

CBLT Bargaining Minutes

6/30/20

Virtual: ZOOM

1. District Opening:

- a. They have received CTA's two new MOU proposals and look forward to hearing more details.
- b. They have re-sent their four MOU proposals from 6/22/20, as well as one new one and have sent the answers to questions posed on 6/22/20.

2. CTA Opening

- a. The president read an opening statement (see document) that strongly objected to the District reopening schools during the summer or in August to begin the 20-21 school year.
 - The numbers of individual testing positive for COVID -19 is raging out of control.
 - It is not safe to re-open brick and mortar buildings based on the current medical data.
 - At a recent Town Hall sponsored by OCCTA, over 2000 people were polled and 90% did not feel safe returning to school campuses with students.
 - CTA questions the District's ability to re-open schools safely as they failed to offer adequate or complete responses to numerous questions posed at the last bargaining session on June 22nd.
 - Article VI. K. was referenced: *No employee shall be disciplined for refusal to work in an unsafe or hazardous situation where there is an eminent danger to the employee's health, safety or well-being, provided that this shall not be applicable in any circumstances where the health and safety of students otherwise clearly require employee intervention.*
- b. District reminded CTA that no decisions related to the re-opening of schools has been made.
 - On July 7th at 12:00 the School Board will be conducting a Work Session where Think Tank information, as well as recommendations from the four District workgroups (that included CTA representation) will be shared. A medical advisor will also be communicating information. While the public can attend the session, no comments will be permitted.
 - On July 14th at 5:30 the School Board will hold a meeting to discuss the 20-21 school reopening plan and public comments will be allowed at 4:30.
 - District stated that they cannot respond to CTA's proposal and new proposals being presented today, until the Board has decided how schools will re-open. However, they are willing to hear the proposals and share them with senior leadership.
 - CTA responded by voicing that there is a deep misunderstanding that needs to be addressed. How can the District proceed with plans to provided face-to-face instruction and testing of students in July, which entails "opening" brick and mortar schools, prior to the Board making any decisions?
 - District disagrees with this interpretation stating that participation in face-to face instruction is voluntary for select groups of children in July and has no relationship to opening schools in August. They maintain that their proposed MOUs for summer are very similar to the ones already signed for the school psychologists and CTE instructors, adding that groups of instructional personnel has reached out to the District stating that they wanted to work.
 - CTA requested a list of the individuals that made this request.
 - CTA asked for the District's response to their proposal from June 22, 2020, *PRINCIPLES AND GROUND RULES FOR MAINTAINING LEARNING EXCELLENCE AND A SAFE REOPENING OF SCHOOLS*, as they had promised a written response by the end of last week.
 - District stated that their response is that they are "holding" until the Board has made decisions. They believe that they have implemented safety procedures in the two MOU's already signed. District understands that CTA may not agree with their position and "that is okay."

- CTA argued that the District’s response of “holding” is a nonresponse. CTA repeatedly hears that the District is not ready but the lack of timeliness in their responses is irresponsible and there are no “do-overs” with people’s health.
- District responded by pointing out that CTA had not responded to the District’s four MOU’s from June 22nd, although they had the proposals for eight days. District added that CTA was provided with answers to their extensive questions that entailed reaching out to extensive staff.

3. CTA Responses to District Proposals:

a. ESY for ESE Students (see document)

- CTA has received feedback from parents of ESE students who believe that the District is conducting a “test run” on their most vulnerable students. CTA asked who would be conducting temperature checks (teachers? nurses?) and asked for clarification about School Health Assistant versus Trained District Designee that was referenced in their written response related to who would be overseeing clinics during summer school.
- District stated that School Health Assistant would include RNs and LPNs with numbers hired dependent upon a student’s IEP which are currently being reviewed.
- CTA asked if the District even know who were coming?
- District indicated that approximately 200 parents of ESE students responded to participate.
- CTA asked how many ESE students participated in the four weeks of virtual ESY in June.
- The District will research and provide a response.
- CTA asked if medical grade masks or face shields would be provided for these high-risk students and pointed out that many may not keep masks on.
- The District said they are considering face shields but would research and provide a response. If a student cannot wear a mask, the District will not force them, and they can still come and participate in the July program.
- CTA asked for clarification about the wording “District will provide masks, as needed.”
- District confirmed that the “as needed” would be determined by the employee who may request a mask or prefer to use their own mask.

b. Speech/Language Therapists and Deaf/Hard of Hearing and Vision Teachers (see document)

