

BOARD NEGOTIATION COUNCIL MEETING MINUTES
MONDAY, AUGUST 20, 2020
REMOTE PARTICIPATION VIA GOOGLE MEET

BNC members present: Sue Hamlyn-Prescott, Mark Nielsen, Chasity Fagnant, Katie Orost (6:58)
Others present: Charleen McFarlane, D. Clark, Cat Gallagher, Gail Whitten, Eric Hutchins, Erin Carr, Louis Weller, Carol-Lyn Willean, Betzi Goodman, Patrick LaClair

1. Call to Order and Approval of Agenda

S. Hamlyn-Prescott called the meeting to order at 5:52. No changes to the agenda were suggested.

2. Board Negotiations Council – Executive Session

C. Fagnant moved to go into executive session to discuss teacher contract negotiations because premature general public knowledge would clearly place the school board at a substantial disadvantage, inviting D. Clark, C. Gallagher, C. McFarlane and D. Griffiths to remain, M. Nielsen seconded, the motion was passed and the BNC entered executive session at 5:53. The BNC consented out of executive session at 6:02.

3. Joined by Teachers Association

The BNC was joined by teachers at 6:03.

S. Hamlyn-Prescott said the BNC was looking for the teacher group to discuss the proposals that were sent across. P. LaClair said their only real new proposal is related to prep periods and prep time. It is becoming increasingly apparent that there are systemic inequities between elementary educators and those on the LU/GMTCC campus. A particular inequity is prep time and length of individual prep periods, as well as net prep time throughout the week. In preparing to return to school, the issue of prep time and the inequities are really at the forefront of teachers' minds. The association heard a lot about this over the past month and wanted to address it. The big change in this proposal is increasing the block of prep time from 30 for elementary teachers and at least 20 for Lamoille Union to 30 for everyone, making it consistent across the district. The other change is to put in the number of minutes of prep time elementary educators can expect throughout the week. In the past a number of minutes was specified only at the Lamoille Union campus. Most of the proposed language is moved from one place to another. Language is added calling for 375 minutes of elementary prep time, which the association deemed was not too far away from what most elementary teachers are supposed to be getting now and what building conditions allow for. But teachers have often found the time was co-opted into other extra duties.

S. Hamlyn-Prescott said the BNC has not had time discuss this proposal. This kind of proposal would need input from AdCo. We do not have time at this juncture to get input, especially as we are getting ready to open schools. The BNC will talk about the proposal but she sees some stumbling blocks.

P. LaClair agreed there are stumbling blocks on that proposal and the 7.5 hour day proposal. Realizing the logistical challenges to implementing those changes for the coming school year, they would be open to having them take effect at the end of this contract.

P. LaClair said a major sticking point for union members is the fact that the length of people's work days varies considerably across the district and the pay scale is the same. That is not equitable. They are proposing a 7.5 hour workday, consistent with the median teachers are experiencing now.

S. Hamlyn-Prescott said there is another part in the association's proposal, which is the 7:00 am to 4:00 pm piece. P. LaClair said that language was brought from language already in Appendix D for some elementary schools, allowing flexibility on the building level to have a start and end time that makes sense for each building.

S. Hamlyn-Prescott asked for clarification. Are the 7.5 hours contract hours? On-campus hours? P. LaClair said in a normal school year, that would be 7.5 hours in the building, inclusive of unpaid lunch – recognizing that the vast majority of teachers are putting in more than 7.5 hrs.

S. Hamlyn-Prescott asked if building principals will be making the work schedules. P. LaClair said he would hazard a "yes" but he needs to make sure. It is his recollection that the intent of the 7:00 to 4:00 piece was to allow for that flexibility.

S. Hamlyn-Prescott asked how afternoon meetings work into this time frame. P. LaClair said there is already time after the contracted day for building meetings. Meetings can be held after the contracted day a certain number of times every month.

C. Gallagher asked how it works if the principal and a teacher agree on a schedule where the teacher starts at 7:00 and works 7.5 hours and then there is a gap between the end of the work day and the afternoon meeting. P. LaClair said his assumption is that the 7.5 hour day would be common across the building. If it works with their schedule to have a 7:00 am start at a particular elementary school there wouldn't be that gap because everyone would start at 7:00 am. C. Gallagher said many of our elementary schools have some teachers come in and leave earlier because students are dropped off earlier and need supervision. We need to think about how that could work. If there is more designated prep time in a week, what does that do to instructional time for students? Does it impact that? P. LaClair said the same question about scheduling could be asked now. He imagines a per-person resolution. C. Gallagher said she thinks flexibility is very important.

