

CBLT Bargaining Minutes

5/29/20

Virtual: ZOOM

1. Opening Comments

- a. District: Prepared to respond to all proposals presented by CTA on 5/15/20
- b. CTA: Expressed that there is an urgency to continue bargaining during these difficult and uncertain times and hopes that another meeting can be scheduled as soon as next week.
 - Safety, as opposed to convenience, should be our shared focus to not only address working conditions but also the health and protection of our community.
 - CTA reminded the team that a guidance publication from the American Federation of Teachers was provided to the District and hopes that they have had time to review this.
- c. District responded that they agree with CTA's position and will try to coordinate another bargaining date next week. District wanted to remind the group that they still have not received re-opening directives from the state so no concrete decisions can be made, but they are willing to continue conversations.

2. District Responses to Proposals

- a. Article XIV. Duty Day
 - See suggested revisions with District adding "when possible" to language related to long-term, certified subs for non-classroom teachers on long-term leave.
 - District explained that certain qualified personnel, such as a guidance counselor, may not always be available. We also must keep in mind the time it takes to hire and train these positions.
- b. Appendix H. OCVS Instructional Personnel
 - See suggested revisions/ additional language with the District agreeing to extend the potential working hours for virtual instructors.
 - District struck language related to Open Houses as these occur differently than traditional schools and the District suspects that the members' concern may be related to "Call Nights" which occur three times a year.
 - District explained that direct parent/ student contact is required, and teachers are notified of these dates well in advance. Instructors are required to be present from 5-7pm and adjust their 7.5-hour day accordingly, to include these two hours.
 - District struck hotspot language as virtual teachers are not required to work from home. A building dedicated to virtual instruction is available for teachers to use the district Wi-Fi.
 - District struck language related to a supplement because they cannot agree to any revisions with an economic impact. They also pointed out that the only class that typically has more than 180 students is Drivers Education. Furthermore, enrollment in virtual classes is fluid as they are based on completion, not daily attendance, and students complete the courses at varying times.
- c. MOU related to Mental and Emotional Health Education
 - See suggested revisions/ additional language with the District striking qualified Mental Health professionals delivering the course, as well as the provision for on-line instruction. District agreed to language that would spread one-hour instruction over five months and agreed to have instructional representatives selected by CTA review curriculum and provide input. References to teacher evaluation were struck as the District stated these tenets were already included in the signed LOU.
 - CTA questioned if the LOU wording was exact and District responded that they would need to review the exact wording
 - CTA reminded the District that 1000 members of the bargaining unit responded to their Mental Health survey and only 4% of teachers felt comfortable providing the instruction. There currently are 5993 middle and high school teachers, so this sample size is a good representation at 16%.

- CTA went on to question why the additional mental health staff hired with funds from Stoneman Douglas Safety Act, in excess of thirty certified individuals, are not being used to deliver the instruction as this is the Act that mandates the instruction.
 - District stated there are not enough mental health personnel and these staff are used to support the teachers providing the instruction.
 - CTA maintained that based on their survey results the District needs to meet the challenge and find a viable solution. They added that teachers just spent an entire quarter providing virtual instruction and cannot understand why mental health professionals could not successfully deliver five hours of virtual instruction.
 - District stated that they would need to see data from other districts that had success with a virtual delivery model.
 - CTA argued that Orange County should be leaders in the digital age and are feeling like the District is not taking the mental health instruction seriously. Upon returning to school buildings, students are projected to have even greater mental health needs.
 - District believed they were taking this topic very seriously as they have had multiple leadership-level meetings about mental health instruction.
 - CTA reminded District that last year mental health instruction decisions were pushed so close to the deadline that teachers did not have a voice. District needs to hear that they clearly stated they are not equipped to deliver the curriculum and encourages them to read the 79 pages of comments from the survey.
- d. District Proposal #5 Contract Compliance Revisions
 - District asked if CTA was ready to TA suggested contract revisions related to “clean-up” language that do not include any substantive changes, adding that if it was later discovered that it inadvertently included an error (change in substance), they would readdress the change.
 - CTA believes that since the suggestions are within open language that have been passed across the table, then perhaps it is best to wait and address these at the same time.
 - District responded by pointing out that not all their revisions were from open language.
- e. Threat Assessment Supplement
 - District stated they that this proposal is on hold pending better knowledge of the budget.
 - CTA voiced frustration with the District’s responses to financial questions by stating that everything is on hold until they know the whole budgetary picture.
 - CTA maintained that the District should easily be able to provide a figure of money savings from the pandemic, up until this point.
 - District agreed there are savings but stated that there were also expenditures like cleaning supplies. They hoped to have projected dollar savings to CTA within 2 weeks.
 - CTA believed that if this were a priority, the District could supply the information sooner, adding that this perpetuates the message that CTA requests lack importance.
 - CTA added the example of continuing to wait on at least 30 record requests since January, as well as most recently a request for the Budget Workshop PowerPoint. CTA agreed to re-send the list and District did not believe there were that many. They maintained they are not stalling and would send the workshop document right away.
- f. Article VII. Teacher’s Rights and Responsibilities
 - District stated that the CTA proposal related to walkthroughs is too restrictive.
 - After hour concerns are already addressed in Article XIV.
 - Suggested counselor ratios is a huge financial item and they are finding that Orange County’s ratios are in-line with surrounding counties.

