



MALDEN PUBLIC SCHOOLS HUMAN RESOURCES ASSESSMENT

January 2013

OVERVIEW

The Malden Public Schools is a Massachusetts public school district consisting of 7 schools and approximately 6600 students and 760 staff, including some 430 teachers (DESE: 2011-2012). The 7 schools include 1 high school, 5 K-8 schools and 1 early childhood center. The district's central office cabinet includes the Superintendent of Schools, the Assistant Superintendent of Schools, a part-time Acting Business Manager, and the Administrator of Pupil Services. The Superintendent's Leadership team includes the central office cabinet, school principals, and the district's curriculum directors.

At the request of the Superintendent of Schools, Dr. David DeRuosi, HR School Solutions was asked to submit a proposal for the audit and assessment of the district's human resource (HR) management practices, procedures, and processes. Traditionally, human resource management practices include a wide variety of areas: recruitment, hiring, induction and retention, staffing, employee non-renewals and dismissals, licensure, HR information systems, performance evaluation, employee and labor relations, legal compliance issues, substitutes, employee benefits, and communication/coordination with municipal offices, where appropriate.

Two HR School Solutions Principals, Don McCallion and Dr. Ray F. Shurtleff, conducted a series of interviews with 12 district personnel and the City of Malden's Director of Human Resources (see Appendix A). Most of these district personnel had one or more of the HR management responsibilities identified above. At the conclusion of each interview, we asked each person to fill out an HR Functions Audit Checklist by checking any function that they currently perform in one or more of 12 areas of HR management procedures (see Appendix B).

The audit and assessment also included a review of the teachers' association contract, with an eye on recommendations that might improve the human resource management procedures of the district, and, finally, a review of the district's organizational structures that exist to deliver and support highly effective human resource management practices, procedures, and processes.

ANALYSIS OF INTERVIEWS

During this process, the two HR School Solutions Principals spent about 30-45 minutes with each staff member and considerably more time with the Superintendent and Assistant Superintendent over the course of the interview process. We were interested in gathering information about the role and responsibilities each individual has in the areas of human resources and personnel functions and, of course, learning as much as we could about the operation of the district's human resource functions, both current and past, where appropriate.

We come away from these interviews very impressed with the dedication and commitment of these Malden Public Schools employees, especially given the fact that there actually is no central HR office in the district. Many of these interviewed employees carry out multitude HR management functions without specific support or guidance from an HR decision-making specialist, with the obvious exception of the Superintendent and Assistant Superintendent who carry out these responsibilities at times in addition to their other significant district instructional leadership roles.

ANALYSIS OF HR FUNCTIONS AUDIT CHECKLIST

We collated the checklists from the 12 district personnel and analyzed the summary with the goals in mind to assess whether the right people (or too many people) were performing these HR functions and what functions in particular were not being supported. This analysis aided us in our commendations and recommendations sections in the conclusion of this report. As noted in Appendix B, there are some 12 areas of HR management procedures and a total of some 90 functions identified. These areas and the respective number of functions include:

Recruitment (8)
Hiring (7)
Induction and Retention (5)
Staffing Issues (10)
Non-Renewals/Dismissals (4)
Licensure (4)
Human Resources Information System (6)
Performance Evaluation (13)
Employee/Labor Relations (10)
Legal Compliance Issues (14)
Substitutes (7)
Benefits (2)

There are two important themes that emerge from this audit checklist analysis:

- Certain critical HR district functions are not currently being carried out at this time by any of these individuals interviewed. These functions are in the areas of recruitment,

staffing issues, licensure review, legal compliance, and civil service overview. We will be more specific in our recommendations section of the report.

- Clearly, the HR Administrative Assistant and one or more school principals carry out a large number of typical HR functions, with great care and precision. Later this spring and next year the Assistant Superintendent will take on more HR functions, in addition to her instructional leadership and evaluation responsibilities. However, the one individual who checked off the largest number of HR functions was the Superintendent of Schools. It is quite apparent that the Superintendent of Schools has far too many HR functions for a Superintendent. We will comment more specifically on this in our recommendations section.

