

# **Madrone Trail Public Charter School**

Jackson County, Oregon

Special Board Meeting Work Session Parental/Family Leave Policy

Wednesday, April 24, 2017 at 4:30-6:00 pm

Madrone Trail Public Charter School – 3070 Ross Lane, Medford, OR 97502

## **I. Call to order/ Roll call**

**Amy Gygax** called to order the Special Board Meeting Work Session Parental/Family Leave Policy at 4:30 pm at Madrone Trail Public Charter School 3070 Ross Ln. Central Point, OR 97502.

Sarah conducted a roll call. The following persons were present: Amy Gygax, Sarah Trujillo, Jane Higgins, Leann Tourzan, Kellee O'Shea, Monica Rathjen

Karen Bailey (Administrator)

Absent- Louise Lavergne, Brenda Stein, Jodie Arellano

## **II. Opening verse**

**III. Paid parental/family leave policy Discussion: Amy Gygax** Our goal for today was to start outlining somewhat of a policy. Some people were going to check with other schools and report back. **Karen Bailey** Eugene Village is doing something similar to what we are talking about, using unused sick and annual days. At the Portland School, they roll over for the individual. **Amy Gygax** Were they able to take both sick days and personal days? **Karen Bailey** As a charter, they can do both. They also say that you can come back to your job or a similar job a year later. **Amy Gygax** Can they use the days both parental leave and emergency leave? **Karen Bailey** I am not sure. **Amy Gygax** If people could personally save them we would have to clarify what they could be used for. **Karen Bailey** I will ask for copies of their policies. **Amy Gygax** What about Siskiyou School? **Leann Tourzan** I talked to a board member that said they buy insurance, and gave me the name of the agent, but didn't get a call back. The school pays it like insurance. **Jane Higgins** Has the finance committee met? What does it look like about what we can afford and where it will come from? **Karen Bailey** Twelve weeks, is about \$10,000, per person, at least. Look at this year, that would have cost us \$30,000. With PERS going up this year, there is nothing left in the budget. **Amy Gygax** I talked to my brother who works in the Portland Public School District, he said they can accrue their sick days, not personal days, and save them up and put it toward time for a new baby, and I think people can donate it to someone else. That might be an option as well. **Karen Bailey** Would you want to keep them, or pool them? **Jane**

**Higgins** I'm not sure what the faculty would want. The benefit I see in pooling is in case of an emergency. My personal preference would be pooling, because you would have more available. Not everyone would need it, so it would add up faster if it were pooled. **Amy Gygax** I'm not sure that we need to ask what the faculty would want. They likely wouldn't all agree, and it could complicate the process. **Jane Higgins** I agree. **Sarah Trujillo** I think pooling would be better. **Amy Gygax** Are there other ideas? I agree that with PERS we can't find a chunk of money, but I think these days that don't get used can get rolled over. **Jane Higgins** We also need to talk about the time. We should decide today how much time, and how much of that can be paid. How many of those days do roll over, usually? **Karen Bailey** We've averaged about \$5000 in the past. About a third of the budget of what is set aside for subs. We can, in the future, put that into a savings. **Amy Gygax** It's helpful for me to think about it using days as the measurement. How many days available, and we can divide them how we want, but instead of just talking about it as money, we can keep track of how many days we have available. It would be good to lay out the idea of the policy as far as guaranteed time off, and amount of days available in the fund. **Kellee O'Shea** How does it get distributed? **Amy Gygax** We also need to figure that out. Would people apply for it? I would say you wouldn't want to give all the days to one person. You might say a certain percentage is available to apply for. From year to year, we would have a different amount of days available. **Monica Rathjen** Will there be any issues of fairness. If it fluctuates from year to year, some people might get more time than others. **Amy Gygax** We will have to specify that it is based on what is available, and there is not guaranteed number of days. If somebody needs it next year, there won't be much available, but if we can wait three years there will be days there. **Monica Rathjen** I wonder, legally as far as opportunity, if that presents any problems. **Jane Higgins** Is it on a first come basis? **Amy Gygax** That is why it would be important to only make a portion available, so that it has a chance to build up. We could even put a cap on it. A certain percentage, up to a certain number of days. That way it is very clear. **Leann Tourzan** Is there going to be a preference, if two things come up at the same time? How will that be decided? And what about part time staff? **Amy Gygax** Do the part time employees have sick days and personal days. **Karen Bailey** We don't budget for subs for them **Amy Gygax** That might be the deciding factor. If they are not paying into. **Karen Bailey** Handwork is the only full time specialty teacher. She gets ten days paid. I think full time should have access. **Amy Gygax** I wonder if we could make a way for some part time employees to have access. That would be something to work out. As far as seniority I don't think we should give preference. IF we have two applications at once we can divide it fairly. **Jane Higgins** disagree with that, I think there should be some seniority. Not necessarily more, but somehow. **Amy Gygax** That will get tricky to define in a policy. **Leann Tourzan** Maybe they apply for it, and it goes to a small team and it is assessed. **Amy Gygax** We would have to allow in the

