Monitoring Report

Policy Title: 2.2 Hiring and Treatment of Staff (FY19)

This is the annual report on compliance with the School Board's Executive Limitation policy 2.2 Hiring and Treatment of Staff for the FY19 School Year. I certify that the information contained in this report is true and validated by available verbal recounting, gathered analytics, and written record from FY19 by the newly hired Director of Human Resources in FY20.

Yaw Obeng, Superintendent   December 10, 2019

Policy Statement:

With respect to the treatment of paid staff the Superintendent shall not:

1. Operate without written personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions.
2. Discriminate against any staff member for non-disruptive expression of dissent.
3. Fail to acquaint staff with the Superintendent's interpretation of their protections under this policy.
4. Allow staff to be unprepared for emergency situations.
5. Cause or allow the recruitment or hiring of administrators, faculty or staff outside of the district's inclusive recruitment and hiring processes designed specifically to increase and ensure a culturally proficient and diverse workforce in the District.

Limitation:	1. Operate without written personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions.
Status:	In Compliance

Interpretation:
The Superintendent interprets this to mean that all full and part-time District employees are provided clear job responsibilities and operating procedures to allow them to perform their jobs in a professional manner. All staff should have a copy of or easy access to the appropriate collective bargaining agreements, employee handbook, and/or job description. Procedures to effectively handle union and

non-union grievances are included in bargaining agreements and employee handbooks. All employees must be protected against wrongful conditions including, but not limited to harassment and discrimination.

(a) Evidence: Written personnel policy that clarifies expectations for staff

- The District personnel policy is posted on the [Human Resource Services Department](#) [web page](#) and the Staff Portal which includes a grievance process for employees. It details expectations and processes for discipline.
- [An Annual New Educators' Orientation](#) is conducted by HR which includes information on HR functions and services, bullying and harassment, mandatory reporting, student support services, and EL services. The BEA also attends and shares pertinent information with its members.
- A New Administrators Training is conducted by the Executive Director of HR and the District Lead Principal. The Executive Director of HR works closely with all administrators and provides interpretation and support related to personnel policies and procedures. The District Lead Principal mentor new principals to ensure understanding of District policies and procedures.
- The Executive Director and associates of Human Resource Services routinely provide assistance to administrators, supervisors, and employees when there is a need to document and reinforce required work expectations.
- HR works with hiring administrator to update job descriptions as positions are posted. Job descriptions are required for all new positions. The job description lists each position's essential functions, required knowledge, skills, and abilities. It also lists specific responsibilities, requisite degrees, licenses, training, and/or certificates and physical requirements. HR is currently in the process of job descriptions for all positions.

(b) Evidence: Provide for effective handling of grievances

- All eight collective bargaining agreements are posted on the District [Human Resource](#) [Services Department web page](#), which contains informal and formal grievance procedures with clearly defined processes.
- The District personnel policy includes a complaint and grievance process for non-union employees.
- Executive Director of HR and the BEA Grievance Chairperson meet regularly to discuss pending grievances and/or emerging concerns for teachers and paraeducators.
- In FY19, HR handled approximately 23 grievances and 8 internal investigations.
- FY19 marks the anniversary of the restructuring the HR department to have an employee and labor relations role to provide additional support in managing complaints and grievances.

(c) Evidence: Protect against wrongful conditions

- Policy and legal updates are provided by the Executive Director of Human Resources and In-House Counsel at weekly Executive Council and monthly Systems Leaders meetings.
- A [Process](#) is in place for employees to make harassment as well as general complaints. This can also be found on the [Human Resource Services Department web](#) [page](#).
- HR is also utilizing services for mediation to work with employees to resolve conflicts.

- Employees are offered a restorative practice model for addressing concerns and conflicts where appropriate. We continue to offer restorative practices as an avenue to resolving grievances.

As the District continues to engage in policy governance, the District will have comprehensive mandated policies and procedures for all areas of operations. In the meantime, we continue to utilize previous Board Policies and Regulations except in those cases where laws have changed. The personnel manual is currently being updated and is expected to be completed by the new year.

