

**PLAINVILLE BOARD OF EDUCATION**  
**Special Meeting Minutes**

**Special Meeting Title:** **ANTICIPATED EXECUTIVE SESSION**  
**Discussion and Possible action concerning a grievance filed by the CSEA, Inc./SIEU, Local 2001 Paraprofessionals, Tutors and RBTs**

**Date:** **Monday, November 1, 2021**

**Time:** **5:00 PM**

**Place:** **Virtual Meeting**

**Attendees:** **Brent Davenport, Deborah Hardy, Rebecca Martinez, Laurie Peterson, Crystal St. Lawrence, Vice Chair, Becky Tyrrell, Chair, Kathy Wells and Foster White**

**Members Absent:** **Nicole Palmieri**

**Others in Attendance:** **Steven LePage, Superintendent of Schools**  
**David Levenduski, Assistant Superintendent**  
**Stacy Buden, Director of Human Resources**  
**Frank Pizarro, CSEA Representative**  
**Anne Grosse, President of Paraprofessionals/Tutors/RBT Union**  
**Jennifer Clark, Toffolon Tutor**

**Early Departures:** **None**

The Special Meeting was called to order by Board Chair Becky Tyrrell at 5:00 PM in Public Session. Mrs. Tyrrell stated that the reason this meeting was convened was to discuss and take possible action on a Level 3 Grievance filed by CSEA, Inc./SIEU, Local 2001, Paraprofessionals, Tutors and RBT's. Mrs. Tyrrell then deferred to Mr. LePage.

Mr. LePage stated that the Board should first hear the complaint of the CSEA. Once CSEA members wrap up their complaint, he would also like to share his perspective on the issue while the meeting is still in public session. Following his perspective, Board of Education members could then go into Executive Session with whomever the Board of Education members decide to invite in for consideration.

Mrs. Tyrrell then turned the floor over to Mr. Frank Pizarro, CSEA Union Representative.

Mr. Pizarro stated that he proposes to read the Grievance letter as it was submitted to the Board, as the substance of the letter is the best explanation they can give. After reading the letter, he would also like to call upon Mrs. Grosse to give the Board a little background on exactly what the tutors' duties are that are being affected by this grievance. Also, if agreeable, he would like to ask Jennifer Clark, Toffolon Tutor, a few questions concerning the effect of this process on the tutors. He stated that this would be to give everyone the proper frame of mind of what exactly is happening. The Board agreed to let Mr. Pizarro move forward.

The letter reads as follows:

*10/14/21*

*Mrs. Becky Tyrrell -Chairperson  
Mr. Steven LePage – Superintendent  
Plainville Community Schools*

*Dear Mrs. Tyrrell and members of the Board,*

*The following is to formally submit a grievance in accordance with Level 3 of the grievance procedure of the Paraprofessionals, Tutors and RBT's contract.*

*On September 7, 2021, the Paraprofessionals and Tutors' Union filed a Level 2 instructional grievance with the Superintendent of Schools, Mr. Steven LePage regarding the use of tutors to serve as substitute teachers at the elementary schools in Plainville. In that grievance the Union argued that during the 2020-21 school year it had signed a Memorandum of Understanding with the Board of Education as part of the COVID-19 crisis and its effect on the district. As part of said MOU, tutors in the bargaining unit were being used as substitute teachers since the district was having difficulties hiring substitutes during the COVID-19 pandemic.*

*As mentioned above, the term of this MOU was for the 2020-2021 school year. The expiration of this agreement coincided with the expiration of the Paraprofessional and Tutor contract term so the parties discussed the subbing at formal contract negotiations. During these discussions the Union was told that measures were being taken for the 2021-2022 school year and that tutors were not going to serve as substitutes going forward. As a result, the parties reached an agreement without addressing the issue of subbing in the contract. Two days into the start of the 2021-2022 school year, tutors were required to serve as substitutes at several elementary schools, which triggered the filling of the grievance.*

*Mr. LePage met with the Union as part of the grievance process and offered to submit an MOU proposal that would delineate subbing guidelines as well as financial compensation going forward for tutors that sub. Unfortunately, the Union cannot agree at this point with this type of arrangement. The use of tutors as substitutes is having a negative effect on tutors' work day and assignments. Some of these effects include but are not limited to:*

- 1) The assigned student(s) of the "pulled" tutor is/are not receiving Tier 2 instruction in reading and math.*
- 2) The tutors are now being forced to show up earlier to work as they are essentially "on call" and have to check if they are going to sub that day or not.*
- 3) The frequency of the subbing itself is very disruptive. Some tutors have subbed three days consecutively per week.*
- 4) The subbing completely interrupts the flow of the tutor's schedule with the assigned students.*

