

SHAKER HEIGHTS PUBLIC LIBRARY
Board of Trustees
Regular Meeting
November 18, 2024

Attendance

Members Present: Dr. Barnard, Mr. Cicarella, Ms. Cole-Kelly, Dr. Rogen,
Ms. Tendulkar, Mr. Turner, Mr. Yépez

Staff Present: Ms. Ritchey, Ms. Switzer, Implementation Team

Mr. Cicarella called the regular meeting of the Shaker Heights Public Library Board of Trustees to order at 6:31 p.m. at the Main Library.

Roll Call: Dr. Barnard, Mr. Cicarella, Ms. Cole-Kelly, Dr. Rogen, Ms. Tendulkar,
Mr. Turner, Mr. Yépez

Community Comment

None.

President's Report

Mr. Cicarella and Ms. Switzer introduced Human Resources Officer Nadav Marcus.

Mr. Cicarella appointed Ms. Tendulkar and Dr. Rogen to the 2025 Nominations Committee.

Presentation: Beth Darmstadter and Ellen Barcus, Family Connections

Ms. Darmstadter and Ms. Barcus shared information regarding the Family Connections services at the library and within the community.

Consent Agenda

- Approval of Minutes – October 21, 2024 Regular Meeting
- Financial Statements – October 31, 2024
- 2025 Property Tax Advance Resolution
- Gifts to be accepted and appropriated to the designated funds

Ruth Levenson Fund (219-6110)
Allison & Aaron Williams \$2,500

General Fund (101-6510)
Jacobson Multimedia, LLC \$25

2024-36 Dr. Barnard moved, and Ms. Cole-Kelly seconded the motion to accept the consent agenda items as submitted.

Roll Call: Ayes: Dr. Barnard, Mr. Cicarella, Ms. Cole-Kelly, Dr. Rogen,
Ms. Tendulkar, Mr. Turner, Mr. Yépez

Nays: None. Motion carried.

Fiscal Officer's Report

A. Third Quarter Cleveland Foundation Statement

Ms. Ritchey presented the Third Quarter Cleveland Foundation Statement.

Director's Report

A. Director's Report

Ms. Switzer shared her written report.

B. 2025 Staff Professional Day and Quarterly Staff Training

Ms. Switzer presented the proposed schedule for closings for 2025 staff training.

February 21, 2025	Quarterly Staff Training	Open both buildings 10:30 am
May 9, 2025	Quarterly Staff Training	Open both buildings 10:30 am
September 19, 2025	Staff Professional Day	Library Closed
November 21, 2025	Quarterly Staff Training	Open both buildings 10:30 am

2024-37 Ms. Tendulkar moved, and Mr. Turner seconded the motion to approve closing the library on September 19, 2025 for Staff Professional Day and delay opening both buildings until 10:30 a.m. on February 21, 2025, May 9, 2025, and November 21, 2025 for quarterly staff trainings.

Roll Call: Ayes: Dr. Barnard, Mr. Cicarella, Ms. Cole-Kelly, Dr. Rogen,
Ms. Tendulkar, Mr. Turner, Mr. Yépez

Nays: None. Motion carried.

C. 2025 Technology Plan

Ms. Switzer presented the Technology Plan for first review.

D. Personnel Policies

Ms. Switzer shared the draft revisions to the Personnel Policy. The approvals were separated into two resolutions.

2024-38 Dr. Barnard moved, and Mr. Turner seconded the motion to approve the Personnel Policy as submitted for all sections except 120 Diversity, Equity and Inclusion Statement, 331 Posting, 441 Promotions, and 750 Respectful Workplace.

Roll Call: Ayes: Dr. Barnard, Mr. Cicarella, Ms. Cole-Kelly, Dr. Rogen, Ms. Tendulkar, Mr. Turner, Mr. Yépez

Nays: None. Motion carried.

The draft revisions to 120 Diversity, Equity and Inclusion Statement included the addition of the statement that "As part of this commitment we will refer to employees by their chosen name and expect all employees to do the same. We will not intentionally use pronouns that are inconsistent with an employee's gender identity."

Mr. Cicarella said that he was not in favor of this statement. He said this language compelled speech and thus violated a ruling by the Sixth Circuit.

