

**EAST STROUDSBURG AREA SCHOOL DISTRICT  
BOARD OF EDUCATION  
POLICY REVIEW COMMITTEE MEETING  
DECEMBER 21, 2020  
MEETING HELD VIA ZOOM DUE TO COVID-19 SCHOOL CLOSURE—4:30 P.M.  
MINUTES**

- I. Meeting was called to order at 4:30 p.m. by Sharone Glasco.
- II. **Policy Committee Members Present were:** George Andrews, Sharone Glasco, Debbie Kulick and Wayne Rohner
- III. **Board Members Present were:** Richard Schlameuss
- IV. **School Personnel Present were:** Brian Baddick, Brian Borosh, Eric Forsyth, Dr. William Riker, William Vitulli, Debra Wisotsky and Stephen Zall
- V. **Members of the Public Present were:** None
- VI. **APPROVAL OF AGENDA**

**ACTION BY THE COMMITTEE:** Motion was made by George Andrews to approve this agenda for December 21, 2020 (page 1), with members of the Committee reserving the right to add to the agenda and take further action as the Committee deems appropriate. Motion was seconded by Wayne Rohner and carried unanimously, 4-0.

VII. **APPROVAL OF MINUTES**

**ACTION BY THE COMMITTEE:** Motion was made by George Andrews to approve the minutes for for November 16, 2020 (pages 1-3). Motion was seconded by Wayne Rohner and carried unanimously, 4-0.

Mr. Andrews inquired about last month's minutes and Policy 118.1. He asked Dr. Vitulli if information had been shared with the Board on the ESASCA program. Dr. Vitulli shared that the guidance counselors and new principal as ESACA have worked out a program where students who are taking study halls at both high schools can participate in online courses. That has always been in place but now we are going to offer an extended offering of different types of courses that may entice students. Students in study hall don't necessarily have to take any courses because we assume that their schedules are at the point where they could be filled but do know the opportunities do exist and my apologies for not sending out this information. Mr. Andrews stated that he just wanted to follow up on the discussion.

VIII. **APPROVAL OF POLICY REVIEW COMMITTEE MEETING CALENDAR FOR 2021**

**ACTION BY THE COMMITTEE:** Motion was made by George Andrews to approve the Policy Review Committee Meeting Calendar for 2021. Motion was seconded by Wayne Rohner and carried unanimously, 4-0.

January 25, 2021 -- 4:30 PM Via Zoom  
February 22, 2021 -- 4:30 PM Via Zoom  
March 15, 2021 -- 4:30 PM in the Carl T. Secor Administration Center Board Room  
April 19, 2021 -- 4:30 PM in the Carl T. Secor Administration Center Board Room  
May 17, 2021 -- 4:30 PM in the High School North Library  
June 21, 2021 -- 4:30 PM in the Carl T. Secor Administration Center Board Room  
July 19, 2021 -- 4:30 PM in the Carl T. Secor Administration Center Board Room  
August 16, 2021 -- 4:30 PM in the Carl T. Secor Administration Center Board Room  
September 20, 2021 -- 4:30 PM in the High School North Library

October 18, 2021 -- 4:30 PM in the Carl T. Secor Administration Center Board Room  
November 15, 2021 -- 4:30 PM in the Carl T. Secor Administration Center Board Room

## **POLICIES FOR DISCUSSION:**

### **Policies presented by Administration-**

- a. Policy 337 Vacation – (REPEAL Policy 537) – Mr. Andrews inquired whether professional and support staff can take vacation during school time (the 180 days) and then the district has to pay for a substitute to cover. Ms. Glasco replied why should they not if their contract allows vacation days; it is their time to use at their discretion as full time employee. I don't feel the School Board should dictate their vacation time. If we have a process in place for substitutes to cover the work in their absence, it is not a fair or equitable question. Mr. Zall shared that if you are referencing support staff, we have ten-month and twelve-month employees. Twelve month employees may in fact utilize vacation time when school and/or students are in session. Your ten month employees are not authorized to use vacation on days that school is in session. If you are speaking to professional teachers, it is only for those bargaining groups that are afforded vacation time, that is not all of our classifications. This does not apply to professional employees, certificated teachers; they do not receive vacation time. Mr. Andrews asked that if a professional employee then wants to use their ten sick days to go on a vacation and now we have to pay a substitute, that's okay? Mr. Zall replied if any employee were to use more than three days of sick time consecutively, they would be requested to provide a doctor's note. Anything beyond ten days, then they would be required to take a leave. Dr. Riker added that any time an employee has a vacation day, unless it is an administrative staff member that does not require a substitute, by virtue of a vacation day, it requires a substitute. In order to use a vacation day, it is a day they would normally be required to be working, whether it is summer or during the school year, they would need a substitute. Mr. Zall also note that any ten-month employee whose classification earns vacation time; they are not permitted to take them on days when school is in session. Mr. Rohner asked if any employee receives paid vacation time after one full year of service? Mr. Zall stated if an employee come in mid-year, if would be pro-rated.
- b. Policy 339 Uncompensated Leave – (REPEAL Policies 439 & 539) – Mr. Andrews suggested that the Superintendent "or designee" should be added under Guidelines/Applications. Dr. Riker asked the committee to consider the length of time for uncompensated leaves. As time goes on we may be dealing with a lot of uncompensated leaves especially if the Family First Act disappears as it is intended to on December 31, 2020. Running a school organization with people who are out on uncompensated leave will be challenging if those numbers are significant. The Board does get to approve them at every Board meeting, so it does not necessarily have to be addressed in the policy but I am bringing it to your attention if you want to look at that period of the leave, which is a semester or a year. Basically, it means a person can walk away from their job for half a year or the full year and you are guaranteeing them their job or a like job in the district when they return. Ms. Glasco asked is this FMLA. Dr. Riker replied, no, this would be a person who has exhausted all their sick, personal and vacation time, yet they still need to leave their position and the only way they can do so is through an uncompensated leave. We hold their position for them and you can't fill it with someone else. Mr. Ronher inquired how many employees do we have that represent this situation? Dr. Riker replied, I don't currently have a number but am concerned, especially as we go through Covid from January on, anyone who has exhausted their time and the Board has already made that decision that if Family First days are no longer available, they would have to use uncompensated time in order to keep their position. They only other option is to resign from their position. Mr. Zall shared that more often the uncompensated leaves follow an FMLA or some other medical circumstance and are still not released by their doctor to return to work. They often can then apply for uncompensated leave. The number fluctuate and I can pull those numbers and get that to the Board. To Dr. Riker's point, that next semester could be real for many individuals if things don't change with FFCRA. Mr. Andrew's asked so what is