Limitation:	2. Discriminate against any staff member for non-disruptive expression of dissent.
Status:	In Compliance

Interpretation:

The Superintendent interprets this to mean that the Superintendent will not permit, directly or indirectly, by act or omission, any adverse action against an employee for any statement that indicates disagreement with any decision made by the administration that is non-disruptive, does not interfere with instruction and day-to-day operation of a school or Central Office, and is carried out in a professional and respectful manner.

Evidence:

- During the FY19 monitoring period, there were no grievances or lawsuits alleging unlawful discrimination for non-disruptive expression of dissent or retaliation for expressing a complaint or suggestion. There was seven EEOC complaint alleging retaliation which was dismissed without hearing by the agency.
- Collective bargaining agreements and personnel policy give employees the formal right to question the placement of negative material in their personnel file as well as instances of non-promotion or step movement.

Limitation:	3. Fail to acquaint staff with the Superintendent's interpretation of their protections under this policy.
Status:	In Compliance

Interpretation:

The Superintendent interprets this policy to mean that employees of the District will be informed of the District's Executive Limitation Policy 2.2 and be encouraged to read and understand the policy and to know how the superintendent interprets their protections under the policy**.**

Evidence:

The Burlington Board of Commissioners adopted Policy Governance on March 16, 2017. Information about Policy Governance including District Ends Policies and Executive Limitation Policies are posted on the District's website.

When the Board passed the Policy Governance Policies staff was informed of this Board decision through a communication from the Superintendent's Office. Policy Governance policies and monitoring reports are posted on the District's website for staff and community to review.

Limitation:	4. Allow staff to be unprepared for emergency situations.
Status:	In Compliance

Interpretation:

The Superintendent interprets this to mean that the Superintendent will ensure that all staff are informed and trained in emergency response procedures. The Superintendent interprets "emergency situation" to mean any condition that threatens the safety and well-being of students and employees.

Evidence:

- The BSD Safety Team met monthly during the school year to discuss, review and develop protocols, procedures and strategies with regard to crisis, safety and emergency situations in our schools. Members consists of principals and district leaders, as well as City of Burlington staff.

    District-Wide Staff:
    o   District Communications Specialist
    o   Property Services Director
    o   Expanded Learning Opportunity Director
    o   Early Education Director
    o   Food Services
    o   Human Resources
    o   Business Office
    School/Program Administrators:
    o   School principal (or designee) from each school
    o   Lead nurse
    City of Burlington Collaboration:
    o   Burlington Fire Department Fire Marshall
    o   Burlington Police Department School Resource Officers
    o   Parks and Recreation Director

- Each school has a Crisis/Safety Response Team in place. The team meets on a regular basis to ensure that crisis/safety procedures are in place and are being implemented school wide. The team also schedules mandated safety drills for the year. The Crisis/Safety Response team also meets following each drill or real live event to review how events were handled. This leads to developing strategies in an "After Action" mode to ensure future events are handled in an efficient, proactive manner. The team focuses on strengthening the school's crisis/safety response as it pertains to Before, During and After Action strategies and planning. Each school as at least one member of its Crisis/Response who attends monthly District Safety meetings as listed above (typically the principal).

- All buildings maintain an up-to-date and consistent Crisis/Safety Response Procedures Manual. Principals and program administrators review the evaluation procedures and emergency preparedness/response procedures on an annual basis with all staff. District nurses are trained in emergency medical response procedures as well. Some aspects of the manual include:

    - List of School Crisis/Safety Response Team Members
    - Crisis/Safety Response Log to be filled out in any emergency situation
    - Central Office Crisis/Safety Response Procedures
    - Central Office/District Administrators Contact Info
    - BSD Crisis/Safety Response Dispatch Call Info
    - Immediate Crisis and Response Procedures
    - Definition of terms for appropriate and consistent responses. E.g. Bomb Threats, Hold & Secure, Emergency Medical Incident, etc.
    - Safety Drill Schedule & Log

- Classroom Emergency Guides to Emergency Preparedness are available in every classroom. They are hung up in an easily accessible location in the event of an emergency. The guide contains a list of definitions to re-enforce consistent and appropriate responses in the event of an emergency.

