

SPECIAL BOARD OF EDUCATION MEETING

GRIEVANCE HEARING

THURSDAY, JANUARY 26, 2017

6:00 PM PERSONNEL CONFERENCE ROOM

MINUTES

BOE MEMBERS PRESENT:

Roxanne McKay, Kathy Castelli, Shauna Glidden, Karen Hlavac, Patrick Reynolds, Mike Votto, Amanda Doerr

STAFF MEMBERS PRESENT:

Sal Menzo, Cindy Lavalette, Lou Faiella, Maria Marcarelli

Secretary: Sharon Bukowski

Present: Legal Counsel: Rebecca Santiago

Present: WEA: Mike Breen

Agenda: Discussion and Possible Action Regarding W.E.A. Grievance

Rebecca Santiago (RS) stated that this is a public meeting and there will be a closed session for deliberation with the committee reconvening to take a vote.

CALL TO ORDER

Roxanne McKay called the meeting to order at 6:10 pm.

Michael Breen (MB) presented the WEA grievance. He passed out supporting papers and thanked everyone for attending. He stated that the grievance at issue is the Grades 3, 4, and 5 teachers being required to remain with the Library Media Specialist (LMS) when in Library special. The WEA position is “no”. Michael cited Article 12.5 of the union contract stating that “in elementary schools, when the teaching specialist has taken charge of the classroom..... (The teacher) is free to leave the classroom...” He stated that LMS’s are teacher specialists by definition – that LMS’s are specials teachers as specified in the state certification documents and evaluation documents, similar to art, music, etc. teachers. He also cited Article 12.6 that was added in 2006 that stated that Grades 1-2 teachers as having prep time during Library time; the Grade 3-5 teachers had preparation time during STEP time. Michael stated that in 2006 STEP was a whole group program for the first time. It has changed since then – STEP is a pull out program so teachers cannot use it as a prep time. He felt this was also affected during the split in grades K-2 schools and 3-5 schools.

The WEA believes that the LMS are teachers that have their own lessons and activities; and therefore, the classroom teachers should be able to use Library as prep time.

He handed out schedules for all specialists to show that LMS were scheduled like all other specials’ teachers. They all have their own lessons/activities and curriculum.

He said there are no exact previous examples but in a grievance in 1984, Mr. Inglese stated that “for relief duties... Library could be considered prep periods...” No need for the classroom teachers to stay.

He stated that prep time is enormously valuable to teachers to do grading, prepare lessons, and communicate with specialists and teachers and parents, meet the increased demands each year. He believes that this “extra” set of hands and eyes in the back of the room is not necessary and that the teachers will continue to collaborate on some projects with the LMS. They are not asking for any changes to the current schedules and no reassignment of personnel.

Rebecca Santiago stated that in Article 12.7 it is stated that “...all elementary teachers shall have four preparation periods per week.” She verified with the WEA that they are currently receiving 4 prep periods per week.

MB said yes but that is a minimum number of prep periods and not to be construed as the maximum number.

RS asked if the teachers were leaving the Library now.

MB said yes they are.

RS asked if they are an extra set of eyes and not part of the lesson.

MB said that is correct, that is our teachers’ experience, some collaborative tasks occur but they are an extra set of eyes.

Lou Faiella (LF) stated that he does not collaborate on LMS’s lessons that she has her own lessons. He said he just makes sure kids are on task and he would also like another adult teacher in his classroom too. He feels that going to the Library to be tasked with being an extra set of hands makes him feel useless.

RS asked for schedules from this year as the ones handed out were from 2012.

LF stated that he wanted to show that Library has always been a special and always been scheduled as a special. He went on to state that things changed during reconfiguration and that things became “muddy” when the grades were split. They had 7 specials some years, 6 specials other years. He stated that 4 was never intended to be the maximum number of prep periods. They do not have STEP prep periods any more but they do have Spanish.

RS asked for evidence that calls Library a special and are teachers a teaching specialist?

Lou provided his 2017 schedule where Library is listed as a special.

RS asked the administration to respond so they can deliberate.

Roxanne McKay asked to verify that this grievance is specific to Grade 3-5 teachers due to the language in the contract.

Mike Votto asked why this was not brought up in negotiations that recently finished.

MB stated that they are not looking to change the contract but interpret it.

Cindy Lavalette presented Administration’s interpretation:

She stated that Article 12.5 applies to specials. Library is not a special. Article 12.6 supports it, explains there is separate language for library time for K-2 schools – those classroom teachers are free to leave. Grades 3-5 are covered in Article 12.5 – in grades 3-5 Library is not a special. She passed out a packet including statements from Librarians' perspective and from Grade 3-5 teachers that prefer to stay in the Library. She noted that these letters were not solicited by Administration. Some teachers were worried about retribution from the Union so their names have been redacted.

RS - Lou presented his perspective and these documents present another perspective.

LF – LMS have their own curriculum and lessons that are not collaborative. He wanted to be clear that he will continue to collaborate during his LA block and to work with LMS to do research and that is not part of the grievance

Sal Menzo – read part of some letters

RS – The Administration point of view is that the contract separates Library from other specials, that K-2 teachers are released but it is not the intent of the contract to let off other grades; therefore, the language of the contract should prevail. She clarified what Cindy Lavalette stated that Article 12.6 explicitly addressed Library and specifically states how Library is handled; it grants prep time for Grade 1-2 teachers whether it is considered a special or not.