ANALYSIS OF MALDEN EDUCATION ASSOCIATION UNIT A CONTRACT

There are sections of the current Malden Education Association contract that should be reviewed to determine if they are having an adverse impact on the recruiting and hiring process.

Article 9 - Teacher Employment

9.05 This section references at least a 30-day notice if a teacher is resigning. It would be helpful for planning, recruiting and budgeting purposes if this notification language could be improved so resignation notifications would be made before the spring recruiting season begins.

Article 10 - Teacher Assignment

10.05.03 This section appears to give seniority rights within the non-professional status teacher group during the reduction in force process. Typically all teachers without professional teacher status are considered as equal during the rifting process without regard to seniority.

10.05.04 This section requires the district to notify a teacher being laid off no later than May 15. State statute requires teacher be notified of layoff by June 15. The district should consider agreeing to use the state notification date, which will give more time to analyze the information that may have an impact on this important decision.

Article 11 - Transfers

11.02 This section states that teachers must submit their requests for a voluntary transfer by May 1 and that request is valid through August 15. Vacant positions should be posted in the spring and all staff should have the opportunity to apply for those positions. To wait until May 1 before being able to fill vacant positions is too late in the hiring process.

Article 12 - Vacancies and Promotions

12.06 This section gives a preference to current employees in filling vacancies all things being equal. Unless the district is in a reduction in force situation, it should be the position of the district to hire the most qualified individual whether or not they are currently employed by the district.

12.08.06 This section refers to an “annual pool” of current employees who wish to apply for open positions. The pool is created no earlier than the last five workdays of the school year. It appears the creation of this pool could mean that hiring in Malden would not begin until mid to late June. In order to consider the largest number of qualified candidates for positions, the posting and hiring process should begin in the spring

Another paragraph states that positions which are filled after October 15 must be included in the list of vacancies that are posted for the “pool” to consider in June. If you are not in a reduction in force situation and the employee has been evaluated as worthy to continue in the district, reposting their position in June seems to be unnecessary and demoralizing.

Additionally, there is a paragraph that states that if a unit member elects a position in the “pool” they are encouraged to meet with their principal to discuss the new assignment. This would imply that principals are not the hiring authority for positions in their building. This runs counter to the statutes adopted in the Education Reform Act of 1993, and subsequent legal cases in support of those statutes.

Article 14 - Teacher Evaluations

This entire section needs to be rewritten in light of new regulations and procedures adopted by the Board of Elementary and Secondary Education.

Article 19 - Retirement

This section gives a \$100 bonus per month if an employee gives a ten-month notice they are retiring. Any benefit such as this should be coupled with the employee retiring at the end of the school year to maintain continuity in the classroom.

Article 21- Extended Leaves of Absence

21.02 This section requires at least a 60-day notification to request an extended leave of absence. Conceivably this could mean that an employee notifies the district at the end of the school year for a leave of absence the following school year. From a recruiting and hiring standpoint, it would be far better if the notification language would contain a specific date in the spring to request the extended leave.

21.03.02 This states that an employee returning from a yearlong leave will be placed in the position they left. From a district wide perspective, it would be preferable to have the individual returned to a comparable position in the district not necessarily the one they left.

Appendix A - Early Retirement Incentive Plan

This section gives a substantial bonus to retiring employees who give one to three years of notice. Since the ages stated in the paragraph are 55 to 62, it appears that this has been interpreted that the employee must retire no later than their 62nd birthday. Just as stated in Article 19, any bonus program should be structured to encourage retirement at the end of the school year to maintain the continuity in the classroom

COMMENDATIONS

- **School and District Effectiveness**

The Massachusetts Department of Elementary and Secondary Education (DESE) and its Center for School and District Accountability has developed district standards and indicators that can be used to evaluate school and district effectiveness. Using the lens of HR standards and indicators, it is our assessment that the Malden Public Schools should be commended for:

