

The fourth meeting of the Human Resources Advisory Committee (2019-2020), (Hereafter HRAC) met on Monday, February 3, 2020 from 6:00 p.m. to 7:55 p.m.

In attendance were:

- Elaine Tholen, School Board Member Liaison
- Steve Fiumano, Community Representative at-large
- Leonard Bumbaca, HRAC Co-Chair, Community Representative from Mason District
- Melody Thorson, HRAC Co-Chair, Community Representative from Springfield District
- John McLaren, FCFT Senior Member Relations Specialist
- Brittany Burke, FCFT HR Manager
- Cheryl Larson, Community Representative from Mount Vernon District
- Beth Eachus, Community Representative from Hunter Mill District
- Dr. Helen Nixon, Assistant Superintendent, Human Resources (present via telephone)
- Victoria Heidt, Student Representative

The meeting proceeded as follows:

6:00 p.m. to 6:12 p.m. Minutes, Meeting Agenda, and Introductions

The minutes of the January 13, 2020 meeting were approved, with edits. All present were able to participate in introductions.

Co-Chairman Bumbaca asked for a volunteer to take the meeting minutes and Student Representative Victoria Heidt volunteered.

6:12 p.m. to 6:25 p.m. Governance “Rules of the Road” and Best Practices — including FOIA practices

Elaine Tholen shared that she values this committee as a teacher and spoke about the Employee Bill of Rights. Her priorities center on the budget process and visibility as all stages in it, time for staff, professional development, retention, and feedback from the community. She also shared that the new School Board members will be looking for more structure and templates in the way that the reports are presented. Brittany Burke asked about the requested information from HR and Dr. Helen Nixon (on the phone) informed that this information will be presented in March. She further mentioned the need to differentiate between on-site HR and county HR changes; how can HR help with big picture items? Dr. Nixon reminded the group that the purpose of this committee is to focus on systematic issues away from isolated or individually identifiable events.

In discussions, it was agreed that the remaining meetings should focus on the final product and deemphasize the role of speakers.

6:25 p.m. to 6:55 p.m. Employee Bill of Rights

Co-Chairman Bumbaca transitioned the group to the Employee Bill of Rights and the printed PowerPoint presentation, highlighting Louisiana's Bill of Rights and that of the IRS. He turned to Steve Fiumano who asked Dr. Nixon if she was aware of other Bill of Rights across the country. She mentioned that some counties incorporate a "Bill of Rights" (though it is not worded that way) into their employee handbooks. She is aware of other counties having professional conversations. Steve Fiumano asked if she could get more information from surrounding counties, specifically Howard County, about their management handbooks. Dr. Nixon said she is in communication with other counties such as Loudoun County. Brittany Burke stated that she does not think an Employee Bill of Rights would be as effective as the group perceives it. She thinks engagement is key but with a defined *purpose*.

- Brittany Burke: Can we research the definition of an HR Business Partner? They are supposed to come in from a "neutral" standpoint/middle ground to facilitate collaboration. She encouraged the group to look into this.
- Dr. Nixon followed by stating that FCPS is not staffed this way.
- Brittany Burke stated that she doesn't think surveys are necessarily effective as they do not represent employee culture. Can we get on the ground before there is an issue?
- Co-Chair Bumbaca referenced back to the Employee Bill of Rights as a set of expectations. This needs to be a starting point before we can see what it looks like.
- Steve Fiumano stated that he thinks it should be more of an Employee Bill of Rights instead of a management one. The Bill of Rights needs to be protected much like our own Bill of Rights in the US. Steve Fiumano referenced that Melody Thorson previously mentioned the need for third parties; he agrees.
- Co-Chairman Bumbaca reminded that we cannot create a contract, rather we work with processes. He also mentioned that he thinks the Employee Bill of Rights should include some accountability.
- Co-Chairman Bumbaca turned the group to pages two, three, and four of the draft Employee Bill of Rights. He asked the group to search for themes across these 45 points written in the draft, suggesting that the committee split into small groups to look for themes.
- Brittany Burke stated that she believes that employees do not realize all of the rights that they have. Dr. Nixon interjected to say that this is already in motion in an effort to inform employees. Dr. Nixon further highlighted the education aspect of the Employee Bill of Rights.
- Steve Fiumano handed out an FCPS Restorative Justice pamphlet, highlighting the "Principles of Restorative Justice" section.
 - He specifically pointed out the bullet point that stated, "Focus on the harms of wrongdoing more than on the rule or law that has been broken."

- Steve Fiumano went back to the draft Employee Bill of Rights and spoke on the first two bullets on page one. He stated that he thinks the employees must be protected while also making the environment rewarding; “people leave managers, they don’t leave companies.” He also spoke about the need for silent witness/third parties as previously mentioned during the duration of disciplinary meetings.
 - Dr. Nixon reminded that the School Board is a third party.
 - Steve Fiumano said that FEA and FCFT are not always in these meetings. Brittany Burke agreed, stating that they are often involved too late.

Dr. Nixon informed the group that there would be a School Board work session in March related to the most recent Engagement Survey. Data from the survey could be helpful to the committee.

6:55 p.m. to 7:15 p.m. Small Groups Searching for Themes in the Draft Employee Bill of Rights

Co-Chairman Bumbaca transitioned the committee to small groups/individual work to search for themes in the draft Employee Bill of Rights. He stated we would come back together at 7:15 p.m. He also stated that this could serve as a quick water break if needed.

