of Freedom of Speech in Nonschool Settings
Number	320
Status	
Adopted	April 19, 1993
Last Revised	May 5, 2014

I. Authority

A. The Board acknowledges the right of administrative, professional and support employees as citizens in a democratic society to speak out on issues of public concern. When those issues are related to the ~~school~~ District and its programs, however, the employee's freedom of expression must be balanced against the interests of this district.

B. The Board adopts this policy to clarify situations in which an employee's expression could conflict with the ~~school~~ District's interests. [1]

C. In situations in which a District employee is not engaged in the performance of assigned duties, ~~s/he~~ **he or she** shall:

1. Refrain from comments that would interfere with the maintenance of student discipline.
2. Refrain from making public statements about the District known to be false or made without regard for truth or accuracy.
3. Refrain from making threats against co-workers, supervisors or District officials.

D. Violations of this policy may result in appropriate disciplinary action.

Legal 1. 24 P.S. 510



Book Policy Manual
Section 300 Employees
Title Copy of Political Activities
Number 321
Status
Adopted April 19, 1993
Last Revised May 5, 2014

I. Authority—Purpose

A. The Board recognizes and encourages the right of administrative, professional and support employees, as citizens, to engage in political activity. However, District time, resources, property or equipment, paid for by taxpayers, may not be used for political purposes by District employees when performing assigned duties.

II. Authority

A. **The Board directions that** District employees shall not engage in political activities during assigned work hours on property under the jurisdiction of the Board.
[1]

B. The **Board prohibits** collection and/or solicitation of campaign funds or campaign workers by employees ~~is prohibited~~ on school property during assigned working hours.

C. The **Board prohibits** the use of students or staff for writing, addressing, or distributing partisan political materials. ~~is prohibited~~.

D. District employees who hold elective or appointive office are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Board or an applicable collective bargaining agreement.

E. The following situations are exempt from the provisions of this policy:

1. Discussion and study of politics and political issues when applicable to the curriculum and appropriate to classroom studies. **All conversations shall represent balanced views and approaches to content.**
2. Conduct of student elections and connected campaigning.
3. Conduct of employee representative elections.

G. Violations of this policy ~~may~~ **shall** result in appropriate disciplinary action.

Legal

1. 24 P.S. 510



Book	Policy Manual
Section	300 Employees
Title	Copy of Tobacco
Number	323
Status	
Adopted	April 19, 1993
Last Revised	May 5, 2014

I. Purpose

A. The Board recognizes that tobacco presents a health and safety hazard that can have serious consequences for the user and the nonuser and the safety of the schools.

II. Definition

A. For purposes of this policy, **"tobacco use" shall be defined as use and/or possession of** ~~includes a~~ lighted or unlighted cigarette, cigar, pipe or other smoking product or material and smokeless tobacco in any form. **This shall include e-cigarettes, all nicotine delivery systems, and vapor devices.**^[1]^[2]

III. Authority

A. The Board prohibits tobacco use by administrative, professional and support employees in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the District.^[1]^[2]

B. The Board prohibits tobacco use by District employees at school-sponsored activities that are held off school property.^[1]

C. The District shall annually notify employees about the Board's tobacco policy by distributing it through handbooks, newsletters, posted notices, and other efficient methods.^[1]

IV. Guidelines

A. The Superintendent **and/or his or her designee** shall report incidents involving the sale of tobacco to minors by employees on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.^[3]^[5]^[6]^[8]^[9]

B. In accordance with state law, the Superintendent shall annually, by July 31, report incidents of possession, use or sale of tobacco on school property to the Office for Safe Schools on the required form.[8]

Legal

1. 35 P.S. 1223.5

2. 20 U.S.C. 7183

3. 24 P.S. 1302.1-A

5. 22 PA Code 10.2

6. 22 PA Code 10.22

8. 24 P.S. 1303-A

9. 18 Pa. C.S.A. 6305

20 U.S.C. 7181 et seq



Book	Policy Manual
Section	300 Employees
Title	Copy of Personal Necessity Leave
Number	336
Status	draft
Adopted	November 17, 2014

I. Authority

A. This policy shall provide for absences for defined personal necessity leave by administrative, professional and support employees.

B. The Board has the authority to specify reasonable conditions under which personal necessity leave may be granted, the type of situations in which such leave will be permitted, and the total number of days that may be used by an employee in any school year for such leave.[1][2]

II. Guidelines

A. Personal Leave

1. The total number of days used for personal necessity leave in any school year by administrative, professional and support employees may not exceed three (3) days.
2. Personal leave days may also be granted to district employees in accordance with applicable provisions of the administrative compensation plan, individual contract, collective bargaining agreement or Board resolution.
3. Compensation for personal leave shall be in full for approved time off.

