

MINUTES

CTA CBLT

Via Zoom

November 19, 2020

In Attendance

		Farrah Hawkins	CTA	Megan Oates	CTA
LeighAnn Blackmore	District	Matthew Hazel	CTA	James Preusser	District
				Maribel Rigsby	CTA
Albert Davies	CTA			Ladara Royal	CTA
Wendy Doromal	CTA	Laketa Jimenez	CTA		
		Daphne Lewis	CTA	Mary-Grace Surrena	CTA
		Clinton McCracken	CTA	Stephanie Wyka	District

Additional Attendees/Guests

Lucia Piva	CTA	Krista Russell	District (Notetaker)	
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Minutes

Jim Preusser	Good morning Wendy. We only have four people on this morning. We are ready when you are.
Wendy Doromal	Good morning. Did you get a reply from the Florida Department of Education? And we would like to go over the proposal.
Stephanie Wyka	I did not receive a response from DOE in writing to the email I sent.
Wendy Doromal	I don't get how we can proceed with this meeting. We are waiting on that information. I am not even sure it is necessary. We were discussing this. Would you put up the last proposal?
Jim Preusser	Do you have a new one or do you want to look at this one from October 29? (See Appendix A)
Wendy Doromal	We were waiting for response before we wrote a new one.
Jim Preusser	Ok.

Wendy Doromal	Let's look at #4: "For those teachers who are using both LaunchED and face to face simultaneously, the teacher will have the discretion to only be observed on one of those instructional deliveries and may choose which delivery model to be evaluated on." Other districts have done this, Pinellas is doing this. I think it makes sense. Look, this is not a normal year. To proceed as normal is not fair to teachers. We shouldn't even have evaluations or student testing this year. Quarantines. Up to 5 schools have been quarantined. As far as the District's argument that we can't do this because we would be leaving some kids out. Evaluation is not about this, it's about evaluating teacher's qualifications. It's not fair to do this, teaching LaunchED and face to face at the same time. Because, not all teachers are doing both. These teachers didn't have a choice. Parents had a choice. We have whole schools where principals didn't think this was fair and they have teachers only doing one of the two. This is not a best practice. None of the evaluators have ever experienced this. This is grossly unfair.
Maribel Riggsby	This is the only point we need to get done in this proposal. This is something the district can do. There is no research on how to teach in a pandemic. There is no equity for teachers. Our language does not change the evaluation system whatsoever. To say a group of kids is left out is not true. You are always evaluating a portion of students. We are not asking for a big change. All we ask is to give the decision to teachers.
Jim Preusser	Thank you Maribel and Wendy.
Wendy Doromal	Does anyone else want to speak?
Albert Davies	I have one hybrid class. I have students in the classroom that are very engaged and then I have students at home. I spend my time going back and forth between engaging kids in the classroom and telling the student at home that he can't have the camera pointed at the ceiling, he has to have his microphone on, you need to answer questions etc. If I were spending all my time with that person, I would be ignoring the students in my classroom. It's like having 2 small groups with one group doing the work and the ones in the other group throwing paper wads. It is really like teaching two separate classes. I don't see how teachers can be evaluated teaching two separate classes at the same time.
Wendy Doromal	A teacher doesn't have as much control with students sitting in their own house with parents sitting next to them.
Clinton McCracken	The observation itself is not a part of what I am teaching my students. The argument that it is not equitable to students who are not being observed, it is the teacher being observed. So the argument is not strong to me.

