



PCSB/PCTA Bargaining Meeting

July 22, 2020

Minutes

PCS Administration Building

Room B213

In attendance: Bill Corbett, Paula Texel, Laurie Dart, Nancy Velardi, Joanne McCall, Colleen Parker, Thomas “Lee” Bryant, Mike Gandolfo, Dywayne Hinds, Lisa Freeman, Paula Stephens

In attendance via phone: Brad DeCorte, Juliana Stolz, Janet Cunningham, Latoya Rushing

Meeting was called to order at 9:10am.

Laurie Dart shared that when we spoke the other day Juliana and Nancy stated the MOU didn’t have all the issues they wanted addressed. We also discussed if the MOU needs to be ratified. PCSB stated that this does not need to be ratified. Our agreement states in Article 6 for instances of less than a year, no ratification is needed. Items in the MOU do not contradict anything in the current agreement. If we want an MOU, we need it in a timely manner so we can start school. Nancy stated that Mike merged the two drafts of MOUs (PCTAs and PCSBs) and we should start with that. Joanne shared that FEA didn’t know we have a clause in our agreement stating that ratification was not necessary and asked if that superseded the case law. Laurie stated that our CBA specifically allows for short term MOU’s that do not modify the contract. That is why the provision was put in the contract and that has been our past practice. Joanne said that she is citing a case law from 1992, Carol vs City of Tampa. Nancy said that PCTA isn’t pushing this however we feel the teachers will want to ratify it. Joanne said there are members who are in a different space than us. Laurie said that nobody seemed to complain about an MOU last spring when we agreed to the “less is more” teaching from home. Colleen said to put in the MOU that this will expire within the year. Laure agreed it is to address COVID-19 and to sunset before a year. Joanne stated we should’ve put on the alternative assignment form that the teacher wants to come back. Nancy reminded them that the form is to collect the data. Juliana stated that she is trying to fill this out and asked if there is another one coming out for non-classroom based? Paula stated that no, there will not be another form, this is for all instructional. It’s a request for a possible alternative assignment, HR will then converse with the employee and make the next step. Colleen said that when she filled it out she found the document explained everything and was quick. The numbers today are consistent with Monday’s number, %’s are consistent. Will there be a connect ed message to teachers, parents and families? Paula said she would send out a connect ed message to teachers. So far 20,300 students have made selection – 8900 B&M, 10,500 MyPCS Online, 845 PVS, 200 teachers have filled out the Alt Assignment form. Lee Bryant stated that he has heard teachers aren’t happy with the “I will not return” statement. Paula said she had already changed the language online last night.

Mike suggested that we go over the MOU. Discussion was held on the language to include at the beginning to set the stage. After discussion, wording was agreed upon.

Dywayne stated that he didn’t agree with the redline section in paragraph 4 dealing with an employee having the option to work from home. It was discussed that the option should only be if they have an underlying health condition that needs to be accommodated. Dr. Corbett stated that it may work out that teachers have

to do both virtual and remote at the same time so they can only work from home if their assignment is 100% virtual. Laurie stated that working from home would be an accommodation for a medical condition if it works out in scheduling. There may be other ways to accommodate if the employee was needed in the building. Nancy stated that school based are not like administration building, that people with a serious health condition will not be able to secure themselves without coming into contact. Laurie said there are people working from home. It's a case by case basis. Nancy said now we say they have to go in. Paula says that we are assuming all who choose MyPCS Online. Dr. Corbett said we may very well not have enough positions we need to be very careful about drawing the line. Elementary PE, Art, Music, and all secondary specialists will need to be in the building. Laurie stated that if they have a medical reason the teacher will have the option to work from home, if there are enough virtual position. Nancy said if you give teachers an option they'll like it better. Joanne gave the example that Juliana can't be around children, she will have to make that decision. It's the employee's choice not ours as a group. There will be tough choices. Colleen said the other day we mentioned 5/7 or 4/7 contracts. Dr. Corbett said this will be individualized. Laure states that under ADA, if there's an available position out there for the teacher to fill that then they can. Do not need to create a position.