- An atmosphere of collaboration between the Superintendent of Schools and the leadership of the Malden Education Association, as exhibited by their regular communication on educational opportunities and challenges. A prime example of this collaboration, and that of the School Committee also, is the district's participation in the Massachusetts Educational Partnership's District Capacity Project, and their focus on the district's Innovation School, the S.T.E.A.M. Academy
*(Together with the superintendent, the school committee creates a culture of collaboration and develops contracts and agreements, which encourage all stakeholders to work together for improved student achievement. **Standard I. Leadership, Governance, and Communication**)*
- The Superintendent of Schools has developed an effective school leadership team that is focused on student achievement.
*(The district takes action to attract, develop, and retain a school leadership team that ensures staff understanding of and commitment to the school's mission and strategies, supports teacher leadership and a collaborative learning culture, focuses time and resources on instructional improvement and student learning through effective use of data for improvement planning and management, and uses supervision and evaluation practices that assist teacher development. **Standard I. Leadership, Governance, and Communication**)*
- The Superintendent of Schools has supported the principals' hiring authority and has allowed them autonomy in staffing their schools consistent with school and district needs.
*(The district ensures that the principal has the authority, guidance, and assistance needed to make staffing decisions based on the school's improvement plan and student needs. **Standard IV. Human Resource Management and Professional Development**)*
- The Superintendent of Schools and the Assistant Superintendent of Schools have successfully begun the process of implementation of the new educator evaluation regulations that is "informative, instructive, and used to promote individual growth and overall effectiveness".

School leaders regularly use research-based supervision and evaluation processes that focus on improved student learning. ...The district's evaluation procedure for teachers' performance fulfills the requirements of the Education Reform Act. The district provides struggling teachers with opportunities for additional professional development and support; it uses due process to take action against persistently low-performing staff. Standard IV. Human Resource Management and Professional Development)

- **School District Website**

The Malden Public Schools has a website that is up-to-date, informative and well designed. The potential for this site as a recruitment and communication tool cannot be overlooked. Although the “Employment” link could perhaps be placed in a more visible space closer to the top of the page, it does connect to the software that the district uses for its applicant tracking system. This software, AppliTrack, is used in a number of school districts in the Commonwealth and nationally. The district personnel seem to be pleased with this system. As noted above, the most outstanding communication tool on the site is Google Translate, which allows the English text on the website to be instantly translated into a number of different languages.

- **Dedicated, Hard-Working Staff**

We have been impressed with the dedication and commitment of the staff interviewed as part of this audit and assessment. While the focus of our inquiries were on the HR management functions of the district, it is clear that these individuals approached their work with a sense of professionalism, despite being understaffed and at times being forced to be in a reactive mode rather than a planning mode, as far as HR issues were concerned.

RECOMMENDATIONS

During the interview and audit checklist process, we have learned a great deal about the HR management practices, procedures, and policies of the Malden Public Schools. Our recommendations are designed to help the district achieve their maximum potential in the areas of strategic human capital management. We hope that these recommendations will be viewed as constructive and helpful in improving the effectiveness of the HR functions of the district, and should certainly not be viewed as criticism of any individual(s), past or present.

- **Development of a District Recruitment Plan**

Not unlike most districts in the Commonwealth, the Malden Public Schools does not have a well-defined recruitment plan, which should be the map for the district in the attracting, recruiting, developing and retaining a highly effective and diverse educator workforce.

This recruitment plan should include, at a minimum, include the following: the recruitment goals for the district, an outline of financial and staffing resources, the key recruitment strategies and activities that will be used, and the criteria that will be used to assess the success of the recruitment plan.

While the 2012 teacher turnover rate for the district (8%) was less than the state average (11.6%), there needs to be an analysis done as to the reasons for this turnover, if only to help address the development of a recruitment plan. Of particular concern is the obvious problem of late hiring in the district, as noted above. Although a number of school districts in the Commonwealth still do late hiring, particularly in urban districts, it is clear that the strongest candidate pool, particular in the hard-to-staff areas, is in the spring as opposed to the summer.

