

Minutes of the Virtual Online Special Meeting of the Board of Education of the Berea City School District held on Friday, August 28, 2020 at 7:00 a.m. with BOE members joining in person and remotely on YouTube at the following address:
https://www.youtube.com/channel/UC2eDqel9zE2CFfmt6DakRiA/videos?view_as=subscriber

A. Opening Meeting

Welcome to the Online Board Meeting and livestreamed of the Berea City School District on August 28, 2020

This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public comment during the meeting as indicated in the agenda.

The Board of Education is a decision-making group. The public may express sentiments to assist the members in making decisions, but time spent answering routine questions or criticisms takes time from the Board's business meeting. Questions about operation of the schools should be directed to your child's teacher or the administrator of the school. Items on the agenda normally include reports from the Board and/or from the Superintendent or his/her staff. These reports do not require formal Board action, but they are relevant to the operation of the schools. Action items on the agenda require formal action by the Board. These items are presented to the Board in motions by Board members, or in recommendations by the Superintendent. Routine business - For efficiency of operation, the Board condenses items of routine business into lists or schedules, and presents these for action as consent agenda items. Board members receive their meeting agendas on the Wednesday preceding the meeting. This provides the opportunity for Board members to review all agenda items and associated exhibits well before considering action.

B. Regular Business

Members present: Chapman Duke Dockman Farris Postel

Roll Call
B-1

Start Time: 7:00 p.m.

President Ana Chapman called for the Pledge of Allegiance

Pledge of Allegiance
B-2

None

Public Participation
B-3

C. Superintendent Recommendations

Farris moved and Postel seconded the recommendation that the Board of Education approve the Memorandum of Understanding (MOU) with OAPSE Locals 213,473 and the Berea Board of Education for the purpose of establishing a furlough program for non-teaching employees as shown on the agenda.

Approval of
Memorandum of
Understanding
(MOU) - OAPSE
Locals 213 and 473

Mrs. Jill Rowe, Treasurer/CFO - OAPSE Local 213 represents our administrative assistants, office assistants, intervention associates, café employees, student monitors and regular education aides. OAPSE Local 473 represents our transportation department.

C-1
20-0828-1224

Basically what we are doing today is establishing a furlough program. In our union agreements there is no language to establish a furlough program, there is reduction in force language (RIF) but no language to establish the furlough program, so the MOU's before you this morning is to establish the program.

- #1 - MOU effective Monday, August 31, 2020
- #2 - under the furlough program, by reducing hours for employees or furloughing employees entirely they will maintain their health insurance benefits as outlined in the current union agreement.
- #3 - in addition to partial furloughs, a number of employees may be completely furloughed but will retain their health care benefits at the same rate as before the furlough/reductions.
- #4 – walks us through how the program will be instituted; by classification, if we are keeping employees the most senior employee in that classification or in whole will keep hours, if not they will be completely 100% furloughed. This also gives the District the right when employees are called back or we come back to school, those employees will come back to their current position.
- #5 – employees may pursue unemployment compensation benefits to extent provided by law and we will walk the employees through on how to do that.
- #6 – employees will be notified of their furlough status by email – US mail is slow. Check your email.
- #7 – The Board will do whatever it can to retain as many employees as it can, we may ask them to do something that is out of their job classification, but for the most part they will be working within their classification.
- #8 – The rest of the MOU is regular language that we are agreeing to this during this pandemic
- #9 - extension of MOU through June 30, 2021 and the reason is if we find ourselves in a situation to where we come back and have to go out again, we wanted some flexibility to not have to pass another MOU or not reconvene to do this again, that is why we took it through June 30th just for the school year.
- #10 - will bring employees back as soon as we can.

Mrs. Wheeler - MOU for the bus drivers, with the bus drivers the one thing that is different is their bid process. On Monday, the drivers have to bid on their routes as if we were coming back to school normal. After the bid process is done everyone who may not be coming back whose 100% or 50% furloughed they need to know what their hours would be to start the year in order to apply for unemployment benefits and once they are ready to go with the school year runs, then they will be reposted and they will have to rebid.

When the Board met on Monday night, we shared what the program was going to be that there was a furlough program and we did not have the details because the unions had to have 48 hours to see the MOU's, review them with union leadership and ask questions and anything they needed to do, that is in their language, that is required, so Tuesday and Wednesday they had the time to do that and yesterday they voted and Mrs. Wheeler received the results of the last OAPSE group around 2:00 p.m. and that is when we made the information and agenda live to you. The results of the votes were overwhelmingly passed by both OAPSE groups. The information that Mrs. Wheeler had shared with the board on Monday was what the furlough would look like, some people would come back at 100% of their hours, some would come back at 50% and some would come back at 80% and some people who would not get any of their hours. We did not have the specifics and details of that, she met and talked with both union leaders yesterday after the vote, they had a draft list of what that would look like and one of the things we had shared was they had asked us not to share that information even with the union leadership until after the vote because they did not want that shared or to get out to sway anyone's vote in any way, so right now we have estimated numbers, because they could change, for example we have 22 routes at Transportation that we are going to run and what we have done is to make that 44, we thought it was important that our bus

drivers stay up and running, a lot of them have not driven a bus since March and we thought it important that they keep their skills so we will have 44 bus drivers and furloughed at 50% of their hours and that number could change, we are in the process of working on finalizing numbers for our most at risk kids and that could increase our routes.