The group said lets go through the draft from the beginning.

#2 – Dr. Corbett clarified that if training occurs outside of their contractual day they will be paid the already agreed upon \$20/hour.

#4 – Draft stated that “MyPCS Online is a 9-week commitment for students and will be delivered virtually on a daily bell schedule with the same or similar curriculum as in-person instruction and interaction with students. The employee has the options to report to their school site and teach from their classroom or available space without the presence of students, or to teach from home.” It was suggested to add a medical condition only way is if it's 100% virtual. On all 3 options. Dywayne asked will this process be tightened and verified. Paula shared that we will be basing this on doctor's information. Dr. Corbett said only for the CDC strongest and most consistent evidence should we have this on the form or doctor writes it. Does it involve HIPAA – Laurie states no, look at it as an ADA issue if the doctor states to please consider.

#5 – In determining the number of available positions for the MyPCS Online format, it is recognized that class size rules don't apply to virtual instruction and that there may be larger student to teacher ratio than in traditional classrooms. PCTA suggested that the number shall not exceed 5 additional students in this setting compared to traditional settings. Dywayne asked what that means. He stated that there are times where we go over the number because we cannot create a whole class if one student over. We balance and have parameters. Nancy said only in unusual circumstances should we go over. Dr. Corbett shared that in high school it is 25, but we allow them to 30, and asked are you saying 35 is OK? Mike G said yes. Laurie suggested language that would say 5 over current class parameters but might go over in unusual circumstances necessary to balance classes. It was suggested to strike last sentence referencing teachers needing certification in a subject to teach a specific course at this time as it under our current contract. Everyone agreed with this.

Dr. C said that schools need to follow the class size with understanding there is wiggle room. Joanne said the intent is not have 50 students online and B&M have 23. On the number of preps, Dywayne said they are trying to accommodate, but the teacher we may have 3 preps instead of 2. We don't want to deny them access the way it's written it could be taken out of context. Mike shared that he doesn't care how it's written. Colleen suggested that it can just say with teacher's permission. Dr. Corbett said the number of preps and number of students are two issues in the same paragraph. On the number of students, say no more than 5 but maybe go over 5 in some circumstances. Nancy says teachers will say yes because they're scared. Dr. Corbett suggest putting a sentence in there regarding the intent & have a % of average, exceptional circumstances. Paula –

parent plan states combine from multiple schools – assigned to a different school. Nancy if it was asynchronous it would be no problem but a B&M it's impossible. We don't want to burden teachers. Joanne says I think we agree on the intent, so let's work on the language. Laurie suggested to take out the sentence on preps because it is already in the contract and unnecessary.

Janet asked how this will work for the ESE who may have to run a whole class and how will it be handled, the IEPs when they come back to us. Will we have any eLearning for classes 1-8. Dr. Corbett said parents may be ready to have the students back in school. Janet said what do we do for the teacher who doesn't have a position and has a medical condition? Dr. Corbett said the same what we do with the other teacher in a traditional school. Janet said will they be put them in an EBD classroom? Paula and Dr. C said no.

Juliana asked how this will impact Pinellas Secondary? Will students still be re-assigned and how will this impact those students? Dywayne said they have APEX Learning and currently use it. It should work for them.

#7 – Discussion was held regarding the expectations of teachers using the camera in their classroom. It was agreed that language would be added to reflect "direct instruction" and that the length of the direct instruction lesson on camera will be at the discretion of the teacher. The group agreed to take off the language that stated "and will not be for disciplinary reasons" as there has to be an ability to conduct some observation. Dywayne stated that a co-teacher can help facilitate, turn the camera on and that they will be meeting with FTE next week. Lee said what if only 2 want online? Yes, students will login and watch live.