Administration proposing the language be change to. Dr. Riker suggested up to one semester. If someone has a true medical condition and again, you could look at them case-by-case. There is a time period where the organization has to move forward as well as the employee. It is a subjective topic to be honest. You can choose what you want it to be but maybe it says an uncompensated leave under that period of leave may be granted for a period of up to one semester of the school year. Ms. Glasco shared that I'm not sure now is the time to adjust that or how many employees are close to exhausting their time, but that could be a strong grievance against us to implement that change now in the time where we are as a country that we would want to change this stipulation right now and could cost us more on the back end than it is worth. I understand Covid can bring on some real scenarios. Mr. Rohner state he knows of one case that has been going on for some time. Mr. Zall reminded the committee a person could be been on workers' compensation, FMLA and then after those 12 weeks have ended is followed by an uncompensated leave if they are still not cleared to return to employment. Mr. Andrews said all applications are subject to review by the Board. Ms. Glasco stated that they recommendation was to put some more parameters around it by saying up to one semester or up to one year. I see it as a placeholder for those employees who are going through some opportunities. Mr. Zall suggested that as a Board, we can look at these on a per semester basis only. We may look at the one year, but we may grant them on a one semester basis rather than someone who applies for one full year right up front. Ms. Glasco stated I agree the review would be per semester and not to exceed one year with the approval of the Superintendent and the Board. Mr. Zall stated putting it at a per semester basis will help our position but, at the same time, everyone has extenuating circumstances and different reasons, all it means is they are to reapply. It is not to say they would be denied if they need a full year but they have to go through the process and provide the documentation and the medical notes that they are not cleared to return. If anything, it may help to keep them more on task here which is we want them back working as soon as possible. Ms. Glasco stated the language should read, "An uncompensated leave may be granted for a period of one semester and up to one school year and will be granted and reviewed".... Dr. Riker added how about every 90 days from the onset of the request as they don't always start at the beginning of a semester. "The employee request will be reviewed every 90 days." Mr. Zall added the reason for that when involving a profession employee, is if we have to get a substitute and in order to secure a viable candidate, typically we have gone with in excess of 45 days to secure a LTS. If someone is taking leaves haphazardly, at different increments, that makes it a little more challenging but at the same time, we have afforded employees to take less than a semester because in the end, we want our best people in front of our kids. Mr. Forsyth added a language suggestion might be and I know we do something similar in other policies, would it be helpful from an operation standpoint to indicate that the leave can be approved for up to one year, but approved/reviewed at the July, October and March board meetings? Mr. Zall stated I don't know if we want to tie it to particular Board meetings because of what their concerns might be. I'm not sure how it will play out for all circumstances. Ms. Wisotsky inquired whether a change in policy would require a language change in the collective bargaining agreement? Dr. Riker replied that uncompensated leave is something we do, but there are some district that do not approve them at all. It is not a requirement and is why the Board has the authority to decide how it is done. I don't believe it's an item in any of our collective bargaining agreements. Good question though. Mr. Zall added we do have in our support association contract where it speaks to a work related injury or workers' compensation but not uncompensated leave. Policy 339 will be brought back to the committee for further review with the suggested revisions.

- c. Policy 342 Jury Duty – (REPEAL Policies 442 & 542) -- The committee had no concerns with consolidating these policies into one.
- d. Policy 343 Paid Holidays – (REPEAL Policy 543) – The policy is just consolidating this into one section. The committee had no concerns.
- e. Policy 707 Use of Facilities – Ms. Wisotsky shared the change from the previous policy meeting on page 5 of 8. Item # 6 was changed from, "Medical marijuana products as prohibited by federal law" was changed to "The use of medical marijuana products" are prohibited on school property. Mr. Andrews asked why would it not be permitted if they have the medical

documentation. Mr. Andrews asked if we already have Item #4 the vaping of medical marijuana as long as it is not inhaled, it is already addressed why do we need Item #6. Ms. Glasco agreed and asked what is the purpose of 6, it is almost like a fragment. The committee agreed that Item #6 should be removed from the policy altogether.

**Public Participation:** None

**IX. ADVISORY RECOMMENDATIONS**

**ACTION BY THE COMMITTEE:** Motion was made by George Andrews to authorize and direct the administration to post the following item(s) with noted revisions for PUBLIC REVIEW during the month of December and subsequent Board action in January: Policies 337, 342, 343, 707. Motion was seconded by Wayne Rohner and carried unanimously, 4-0.

**X. ADJOURNMENT:** 5:13 p.m.

**ACTION BY THE COMMITTEE:** Motion to adjourn was made by Sharone Glasco. Motion was seconded by George Andrews and carried unanimously, 4-0.

Next meeting: January 25, 2021 via Zoom.

Respectively submitted by,  
Debra Wisotsky