The district recruitment plan should also be very specific around an aggressive outreach to candidates in local colleges and universities and a wider distribution of available vacancies in the district. Although the district uses the Massachusetts Association of School Superintendents' website for posting vacancies, along with its own AppliTrack postings, it can and should be much more aggressive in its outreach. The Malden Public Schools, as an urban school district, can be an attractive alternative for candidates looking to teach in a diverse school environment. Malden should be more visible at local recruitment fairs and college and university career service offices. Several years ago the district hosted its own recruitment fair. One can argue that this should be done on an annual basis

Of particular note and concern are the 2012 student and teacher demographics of the district. Some 67% of Malden students are students of color, significantly greater than the state average of 33% students of color. The teacher demographics of the district are similar to the state average. Only 7.7% of Malden teachers are teachers of color, while the state average is 7.0 % teachers of color. Both the district and the state have a workforce gap, which can be defined as a significant difference between the student demographics and the teacher demographics.

As the workforce diversity research indicates, this workforce gap is a clear pipeline issue. However, while it may be difficult to move the needle on the teacher demographics in Malden, the district has much to offer to candidates interested in teaching in an urban environment. Aggressive recruitment efforts should be made to attract a more diverse candidate pool.

- **Development of Hiring Protocol**

A hiring protocol needs to be developed by the district so that all administrators are clear about the process for posting positions, timeline for recruiting, screening candidates, conducting interviews, communicating with candidates, reference checking, building visits, demonstration lessons, license verification, salary placement, etc. Training needs to occur with all administrators once the protocol has been developed.

- **CORI Review and Implementation of the New Fingerprint-based Background Check Legislation**

We recommend that the school system continue to carefully implement, review and monitor the Criminal Offender Record Information (CORI) process for all new and current employees. This process should always be a high priority for every school district. In addition to the current state CORI requirement, effective September 1, 2013 all prospective employees in Massachusetts school districts will be required to undergo a national fingerprint-based background check. All current employees must be similarly checked by September 1, 2016. Massachusetts is last state in the United States to adopt this national fingerprint-based background check. The DESE will be promulgating guidelines for the implementation of this statutory requirement and, like all school districts, the Malden Public Schools must be ready to follow through on this new, important mandate.

- **Tracking Staff Attendance**

Every school district should have an effective staff attendance recording and monitoring system. The research on the effect of teacher absences is quite clear and pronounced – teacher absences have a negative effect on student achievement. We would also offer that all staff absences have a similar negative effect.

The district has begun to improve their staff attendance process and efforts should continue in this area. While school principals are currently responsible for the input of and monitoring of staff attendance, ideally an HR district leader should be responsible for ensuring that staff attendance concerns are being identified and support provided to school principals in addressing any concerns. This also means there should be on-going coordination with business office staff that deal with payroll issues.

We encourage the district to continue to review staff attendance tracking, including the possible use of the X2 system to help with this function.

- **Possible Malden Education Association Unit A Contract Changes to Enhance Recruitment, Hiring, and Staffing in the District**

As noted in the analysis above, we encourage the district leadership and the School Committee, obviously working in collaboration with the Malden Education Association, to explore ways to change contract language, dates and processes that have a potential negative effect on the ability of the district to recruit and hire teachers in a timely manner. These changes should be designed to support the student achievement objectives of the district and to enable the district to compete in the educator marketplace for a highly effective and diverse workforce.

As a final observation in this area, there seems to be a number of side agreements between the district and the Association that have been used in recent years to solve contractual or staffing challenges, many of which seem to be one-year solutions. We encourage the district not to continue to honor past one-year only solutions, if such is the

case, or possibly incorporate these agreements into a successor contract, where appropriate. The bottom line for us is that side agreements should not be used as staffing solutions or policy.

- **Our Final Recommendation: The Malden Public Schools Needs a Full-time Executive Director of Human Resources**

After meeting with the various district and city personnel and listening very carefully to the current HR management processes and needs, it is our recommendation that the district needs a full-time Executive Director of Human Resources, or a similar titled professional central office leadership position. We support that recommendation with the following observations.

It is our view, based upon several decades of work as HR Directors and work with some 30 school districts in Massachusetts, that the Malden Public Schools very much needs a full-time central office, Superintendent's Leadership team-level, HR professional, one who understands both strategic human capital management issues in the public sector and how urban schools and school districts work.