- BSD Technology staff maintain a District telecommunications network to ensure immediate and effective communication between and among BSD employees. The District's new VOIP System includes an updated staff extension directory located on every District Phone to ensure timely and efficient communication.

- An Emergency Procedures webpage is available on every school website. Additionally, the website allows the District to display an emergency message on a district-wide or school-by-school basis.

- The District uses robocalls & text messages to inform staff and parents as appropriate when an emergency has occurred or if weather conditions permit delayed or cancelled school.

- In FY19, the work of the District Safety Team focused predominantly on review and selection of an Active Threat response protocol to supplement the Standard Response Protocols. Multiple options were assessed, and Run Hide Fight was ultimately recommended to the Superintendent and School Board. On April 9, 2019, the School Board received a presentation related to the selection of Run Hide Fight. Subsequently, representatives from the District Safety Team worked with safety consultants Margolis Healy to schedule Run Hide Fight training for district staff. The initial round of training will be completed by mid-December, 2019.

Limitation:	5. Cause or allow the recruitment or hiring of administrators, faculty or staff outside of the district's inclusive recruitment and hiring processes designed specifically to increase and ensure a culturally proficient and diverse workforce in the District.
Status:	Partially in Compliance

Interpretation:

The Superintendent interprets this to mean that the Superintendent will ensure that all recruitment and hiring will be done based on the established inclusive recruitment and hiring process. In all hiring decisions, consideration will be given to the goal of a diverse, culturally proficient and agile workforce.

Evidence:

- The District has an employment equity statement that is in compliance with the Equal Employment Opportunity Commission (EEOC) Policy, which is on the Human Resource Services Department's website**.**

- Annually, a written Hiring Procedure is updated for hiring administrators to use when hiring. As reported in FY18 the HR continues to struggle with getting full compliance on the Hiring Procedure from hiring administrators. This continues to be a focus point to ensure a fair process that is consistent with the law, we must have consistent implementation of hiring procedures. Some of the noncompliance may be related to the lean employee market. The lean market has created for all employers a sense of desperation. In FY19, HR reviewed the process for opportunities to shorten the process while still maintaining its integrity and complying with collective bargaining agreements. All members of interview advisory teams are required to complete unconscious bias training and inclusive recruitment training prior to sitting on the team.

- Unconscious bias training and inclusive recruitment training is offered by HR for staff who wish to participate on a hiring committee
- A new recruiting and hiring software system (TalentED/Records) allows for improved data collection and better tracking of diversity candidates. The recent recruiting and hiring software system change has provided opportunity to improve our practices in all elements of recruiting and hiring.

- Collective bargaining agreements provide additional requirements for recruitment and hiring related to current union members and their ability to transfer or apply for open positions.

Efforts to attract underrepresented teachers continue to be impeded by the continuing shortage of teachers from all backgrounds (Please see charts below for demographic data). The low unemployment rate further complicates the hiring of underrepresented groups. To attract underrepresented teachers, we are putting additional emphasis on the retention of existing underrepresented teachers and staff.

We are implementing inclusive hiring strategies that will aid in reaching our employment equity goals. The following are **inclusive hiring strategies** that we have begun to implement.

1. **Consistent and Accurate Data**

   a. Tracking of underrepresented groups:
      i. African-American
      ii. Black African
      iii. Asian
      iv. Latino, non-white
      v. Native Indian or Alaska Native
      vi. Native Hawaiian or other Pacific Islander
      vii. Gender/Gender Identity
      viii. Veteran
      ix. Ability
      x. Sexual Orientation
      xi. Others as identified

2. **Tracking period:** The tracking period will continue to be September 1 - August 31. This ensures that we are comparing the same data periods for effective future comparisons.