Mr. Yépez noted that the EEOC says that intentionally misgendering employees constitutes harassment. He supported the proposed revision because it provides the flexibility of using an employee's name without requiring the use of any pronouns.

Dr. Barnard said she understood Mr. Cicarella's concern and asked if there was another way to respect the right of staff to have their preferred names used.

Ms. Switzer said that in addition to needing to balance following the law and avoiding a hostile work environment, the library also wants to convey to staff that they are safe, valued, and respected.

Ms. Tendulkar shared an example of an employee of another organization who was required to use their legal name, which did not match their gender and was hospitalized from the stress of the situation.

Ms. Cole-Kelly noted that it is likely that an employee who was misgendering another employee would also have other performance and behavior issues that needed to be addressed.

Dr. Rogen suggested that in paragraphs two and four the phrase "(including use of pronoun and chosen name)" be added after "gender expression." Board members agreed to this revised language and deleted "As part of this commitment we will refer to employees by their chosen name and expect all employees to do the same. We will not intentionally use pronouns that are inconsistent with an employee's gender identity" from the policy.

Personnel Manual sections 331 Posting and 441 Promotions address filling vacant positions. Ms. Switzer noted that adding a statement that vacant positions may be posted only internally if a qualified and diverse internal applicant pool is available supports the library's strategic goal of having a workforce that reflects our community. However, "diverse" is not defined or limited to any group and per PM 341, which remains unchanged, the best qualified applicant is hired. Prior to this change the emphasis was on posting internally and at the discretion of the Director, externally.

Mr. Cicarella expressed concerns about the legality of requiring a “diverse” applicant pool. Board members agreed to delete “diverse” from these sections.

Mr. Cicarella recommended deleting the list of disrespectful behaviors from 750 Respectful Workplace. Dr. Barnard expressed concern with deleting the list of disrespectful behaviors because if something is removed from an existing policy, it appears that the library no longer recognizes those behaviors as problems. Ms. Switzer said it was helpful for supervisors and staff to be clear about what behaviors are expected and those that are not acceptable. Mr. Yépez said it was standard to have an illustrative list of behaviors and that the list wasn't meant to be comprehensive. He suggested grouping some behaviors together so the list wasn't as long. Dr. Rogen suggested adding “examples” after “Disrespectful behavior includes, but is not limited to, the following.” Board members agreed to the changes suggested by Dr. Rogen and Mr. Yépez.

2024-39 Dr. Rogen moved, and Mr. Turner seconded the motion to approve the Personnel Policy sections 120 Diversity, Equity and Inclusion Statement, 331 Posting, 441 Promotions, and 750 Respectful Workplace as revised.

Roll Call: Ayes: Dr. Barnard, Mr. Cicarella, Ms. Cole-Kelly, Dr. Rogen, Ms. Tendulkar, Mr. Turner, Mr. Yépez

Nays: None. Motion carried.

New Business

A. Personnel Action

Hired:

Nadav Marcus, Human Resources Officer, full-time, level 26, effective 10/28/2024

Status Change:

Dominic Jones, Youth Services Associate, half-time, grade 18 to full-time effective 10/14/2024

B. Other New Business

None.

C. Executive Session

2024-40 Ms. Cole-Kelly moved, and Dr. Rogen seconded the motion to enter Executive Session pursuant to Section 121.22 of the Ohio Revised Code, to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

[45]

Roll Call: Ayes: Dr. Barnard, Mr. Cicarella, Ms. Cole-Kelly, Dr. Rogen,
Ms. Tendulkar, Mr. Turner, Mr. Yépez

Nays: None. Motion carried.

Trustees entered executive session at 8:11 p.m.

Trustees returned to regular session at 8:45 p.m.

Adjournment

Since there was no further business to discuss, Dr. Barnard moved, and Mr. Turner seconded the motion to adjourn the regular board meeting at 8:45 p.m. and trustees unanimously agreed. The next regular meeting of the Shaker Heights Public Library Board of Trustees is scheduled for Monday, December 16, 2024 at 6:30 p.m.

Thomas Cicarella, President

Susan Ritchey, Fiscal Officer

Bruce Rogen, Secretary