#8 – PCTA struck all suggested language regarding an option of a one-year leave and suggested the following language: "Staff who identify as high risk or are caring for high risk family members may request a remote assignment and the district will work with them on their remote status." This language was rejected by PCSB. Further discussion was held regarding what we can do with employees who don't have enough sick leave beyond the 80 hours. Laurie stated that we can work on the sick leave bank guidelines – those need to change, guidelines developed by a committee. Suggestion made to convene a group to address this and issue new form. We can't provide people with paid leave, it would have to tie to the FFCRA. We don't have enough members in sick leave bank at this time. Paula said there are 512 members with just over 1,000 days. Nancy suggested that we get the committee together soon and during pre-school push employees to join the sick leave bank.

Tied to this topic was PCTA's #16, which Laurie wrote new language for to document the suggestion of reconvening the sick leave bank committee. Colleen suggested to have people give one of their 5 personal days right away. Mike said he wasn't sure people would be willing to give a personal day. Dr. Corbett said we can convene this committee next week, get the guidelines adjusted and then share during pre-school. Nancy asked about the FFCRA childcare issue – 10 weeks only for childcare. Laurie will send them a copy of the law.

PCSB can't accept the provisions 8, 9, 11, and 12, which all deal with personal, sick or unpaid leaves dealing with COVID-19. Again, we will convene the sick leave bank committee to address. Joanne referenced #8, as noted above and stated that PCTA's draft deleted the language so we have nothing in the contract regarding a leave. She's asking we put back in the stricken part (referencing the one-year leave option) and remove the redlined language as quoted above in #8. If experiencing COVID related symptoms it will be determined if the teacher can teach remotely and if not will be paid up to 80 hours, then possible sick leave bank. Nancy states other agencies are giving more days. Paula said there are many scenarios, and how do we decide how they get it. Dr. Corbett says it's hard to find the reason. Nancy said she knows addressing COVID work related issues is being looked at. Laurie said we can spell out the rules/processes available under the law if that would help employees.

#10 – PCTA suggested “leave taken for COVID-19 related reasons shall not be cited in discipline or any performance evaluation and upon return, the employee will be placed in the same job.” PCSB agrees on the intent of this and will put it in rewrite of #9

#13 – This section recognizes the need to convene the Appraisal Advisory Committee to solicit input for the evaluation procedures due to the current situation. It was suggested that this include all teachers, so we should strike “working in MyPCS Online.” Everyone agreed. Paula stated William Aligood is working on what’s feasible in a situation like this.

#14 – Colleen and Laurie suggested moving this section to the end of the MOU. This section references that COVID-19 is evolving and that we agree to continue communication. It also referenced that all other provisions of the collective bargaining agreement remain in full effect. It was felt these statements would be better placed at the end of the MOU. All agreed.

#15 – This section references the process for determining which teachers qualify for providing distance learning and that this decision should be bargained. Laurie stated it is being bargained, that is what we are doing. Discussion was held regarding the various sections. Certification issue discussed and the costs and process for teaching out of field. Agreed that teachers who have kids at home on MyPCS online should be able to adjust their schedule. Dywayne shared that teachers are not giving lessons on Friday. Friday is the day to follow up and one on one conversations. Dr. Corbett reminded everyone that there may be more online students than we think. Janet said that this may hit our special classes at a higher level. It’s the one doing dual instruction (online and face to face). Discussed the section that teachers teaching in both virtual and in person needed an additional planning period because it is two distinct formats. Dr. Corbett shared it’s the same content with students at home and in the classroom. Discussion over synchronous and asynchronous learning. Nancy suggested we call it simultaneous teaching. Dr. Corbett said for teachers who do simultaneous instruction the principal can work with the teacher for additional planning. If teaching in both formats they probably will have to skip PLC’s. It was determined that Laurie would work on a re-write for this section to present at the next meeting.