3. **Tracking diversity by job categories/departments:**
   a. We are monitoring underrepresented groups in our hiring by job categories or departments. This will give us the ability to develop targeted strategies for any gaps.
      i. Teachers
      ii. Paraprofessionals
      iii. Property Services/Busing staff
      iv. IT
      v. Office Personnel/Administrative staff
      vi. Principals
      vii. Administrators
      viii. Food Services

4. **Tracking where underrepresented applicants locate job postings:**
   a. We are tracking sources of applicants from underrepresented groups which will improve recruitment efforts. Currently, SchoolSpring/TalentEd is the primary source.

5. **Tracking retention of underrepresented employees:**
   a. In FY 18, HR had planned to have an annual data report issued that tracks underrepresented groups stated above, including turnover in those groups, which may help us to understand their retention needs. The annual data report will include summaries of exit interviews, categorized by demographics. By the end of FY 19, this project had yet to be implemented.

6. **Tracking of Interviews:** We will continue to require hiring administrators to interview underrepresented candidates in the qualified pool. We will implement a process of accountability to the process, which will include a comprehensive data report of all interviews. This ensures that hiring administrators are accountable for employment equity goals in their buildings and departments and explicit outreach for underrepresented candidates.

Current Indicating Metrics

Sept. 1, 2018 - Aug. 31, 2019

	Total Applications	**Total Hires for Vacancies**	**% Hired**
All Positions	**FY19: 3075** **FY18: 2966** **FY17: 3151**	**FY19: 672** **FY18: 631** **FY17: 578**	**FY19: 21.9%** **FY18: 21.3%** **FY17: 18.0%**
*Certified	**FY19: 802** **FY18: 931**	**FY19: 86** **FY18:: 113**	**FY17: 10.1%** **FY18: 12.1%**
Positions	**FY17: 842**	**FY17 114**	**FY17: 13.5%**

(***Please see a demographic breakdown of this data <mark>on pages 9 - 14.</mark>***)

*Certified indicates that the applicant applied for a position that requires a teacher's license. This is inclusive of long term substitutes, limited teacher contracts, and principals.

Elementary Application Pools

Each January, the District accepts applications by grade until the end of the hiring season. Principals select from this pool for the appropriate vacancy in their school.

The pools were as follows for this school year:

GRADE	NUMBER OF APPLICATIONS	NUMBER OF VACANCIES	PERCENT HIRED
Kindergarten	**FY19 42** FY18 34 FY17 51	**4** 1 3	**9.5%** 2.9% 6.0%
1st Grade	**FY19 47** FY18 35 FY17 62	**3** 0 3	**6.4%** 0.0% 5.0%
2nd Grade	**FY19 32** FY18 48 FY17 77	**2** 2 5	**6.25%** 4.2% 6.0%
3rd Grade	**FY19 48** FY18 33 FY17 56	**1** 0 2	**2.1%** 0.0% 3.57%
4th Grade	**FY19 38** FY18 33 FY17 42	**3** 1 2	**7.9%** 3.0% 4.7%
5th Grade	**FY19 34** FY18 28 FY17 47	**1** 1 1	**2.9%** 3.6% 2.1%

Total Applications (All Categories)