policy for how we decide who decides that. I can see asking for a minimum amount of time that you would have to work before you could apply. **Monica Rathjen** I feel like legal issues could come into play, if someone felt that they weren't given an equal opportunity, and it was a group of people deciding. You might want a more blanket policy. **Amy Gygax** I lean toward that as well. **Monica Rathjen** What does Medford School District do. **Amy Gygax** They go by FMLA. WE could word our policy along those lines. **Karen Bailey** The question my mind cannot settle is family leave as priority over emergencies. **Amy Gygax** I would aim for no priority, and keep it with even access. **Monica Rathjen** I would lean toward looking at other people's policies, to not reinvent the wheel. We can tailor ours to fit. **Karen Bailey** There is an opportunity to purchase the Oregon School Board Associations Employee Handbook, and get all the policies we need. It includes some model families leave policies, since our Employee Handbook is a disaster. We can add anything to it. **Amy Gygax** I would like to see the Eugene and Portland schools so that we can see what they do. Karen and I did get in touch with a lawyer that specializes in charter schools. Once we get a policy we could have him review it, and see if he sees any red flags. **Jane Higgins** In the FMLA some helpful wording about who would qualify. Some basic requirements for time on the job and hours worked. We could use that. **Amy Gygax** We need to decide the amount of time that we are allowing a person to take off unpaid. There could be two. An amount of time where you can come back to the job you had, and if it's an extended amount of time, you can come back and get a job that may be a different position. It doesn't have to be both. **Kellee O'Shea** Twelve weeks is standard. **Amy Gygax** Do we want to offer more than that? **Karen Bailey** I would like to give more. **Amy Gygax** For how long? **Leann Tourzan** Six months? **Amy Gygax** That's what I was thinking. **Monica Rathjen** For parental leave and emergency leave? **Amy Gygax** This is for parental leave. **Jane Higgins** We need to have two separate policies. I also think six months is not too much for emergency leave. Not all paid, but you could have your job back. Would there be any reason not to offer that? **Amy Gygax** I don't have any problem with that. **Karen Bailey** I can see that as reasonable. You are already losing your paycheck, I think it would be good to make sure that your job is safe. **Kellee O'Shea** Can they claim unemployment benefits? **Leann Tourzan** No, they wouldn't be unemployed. **Amy Gygax** We should have three separate policies, the fund that's available, the parental leave policy that doesn't have funding attached, and the emergency leave that doesn't have any funding attached. On the emergency leave one we would need to really define what qualifies. **Karen Bailey** I think those need to be approved by the director or board. **Amy Gygax** We can use the guidelines in the FMLA for what qualifies for emergency leave. **Kellee O'Shea** The parental would be for mother, or father, for new baby or adoption. **Amy Gygax** We also can include that if people need to start their leave during pregnancy, they can do that. **Monica Rathjen** Would it be six months beginning to end? **Kellee O'Shea** It should be consecutive.