7:15 p.m. to 7:49 p.m. Re-convening with the Focus of Employee Bill of Rights Themes

Victoria Heidt mentioned three phrases:

- Professionals
 - First bullet on the first page: “Teachers will be treated as professionals with respect and dignity
- Autonomy to Make Decisions
- Support
 - 5 and 28

Cheryl Larson:

- Teacher Review and support
 - 5, 20, 23

Beth Eachus:

- Equitable Evaluation and Treatment
 - Time and tools needed to be successful, support as Victoria mentioned
 - The right to confidentiality (as seen in the IRS Bill of Rights)
 - She hopes that we do not lose this even though it fits into some other concepts
 - Steve Fiumano reminds that “confidentiality” can be a double-edged sword in that we do not want to hide things
- Fair and Non-Discriminatory System
 - All the ways that employees can be discriminated against

Brittany Burke:

- They focused more on edits; how can we ensure that there is no harassment?
 - Beth Eachus mentioned that the harassment statement is important in that it holds the group accountable.
- Cheryl Larson is curious to see what FCPS policies are repeated in this. Dr. Nixon followed up by saying she can check this for a cross-reference inspection. This would further help us reflect. Dr. Nixon stated that the committee will get this information in advance from Michelle.

John McLaren:

- He has just retired and is now working with the teacher's union. He has seen that teachers are worried about supervisor retaliation. The ideology should be "How can I help my teachers improve?" not "How can I remove teachers that are bad?"
 - Cheryl Larson reminded that FCPS policy is in place that stops supervisors from removing teachers before doing x, y, and z.
- Co-Chair Bumbaca highlighted an *environment of trust*. One should be able to speak candidly without fear of being perceived as a bad teacher.

Co-Chair Melody Thorson:

- When a manager is to be reviewed, she thinks that their employees should be involved. Cheryl Larson reminded that they are currently involved. She mentioned a hypothetical policy in which a manager's employees would be given a survey about their work, if they received below a 50% rating three years in a row, they would be removed.
- She thinks that no one understands HIPAA as she has received pictures of employees in hospital beds.
- She also mentioned a support group for those going through the disciplinary process. Co-Chairman Bumbaca stated that it could also help employees better communicate.
- Cheryl Larson asked if there was an office that could help in these situations. Dr. Nixon stated that it is the EAP.
 - Cheryl Larson reminded that there is a lack of education about this, referencing that as a teacher she was unaware of some disciplinary actions she could take when faced with a disruptive student.
 - Co-Chairman Bumbaca reminded that colleagues can be the best references for some of these situations (i.e.: support group).
 - Brittany Burke brought up the "silent witness" concept.

School Board Member Elaine Tholen:

- Elaine Tholen stated that she has had the opportunity to work on a Bill of Rights in the past and liked the model of the IRS Taxpayer Bill of Rights in that it had big overarching ideas/themes with smaller bullets.
- Beth Eachus mentioned that she would like the Bill of Rights to be a positive document.
- Ms. Tholen pointed out that the current Bill of Rights is very procedural.

- She mentioned that she liked the “Continuous improvement in procedures, processes, teaching methods, etc. is encouraged.”
- Trust, confidentiality, right to review your administrators and managers, mentorship (reaching out for help/support when needed)
- Steve Fiumano brought up the theme of “due process.” Mr. Fiumano also asked Dr. Nixon if she could ask the principals before the next meeting about recourse/a 360 review. Dr. Nixon reminded that she does not speak on behalf of the principals, but she will speak to Dr. Ivy and do her best.
 - Steve Fiumano asked if she could request that they could look at Appendix 2 or the YouTube video with Abrar Omeish (hour long video). He wants them to buy into this Bill of Rights; he doesn’t want it forced on them.
- Dr. Nixon reminded that with our guests we need to be very careful in an effort to make sure no one feels attacked — although this is personal, we need to be respectful.
- Beth Eachus asked if the committee could work in small groups outside of these monthly meetings. Co-Chairman Bumbaca asked if the committee members could leave their annotated notes at the end of this meeting or alternatively email them. Co-Chairman Bumbaca reminded the committee of the rule of three, wherein no three committee members are allowed to perform committee work in any unannounced or private venue.
- Cheryl Larson reminded: some of the text in this current draft for the Employee Bill of Rights is somewhat combative and would like to recommend that we restructure it into a more positive light.
- Elaine Tholen: highlighted the “Premier Workforce” section of the Strategic Plan Overview that was passed out by Steve Fiumano. How can we factor this into our Employee Bill of Rights?

7:49 p.m. to 7:54 p.m. Updates from the Previous Meeting/Looking Forward

- Dr. Helen Nixon stated that she will look to the other counties to check-in on their professional conversations related to this. She reminded that the Employee Bill of Rights stretches beyond teachers to all staff from bus drivers to janitors, and we need to be inclusive in our wording.
- Co-Chairman Bumbaca stated that we can send Appendix 2, the YouTube video, and other resources that Steve Fiumano brought up, hopefully before the end of the week, in an email to the principals.
 - Cheryl Larson reminded that this would help the principals feel more prepared for the meeting.
- Elaine Tholen is searching for a Dranesville representative. Co-Chairman Bumbaca reminded that they would be welcomed with open arms.

7:54 p.m. to 7:55 p.m. Updates from the Previous Meeting/Looking Forward

Cheryl Larson requested that an electronic copy of the FCPS Employee Bill of Rights be sent out via email. Co-Chairman Bumbaca stated that he will send it out ASAP, so that committee members can send electronic edits.

The Co-Chair adjourned the meeting at 7:55 after reiterating that the next meeting will be on Monday, March 2, 2020. (Later changed to March 9 by announcement due to March 2 election.)