#17 – PCTA suggested language regarding busses. Dr. Corbett shared that the buses will be sanitized between routes. Laurie said this should come out because PCTA should not dictate what happens on the busses. Nancy said what happens on busses affects teachers. Laurie said what happens at people’s homes and weekends affects teachers and other staff but we don’t negotiate that. We need to negotiate bus issues with SEIU. JoAnne agreed that is another bargaining group not PCTA. Colleen asked will it be in the Code of Conduct to students not record. Laurie said recording voice without permission is there is expectation of privacy is against the law, recording visual is not a crime. To amend the Code of Conduct requires 2 readings. Dr. Corbett stated it is already in the Code of Conduct. Joanne asked will we give the students a sanitizer squirt when getting off the bus? Dr. Corbett said no. We are requesting a waiver to allow students to get week’s work of meals on Friday afternoon. Juliana asked how will we properly social distance on the bus? Laurie states that we can add the hand sanitizing stations and schools will add it their plans. Teachers will not be responsible for making sure students are hand sanitized. Dr. Corbett said morning announcements will be made and ask if they’re feeling well, if not sent to the office. We’ve instructed principals to limit visitors. PCSB rejected this language as the duties and responsibilities belong to another bargaining group. Lisa Freeman said her school already has plans for students how they walk in a building, stay apart, wash their hands. There is communication with parents. School have their own plans to make it work. Agreed schools will develop plans and educate parents and students.

#18 – It was shared that the district will not be doing temperature checks, but instead will require employees and visitors to conduct a self-screening before entering. We agreed that employees won't be required to conduct health checks, but that the district will inform and encourage parents to conduct self-screening of their child's health prior to arrival.

#19 - It was agreed that visitors to school sites should be limited and any visitor should adhere to the all safety protocols.

#20 & #21 – These two sections reference the process that will be followed in the event a case occurs, that CDC guidelines are followed and what occurs on the site to prepare for the return of students and staff. The information presented by PCTA is addressed in PCSB's draft. The District COVID team will handle the close contact cases. Paula Stephens wants a step by step process. Dr. Corbett shared that it is almost impossible as its ever changing. Paula Texel said that we have a plan that we're crafting, the Department of Health tells us what, where and when. Mike said that he called the DOH and was on hold, they say the only thing they do is let the leader know there was a case. Dr. Corbett said we will post /develop it on our website – only people contacted are the ones very close. Language was suggested to include that the procedures will be shared on the district website.

#22 – PCTA suggested language the District ensuring that each worksite has appropriate cleaning supplies. PCSB rejected the language that states a secured location will be provided in classrooms for these materials to be stored safely, but agrees with the intent of the language provided. PCSB recommends their language provided. Paula Stephens said that hand sanitizing stations at Eisenhower have only seven. District is providing a supplies for schools and supplies are still arriving. Charmaine stated that teachers are purchasing this ourselves.

#23 – PCTA suggested that "PCTA representatives have the right to visit schools to investigate conditions in response to complaints or concerns reported." PCSB rejected this language as they are non-essential visitors. Mike asked how they are to handle situations that are going on at schools. Do we handle those by Teams? Laurie suggested the MSDs contact the principal. We shared that Area Superintendents will not be conducting as many visits, T&L won't be conducting ISMs, we've told all to limit visits to schools, and to also limit walk-throughs.

#24 – Joanne states the group of doctors state 6 foot distance and a mask. Dr. Corbett shared that it is expected that everyone wears a mask and social distance as much as possible. We can provide a face shield. Janet stated that faces shields are the best for ESE students. What if a students doesn't wear a mask? They teach them to wear a mask, if still not, the Area Superintendent will then get with parents to do MyPCS Online. Language describing this information will be drafted for next version.

#25-#26 Discussion was held in regards to the processes that will be followed when there is a confirmed case. PCSB provided language that references the District COVID Team working closely with the Department of Health to establish procedures for addressing employees and students who have tested positive for COVID-19, is experiencing symptoms of COVID-19 or has been in direct contact with a person who is symptomatic or has tested positive, which shall include procedures for quarantine or isolation, testing, tracing, and return to work or school.