- District asked for clarification about proposed language describing the need for referrals in writing for identified instructional specialists, as well as the additional assignments often required from members who are bilingual.
 - CTA believes that they already explained what constituted an emergency (related to referrals) but will respond again if the District provided their questions in writing.
 - CTA also explained that some members, such as bilingual, Spanish speaking, social workers are being asked to translate and interpret meeting with legal ramifications, such as IEP's and 504's, while the District hires trained, certified professionals to serve in this capacity for other languages.
- g. Appendix A-2: Supplement Schedule
 - District posed questions about proposed supplements for non-classroom certified personnel.
 - CTA believes that they already explained the answers to these inquiries but will respond again if the District provides their questions in writing.
- h. Article X. Evaluation
 - District stated that the CTA proposal related to walkthroughs and feedback is too restrictive
- i. Appendix B: Evaluation Manual
 - District stated that the CTA proposal related to school counselors and Safe Coordinators being added to the Marzano Learning Map for Non-Classroom Personnel needed further research as they have heard that many of individuals like being evaluated by the current model.
 - The District planned to survey the applicable staff.
 - CTA stated that they will also do their own survey and suggested the possibility that these members could choose their own Marzano instrument.
- j. Appendix F: Registered Nurses
 - District did not yet have a response to this proposal
 - CTA encouraged the District to bring a nurse to the Bargaining session when we address the re-opening of schools.

3. CTA Amended Proposals & Impact Bargaining

- a. Non-reappointment
 - CTA reminded the group that the District's last position was that they were unable to comment on this topic due to a pending grievance and litigation.
 - CTA contended that this request is different and only applied to this year since as the state has waived the evaluation requirement. A revised proposal that would offer non-reappointed members another placement was presented.
 - District will review and consider.
- b. Re-opening
 - CTA reiterated the critical need to meet next week to address pressing issues including those that impact summer work such as CTE teachers, guidance counselor hours and school psychologists return to work July 1st.
 - CTE students cannot complete clinical portions of course work (such as being observed by teachers drawing blood, wiring electric), due to restrictions within the MOU related to no student contact. Although the state allows for waiving this requirement, CTE teachers are not comfortable doing so.
 - District is willing to carve out additional MOU language to address the specialized needs of CTE students and teachers.
 - CTA wanted to be assured that they will be included in the forefront of re-opening decisions and not brought in late, making CTA appear to be obstructionists.

- District described a multi-stake holder workgroup that was being assembled to address re-opening and 6 CTA representatives have been invited to participate. This group will be brainstorming issues related to: Safety, Instruction, Operations and Work Force.
- CTA appreciated the work group although they believe six CTA representatives is insufficient. This work group should not prohibit bargaining and they have demanded to bargain re-opening three times.
- CTA requested a list of committee members, as well as an answer to why they are limited to six representatives.
- District wanted to remind the group that they still have not received re-opening directives from the state so no concrete decisions can be made, but they are willing to continue conversations.

4. CTA Amended Language & Main Table Bargaining

- a. Article VII. Teacher’s Rights and Responsibilities
 - CTA highlighted new language under letter O. that was signed as a TA on 5/15/20
- b. Appendix F: Registered Nurses
 - Language included the agreed upon reference to 197-day work year
- c. MOU School Counselor Summer Workdays
 - CTA wanted to assure that counselors can work 20 summer days during 2020, which has been past practice (see MOU).
 - District will review and consider.
- d. Article II. Negotiation Procedures
 - CTA withdrew this proposal at the current time to focus on more urgent issues.
 - District agreed and will reinsert their recommended “clean-up language” and forward this updated document to CTA

5. Final Comments Following Caucus

- a. CTA:
 - Not ready to address “clean up language” today
 - Rejected the District Mental Health proposal and planned to prepare a counter proposal.
 - Needed “when possible” reworded in the District proposal related to long-term, certified subs for non-classroom instructional staff.
 - Required time to speak with virtual teachers and review FL Statutes.
- b. District:
 - Will provide the Budget Workshop PowerPoint today,
 - Preliminary projected District savings during the pandemic have been calculated at \$4 million, with larger savings at the school level from substitute teacher savings.

6. Possible next CBLT meetings:

- a. June 3rd
- b. June 11th 10:00-12:00