The Malden Public Schools is a mid-size, urban school system with a clear set of instructional and operational challenges and opportunities. It is clear to us that the Superintendent and Assistant Superintendent need a person on their leadership team that can assume singular responsibility for HR management issues in the district. While they both are working quite hard to deal with these challenges, they are spending too much time on HR issues that take them away from their major instructional, leadership and communication responsibilities. As an example, the Superintendent now has the responsibility for the supervision of custodians in the district and has had to attend a light-duty hearing related to workers' compensation. In this day and age, with the student achievement needs of the district, these are unheard of responsibilities for a Superintendent of Schools. These types of day-to-day HR and operational-related responsibilities should not have to be carried out by a Superintendent.

Traditionally, although not always the case in prior years in Malden, the important HR responsibilities of a school district include, but are not limited to, the following:

- Identification and recruitment of talented teachers, principals, central office administrators, and other support staff;
- Development of the district recruitment and workforce diversity plans, including coordination with local college and universities
- Induction and retention of talented employees
- District and school staffing and staff development issues
- Educator licensure
- HR information systems and related educator data management
- Employee performance evaluations
- Support for school principals on HR issues
- Employee and labor relations, including working closely with all union leaders on related contract management issues

- Support for employee contract negotiations with unions and non-union personnel
- Coordination with the district's legal counsel on personnel and labor relations issues
- Employee misconduct investigations
- Coordination with the district's business manager on all HR-related issues, including payroll and staff attendance
- Recruitment and hiring of substitutes
- Communication and coordination with the City's HR Director and HR office, where appropriate
- Working with external stakeholders in the community on workforce-related issues, including business leaders, parents and city officials, where appropriate.

These responsibilities need to be supported by a single HR professional, as identified above. Currently, there is a dedicated and skilled HR Administrative Assistant who has some, but not all, of these responsibilities. Too many of the other responsibilities are spread out among other employees, and, in particular, the Superintendent, as also noted above.

As noted above, working on with external stakeholders is an important HR responsibility. In this case, a full-time HR Director will help improve communication with the city offices, particularly the Malden Human Resources office. Given the current interaction between the City's HR office and Malden school department employees, this coordination, communication and support is quite critical.

We also recognize and understand that there are some on-going challenges with the business and operational needs of the district. It has not been in our purview to necessarily analyze those issues, but it is clear that some of them are personnel-related. It is our experience that every school district needs a strong and effective school business administrator. In our brief time with her, it is apparent to us that the current part-time business manager is a talented business administrator. If she were to become a full-time employee, the district would clearly benefit from her skills and experience. As a final note, in the districts we have worked in or consulted with, either a facilities director or the school business administrator supervises the custodial staff. This would be our recommendation for Malden also.

However, if this recommendation for the custodians' transfer from the Superintendent to the school business administrator is not feasible at this time, then we would recommend that this custodial supervision responsibility be incorporated into the HR central office professional position. The traditional HR director often works closely with custodian union leadership and principals on personnel-related issues and custodial grievances. Thus, this operations responsibility could easily be incorporated in to the HR professional's job description. Given this scenario, the new position title might be called the "Executive Director of Human Resources and Operations".

We look forward to reviewing this report with the Superintendent of Schools. We are also more than willing to discuss our recommendations with the Malden School Committee.

APPENDIX A

Malden Public Schools HR Assessment Interview Schedule

<u>Name</u>	<u>Title</u>	<u>Interview Date</u>
Maura Johnson	Administrator of Pupil Personnel Services	October 31
Dana Brown	Principal, Malden High School	October 31
Tom DeVito	Principal, Ferryway School K-8	October 31
Carol Keenan	Principal, Salemwood School K-8	October 31
Rich Bransfield	Principal, Linden STEAM Academy	October 31
Thong Phamduy	Director of IT and PIC Services	October 31
Toni Mertz	Acting Business Manager	November 26
Marguerite Gonsalves	President Malden Education Association	November 26
Marie Lucey	Central Office Administrative Assistant	November 26
Janice Donovan	Payroll – Business Office	November 28
Dave DeRuosi	Superintendent of Schools	November 28
Kelly Chase	Assistant Superintendent of Schools	November 28
Eleanor Cushing	City of Malden Director of Human Resources	December 12