B. Bereavement Leave

1. Administrative, professional and support employees who are absent due to a death in the immediate family shall receive paid bereavement leave for absence not to exceed five (5) school days. The Board may extend the period of absence, at its discretion. Members of the immediate family shall be defined as father, mother, brother, sister, son, daughter, husband, wife, parent-in-law, near relative who resides in the same household, or any person with whom the employee has made his/her home.[2]
2. Administrative, professional and support employees who are absent due to a death of a near relative shall receive paid bereavement leave for absence of one

(1) school day (day of the funeral). The Board may extend the period of absence, at its discretion. A near relative shall be defined as first cousin, grandfather, grandmother, aunt, uncle, niece, nephew, son-in-law, daughter-in-law, brother-in-law or sister-in-law.[2]

Legal

1. 24 P.S. 510

2. 24 P.S. 1154



Book Policy Manual
Section 800 Operations
Title Transportation - Video/Audio Recording
Number 810.2
Status Policy Committee Review
Last Reviewed November 9, 2016

I. Purpose

- A. The use of video and audio recording equipment supports efforts to maintain discipline and to ensure the safety and security of all students, staff, contractors and others being transported on district-owned, operated, or contracted school buses or school vehicles.

II. Definitions

- A. **School bus** means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.
- B. **School vehicle** means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.

III. Authority

- A. The Board authorizes the use of video and audio recording on school buses and school vehicles **for disciplinary and security purposes.**
- B. The Board prohibits the use of audio recording on any school bus or school vehicle that is not being used for a school-related purpose.

IV. Delegation of Responsibility

- A. The Board directs the Superintendent or designee to ensure that:

1. Each school bus and school vehicle that is equipped with video and audio recording equipment contains a clearly posted notice informing drivers and passengers of the potential for video and audio recording.
2. **This policy is posted on the district's publicly accessible website.**
3. **Each school year, this policy is included in the student handbook and in any other district publication that sets forth the comprehensive rules, procedures and standards of conduct.**

V. Guidelines

1. The district shall comply with the provisions of federal and state law and regulations regarding student record requirements as applicable to the district's use and disclosure of recordings. Recordings considered part of a student's educational record shall be maintained in accordance with established student record procedures governing access, review and disclosure of student records.



Book	Policy Manual
Section	800 Operations
Title	Copy of Conflict of Interest
Number	827
Status	
Adopted	June 20, 2016
Last Revised	August 22, 2016

I. Purpose

- A. This policy shall affirm standards of conduct established to ensure that Board members and employees avoid potential and actual conflicts of interest, as well as the perception of a conflict of interest.

II. Definitions

- A. **Confidential information** shall mean information not obtainable from reviewing a public document or from making inquiry to a publicly available source of information.
- B. **Conflict** or **Conflict of interest** shall mean use by a Board member or district employee of the authority of his/her office or employment, or any confidential information received through his/her holding public office or employment, for the private pecuniary benefit of him/herself, a member of his/her immediate family or a business with which s/he or a member of his/her immediate family is associated. The term does not include an action having a de minimis economic impact, or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the Board member or district employee, a member of his/her immediate family or a business with which s/he or a member of his/her immediate family is associated.
- C. **De minimis economic impact** shall mean an economic consequence which has an insignificant effect.
- D. **Financial interest** shall mean any financial interest in a legal entity engaged in business for profit which comprises more than five percent (5%) of the equity of the business or more than five percent (5%) of the assets of the economic interest in indebtedness.
- E. **Honorarium** shall mean payment made in recognition of published works, appearances, speeches and presentations, and which is not intended as consideration for the value of such services which are nonpublic occupational or professional in

nature. The term does not include tokens presented or provided which are of de minimis economic impact.

- F. **Immediate family** shall mean a parent, parent-in-law, spouse, child, spouse of a child, brother, brother-in-law, sister, sister-in-law, or the domestic partner of a parent, child, brother or sister.
- G. **Business partner** shall mean a person who, along with another person, plays a significant role in owning, managing, or creating a company in which both individuals have a financial interest in the company.

III. Delegation of Responsibility

- A. Each employee and Board member shall be responsible to maintain standards of conduct that avoid conflicts of interest. The Board prohibits members of the Board and district employees from engaging in conduct that constitutes a conflict of interest as outlined in this policy.