**Sarah Trujillo** In the FMLA it says that you must take it all in the first year. I would think you would want it to be consecutive. **Kellee O'Shea** Think about who you are hiring as a sub, and keeping consistency for the kids. I think six months is a generous thing, but it should be consecutive. Emergency could be different. If you knew that you were going to have a surgery, and you then needed a follow up surgery, it could be based on a doctor's note or recommendation. **Amy Gygax** The parental leave is six months consecutive, and it needs to be in the first year. **Kellee O'Shea** And, it can start before the baby is born. **Monica Rathjen** In the FMLA the parental and emergency policies are combine. The put both in. **Amy Gygax** So we could do the same thing, but replace twelve weeks with six months. **Jane Higgins** Can we wait to make that decision? **Amy Gygax** Oh yeah, but one of those ways, we can just plug in our numbers, and not create a whole new policy. **Monica Rathjen** That way we can pick out what you like and leave what you don't, and tailor it for our own. For instance, this one says, "twelve work weeks during any twelve-month period for the purposes specified above". So, it's not consecutively. **Leann Tourzan** We can go though it on our own, and see how we would edit it, and come back together. **Amy Gygax** I imagine most public schools are going to have pretty standard based on the FMLA. **Monica Rathjen** Since it is the law, you would almost have to use FMLA. **Amy Gygax** Unless you are going to offer more. **Jane Higgins** What we need to figure out is how to word what will be paid. It's nice to be able to say, "six weeks is offered" "eight weeks is offered" instead of having to wait and see what we have, it creates doubt about if the money will really be there. **Karen Bailey** If we started little, like with two weeks. **Amy Gygax** I don't feel comfortable offering an amount. If we are just pooling time, and we don't know from year to year what we have, to guarantee to give something that we just don't have is something I don't feel comfortable with. I feel more comfortable saying, "we have this pool, we are going to track each year how many days are available, and you can apply for this amount of them, up to a certain amount of time." That is my personal opinion. We don't have money to set aside. I know we can't guarantee, or count on a certain amount, but it's, better than saying we can't offer anything. And I feel more comfortable offering what we have in pooled days. **Jane Higgins** That's true, and it could put us more at risk legally, if we offer something and we don't have enough money. **Amy Gygax** The reality is, that it will vary from year to year. **Kellee O'Shea** It is not a guarantee, it's a nice bonus. **Monica Rathjen** This seems to be the stickiest point, and I think calling it a bonus, or something like that. We should look at other policies. I don't know if anyone else is doing it that way. **Amy Gygax** Find the one that has pooling, to see how to word it. **Kellee O'Shea** We had one called to Sunshine Fund, you could even gift your days, and those days were available if you needed them. It was never guaranteed. **Amy Gygax** I don't feel like we can guarantee a certain number of weeks. We're not going to know, especially with PERS going up, to set aside money just in case someone gets pregnant, I just can't see approving that. I

feel good about the extra sick and personal days, because we already have it set aside in the budget. Carrying those over, and keeping track of the days feels doable to me. I would like to offer something. **Jane Higgins** Are we trying to build this fund any other way? **Karen Bailey** I hope so. **Jane Higgins** That could be another possibility, a teacher support fund. **Amy Gygax** If people wanted to fundraise for it. I would still try to divide it into days, so we always know how many days are available. **Leann Tourzan** We thought six months was a lot, but the FMLA says 36 weeks. If there were an issue with the pregnancy, and you had to go on disability earlier, and then took parental leave, and then the child was born sick, and you took a sick child leave, it could be really extended. When we draft it, it could end up being a combination of parental leave, and emergency leave. **Kellee O'Shea** Does it say they could come back to the same job after 36 weeks? **Karen Bailey** I think one year, but not guarantee the same job. **Sarah Trujillo** The possibility is there that they might be able to get their same job back. **Amy Gygax** In a situation like Leann is talking about we could do six months of parental leave, and six months of emergency leave. **Monica Rathjen** What would you do if you had a teacher that took twelve months, and you hired another teacher for that position, and now, everything is full, where are you going to put them? Would you create a new job for them? **Karen Bailey** There are some ideas, like a staff sub, or an assistant, or an interventionalist. **Amy Gygax** We can also hire someone as a long-term sub, so the person that takes over for the teacher on leave would not be guaranteed continuing job. **Monica Rathjen** So it would be a guaranteed position, but not a guarantee of equal paid position **Karen Bailey** That would be hard to do. **Amy Gygax** Maybe we should just stick to one amount of time that you are guaranteed to get your job back, and you just hire a sub for length of leave. This is just the policy, if someone needs seven months, and we want to give them their job back, we can still do that, this is just the minimum, and what we are willing to promise. We can work with individuals that end up needing more time. So I think six months is what we can do for sure. If that is twelve months, and everyone wants to do that, it's fine with me. **Jane Higgins** It is very common for a sub to get hired for six months, and then extend it if needed. **Jane Higgins** If this money doesn't get used, does it get carried over every year. **Karen Bailey** Yes. **Jane Higgins** For a parental and emergency leave we can offer six months, off, and you will have your job held. We will be pooling any leftover sick days or personal days at the end of the year, and it will grow year to year if not used. There is a possibility of growing that fund with fundraising or donations. My other question is what is our goal for when to have this in place? **Amy Gygax** We will need to figure out exactly what we want and bring it to a board meeting as a policy to approve, at least a few more months. It would be nice to have it in place for the start of next school year, but I don't know that we can. It can be our goal, but other things might take priority. Another thing that was asked for by the faculty was to have health insurance paid, in addition to a paid leave. If it's an unpaid leave, we wouldn't be able

to continue the health insurance. **Kellee O'Shea** They would have access to COBRA

**Karen Bailey** Could they keep the same policy, but they pay the premium? **Amy Gyax** Yes. **Jane Higgins** How would that work? If you are leaving and not getting paid, and then have to pay out a premium. **Amy Gyax** If we had a lot of money I would say, we would pay it, I am not against paying it, but it is hard to say we could.

