

Minutes
THOMASTON BOARD OF EDUCATION
Special Meeting

Thomaston Town Hall – Meeting Room One

Date: Thursday, February 9, 2012

6:00 p.m.



Members: Lucy Santopietro, Chair; Roxy Fainer, Vice Chair; Kathleen Freimuth, Secretary; Holly Herbert, Treasurer; Rebecca Guay, Member; Alexander Lee, Member; Anne Petrucci, Member; Joanne Gilland, Member; Debra Schriver, Member

Minutes

Present: Lucy Santopietro, Kathleen Freimuth, Alexander Lee, Rebecca Guay, Anne Petrucci, Deborah Shriver, Holly Herbert

Absent: Joanne Gilland and Roxy Fainer

Also Present: Lynda Mitchell, Superintendent; Tim Oppenheimer, Council for AFSCME; Joan Batten, Local AFSCME President; Darlene Hellerich, Local AFSCME Officer; Kathleen Squatriglia, Local AFSCME Officer; Anne Uberti, Black Rock School and Center School Principal; Alisha DiCorpo, Assistant Principal, Black Rock School and Center School; Nancy Schnyer, Director of Pupil Services; grievants Penelope Fox and Jose Ortiz. (Grievant Alison Gracy was not present)

I. Establishment of a quorum and call to order:

Presiding Board Member Lucy Santopietro established a quorum and called to order the Special Meeting of the Thomaston Board of Education at 6:15 p.m.

II. Approval of Agenda:

On a motion made by Holly Herbert and seconded by Kathleen Freimuth to approve/accept the agenda as presented; no further discussion; motion carried unanimously.

III. Grievance Matter: Alison Gracy

Ms. Gracy's grievance notes a violation of Article XV, Section 15.3 of the Agreement between the Thomaston Board of Education and Local 1303-97 of Connecticut Council 4. The article states, "*Secretaries and instructional Paraprofessionals shall not be required to perform nurses duties, but nothing herein shall prevent secretaries and assistants from voluntarily administering minor first aide*".

Local AFSCME President, Joan Batten noted that Paraprofessionals were asked to deliver first aid at school and felt that responsibility should be left up to the nurse. Anne Uberti, the Principal at Black Rock School and Center School generated a letter, dated November 30, 2011 clarifying the duties involving nursing. Superintendent Mitchell, too, felt that Anne's letter offered clarity; she provided an overview of what was meant along with current protocol.

Executive Session:

On a motion made by Alexander Lee and seconded by Holly Herbert to enter into Executive Session at 6:47 p.m. for deliberations; no further discussion; motion carried unanimously. The following persons were invited into Executive Session by the Board:

Lynda Mitchell, Superintendent

IV. Public Session:

On a motion made by Rebecca Guay and seconded by Holly Herbert to return to Public Session at 6:52 p.m.; no further discussion; motion carried unanimously.

Board Motion:

On a motion made by Debra Schriver and seconded by Lucy Santopietro to deny the grievance; no further discussion; motion carried unanimously.

V: Grievance Matter: Penelope Fox

Ms. Fox's grievance notes a violation of Article XI, Section 11.O of the Agreement between the Thomaston Board of Education and Local 1303-97 of Connecticut Council 4. The article states, "*The Board will provide work facilities and working conditions which are not detrimental to the employees' health and safety. A joint safety committee shall be formed by the Superintendent and the Union, and said committee shall meet periodically to review and recommend safety and health conditions at the workplace*".

Ms. Fox was injured by a student that she is assigned to. The focus of her grievance is to gain more support with the student. After meeting with Ms. Fox and Ms. Schnyer, Superintendent Mitchell made a recommendation that the teacher assigned to the student would share strategies and teaching methods with Ms. Fox. Ms. Batten, AFSCME President, noted that the "plan" has not improved; only one part of "plan" has been consistently implemented.

Ms. Schnyer convened a meeting with Ms. Fox and parent of student. It was noted that Ms. Fox has put good effort in, asks for information and is positive. Administration has assured they would respond in the event of an emergency.

Executive Session:

On a motion made by Alexander Lee and seconded by Holly Herbert to enter into Executive Session at 7:05 p.m. for deliberations; no further discussion; motion carried unanimously. The following persons were invited into Executive Session by the Board:

Lynda Mitchell, Superintendent

VI. Public Session:

On a motion made by Holly Herbert and seconded by Anne Petrucci to return to public session at 7:12 p.m.; no further discussion; motion carried unanimously.

Board Motion:

A motion made by Alexander Lee and seconded by Anne Petrucci to uphold the grievance as presented; no further discussion; motion carried unanimously.

VII. Grievance Matter: Jose Ortiz

Mr. Ortiz's grievance notes a violation of Article III Section 3.2 of the Agreement between the Thomaston Board of Education and Local 1303-97 of Connecticut Council 4. The article states, "*It is understood that the Board has the right to eliminate positions and not fill vacancies. In the event a vacancy or new position is to be filled, notices of all vacancies shall be posted in all schools for a period of five (5) work days on a bulletin board made accessible to each employee. The filling of such a vacancy which is included within the scope of this contract is subject to arbitration. A vacancy shall be filled on the basis of qualifications for the positions, except that all things being equal, seniority shall prevail*".

Mr. Tim Oppenheimer, AFSCME Council, noted that Mr. Ortiz has been employed by the district for twelve years. He stated that seniority will prevail and that Mr. Ortiz is very qualified for the End User Support position for which he applied. He also stated that according to Section 3.2, Jose should have been hired. Section 3.2 states that the district must post at school for a period of 5 days, see if anyone applies and interview internally.

Executive Session:

On a motion made by Kathleen Freimuch and seconded by Alexander Lee to enter into Executive Session at 7:36 p.m. for deliberations; no further discussion; motion carried unanimously. The following persons were invited into Executive Session by the Board:

Lynda Mitchell, Superintendent

VIII. Public Session:

On a motion made by Kathleen Freimuth and seconded by Holly Herbert to return to Public Session at 7:41 p.m.; no further discussion, motion carried unanimously.

Board Motion:

On a motion made by Kathleen Freimuth and seconded by Holly Herbert to postpone a Board decision until clarification of the stipulations (section 3.2) could be investigated through legal council; no further discussion; motion carried unanimously.

IX. Adjournment:

On a motion made by Kathleen Freimuth and seconded by Holly Herbert to adjourn the Special Meeting of the Board of Education at 7:44 p.m.; no further discussion; motion carried unanimously.