- District pointed out that this proposal does provide face shields.
- CTA asked about the Custodial Services referenced in this, as well as several other District MOU’s, particularly what COVID-19 training has been provided to these staff? CTA mentioned that custodial services have been reduced over the last ten years and questioned if additional staff has been hired.
- District respondent was not aware of this reduction and voiced that no reduction had occurred over the last two years. The District will research and provide a response related to their training, possibly by today.
- CTA asked how student belongings will be addressed when they bring items to school?
- The District will research and provide a response.
- CTA asked where these referenced evaluations would occur.
- District stated that they would occur at ESE ESY sites.

c. Summer School in July (see document):

- CTA asked about the number of students that would be assigned to each teacher.
- District: 10 students to 1 teacher
- CTA asked what dates are being proposed.
- District: Thursday, July 9th will be a planning day and classes will be held from July 13 – 23.
- CTA believes that the District is ill-prepared to open buildings to student face-to face instruction in July as there are too many unknowns
- District disagreed and voiced that they are happy to provide all details needed by CTA.

- CTA then asked what policies and procedures will be in place for these students, and have parents been notified of these? While CTA finds the District is willing to provide answers, they are very slow coming.
 - CTA provided an additional example of incomplete/ inaccurate information by referencing the school psychologists as they return to work July 1 at an alternative worksite. Many do not feel safe and administration has communicated that staff may use a sick personal day. However, a number of staff contacted payroll and were told that their accounts would not be credited with leave until August. However, contract language affords 4 paid sick days on the first day of employment in the fiscal year.
 - District will research and provide a response.
 - While on the topic of school psychologists, CTA asked the District to please reconsider requiring school psychologists to report to alternative work sites July 1 to complete work that can be done at home, given the explosion of new Covid-19 cases since the memo was signed.
 - a. When the initial agreement was signed on June 16th, there were 2410 new cases of Covid-19. Since then, over the last two weeks, cases have doubled and on some days tripled.
 - b. Staff assigned to alternative work sites will all be reporting at the exact same time to sign in, get temperature checked and obtain room assignments. Psychologists were informed that PPEs would be distributed at staggered times on July 6th and 7th.
 - c. Psychologists were told to start calling parents on July 1 to schedule evaluation appointments for their children but have not been provided detailed logistics as to how Covid screenings will be conducted, testing procedures, student expectations, how materials will be handled and any waivers that may be required.
- d. ESE Staffing Specialists and ESOL Compliance Specialists (see document):
 - CTA asked how many people will be impacted.
 - District will research and provide a response.

4. **New District MOU Proposal: Athletics, JROTC and Marching Band Camp in July:**

- a. See document. District explained that instructors from this affected group reached out to leadership to seek a way to bring students on campus in July for the described programs. Students would be in groups on ten or less and spread throughout the campus.
- b. CTA asked if the District has sufficient staff who has agreed to participate and if their plan had been shared with them.
- c. District reiterated that staff approached the District who then researched options.

5. **Group Testing on Campuses:**

- a. CTA asked about the details for PERT, Algebra 1 and ACT testing.
- b. District responded that ACT tests are separate from the District administered tests (PERT, Algebra 1). ACT hires their own staff, who may be OCPS teachers. Orange County Schools just provides the location.
- c. PERT and Algebra 1 tests will be administered in groups of ten students to one adult and will occur on all high school campuses.
- d. CTA asked how many students and teachers would be participating.
- e. The District will research and provide a response.

6. **District Response to Request for Information: Instructional Personnel Working from July 1 – 30, 2020**

- a. CTA asked for clarification and more specific responses to several questions:
 - 1) Please provide us with the number of students who will participate in these July classes, broken down by category per the three MOUs. **District response:** *This information has not been finalized. We are anticipating approximately 2,100 students.*
 - District asked which three MOUs?