P. LaClair said, regarding building time vs. contract time, for this year the definition of in-building time is being expanded to mean time working with students, whether or not the teacher is in the building.

S. Hamlyn-Prescott mentioned that some areas of the contract speak about a 7.5 hour contract day like what the BNC is proposing. P. LaClair asked, what about schools with 7.25 or 8 hour days? S. Hamlyn-Prescott said she would have to think about how to respond to that. She would have to ask C. McFarlane about how the supplement is paid.

P. LaClair said this issue has been brought up repeatedly by teachers for as long as he has been involved with this. S. Hamlyn-Prescott said in the past two negotiation sessions the

BNC has put forward a proposal for an 8 hour day inclusive of a 30 minute unpaid lunch. It is not a new concept; we just haven't come to agreement between the groups.

P. LaClair said 8 hours is a non-starter because it results in increased work time for teachers who are in any of the schools that don't currently have 8 hour days. It is time we know our teachers are putting into their students' education anyway, but it is vitally important that teachers have the flexibility to go home, see their kids, eat dinner, and then put in the time to grade or prep, or be able to do that work at home in the morning before coming to school. The work is being done regardless. An 8 hour day is unpalatable because it seems to not recognize the fact that the work is happening outside the contracted school day. The proposed 7.5 hours seems like the meeting point of where teachers are now. It does result in an increase in the contracted work day for some but for many it is the status quo and for some there will be a decrease

C. Gallagher asked, the association is looking for a 7 hour work day and a half hour lunch within that day? P. LaClair said he is required contractually to be in the building from 8:00 to 3:30. He has a duty free lunch in the middle of the day. That is 7.5 hours. He knows very few people who arrive at 8:00 and few who leave at 3:30. It is a question of whether there is the flexibility that teachers need in order to feel like they can achieve work/life balance. Often he feels burned out at the end of the day but can re-engage in work after a break. Or he often likes to come to school early. What the association proposes allows teachers to find the time when it works for them. Teachers put in well over 8 hours a day whether in the building or not. S. Hamlyn-Prescott said their proposal is for a 35-hour week. P. LaClair said the pandemic has opened up a way of seeing differently. Society is seeing that people can be more productive and have more fulfilling home and family lives when they have flexibility to work when it is appropriate for them. No teacher he talked to works a 35 or 40 hour week. They are all putting in the extra effort and doing it where they need it.

S. Hamlyn-Prescott said the BNC needs to understand the association's salary proposal in relation to other cost proposals that were put forward. The BNC's salary proposal is the last one the association received: one step with \$500 added to the base.

P. LaClair said there are a number of unfilled positions and positions that were left by veteran teachers and filled by rookies. Is the association's percentage still relevant? They were working off the spreadsheet D. Clark sent in January.

C. Gallagher said she thinks it is important to share what we have already spent in our closure and what we anticipate spending. We are ending up having to hire people we hadn't anticipated because of the number of students who want to be fully remote. She suggested D. Clark talk about what we have spent on the state of emergency already. D. Clark said we have spent about \$417K. We are estimating that if we go through the year the way we are opening we will potentially spend another \$433K. The money is being spent on things such as bus monitors, specialized software, supplies, and personnel. Money already spent includes the costs for summer meals.

P. LaClair asked to what extent those expenses are covered by COVID-related relief funds. D. Clark said all we know for sure we are eligible for is about \$575K from ESSER. The state hasn't told us how much other money we are eligible for and for those funds they are looking to develop clawback.

C. Gallagher said we are trying to get 5 student days waived. One district has 192 days. She thinks we need to take that piece into consideration. Many other districts have more student days. We need to think about what that means when we think about trying to help our district move forward in raising the base and thinking about what is fair.

P. LaClair said that is perhaps fodder for negotiations but our reality now is well spelled out. Our salary schedule as it stands is not competitive with nearly any of our neighboring districts. We have a lower base and a lower maximum and are much lower in the middle. He thinks that shows when attempting to fill vacant positions.

C. Gallagher said we have had less turnover than any of our neighboring districts. We agree we need to do something but as far as unfilled positions, she has the numbers of how many people left and how many are new and we are doing pretty well for a horrible year. She thinks we need to stick to the bigger picture and not the things that are harder to defend on either side. She agrees we need to do something and she thinks the BNC wants to as well.

S. Hamlyn-Prescott said for this negotiation session we will continue to use the numbers we have been using for looking at salary increases. The BNC is looking for a one-year contract and P. LaClair's email indicated the association is as well. She doesn't think changing figures by looking at how many teachers left and who replaced them will help us at this time.

