

Monday, April 29, 2019

MINUTES OF THE SPECIAL MEETING OF THE BRIDGEPORT BOARD OF EDUCATION, held April 29, 2019, at Bridgeport City Hall, 45 Lyon Terrace, Bridgeport, Connecticut.

The meeting was called to order at 6:32 p.m. Present were Chair John Weldon, Secretary Joseph Sokolovic, Joseph Lombard, LaMar Kennedy, and Maria Pereira

Supt. Aresta L. Johnson, Ed.D, was present.

The sole agenda item was a class action grievance, 2785, of the Bridgeport Education Association(BEA) related to Columbus School.

Atty. Eric Marshall was present for the BEA. Atty. Marshall said Article 7.3.2 in the contract is clear that elementary school teachers will not be assigned to lunch duty. He discussed the contract's definitions of elementary school teachers.

Atty. Marshall said he distributed copies of schedules where lunch duty is spelled out. He said he alleged the contract violation was recognized because the schedules were changed and the duties taken away from teachers. He said the problem is the grievance has been denied throughout, which means it could happen again. He added the BEA had to appeal otherwise we would be seen acquiescing to the denial of the grievance.

Atty. Marshall said the grievance also covers the assignment to hall duty. He said Article 10.6 of the contract says no

teacher shall be assigned supervisory duties for security purposes. He said when teachers are assigned hall duty part of the task is doing exactly this. When security guards are elsewhere, teachers would be left to confront someone entering the school. He said he recognized teachers may be assigned hall duty, but they cannot be assigned duties that involve confronting intruders.

In response to a question, Atty. Floyd Dugas of Berchem Moses, the board's counsel, said the board could uphold one portion of a grievance and deny another part.

In response to a question, Atty. Marshall said one possible resolution would be to define the hall duty to exclude security tasks. He said there were incidents that caused the grievance to be filed.

In response to a question, Atty. Marshall said he has had reported to him incidents of people coming in side doors or parents who are upset entering the building who encounter teachers on hall duty. He said he did not know if teachers are explicitly ordered to confront those entering the school. He noted the contract prohibits dealing with intruders.

Atty. Dugas said he wondered what we're doing here if the problem has been fixed. He noted the principal was new to the school this year and then was out on a leave of absence. He said the issue about teachers being put on lunch room duty was fixed.

Atty. Dugas said she was glad to hear the BEA's position is there's nothing wrong with assigning teachers to hall duty. He said the teachers in question did not have full schedules and were assigned additional duties and tasks.

Atty. Dugas said he did not believe the teachers were assigned to supervising security, but to interact with students. He said he believed there was reading into or fabricating or imagining things that aren't reality.

Supt. Johnson said she would advise any teacher or staff member to contact the police or security in the event of an intruder and err on the side of caution.

Atty. Dugas said it sounded like it can be resolved thorough communication rather than a grievance.

Linda Bagoly, assistant principal at Columbus School, said the teachers who were removed from the cafeteria were asked to locate themselves on the outside of the cafeteria in chairs with walkie-talkies, which is not near the front door. She said the purpose was to monitor children going to the restroom. She said it was particularly helpful when the kindergarten and first grade students had to use the restroom.

In response to a question, Atty. Marshall said this came to his attention because teachers had to or were expected to deal with situations involving intruders. He said if it was a communication issue it should be communicated to teachers what they are expected to do and not expected to do.

Atty. Marshall noted these were not volunteer activities, but scheduled duties of the teachers.

In response to a question, Dr. Johnson said the grievance was denied as all-encompassing without separating components because it was all in one sentence.

Atty. Dugas said there was nothing to pursue because the problem has been fixed. He said the other component of the grievance was a communication issue about the expectations.

Ms. Pereira said she has never seen so many grievances come to the board level. She said a lot of this could be resolved by paid professionals before it got to the board and a lot of it is silly.

In response to a question, Ms. Bagoly said the only hall duty involved is outside the cafeteria. She said a security guard and herself are stationed within twenty steps of their location.

Ms. Pereira said the principal took over a Commissioner's Network school as a first-time principal and is now out on leave.

Mr. Weldon said it sounded like a big communications snafu.

Mr. Sokolovic said he saw the need for the union wanting to protect itself and said he was likely to split the ruling.

Atty. Dugas said the board could deliberate on the matter in a non-meeting.

Mr. Weldon said he was inclined to deny the grievance. Ms. Pereira urged the matter be put to bed by upholding one portion of the grievance.

Atty. Dugas recommended denying the grievance because there is no ongoing problem that needs fixing.

In response to a question, Atty. Marshall said he believed the lunch room duty was started in September and fixed in January. He said the official position of the district was that the schedules did not violate the contract. He said it would be silly to get an arbitrator to tell the board it violated the contract.

Atty. Dugas said there is no remedy to give the union because it has ceased. Ms. Pereira said she believed the union was looking for an admission that the board could not engage in the practice.

Mr. Weldon moved "*to recess to go into a non-meeting with only our counsel present.*" The motion was seconded by Mr. Lombard.

Voting in favor were members Weldon, Sokolovic, Lombard, and Kennedy. Ms. Pereira abstained.

The meeting was recessed at 7:05 p.m.

The board resumed in public session at 7:32 p.m.

Mr. Lombard moved "*that Grievance 2785 is sustained insofar as lunch duty may not be assigned to elementary teachers, otherwise the remainder of Grievance 2785 is denied.*" The motion was seconded by Mr. Sokolovic and unanimously approved.

Mr. Weldon asked that Dr. Johnson communicate to building leadership that the teachers are not expected to confront intruders or act in any other building security capacity.

Ms. Pereira moved the meeting be adjourned. The motion was seconded by Mr. Lombard and unanimously approved.

The meeting was adjourned at 7:33 p.m.

Respectfully submitted,

John McLeod

*Approved by the board on May 13, 2019*