*The Union totally understands that the District has a hiring issue and a lack of substitutes. This is why we agreed to do it on the MOU the previous year. But it's "not worth it to undress a saint, to dress another". Using Tutors simply transfers the problem to somewhere else. The tutors in Plainville Public Schools serve a very sensitive group of students in our community and ultimately they are the ones being negatively affected by this situation. At this point, having the tutors sub only perpetuates the problem and promotes procrastination from the district in finding a permanent solution to the issue. It is simply too easy for the school Principal—who is in a bind trying to solve a problem—to pull a tutor (who is already in the building) to sub.*

*The tutor has a very defined and specific job description. One that many of them are not able to fulfill due to this issue. This job description does not include subbing. Which is why we are requesting that the use of Tutors as substitutes stops and they are allowed to do the job they were hired to do.*



Mr. Pizarro called upon Union President Anne Grosse and Toffolon Tutor Jennifer Clark who talked about the problems they have encountered over the past year with tutors being pulled to fill substitute positions. Both stated that they are here to support Plainville's children with their educational needs and supported the MOU which was proposed during the pandemic. Mrs. Grosse discussed the Tier 1-3 process and how it works. Mrs. Clark stated that when subbing, there is a lack of consistency for the students they have been assigned to and whose individual caseloads can be difficult. What happens to those students when they are not supported? Teachers also rely on tutors, as they incorporate them into their classroom schedules. By taking the tutors away, it disrupts the teacher's planning of instruction. The tutors are also working beyond normal hours which affects them personally should they have appointments scheduled before or after their scheduled hours. They have received last minute texts from the schools asking them to come in as early as possible to cover a classroom. This is often difficult, as rearranging schedules early in the morning is not easy. Mrs. Clark stated that the stress point is that beyond technological issues, as subbing is not the work of this bargaining unit. She realizes that this is not a simple issue, but feels that students are not getting the attention they need. This cannot continue.

Mr. LePage stated that he does try to work collaboratively with the union. He fully supported them during COVID last year. Everyone was fully employed during that period. He stated that he does value paraprofessionals and tutors as they certainly went the extra mile last year. He did say that the district did not see this coming, as COVID seemed to be dwindling, then the Delta variant hit, and the district couldn't find building subs. The amount of people leaving the district was unprecedented. He shared the HR list at the June Board meeting. The list was three pages long. He stated that he doesn't want to use tutors as substitutes, but Principals had no other choice as they had no other avenues to turn to. This was the last resort.

Mr. LePage went on to say, that the district needs to support children with Tier 1 and 2 instruction. There has been discussion about compensation. Paras can't be used as subs, IRT's are limited due to specific schedules, not sure what other options there are. A lot of thought has gone into this over the past year which has caused a lot of frustration. Everyone is trying their best to do what is right for the students.

Mr. Pizarro acknowledged and understands that this is a result of a hiring shortage throughout the State. However, part of the reason the bargaining unit brought this to the Board level, was to show them exactly what the problems are. He understands that schools are having a subbing problem which is affecting students. However, tutors are not doing the jobs they were contracted to do, which is causing them much frustration. The union feels they have been placed in a no-win situation and will move forward with arbitration if needed.

Board Members then asked questions of Mrs. Grosse and Mrs. Clark. Discussion ensued.

Stacy Buden, Director of Human Resources for the district, stated that one of the great things that happened last month, was that the State lifted the requirement to hold a Bachelor's degree for substitute positions, which opened it up to allow other candidates to apply and step into those positions. With that said, Human Resources has been able to fill all of the building sub positions within the schools (with the possible exception of one school). She explained that the district has a pool of daily subs and building subs, so individuals can decide when it would be a good day for them to come in and take a vacancy that is available. Human Resources is holding off going into its sub pool because that sub pool was being looked at by the Principals to see if anyone might be interested in a building substitute position instead. She stated that they are seeing more people applying and hoping to be able to get them onboard to cover those positions. She stated that she has noticed a huge decrease of absences. Absences were a lot greater this year, as they were last year, due to COVID. She's not sure of the reason. She stated that there have been a lot of positions that need to be filled, but is confident based on what she's seeing by the numbers if *Frontline*. She is hoping to backfill those positions. Things are starting to come together.



Mrs. Buden also explained that there was a ripple effect with other districts who had openings. No sooner did we have someone come onboard, when they'd submit their resignation letter two days later. The process would have to start all over again. The HR department is just starting to see the end of this situation and is moving forward. We're getting there!

Mrs. Tyrrell stated that if the hiring situation improves, the Board would be able to place an additional sub at each school, which could solve the problem.

**BY CONSENSUS THE BOARD MOVED OUT OF PUBLIC SESSION AND INTO EXECUTIVE SESSION AT 6:15 PM. THEY REQUESTED THAT DAVID LEVENDUSKI, ASSISTANT SUPERINTENDENT AND STACY BUDEN, DIRECTOR OF HUMAN RESOURCES, JOIN THEM IN EXECUTIVE SESSION.**

Board of Education members met privately to discuss the details of the meeting and to arrive at a decision.