Stephanie Wyka	<p>I appreciate you sharing your perspective and experiences, it is valuable information for me. I know from some of the things you are sharing with me, that you are thinking about equity from a teacher viewpoint. Remember, 46% of our students are LaunchED@Home, and our obligation is providing equitable education for all students. Like it or not, going through monitoring, observing, evaluating, and providing feedback on the instruction that is being provided is necessary and legally required for teachers and administrators. I understand and hear what you are saying about the experiences and challenges.</p> <p>I want to share some data around average evaluation scores this year versus last year. Because I know where some of the concern is and it's around potential performance pay.</p> <p>From August 2019 to November 2019 the average score was 2.95. This year, the average score this year from August to November is 3.06. In fact, October was at 3.05 and has gone up a bit for November. Ratings for teachers are at an increase for this year. I wanted us all to have an awareness and an understanding of that data.</p>
Wendy Doromal	<p>I think you are missing the point. We are not saying that you are not responsible for evaluating teachers. And you can certainly evaluate teachers who are using only LaunchED@Home, and that's all they are doing, using LaunchED@Home. And you certainly can give teachers a choice, those who are using both models. We are not throwing LaunchED under the bus. That is twisting what we are saying. You say you want to protect the District...we want to protect teachers and students with safety regulations and we were stone walled on that. I am shocked that it is only 3.06. I'm shocked that administrators are not giving more innovative ratings due to the circumstances. I am shocked that circumstances are not being taken under consideration. I don't know one teacher who is not under extreme stress. I receive hundreds of emails at night. This situation is incredibly difficult. You have no modification of the evaluation process to account for this stress. Kudos to other districts who have done so.</p>
Jim Preusser	<p>Maribel made a comment earlier based on the October 29 proposal and so I am very clear, the only issue is #4?</p>
Wendy Doromal	<p>Can we scroll through it all together? Stephanie, when you are comparing the years, are you comparing when schools started face to face and the day when observations started for each year, and how many teachers were there for each year? We need that information to understand.</p>
Stephanie Wyka	<p>Let me pull another file. I was looking at Domain 1 for classroom teachers for this data. I can rerun those numbers including non-classroom teachers. There were 12,749 classroom teachers last year using the Domain 1 observation form. I will run the report for the date ranges for what is on the evaluation timeline. I can get the information.</p>
Wendy Doromal	<p>How many teachers in the calculation last year and then this year and the time.</p>
Albert Davies	<p>And the number of students this year compared to last year.</p>

Jim Preusser	Please email exactly what you need to know. I think Stephanie captured it, but I don't want to miss anything. Stephanie, you are good? So is the only outstanding issue is #4? And Wendy do you want to caucus to go over the document again, it's been a while since we discussed it.
Maribel Rigsby	#5 is contract language. And #4 is the only issue we have.
Jim Preusser	Why don't we go to quick caucus for 15 minutes, ok? You all can look over the document a little more closely and I can talk to my team. And then you can confirm that #4 is truly the only issue left in the proposal.
Wendy Doromal	Sure.
Jim Preusser	We will be back at 10:40 am.
CAUCUS	
Wendy Doromal	Yes, we reviewed and #4 is the only issue.
Jim Preusser	We wanted to take a deeper dive into the data. Stephanie would you speak to that?
Stephanie Wyka	We are going to try to seek a list of teachers and their delivery model so we can analyze the data. We want to see the trends in scoring by instructional model.
Wendy Doromal	I think that is ridiculous and I think you are stalling as you always do. This is an easy decision. Teachers are only asking for a choice if they are teaching hybrid. Other districts are getting a stipend for teaching a hybrid class. You guys have refused that. You are not going to get enough data to decide.
Jim Preusser	I understand that you might be upset about it and that you don't agree. We are still going to take a deeper dive into the information.
Wendy Doromal	How long are you going to be swimming? When do you think will it be completed? Teachers need to know how they are going to be evaluated.
Jim Preusser	Wendy, I kind of take offense at that statement. We are not going to be swimming. We understand that teachers need to know how they are to be evaluated. You have a Request for Information about this specific data we are talking about. Are you saying you don't want this information?
Wendy Doromal	You don't need it for that. I think it is interesting but it doesn't relate to this. You are the ones that brought up that you are comparing this year to last year. I want the data to be valid.
Jim Preusser	So, in order for it to be valid we need to look more closely at the data. You either want the data or you don't. I think what you are saying is that you want us to agree with #4. We have concerns with the language. We've given you information on the current state. You don't think it is relevant or that we need to look more closely at the data. We are not delaying or stalling on anything. We are far apart on one thing in the proposal. We have made movement on several items in the proposal.
Wendy Doromal	We conceded Deliberate Practice and other things in the proposal. We are trying to make movement on it.
Jim Preusser	I thing that we both agree that it would be appropriate for us to come back together again to try to finalize this.