Kathy Castelli asked if both section 12.5 and 12.6 were added at the same time.

MB stated that 12.5 was in at least from 1978 and 12.6 was added in 2006. He said that the reconfiguration and change from STEP to a pull out changes the application of the language. Grade 1-2 teachers and Grade 3-5 teachers are not on the same schedules and Grade 3-5 teachers no longer have STEP.

RS – stated that the WEA did not make the change during the very recent negotiations and the contract states in plain language that Grade 1-2 teachers are released.

LF - Library became a weekly special in the K-2 schools and Grades 3-5 got weekly STEP therefore it had to be delineated in 2006. It was stated that we did not have to be in Library.

Mike Votto asked when it changed.

LF stated that is the question? He felt it was 2010 – 2011 when reconfiguration happened and they went to a six day schedule. He said they were dealing with new schools, new schedules and some teachers still did not go to Library – it has been a mixed practice for years.

Roxane McKay asked why they didn't bring it up in negotiations.

LF stated that they had 4 training days in a previous contract from 4:30 – 6:30 for 25 years that were never done. He stated that in 2010-2011 Sal saw it in the contract and held them to it after all those years.

Roxane McKay questioned that if it has been unclear since 2010 – 2011 why didn't they bring it up before this time.

Maria Marcarelli stated that due to the increase in teacher workloads, it stands out more now as time is an issue; quality differentiations/behavior not dealt with before, cutbacks to staff, more prep time is

needed to better prepare and changes to report cards, all added on to Grade 3-5 teachers – they feel it is time they can use

LF stated they are looking at contract with fresh eyes too

MB repeated that they are not looking to change contract

CL said but yes you are

LF said it is past practice

Shauna Glidden asked you don't go all the time now? So if that is the practice now why is it an issue if you already can leave now?

LF stated that they are not disciplined by principals but new teachers have no history and are afraid to not go to the Library; he said that most new teachers are more concerned with sick leave and maternity leave than anything else in the contract. He also stated the WEA are grieving it to solidify decision by BOE that teachers are free to leave – to empower them to leave; some teachers are afraid to leave “even though I tell them they can leave”.

Sal Menzo stated that some teachers want to stay.

MB said yes we want to collaborate still but during self-contained curriculum classroom teachers should be able to leave if they are just being an extra set of eyes

Sal Menzo said the letters state that there is value added when present during Library time

MB stated that the teachers can stay if they want to

Pat Reynolds asked why Grade 1-2 and Grades 3-5 are differentiated.

Sal Menzo stated that was because there is a Spanish rotation in Grades 3-5.

Cindy Lavalette added that Article 12 should be taken as a whole and that no subsection should be taken separately – and it clearly states that Library is handled differently

Pat Reynolds asked if they are not changing the contract, why are we here?

RS said it was time to deliberate and decide and that everyone should have a clear understanding of what the issue is

Kathy Castelli asked if it is being handled differently in different schools.

LF said that no one ever said they had to stay in Library. When he went over the subject with Sal Menzo and Cindy Lavalette, they stated that teachers had to stay.

He stated that Library is a special only in K-2 schools; Grades 3-5 had STEP but do not anymore.

Kathy Castelli asked if Spanish replaced STEP.

Sal Menzo said yes it did.

Karen Hlavac asked how many teachers are using the Library regularly.

LF said they meet every other week; LMS teaches the lessons. "I do not collaborate when she teaches her lessons. If I go other times, I collaborate" with Librarian to learn about researching. Students can take books out every day.

Karen Hlavac asked if there is any talk about the lesson beforehand.

LF said there is no collaboration; the LMS teaches her lessons.

Karen Hlavac asked if they ever collaborate.

LF said no; although at times he remembers the lessons from years past.

Maria Marcarelli stated that there is not time in their schedules to collaborate, not that they do not want to.

LF said there is so much more he could be doing instead of watching kids and making sure they are on task; there are no demands on him in the Library, the LMS does the lesson. He does not collaborate with her.

Rebecca Santiago stated that policy decisions are not on the table tonight; the only decision is whether the contract requires the teacher to be there or not.

Mike Votto asked if past practice comes in to it. Some leave, some don't - it does not seem to be an issue; they are not reprimanded by the principal if they do not stay. If principal does not care if they leave, they get 5 preps instead of 4 each week. Sometimes they get 5 preps – which is more than the 4 preps in the contract.

LF – Teachers want to clarify if they should stay since Sal and Cindy are stating that they have to stay.

Shauna Glidden asked if there is a legal definition of teacher specialist.

Rebecca Santiago said it is not in the contract.

Roxane McKay asked if this is once every two weeks.

LF said yes.

Rebecca Santiago asked to recess to deliberate at 7:15 pm

7:40 PM – Meeting reconvened by Roxane McKay

Karen Hlavac made a motion to deny WEA grievance and if approved authorize Shipman and Goodman to draft a letter to outline our decision.

Mike Votto seconded the motion.

Unanimously approved denial motion

7:41 PM – Meeting Adjourned