**THE BOARD RETURNED TO PUBLIC SESSION BY CONSENSUS AT 6:35 PM.**

*The following statement was spoken by Mrs. Tyrrell:*

*We had a conversation about the seriousness of the situation. The Board understands this is not an ideal situation at all. However, if the Board were to hold up this agreement, what would happen, I assume tomorrow, we may have classrooms of kids with nobody (teacher/Sub) in there. This is something we cannot do either. But we do want to put a few additional steps in place that will hopefully lessen the impact.*

*We are grappling with how things were at the start of the year and how they are improving. We want to see that in real time. The Board is going to receive a weekly update with any tutor substitution schedules that have happened. Mrs. Buden and the Principals will be able to pull that together so they will be able to see exactly how often this is occurring going forward. We know that there is some improvement on the horizon with getting the additional building subs and daily subs. We did discuss raising the rate, although it sounds like our rates aren't the issue, it is just that there aren't enough people seeking employment.*

*We are going to continue to make sure that we rotate the tutors so that no one will be unduly burdened and hopefully this won't happen frequently.*

*Also, the practice of sharing the building subs, sharing with the High School and Middle School subs, could get pulled to the elementary schools to prevent a tutor from having to go into the classroom.*

*Those are a couple of things we discussed. If we see that this weekly situation continually needs to have subs, we may discuss other options. Although, none of us want to see tutors do this kind of work. We want everyone to be able to fulfill the practices people will do with their daily job. I want tutors to do what they are suppose to do. Our only problem is we are at the point where we have no good solutions and we also can't have classrooms with nobody (teacher/Sub) in them. She then called for a motion.*

Mr. Pizarro asked if he could speak prior to the Board's vote. He stated that there was one issue that is kind of important that he would like to explain. He stated that the bargaining unit has a contractual timeline that needs to be followed in terms of arbitration. He stated that he understands that the Board would like to take some measure to see how things pan out but that would have to come with a waiver of timelines on their end. Otherwise, the bargaining unit has five (5) days to submit an arbitration. In the interest of cooperation, and that is the avenue the Board would like to take, he would ask for a waiver of timeline.

Mr. LePage stated that while the Board was in Executive Session, he came up with an idea of making sure that Principal's put together a schedule of basically "who's on deck" so you would have at some idea when you are up next. For Tier 1 coverage there is no other solution. He's not sure how it was done in the past. As far as having predictability we could work on that with the Principals so that there is a schedule/order to follow.

Mrs. Clark stated she would feel comfortable with a definition of what is fair and equitable rotation, i.e., if a co-worker was pulled to cover for a teacher for three straight days, is Mr. LePage talking per job. Maybe Mrs. Clark would get pulled one day, but perhaps the next person gets pulled for three days. To some that may not seem equitable. She is concerned about what equitable rotation means.

Mr. LePage stated that he would have to speak to Principals but doesn't think there were coverages for more than one day this year and doesn't want that to happen. He is opposed to a tutor covering a class for three days. He stated that what happened last year was out of sheer desperation and a lack of any other alternatives. He doesn't see it happening again this year but understands.

Mrs. Clark said that unfortunately she was told by a co-worker that she did sub for three days straight this school year.

Mrs. Grosse concurred and stated that she was informed. She stated, "Although I have a lot of hope, things don't always carry through for whatever reason." Although, not saying it is intentional.

Mrs. Tyrrell stated that there may be a way to rotate with other schools. There's no one thing that will be the solution. It's going to be a lot of different efforts. With that said, she called for a motion.


**A MOTION WAS MADE BY FOSTER WHITE TO DENY THE GRIEVANCE AS SUBMITTED BUT TO ALLOW THE BARGAINING UNIT MEMBERS OF THE CSEA, INC./SIEU, LOCAL 2001 PARA/TUTOR/RBT CONTRACT TO BE AFFORDED A WAIVER FOR THEIR ARBITRATION TIMELINE TO BE EXTENDED PAST THE FIVE (5) REMAINING DAYS. REBECCA MARTINEZ SECONDED THE MOTION. THE MOTION UNANIMOUSLY CARRIED 8-0.**

Mr. White stated:

It is the feeling of the Board that we really do understand that this puts our tutors in an uncomfortable position and we are making every possible effort to avoid having to do this in the future.

**A MOTION WAS MADE BY FOSTER WHITE TO ADJOURN THE MEETING. THE MOTION WAS SECONDED BY REBECCA MARTINEZ. THE MOTION PASSED UNANIMOUSLY 8-0. The meeting adjourned at 6:48 PM.**

Respectfully Submitted,

  
Joan Calistro  
Recorder of Minutes