Why a furlough verses a RIF, we wanted to implement the furlough because it gave us the most flexibility to bring our staff back quickly. If we would have rified positions would have to be reposted, interview, and could be a lengthy process, by a furlough we are able to bring people back quickly and that was important to us. We also want to make sure we were able to give our staff benefits. All members are eligible to retain their benefits, they are eligible for unemployment and are able to apply for unemployment and we are implementing the Ohio SharedWorks Program, anyone who is furloughed 10 – 50%. Jill has already began the application process with ShareWorks Ohio where they reimburse part of the unemployment verses anyone furloughed at 100% the District is responsible for the full amount. If we went the route of a RIF our members would not be eligible for benefits, but eligible for unemployment but the district would pay the full share on all employees.

Mr. Dockman – The reason to start this Monday instead of the first day of remote learning is?

Mrs. Wheeler – We would have to bring staff back and it would be for a week. When they went through the list it is based on the amount of work we have for people to do. If we brought staff back until next week we really don't have work for all of them to do right now and that was one of the big reasons. Even starting this today, we know that on that list we could have people that are not able to come back, for example if there is a medical, we have asked them to reach out to Vincenzo Ruggiero, Personnel Director if you know you are one of those people and you know you have a reason that you can't come back, we are going to have to work out something with that staff member and go to the next staff member who are in line based on seniority and get that process going, so we really need a little bit of time so we are ready to go on the 8th.

Mr. Dockman asked if the staff being furloughed would miss any orientations before school starts.

Mrs. Rowe – believes that is why the furlough works best for us, when we know we are coming back we can mobilize them sooner to do some of the training. All staff have to be trained in COVID procedures, so that is another reason the furlough works better than the RIF, we can mobilize them possibly a week sooner to get any of that training necessary that might need to occur.

Mrs. Wheeler –It does give us time with next week with the staff and with Monday being a work day and the next four days Professional Development days without kids it does give us time we need next week to do anything we have not done with a staff member yet.

Mr. Duke – Does it not make sense to allow all the staff to go through whatever training is planned for next week to have them to go through that together rather than to break that up, it seems like it would be more efficient if we have 171 staff potentially not going through certain amounts of training and development activities next week that others would have. Additionally, regarding the furlough plan what he hasn't seen and wants to make sure to have some discussion on is, what about things like the no work clause, we have a kickoff scheduled for September 4th and his interpretation is, if we furlough someone on the 31st, they cannot participate on September 4th that would violate a no work clause of a furlough plan. Mr. Duke said it would make sense to him that yes, we could start the furlough plan on 8/31 but plan through these next couple of weeks and let some of these things play out, have them help get ready, he has a hard time understanding how in a remote environment that an instructional assistant might be furloughed that they would be able to

help teachers in an area of remote environment and where kids have to do independent studies, he would think we would want to maximize the resources to the kids, he knows we are trying to predict what is going on but he really concerned about under predicting to what work might be available. Mr. Duke is all for a furlough program ever since this program has started and thinks everybody knows that he prefers furlough program rather than RIF, but he thinks there are just some gaps that he hasn't heard and worries that we might be rushing the furlough program to make sure we don't pay people and that is the perception that is out there. Mr. Duke would like to hear some comments on why we would not have staff fully available for skill enhancement vs. breaking it up. He thinks doing things like bus drivers we are going to train 44 bus drivers because they haven't drove since March, but what about the others? Why are get them all trained at the same time.

Mrs. Wheeler – For example bus drivers we are not actually training them, we are just getting them back so that they are able to drive. We met with unions to talk about what could people do, even after that, the 106 we are bringing back 100% of the time is based on the feedback and information we received. We will have that time period if and when we bring the kids back that we will be able to bring them in before kids are here. We will have that transition period and one of the things we said to the BFT was that we would allow for another work day prior to the kids coming back, so that still gives us time to do the training that we need to do. We do not have training for our classified staff right now. We just have to review our COVID procedures and if our kids come back we will be doing this with our entire staff. If we are over under predicting right now the furlough allows us to bring people back if we need them, so we have predicted the best we can right now and that is why we are bringing so many staff back at either 100%, 50 or 80% and we have predicted as best we can right now but it also gives us the opportunity that if we missed the target we are able to bring staff back and we are able to bring them back quicker. Our convocation on Friday is virtual and people choose to participate that have been furloughed will be able to do that or not.

Mr. Duke – Yes, but regarding that some furlough programs they have no work rules, their email access is shut off and we have communicated that we are going to have emails here being our primary form of communication and so he doesn't want us set up into a legal claims battle here as well where we are furloughing people 100% of the time and expecting them to still participate in certain things or giving them options to participate but not be paid where others that would participate would be paid and thinks that is not the point of a furlough program and doesn't think if we have thought through the whole "no work" rule properly.

Mrs. Rowe – Under the Shareworks Ohio Program there is encouragement that they can go seek other employment, they just have to report those hours to unemployment so the benefits can be calculated accordingly, if they earn money from somewhere else or even earn money from us even a ticket taker and they are furloughed, those hours/pay need to be reported to unemployment so the benefits can be calculated accordingly. Under the regular unemployment work program that is also a clause that you have to report outside earnings and under regular unemployment they encourage people to seek employment or they have to prove they have been seeking other employment.

Roll Call: Ayes: Chapman Duke Dockman Farris Postel

Nays: Duke Motion carried

D. Adjournment

Farris moved and Dockman seconded that the meeting be adjourned.

Adjournment
D-1
20-0828-1225

Roll Call: Ayes: Chapman Duke Dockman Farris Postel
Nays: None Motion carried

Time meeting ended: 7:43 a.m.

This is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting.

Date of Approval: October 19, 2020 APPROVED: *Ana Chapman* ATTEST: *Julia Lowe*