APPENDIX B

Audit Checklist			
Names of Responsible Staff Members			
Recruitment			
Creating Job descriptions for Vacancies			
Advertising Vacancies			
Review Contractual Requirements re: Hiring Process/Posting Time			
On-line application system			
Development of District Recruitment Plan			
Scheduling of Campus Interviews			
Scheduling of regional/state job fairs			
Workforce Diversity Plan			
Hiring			
Personnel Action Forms - Hiring Managers (Principals, others)			
Scheduling of Central Office Interviews for Principal Recommendations			
Principal Recommendation/ Superintendent Approval of New Hires			
Licensure Review for all recommended new hires			
Preparation for letters of appointments or contracts for new hires			
Preparation for new/current Principal contracts			
Preparation for non-aligned Central Office/Districts contracts			
Induction and Retention			
Preparation for district and school orientation programs			
Assignment of mentors for new teachers and administrators			
Overview responsibility for induction/mentoring program			
Development of school and district teacher retention plan			
Development of succession plan for future leadership vacancies			
Staffing Issues			
Preparation and updating of district and school organizational charts			
Review of Supt Checklist for HR-related issues/events			
Monitoring all Educator Data for District as required by DESE			
Identifying vacancies			
Identifying new positions through budget process			
Transfers - voluntary and involuntary			
Requests for leave of absence			
Returns from leave of absence			
Notice to Teachers who achieve PTS			
Position control and data interface with payroll			
Non-Renewals/Dismissals			
Decisions on renewal of non-PTS teachers			
Preparation of non-renewal and /or RIF letters			
Overview of delivery of non-renewal/RIF letters			
Letters of reasonable assurance for substitutes and 10 month employees			
Licensure			
ELAR input			

Application for DESE Waivers			
Long-Term Substitute Waivers			
Licensure review of all educators in district			
Human Resources Information Systems			
EPIMS reporting to DESE			
HR Website Updates/Monitoring			
Employee Attendance			
Employee Database, including attendance tracking			
Employee attendance review			
Monitoring substitute teacher costs			
Performance Evaluation			
Performance evaluation training for all supervisors			
Teacher performance evaluation implementation			
Teacher performance evaluation tracking			
Custodial performance evaluation implementation			
Custodial performance evaluation tracking			
Secretarial performance evaluation implementation			
Secretarial performance evaluation tracking			
Principal performance evaluation implementation			
Principal performance evaluation tracking			
District/Central Office Administrator performance evaluation implementation			
District/Central Office Administrator performance evaluation tracking			
Other district/school administrators performance evaluation implementation			
Other district/school administrators performance evaluation tracking			
Employee/Labor Relations			
Employee misconduct investigations			
Coaching principals and other managers on disciplinary processes			
Preparing disciplinary letters for principals and superintendent			
Communication with district legal counsel re: personnel matters			
Scheduling regular meetings with union leaders			
Contract negotiations			
Compensation review			
Processing of grievances			
Communicating with union leaders			
Employee Assistance Program Communication			
Legal Compliance Issues			
FMLA			
Decision on need for independent medical exams			
Fair Labor and Standards Act			
Compliance Training - Harassment, Civil Rights, etc.			
Implementation of iCORI Process			
CORI review			
Personnel Records Management			
Records Retention			
Monitoring and review of SC policies as regards district personnel matters			
Civil Service Appointing Authority			
Civil Service Overview			
Workers Compensation			

Required Postings			
Sexual Harassment Policy			
Substitutes			
Substitute Recruitment			
Substitute Interviews			
Substitute Calling			
Overview/Monitoring of Subs Online			
Long-Term Substitute Hiring			
Long-Term Substitute Waivers			
Long-Term Substitute Notice to Parents			
Benefits			
Health Insurance			
Other Contractual Benefits			
HR School Solutions 2013			