- CTA stated that they were referencing the ones proposed by the District on 6/22/20.
- 2) Will students' parents provide transportation to schools or will students be bussed? If they are to ride busses, how will they be sanitized after each route? How will they ensure social distancing? **District response:** *Busses will be sanitized after each route using established CDC guidance. Children will be placed in a zig zag pattern and seated next to a window. Seats will be marked to show which seats are not available.*
 - CTA finds this response vague and unsafe.
- 5) What medical experts have the District consulted with? Have they provided any written reports or advice? Can we get copies of reports? **District response:** *We have consulted with Nemours and DOH. We do not have certain District leadership has had conversations with a written report.*
 - CTA asked for more details about the medical experts.
 - District stated that we would hear from Dr. Pino, Health Officer for the Department of Health in Orange County on July 7th at the Board Workshop.
 - CTA is displeased that they will only "hear" from this expert but not be allowed to speak or ask questions and asked who had consulted with medical professionals up to now.
 - District responded that conversations have occurred with Dr. Cadilla from Nemours who offered recommendations but cautioned that these could change based upon the course of the virus. No emails or documents were exchanged.
- 9) How will recess be addressed with social distancing guidelines? **District response:** *Our Schedule for students is 8:00 AM - 11:00 AM If recess is provided to students, teachers will apply social distancing guidelines to the extent possible. Class sizes are no more than 10 to 1.*
 - CTA finds this response vague
- 10) How will common toys, books etc. be sanitized each day? **District response:** *Custodians do not clean the toys or books used by the children. Since children are likely to put these items in their mouth; our current custodial chemicals would not be recommended. It is my understanding the teachers wipe with soap and water. The District recommends continuing that practice.*
 - CTA reminded District that the contract specifies that teachers are not responsible for cleaning.
- 15) When will temperatures be taken? By whom? Where? What is the threshold for returning home? **District response:** *Students will have temperatures taken when they arrive at school in the lobby area. Principals have the Standard Operating Procedures (SOP) for conducting these screenings. Principals will select a group of individuals who will manage this process*
 - CTA requested copies of the procedures and asked who would be taking temperatures.
 - District stated that these were emailed at 10:10am this morning and do not believe any bargaining member would be taking temperatures, but details are in the email.
 - CTA stated that they are concerned about everyone taking temperatures, not just their bargaining members and queried how situations would be handled if an employee was not comfortable being directed to take temperatures.
 - District will handle those situations on a case-by case-basis. They will try to use consistent individuals each day who have been trained. At the ELC, the same five people take temperatures each day.
 - CTA stated that it has been reported that teachers have walked onto school campuses without having their temperatures taken.
 - District requested a list of these school sites.
- 16) How will students who become sick or have a temperature be handled? Is there an isolation room in each school? How is it set up and who oversees it? **District response:** *Health Services*

and Safety recommends that the clinic be used for basic first aid, and another room be identified for students who become ill. As in the school year, the School Health Assistant or the Trained District Designee will oversee the clinic.

- CTA asked where nurses fall in this response?
- District suspected that the nurses are “Trained District Designees” but they will seek clarification.
- CTA asked for additional details on how a non-COVID injury, for example, would be separated from a child who is ill, including the mechanics of distancing and contacting parents.
- 17) How many schools have nurses? Will nurses be hired for every work location? If not, who will manage sick children or staff? **District response:** *As in the school year, the School Health Assistant or the Trained District Designee will oversee the clinic*
 - CTA stated that this response was incomplete.
 - District replied that they will try to get answers.
 - CTA stated that parents of children coming to summer school need answers. The questions were submitted a little over a week ago and it was not unreasonable to expect complete answers.

7. CTA proposal: *PRINCIPLES AND GROUND RULES FOR MAINTAINING LEARNING EXCELLENCE AND A SAFE REOPENING OF SCHOOLS*

- a. CTA asked the District why they are hesitant to agree to guiding principles that are very general and provide an ethical, professional platform, to lay the foundation for maintaining dialog during re-opening negotiations. Furthermore, this issue seems to go hand-in-hand with the District’s opposition to the CTA president, who is the elected voice for teachers, the “heartbeat” of OCPS organization, having a permanent seat and voice during Board Workshops. The recent Virtual Town Hall that was hosted by OCCTA, and attended by thousands, has been described as stellar and included commentary from Board members, as well as the Superintendent. There is a great deal of anxiety and uncertainty and our two groups need to work together. Signing these principles is a first step. CTA plans to share these with the community and state that the District will not sign them.
- b. District stated that the principles correspond to the more specific tenets of the Reopening MOU being proposed by CTA. They are eager to hear more about the details. The District continues to review CTA’s Principles document. In response to the Board Workshop, CTA had a chance to provide input during their re-opening workgroup sessions. While District understands that this avenue was more “indirect,” people will have an opportunity to speak at the Board meeting on July 14th. However, the District understands CTA’s position even though they may not agree.
 - CTA stated that the president has been given the opportunity to speak at Board workshops in the past. The upcoming one on July 7th is likely the most important one for CTA input. The only option provided is waiting until July 14th to speak when the District will already have a plan.
 - CTA added that this District position sends the message that CTA is not an integral stakeholder, but rather just an entity that must get in line to speak. In Broward County, a union member is appointed to every task force and is part of decision-making activities.
 - CTA respectfully requests to be an integral partner in the Board Work Session, as well as requests to have both parties agree that schools will not open until the seven principles are met.
 - District will take the request back to leadership and provide a response.