FY 2019 N. = 3075

FY 2018 N. = 2966

ETHNICITY	# OF APPLICANTS	RACE	# OF APPLICANTS	GENDER	# OF APPLICANTS
Not Hispanic/ Latino	**FY19: 2109 = 68.6%** FY18: 1955 = *65.9%*	White	**FY19: 1447 = 47.1%** FY18: 1564 = *52.7%*	Female	**FY19: 1911 = 62.1%** FY18: 1793 = *60.5%*
No Response	**FY19: 861 = 28.0%** FY18: 945 = *31.9%*	**No Response**	**FY19: 1499 = 48.8%** FY18: 1230 = *41.5%*	Male	**FY19: 828 = 26.9%** FY18: 747 = *25.2%*
Hispanic/ Latino	**FY19: 105 = 3.4%** FY18: 66 = *2.2%*	**Black or African American**	**FY19: 63 = 2.1%** FY18: 81 = *2.7%*	**No Response**	**FY19: 276 = 9.0%** FY18: 334 = *11.3%*
		Two or more Races	**FY19: 51 = 1.7%** FY18: 50 = *1.7%*	**Blank**	**FY19: 3 = 0.1%** FY18: 36 = *1.2%*
		Asian	**FY19: 11 = 0.4%** FY18: 28 = *0.9%*	**Declined to Identify**	**FY19: 57 = 1.9%** FY18: 56 = *1.9%*
		American Indian or Alaska Native	**FY19: 3 = 0.1%** FY18: 11 = *0.4%*		
		Native Hawaiian or Other Pacific Islander	**FY19: 1 = 0.03%** FY18: 2 = *0.07%*		

Total Applications (Certified Only)

FY 2019 N. = 802

FY 2018 N. = 931

ETHNICITY	# OF APPLICANTS	RACE	# OF APPLICANTS	GENDER	# OF APPLICANTS
Not Hispanic/ Latino	**FY19: 260 = 32.4%** FY18: 640 = 68.7%	White	**FY19: 474 = 59.1%** FY18: 560 = 60.1%	Female	**FY19: 494 = 61.6%** FY18: 603 = 64.8%
No Response	**FY19: 524 = 65.3%** FY18: 271 = 29.1%	No Response	**FY19: 292 = 36.4%** FY18: 342 = 36.7%	Male	**FY19: 213 = 26.6%** FY18: 229 = 25.1%
Hispanic/ Latino	**FY19: 18 = 2.2%** FY18: 20 = 2.2%	Black or African American	**FY19: 14 = 1.8%** FY18: 3 = 1.6%	No Response	**FY19: 75 = 9.4%** FY18: 75 = 8.1%
		Two or more Races	**FY19: 18 = 2.2%** FY18: 15 = 1.6%	Blank	**FY19: 0 = 0.0%** FY18: 1 = 0.1%
		Asian	**FY19: 3 = 0.4%** FY18: 1 = 0.1%	Declined to Identify	**FY19: 20 = 2.5%** FY18: 23 = 2.5%
		American Indian or Alaska Native	**FY19: 1 = 0.1%** FY18: 10 =1.1%		
		Native Hawaiian or Other Pacific Islander	**FY19: 0 = 0.0%** FY18: 0 = 0.0%		

Total Hired (All Categories)

FY 2019 N. = 672

FY 2018 N. = 631

ETHNICITY	# OF HIRES	RACE	# OF HIRES	GENDER	# OF HIRES
Not Hispanic/ Latino	**FY19: 457 = 68.0%** FY18: 425 = *67.4%*	White	**FY19: 222 = 33.0%** FY18: 279 = *44.2%*	Female	FY19: 415 = 61.8% FY18: 376 = *59.6%*
No Response	**FY19: 197 = 29.2%** FY18: 196 = *31.1%*	No Response	**FY19: 425 = 63.2%** FY18: 312 = *49.4%*	Male	**FY19: 176 = 26.2%** FY18: 155 = *24.6%*
Hispanic/ Latino	**FY19: 18 = 2.7%** FY18: 10 = *1.6%*	Black or African American	**FY19: 13 = 1.9%** FY18: 25 = *4.0%*	No Response	**FY19: 64 = 9.5%** FY18: 88 = *13.9%*
		Two or more Races	**FY19: 5 = 0.7%** FY18: 4 = *0.6%*	Blank	**FY19: 2 = 0.3%** FY18: 3 = 0.5%
		Asian	**FY19: 6 = 0.9%** FY18: 10 = *1.6%*	Declined to Identify	**FY19: 15 = 2.2%** FY18: 9 = *1.4%*
		American Indian or Alaska Native	**FY19: 1 = 0.2%** FY18: 1 = 0.2%		
		Native Hawaiian or Other Pacific Islander	**FY19: 0 = 0.0%** FY18: 0 = 0.0%		