P. LaClair said the teachers will probably need to caucus but first he wants a sense of what the BNC feels are the next steps. S. Hamlyn-Prescott said for the BNC to discuss further the association's salary proposal the BNC needs to know if any of the previous money proposals are coming off the table.

P. LaClair said a 7.5 hour common day is essential to the teachers. They appreciate that there might need to be language saying that doesn't take effect until after the current school year. The prep time proposal is a priority of theirs. They understand that might need to be more widely discussed. The specifics are perhaps negotiable but equity of prep time is important to them. They had a proposal on the table regarding supplemental pay for extra duty work. The contract formerly just stipulated that the supplemental pay section referred only to LUHS, LUMS and GMTCC. They are looking to get rid of that language so elementary teachers who run programs after school can also receive supplemental pay. There were a couple of proposals that they are willing to take off the table – the proposal related to column movement for GMTCC educators and the proposal to increase tuition benefits.

S. Hamlyn-Prescott said the BNC is also looking for equity across the schools. The non-discrimination proposal the BNC put across is required by federal Title 9. P. LaClair said the

association looked at it and they like it. Their only question is whether the language about gender identity and marital status is needed elsewhere.

P. LaClair said he is not sure of the BNC's current stance on a 7.5 hour day. S. Hamlyn-Prescott said the BNC's proposal for pay was based on the work day being 8 hours, including lunch. The BNC would need to caucus based on what we heard.

P. LaClair said an 8 hour day is not something the association is willing to entertain – and not because they don't work 8 hours. A contract with an increase in building hours would probably not be a viable contract if brought to members.

S. Hamlyn-Prescott asked, what about all the other proposals on the table? P. LaClair said at this point in time the only ones he can say the teachers are willing to drop are the proposals regarding tuition benefits and tech center column movement. He knows that a number of BNC proposals came off the table for support staff. He presumes those would also be coming off the table for teachers since they were shared. S. Hamlyn-Prescott asked if he is talking about healthcare proposals. P. LaClair said yes.

S. Hamlyn-Prescott said the proposal for a change in cash-in-lieu is coming off the table, as is the proposal that those who have an immediate family member working for a school are not entitled to cash-in-lieu. The proposal regarding grievance procedures around the new healthcare comes off the table. We would want to have language around removing VEHI plans that no longer are applicable.

P. LaClair said he has a note questioning proposed language about teacher health insurance. He thinks the VT NEA indicated it was not under the jurisdiction of the local contract. S. Hamlyn-Prescott said it's language we need to have in the contract to show teachers are covered and what that coverage looks like. P. LaClair said he will follow up to make sure he understands what that language is doing.

S. Hamlyn-Prescott said the BNC is also taking off the table the proposals on 7.3.1 (sick leave) and 7.3.7 (sick leave buyout.) Those two sections will remain as they currently are.

P. LaClair had a question about a verbal TA at the last meeting. S. Hamlyn-Prescott said she thinks we put the language about teachers coming in for in-service days back across with the word "premium" added.

The two groups separated to caucus at 6:52.

The BNC consented into executive session at 6:52. K. Orost joined the meeting at 6:58. C. Gallagher left the BNC caucus from 7:12 to 7:27 to visit the association caucus.

The BNC consented out of executive session at 7:37. The BNC was rejoined by teachers at 7:47.

P. LaClair said the teachers are curious about how personnel changes since January affect the current situation. They are also trying to get a grasp around the CARES money.

D. Clark said the spreadsheet we are using is the one we have been using all along. She thought she was clear at the board meeting about CARES funds. We know we have the \$507K of ESSER money. There are 2 additional pots. The state is not giving the districts specific values available. They are just saying to apply and when it is used up, it is used up. They have created accounts for all of us to use. They definitely intend to claw some back. One account is for COVID-related expenses that were never budgeted. The other is for expenses that were budgeted but we may have to spend more than what was budgeted due to COVID. For those expenses, they will take back state ed funds equivalent to what we get in CARES money. An example of the difference between the two accounts is crayons vs. iPads. We didn't have enough iPads for one-to-one and we are getting some. That is strictly a COVID expense. We have budgeted for art supplies, but we did not build enough into the budget for each student to have his or her own supplies so we will overspend on that budget item. For those expenses, they have told us they will take away state aid based on what we get from CARES. For the definite COVID expenses they have told us there will be no clawback.

P. LaClair said the teachers have some hesitancy around proceeding without having a clear picture. At the same time they appreciate the desire to wrap this up. They have an idea of how this could come together. The 7.5 hour day is crucial to them. They are very conscious of the inequity with elementary prep time and they would like to see it resolved. It doesn't have to be for the coming year. They suggest it would sunrise in for the future contract. That gives ample time to discuss how to make it feasible. They suggest the same for supplemental pay for teachers who do spelling bee, etc. at the elementary level. He guesses that will impact a small number of teachers but it's compensation available to some teachers but not all. If can't be done this year they understand but if it can be sunrised in for a future contract that seems to them to address a lot of the inequities they see in the contract. In terms of salary, if we can split the difference between our two proposals that would be satisfactory.