**Jane Higgins** If someone were to apply, and there was enough money to give them six weeks paid, would we pay the insurance? **Kellee O'Shea** We are already paying the insurance, and if you hire a temporary sub, they wouldn't be getting the insurance. We could just keep it. **Amy Gyax** That is a good point. It is already in the budget. We also need remember this is the working group, and not approved by the board. **Jane Higgins** Are you comfortable with me reporting back to the faculty what we have discussed?

**Amy Gyax** Yes, as long as they know this is a work session, and nothing is final. **Jane Higgins** I feel like I need to go back and revisit how long we can say they can come back. I think it could be a year. **Amy Gyax** My concern with that, is that if we had to find a sub for a whole year, we might want to offer that person insurance. **Karen Bailey** Could we hire someone of any quality at all? **Jane Higgins** What if we offered that they could keep insurance for the first six months, and if they wanted an additional six months it wouldn't be with insurance, but they would still get their job back? I feel like that supports the family. To be home, and raise your child is such a gift, and it would not cost us any more money. **Monica Rathjen** When you hire a long-term sub is it usually without insurance? **Kellee O'Shea** Yes. **Amy Gyax** I know we are not taking that insurance money and paying someone else, but some people have their whole family on our insurance, and that is a big chunk of money to be giving somebody that isn't working for a year. Even if it is available, it is expensive to cover. **Jane Higgins** Insurance would be paid for the first six months, and after that, not. **Karen Bailey** That would encourage people to try and come back after six months, if possible. **Amy Gyax** Also, some people are getting paid out their insurance premium because they are covered by a spouse's policy. Those payouts would not be continued. **Kellee O'Shea** Is it hard to find subs that are able to teach the Waldorf curriculum? **Jane Higgins** I don't think it's a big problem **Amy Gyax** We are talking about an entire year of curriculum. **Jane Higgins** But, it also supports the family, and we want to be able to do that, and it doesn't cost us anymore. **Kellee O'Shea** But, it costs the kids. **Jane Higgins** If you can find someone that can sub for six months, you can find someone for a year. **Amy Gyax** Maybe this is one that we think about. I don't feel like everyone is on the same page. **Jane Higgins** It is a good conversations to have. **Kellee O'Shea** I see your point, and yes, what a gift that would be, but on the other hand, as a teacher, there is an obligation to the class. Especially in your case, since you stay with the same class. I don't know how you would find someone that is qualified. **Jane Higgins** There are traveling teachers, people want to come into the valley. I think if you need it, it will be there. We have been able to do that. **Kellee O'Shea** What is the

longest sub we have had? **Karen Bailey** Four months. **Leann Tourzan** The Siskiyou School recently has had a longer one. A lot of their assistants' step into the lead, and since they don't have the same requirements from the district they can do that. **Jane Higgins** You give a lot as a teacher, and your family suffers. I think it would be so great to be home, and know you can come back. I do think we can take care of the students and the new parents. **Karen Bailey** We are looking at a nine month year, in terms of the children, it's almost better to have one for nine months, then one for six months, and then a change. I am not feeling like it is a huge difference. **Amy Gygax** It also will depend on when in the school year the need arises. **Leann Tourzan** The long term subs can also end up being hired long term, like Mr. Trillium. **Karen Bailey** It could be a foot in the door for new teachers. **Jane Higgins** Do we want to sleep on that one? **Amy Gygax** I feel fine with a year. It is the insurance piece that I'd like to think about. If we are investing in someone for that year, and they don't end up coming back, that's a lot of money. **Jane Higgins** If we don't pay insurance, could that money go into the teacher support fund? **Amy Gygax** I would say we would want that to go into our contingency fund. For me, we are so short on money all the time, even if we wouldn't be paying that to the sub, it's a lot, I want to think about it from a financial picture. **Monica Rathjen** How could this affect the eighth-grade teacher? After sabbatical, what would be their guaranteed position? **Karen Bailey** After sabbatical they get first shot at first grade. **Amy Gygax** We don't have anything in writing as a guaranteed. There are some things for us to think on. **Jane Higgins** At our work session what do we want to do? **Karen Bailey** I will send out a document to go over. **Amy Gygax** At some point, we can shift it over to working during a regular board meeting.

#### **IV. Meeting Adjourned**

**a. Amy Minutes submitted by: Sarah Trujillo**

Minutes approved by: \_\_\_\_\_

Board President