**CITY OF DERBY**

**BOARD OF EDUCATION**

**SPECIAL MEETING – CITY HALL, ALDERMANIC CHAMBERS**

**AUGUST 5 2009**

**MINUTES**

**Call to order**

Meeting called to order at 7:00 p.m.

**Pledge of Allegiance**

all rose and pledged allegiance

**Roll Call**

Present: Jodi Chevarella, Kim Kreiger, Sheila Parizo, Ken Marcucio and Tara Hyder.

Rebecca O'Hara arrived at 7:10 p.m. and Brad Tobin arrived at 7:14 p.m..

Absent: Jim Stadt.

Also Present: Dr. Tracy, Superintendent of Schools.

**Public Participation**

No one from the public spoke. Public Portion closed.

**Presentation of Grievances by the Paraprofessional Union**

Colleen Ezzo started with the recall grievance. On June 18 2009 layoffs were implemented by the district. On June 18th the union found out two paraprofessionals were recalled to their position. She has been asking central office how the layoffs were determined and were told there can't be any breaks in service. The paraprofessionals were told to look at their date of continuous service. When meeting with Dr. Tracy, the union asked to look into a paraprofessional who had only one day of a break in service. The union did not hear anything. The response came in that the paraprofessional had three weeks of service, and indeed the paraprofessional was absent for a period of time. The board was never presented with a letter of resignation which she offered, Dr. Tracy felt there was no interruption of service and was going to retain her. The grievance is regarding recall and not following contract language and seniority. Dr. Tracy told the union seniority would be implemented as first day of employment, continuous service and no interruption and that would be the start date. It wasn't followed for one paraprofessional.

Dr. Tracy said Ms. Ezzo is correct that the seniority date used is date of employment. A letter of resignation was received after the August board meeting and then rescinded prior to the September meeting, thereby never presented to the board. Does this constitute a break in service? The individual was away from her assignment for twelve working days at the beginning of the school year. The understanding for her departing was her thinking that she was taking another job, then decided not to and rescinded her resignation. Dr. Tracy spoke with Attorney Grillo and asked if that constituted a break in service if the board never accepted the resignation and Attorney Grillo said it would not. So her original date of employment was honored.

Karen Courtney, president of the paraprofessional union said seniority dates were closely scrutinized. There were several people passed over. There was two to three weeks of a break in service. She feels this would set a precedent, if someone resigns, has a change in her decision and then comes back. The union has taken a big hit and they are trying to protect as many people as they can.

Ms. Ezzo presented the next grievance. The union heard in January about the layoffs. They started calling central office to work out how this would be implemented. There were emails and calls. There was a great lack of response. The paraprofessionals went to the union in April asking when they would hear something. More calls were made, but there was no response by June. On June 16th there was a letter that there was a number of layoffs for paraprofessionals and who they would be. The contract has provisions for layoffs. They would be by seniority except that parties recognize the needs of certain children requiring continuity.

The union disputes the paraprofessional who was shadowing a child with autism for six months. With the summer months there would be a break of two months of continuity, so this one student would not be a real need.

The other paraprofessional was working one on one with a student who was out placed in February. Three months after that the paraprofessional was filling in different positions. He did not shadow one particular student. There are no contract provisions for maintaining this paraprofessional.

Dr. Tracy said he did tell Ms. Ezzo it was going to be a long budget season and as soon as the board adopts a budget, and if the budget includes layoffs then the layoffs will be conducted in accordance with the contract. One week after the budget was adopted the group was informed of the layoffs. Dr. Tracy said the language does not provide criteria by which one determines that continuity is required. It leaves it up to the superintendent whether or not continuity is an issue. He asked the principals to let him know whether or not the children required continuity of service.