S. Hamlyn-Prescott said she thinks the BNC will have to caucus. The two groups separated at 7:56 to caucus.

The BNC consented into executive session at 7:56. M. Nielsen left at 8:04. The BNC consented out of executive session at 8:05.

S. Hamlyn-Prescott proposed that the BNC and association come to agreement that over the next year leadership and teachers will come together to work on common language and equity in the areas of prep time and what the BNC would prefer to call "extra duty compensation."

P. LaClair said the concern is that it gets lost. There is a lot else going on. He thinks it would depend on the language and the mode of perhaps a side letter. It would be key for the teachers that the side letter is actually in the pipe and not pushed aside because everyone is busy. And it is key that the side letter would apply to a future contract. Items would be

negotiated and rolled into a future contract. They are asking for 375 minutes of prep time weekly for elementary teachers. They are not asking for the same amount of weekly prep time for elementary and secondary educators. They are aware of the logistical problems of creating time for prep time. What they propose is 75 minutes a day, equivalent to a 45 minute specials period and a 30 minute recess, so it is very feasible.

S. Hamlyn-Prescott said it would be a side letter saying that this is going to come forward during the year. The BNC would have to meet at some point once the work is done. She believes C. Gallagher is willing to oversee these two items going forward. She can't tell the association that the items would automatically roll into the next contract. She is assuming the working group will come up with something workable and reasonable. She not seeing that as a problem. A side letter just doesn't automatically go into a contract. We have to discuss it at the time we do the next contract.

P. LaClair said it sounds like a promising way forward if there is something we can hold up saying we will make progress signed by the BNC.

P. LaClair asked about the 7.5 hour day and salary.

S. Hamlyn-Prescott said she is hearing that everything else will come off the table except these few things we are going to speak about now, is that correct? Both sides had agreed on professional development days for those who are not full time – they will attend and get paid at the premium rate. We will add healthcare and discrimination language and everything else other than salary and hours worked would be off the table.

P. LaClair said that is a fair characterization. The only point he would make is that he wants to run the health insurance language by their UniServ director to make sure that is the statutory language. He has a note from when the language was originally proposed questioning something about it.

S. Hamlyn-Prescott said she thinks it was the grievance part. We are withdrawing the grievance part. The 8.1.1 language is what we are looking to have for the healthcare effective January 1.

C. Gallagher asked, it is similar to what is in the support staff agreement, correct? S. Hamlyn-Prescott said yes. The BNC pulled out the proposals for support staff that they are offering to pull out for teachers. P. LaClair asked, 8.1.1 is staying in for support staff? S. Hamlyn-Prescott said yes. There needs to be something in the contract saying what health insurance will be for next year.

S. Hamlyn-Prescott said we need to have the proposed discrimination language in the contract. P. LaClair said the association likes it.

S. Hamlyn-Prescott said the BNC will be willing to entertain the 7.5 on-site hours (7 hour contract days, 35 contract hours per week) with language about school being open 7:00 am to 4:00 pm. The BNC would like to prepare specific language stating that principals will be

scheduling the work day. With that, the BNC would be willing to put forward an increase of \$750 to the base with one step for the current year.

P. LaClair said this seems very promising but he wants to check with his team.

The two groups separated from 8:17 to 8:25 so the association could caucus.

P. LaClair said the teachers are feeling very good about accepting this arrangement with two minor caveats. One is the healthcare language, which he will check on tomorrow. He trusts it, especially because it is in the support staff contract, but he wants to check with the UniServ person. Is the BNC okay with that? S. Hamlyn-Prescott said yes.

P. LaClair said the other thing is putting an end date on the letter of intent – a deadline for when a side letter would be put before the BNC. Their thought is January 1. S. Hamlyn-Prescott asked if it could be more like mid January or February 1 as the board will be busy at that time of year. C. Gallagher said she doesn't think this will impact the budget season because we will be starting budget work in October. S. Hamlyn-Prescott said if D. Clark and C. Gallagher are okay with it January 1 is fine. The work will be done before that and it can be brought before the BNC to discuss.

P. LaClair said the association agrees with what was proposed for work day and salary. He thinks it is a tangible recognition of what teachers have been asking for.

4. Adjourn

The meeting was adjourned by consent at 8:30.

Minutes submitted by Donna Griffiths