Total Hires (Certified Only)

FY 2019 N. = 86
FY 2018 N. = 113

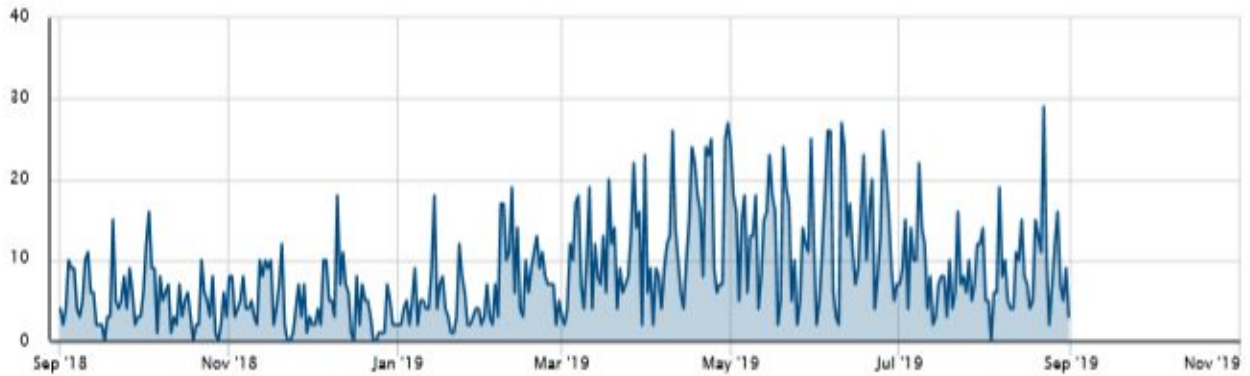| ETHNICITY	# OF HIRES	RACE	# OF HIRES	GENDER	# OF HIRES
Not Hispanic/ Latino	**FY19: 62 = 72.1%** FY18: 76 = *67.2%*	White	**FY19: 40 = 46.5%** FY18: 60 = *53.1%*	Female	**FY19: 59 = 68.6%** FY18: 67 = *59.3%*
No Response	**FY19: 23 = 26.7%** FY18: 36 = *31.8%*	No Response	**FY19: 41 = 47.7%** FY18: 47 = *41.6%*	Male	**FY19: 17 = 19.8%** FY18: 24 = *21.2%*
Hispanic/ Latino	**FY19: 1 = 1.2%** FY18: 1 = 0.9%	**Black or African American**	**FY19: 3 = 3.4%** FY18: 1 = 0.9%	**No Response**	**FY19: 9 = 10.5%** FY18: 19 = *16.8%*
		Two or more Races	**FY19: 1 = 1.2%** FY18: 2 = 1.8%	Blank	**FY19: 0 = 0.0%** FY18: 0 = 0.0%
		Asian	**FY19: 1 = 1.2%** FY18: 2 = 1.8%	**Declined to Identify**	**FY19: 1 = 1.2%** FY18: 3 = 2.7%
		American Indian or Alaska Native	**FY19: 0 = 0.0%** FY18: 1 = 0.9%		
		Native Hawaiian or Other Pacific Islander	**FY19: 0 = 0.0%** FY18: 0 = *0.0%*		

ANALYTICS

Filters

| Applications ▼ | All Job Categories ▼ | Custom ▼ | 09 , 01 , 2018 📅 | RUN ANALYSIS |

08 , 31 , 2019 📅

3,075 APPLICATIONS SUBMITTED BETWEEN 09/01/2018 AND 08/31/2019

Trends

Applications Submitted

Demographics

Ethnicity

- Not Hispanic/Latino (2109)
- No Response (861)
- Hispanic/Latino (105)

Race

- No Response (1499)
- White (1447)
- Black or African American (63)
- Two or More Races (51)
- Asian (11)
- American Indian or Alaska Native (3)
- Native Hawaiian or Other Pacific Islander (1)

Gender

- Female (1911)
- Male (828)
- No Response (276)
- Decline to Identify (57)
- (3)