8. CTA Proposal CDC Guidelines MOU

- a. See document. CTA explained that Florida has seen how failing to follow the CDC phased guidelines has proven to be deadly with cases of COVID-19 surging, as well as increases in deaths and hospitalizations. This MOU recommends the gating criteria that has been presented by experts to guide the re-opening of

schools. At this point, Orange County is not even at Phase 1 yet. Schools cannot safely re-open until Phase 2 after mutually being agreed upon with health officials.

9. Voices of the Members

- a. CTA read several emails from members describing their concerns related to the re-opening of schools.

10. CTA Proposal: Reopening MOU

- a. See document. CTA presented an MOU that outlined tenets for the gradual reopening of OCPS schools for the 2020-2021 school year in a manner consistent with the Principles and Ground Rules for Maintaining Learning Excellence and a Safe Reopening of Schools. The proposal begins with Health and Safety being a priority and then moves on to Training which is integral to being safe.
 - Health and Safety: the guidelines presented are intended to be fluid based on the progression of the virus and CDC updates. The concerns of members have been integral in the development of the proposal.
 - Training: there is no way Health and Safety protocols can be implemented without proper training.
- b. District thanked CTA for the comments from their members and asked if those were from the documents sent to them?
 - CTA responded that these were a combination of those sent and new ones as they are still flooding in on a daily basis.
 - CTA also pointed out that they are still waiting for the District to send the comments that they received from the public.
- c. District voiced that the CTA Reopening MOU was a comprehensive proposal and they would need to caucus. They then inquired if CTA intended to respond to their District proposals?
 - CTA said that they want a response to their Principles and Ground Rules, as well as their CDC MOUs.
 - District reiterated that they cannot offer any response until they receive direction from the Board and they understand that CTA may not agree with their position.
 - CTA asked why we keep hearing that there are no reopening plans and then get bits and pieces of plans that open buildings to bring students in?
 - District responded that although we may not agree, District plans for July are distinct and different from reopening school plans for August. These need to be kept separate as the July instructors are voluntary.
 - CTA asked if the Board agreed to the two weeks of face-to-face learning in July?
 - District responded, "no."
 - CTA has heard that administrators are calling teachers to come in and work, not the other way around as suggested by the District.
 - District stated that it was a mix.
 - CTA contends that the July plan is sloppy and dangerous and should never be executed without the Board weighing in. The District is taking huge risks as instruction could be done remotely.
 - District understands CTA's position.
 - CTA reiterated their request for school psychologists to be given the option of working remotely on July 1st. Even though there is a signed agreement, there is nothing that says that it cannot be changed in an emergency.

11. Discussions after Caucus

- a. District plans to stand by the signed June MOUs. Parents want children face-to-face with instructors which contributed to their summer school proposals.
- b. CTA remains baffled as to why the District repeatedly voiced that they are waiting on a School Board directive before engaging in reopening negotiations while creating a July reopening plan without the

Board? Just because parents want face-to-face does not mean they get this. It is not safe and there is no reason to put people in danger.

- c. CTA contends that the proposed MOU related to coaches may not actually be “voluntary” as it is suspected that if coaches do not volunteer to participate, they may lose their supplement. How will the District respond to some coaches volunteering while others may not?
- d. The District will research the coaches pay and supplement and provide a response.
- e. CTA rejected the District’s July proposals and asks the District to consider an additional MOU proposal, passed across the table, that affords the school psychologist the opportunity to work remotely on July 1st.
- f. District asked what would happen on July 6th with discussions ongoing for the remainder of July.
- g. CTA stated that their supplemental proposal was only for one day and the initial proposal would remain.
- h. District rejected the supplemental school psychologist proposal and assured CTA that PPEs will be provided at work sites for the psychologists in the morning (July 1st).
- i. CTA maintains that this District position is mean-spirited. CTA they feels like the District constantly puts CTA up against a wall.

12. Next CBLT meetings:

- a. Tuesday July 7th 9:00
- b. Thursday July 9th 1:30