IV. Guidelines

- A. All Board members and employees shall be provided with a copy of this policy and acknowledge in writing that they have been made aware of it. Additional training shall be provided to designated individuals.
- B. Disclosure of Financial Interests
 - 1. No Board member shall be allowed to take the oath of office or enter or continue upon his/her duties, nor shall s/he receive compensation from public funds, unless s/he has filed a statement of financial interests as required by law.
 - 2. The district solicitor and designated district employees shall file a statement of financial interests as required by law and regulations.
- C. Standards of Conduct
 - 1. The district maintains the following standards of conduct covering conflicts of interest and governing the actions of its employees and Board members engaged in the selection, award and administration of contracts.
 - 2. No employee or Board member may participate in the selection, award or administration of a contract supported by a federal award if s/he has a real or apparent conflict of interest as defined above, as well as any other circumstance in which the employee, Board member, any member of his/her immediate family, his/her business partner, or an organization which employs or is about to employ any of them, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
 - 3. The district shall not enter into any contract with a Board member or employee, or his/her spouse or child, or any business in which the person or his/her spouse or child is associated valued at \$500 or more, nor in which the person or spouse

or child or business with which associated is a subcontractor unless the Board has determined it is in the best interests of the district to do so, and the contract has been awarded through an open and public process, including prior public notice and subsequent public disclosure of all proposals considered and contracts awarded. In such a case, the Board member or employee shall not have any supervisory or overall responsibility for the implementation or administration of the contract.

4. When advertised formal bidding is not required or used, an open and public process shall include at a minimum:
 - a. Public notice of the intent to contract for goods or services;
 - b. A reasonable amount of time for potential contractors to consider whether to offer quotes; and
 - c. Post-award public disclosure of who made bids or quotes and who was chosen.
5. Any Board member or employee who in the discharge of his/her official duties would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his/her interest as a public record **in a written statement to be attached to the Board minutes.**
6. No public official or public employee shall accept an honorarium.
7. Board members and employees may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts, unless the gift is an unsolicited item of nominal value. Gifts of a nominal value may be accepted in accordance with Board policy.

D. Improper Influence

1. No person shall offer or give to a Board member, employee or nominee or candidate for the Board, or a member of his/her immediate family or a business with which s/he is associated, anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment based on the offeror's or donor's understanding that the vote, official action or judgment of the Board member, employee or nominee or candidate for the Board would be influenced thereby.
2. No Board member, employee or nominee or candidate for the Board shall solicit or accept anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment, based on any understanding of that Board member, employee or nominee or candidate that the vote, official action or judgment of the Board member, employee or nominee or candidate for the Board would be influenced thereby.

E. Organizational Conflicts

1. Organizational conflicts of interest may exist when due to the district's relationship with a subsidiary, affiliated or parent organization that is a candidate for award of a contract in connection with federally funded activities, the district may be unable or appear to be unable to be impartial in conducting a procurement action involving a related organization.
2. In the event of a potential organizational conflict, the potential conflict shall be reviewed by the Superintendent or designee to determine whether it is likely that the district would be unable or appear to be unable to be impartial in making the award. If such a likelihood exists, this shall not disqualify the related organization; however, the following measures shall be applied:
 - a. The organizational relationship shall be disclosed as part of any notices to potential contractors;
 - b. Any district employees or officials directly involved in the activities of the related organization are excluded from the selection and award process;
 - c. A competitive bid, quote or other basis of valuation is considered; and
 - d. The Board has determined that contracting with the related organization is in the best interests of the program involved.

F. Reporting Conflicts of Interest

1. Any perceived conflict of interest that is detected or suspected by any employee or third party shall be reported to the Superintendent. If the Superintendent is the subject of the perceived conflict of interest, the employee or third party shall report the incident to the Board President.
2. Any perceived conflict of interest of a Board member that is detected or suspected by any employee or third party shall be reported to the Board President. If the Board President is the subject of the perceived conflict of interest, the employee or thirdparty shall report the incident to the Superintendent, who shall report the incident to the solicitor.
3. No reprisals or retaliation shall occur as a result of good faith reports of conflicts of interest.
4. **The Superintendent or designee shall report in writing to the federal awarding agency or pass-through entity any potential conflict of interest related to a federal award, in accordance with federal awarding agency policy.**

G. Investigation

1. Investigations based on reports of perceived violations of this policy shall comply with state and federal laws and regulations. No person sharing in the potential conflict of interest being investigated shall be involved in conducting the investigation or reviewing its results.
2. In the event an investigation determines that a violation of this policy has occurred, the violation shall be reported to the federal awarding agency in accordance with that agency's policies.

H. Disciplinary Actions

1. If an investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur. District staff shall document the corrective action taken and, when not prohibited by law, inform the complainant.
2. Violations of this policy may result in disciplinary action up to and including discharge, fines and possible imprisonment. Disciplinary actions shall be consistent with Board policies, procedures, applicable collective bargaining agreements and state and federal laws.

Legal

1. 2 CFR 200.318

2. 65 Pa. C.S.A. 1101 et seq

51 PA Code 15.2

Pol. 004

Pol. 011

Pol. 317

Pol. 319

Pol. 322

Pol. 609

Pol. 702