#27 – Discussion was held regarding how to fill unfilled substitute positions. PCSB stated that non-classroom, instructional and administrative personnel should be available to substitute when there is a shortage. Each administrator may choose differently, based on the available personnel at each school. We have to think creatively in this situation in order to balance social distancing.

#28 – PCTA suggested language that “the District will follow the DOE guidelines for waivers for making up lost instructional days and time related to COVID-19. Any change to the calendar and/or workday will be negotiated with PCTA.” PCSB rejected this language as unnecessary.

#29 – Language provided here is similar to PCSB’s section G revolving around meetings being held virtually to the fully extent possible, but if in person the 6 foot distancing needs to be followed. It was requested that we add “masks still expected,” which was agreed upon.

#30 – This section discussed providing appropriate hand sanitizing stations along with signage posted throughout the building. Agreed to add to the safety precautions section.

#31 – It was agreed upon that the employees whose job requires increased interaction with students be provided additional PPE. A request of 2 sets of scrubs be provided to those employees. PCSB will consider this request and if agreed upon, will provide language in next draft.

#32 – This section, discussing cleaning protocols, is redundant. However, will make sure this language is included in the safety protocols section. The link to the cleaning protocol will be added.

#33, #34, #39 – It was suggested that language regarding signage and physical distancing guidelines in all areas will be incorporated into the document. The teachers will have a 2 foot space for their teaching desk and then another 6 feet distance to the students.

#35 – Information regarding how this information will be shared with students will be written in the school-wide plan. This MOU is not the appropriate place to have this information.

#36 – Both parties agreed on language about implementing a plan to support the well-being and mental health of students and employees.

#37 – Laurie stated we should remove the language referencing employees not being disciplined or held responsible for enforcement of safety protocols and consequences for such. This blanket statement is not appropriate.

#38 – Discussion was held on the language surrounding the implementation of a hybrid model option. Dr. Corbett shared that if hybrid meant alternating days we’re not offering this. Nancy said that the hybrid reduces the number of students in the building at once. Dr. C. said it requires twice as many teachers. Laurie said the emergency order requires that schools be open 5 days a week and what is a parent supposed to do if their child is home two or three days a week—quit work. Our employees are parents.

#39 – It was agreed upon to remove language stating “employees will be notified of their work location, whether in a building or remote with ample time to plan and carry out their responsibilities.”

#40 – It was agreed to add language that states professional development will be made available online to assist staff of requirements for certification and to add whenever possible at the beginning.

#41 – Discussion was held in regards to implementing the Canvas learning management system. Laurie asked if the goal of this language is to make sure they have adequate materials. Nancy said yes. Dr. Corbett said that we are purchasing 1000 more webcams. Laurie said that we will note where they were and reorganize this to be categorized – in order to eliminate redundancy and group the sections that go together. Both groups were in agreement with the intent of the language.

#42 – Dr. Corbett recommended removing this section dealing specifically with PreK, VPK, and ESE Centers, as they fall under all other provisions of the MOU.

#43 –Dr. Corbett recommended that we put this section, talking about outdoor safety precautions, in the Health and safety plan. Outdoor equipment will be monitored and it was noted that equipment under UV will kill it.

#44 – It was recommended to remove this section on Field Trips, as this is an administrative task. Agreed.

#45 – PCTA requested that all tornado drills, fire drills, and active assailant drills be suspended for at least the first 9 weeks. We can't commit to this right now as we have not been given permission to suspend these. However, the district is working on it. Recommend removing and was agreed upon to remove.

#46 – This section restates #14 above. Recommendation was made to remove and replace with revised language.

Both parties agreed to the language stating, "This MOU will be in effect for the remainder of the 2020-2021 school year and shall sunset on June 30, 2021. All other provisions of the collective bargaining agreement remain in full effect."

PCSB will take these notes and update the MOU document.

Next meeting was scheduled for July 29 at 1:00pm at Admin Bldg. Nancy, Joanne, Laurie and Paula will meet to review the edits.

Meeting adjourned at 4:00pm.