Wendy Doromal	I need a date, next week is Thanksgiving week, then its Christmas...
Jim Preusser	We are not available next week. We are available the following week.
Wendy Doromal	How about tomorrow?
Jim Preusser	How can we meet tomorrow if we are going to take a deeper dive into the data?
Wendy Doromal	You said you had data on different screen. So can we pull up that screen? How long will it to do a data dive?
Stephanie Wyka	We need a little more time to get the rest of the data I need. The number of teachers for 2019-20 is 12,748. For 2020-21 its 11,809.
Maribel Rigsby	We have two different things we are looking at. When we first asked for the data it was because things might change, it's not equal...now it is data. The only reason the averages are higher this year is that some principals understand that it is not equal. I understand that you want to look at the data, but right now it is the 2 nd thing we get as for why this is not ok. If this just doesn't work, then it doesn't work. There is no reason why this could not happen.
Wendy Doromal	Teachers are scheduling their formals. So I guess we need to tell teachers not to schedule formals until the District gets all their data and figures out how you will be evaluated this year. Is that what we should do?
Jim Preusser	You asked us questions about obtaining the data. If you don't want us to obtain the data that is fine. What I am telling you is that you have an open request for data. You asked for information from every school. That is not a centralized housing point for that information. LeighAnn would you bring up the request for information?
LeighAnn Blackmore	You asked for information on the number of teachers by school for each modality.
Wendy Doromal	And I asked for that information in September or October.
Jim Preusser	We sent you a letter of notification back in August about this. It is completely appropriate for us to still be having this conversation. You made a request for this information. We did tell you it would take time to get the information and we are still trying to get the information. We have to get it from every school. You don't want the information any longer?
Wendy Doromal	I wanted it when it was useful. The fact that you can't get information from every school and it would take months and months is concerning to me.
Lucia Piva	Do we need the data to uphold the language?
LeighAnn Blackmore	I think there is something I need to say here. If you tell teachers to refuse to do an observation that would be a violation of the contract. We need everyone to understand that this discussion doesn't waive current contract language. You have shared the difficulty with hybrid and the impact it is having on teachers. We want to see the data. Does the curve cause more developing and beginning ratings if they are doing the hybrid? I think that is valuable, meaningful data as we try to look at a solution for the issue you have said is an outstanding issue in this agreement.

Wendy Doromal	I hear what you are saying and I will tell you my interpretation. Every single time, you have delayed it is for your autocratic moves. And I believe that is what you are doing with evaluation. You are stalling. This was on the table for a long time. First, we needed a decision from FLDOE. It never came. And now you want to get some data and you are twisting it to say you are getting the data I asked for months ago.
Jim Preusser	Wendy, no one is twisting anything. This is impact bargaining.
Wendy Doromal	I am not through. We want our money back for the record request from July, and then we received information for things we never asked for. We didn't even get a reply to our email that according to School Board policy we should have received within 24 hours. I am sick of being treated like this. We need this to proceed. You guys are on this very casual timeline. Same with the impasse on reopening schools. This affects people's lives.
Jim Pressure	Wendy, we are not talking...
Wendy Doromal	I am not through!! I am not through talking, I am going to finish my sentence! We started talking about reopening schools in June. We couldn't get an answer. You autocratically proceeded with policies and procedures without bargaining. We went to impasse. We wanted to go straight to the Board. You denied that request. We asked again and you denied it. You insisted on a Special Magistrate opinion. You got that and as of last Friday we still haven't heard from him. We have an urgent matter here. It does parallel to this. It is always delay, delay, and delay. It's like looking for the witch's broom. I don't want to play Dorothy anymore. I want an answer. I want to proceed. We need to protect our teachers. And we need to alleviate some stress for teachers. Get your data and then come back the first week of December.
Jim Preusser	Are you finished? I just want to make sure. So, we are not talking about reopening of schools. We are talking about evaluation. We notified you in August. We have had multiple conversations about it. The District has every right to look at data in order for us to come to a conclusion, to reach an agreement. We understand your position. You made statements around the hybrid model. We are going to look at data and we are going to determine what that looks like for the District. We are not stalling anything. We need to make an educated decision. We understand your position around #4 and we know it's the only outstanding issue on this proposal. For the record, Maribel made a statement about #5. That section is not just current contract language. There is other language in #5 that speaks to other things outside the contract, new language was added. Stephanie is this correct?
Stephanie Wyka	Yes, an additional informal beyond what is in the Contract was proposed for #5.
Jim Preusser	We have made movement. We are not saying no for the sake of saying no. You struck through the entire timeline many weeks ago. We didn't do anything about that. We came back and wanted to see where we could find some common ground. And now we are down to one last item. I think you are upset because we won't agree to that without at least taking a look at some data. We are not stalling.

Wendy Doromal	I know your game. Our teachers know it, too. They know what the District thinks about them, too.
Jim Preusser	There is no game. Let's look at dates. How about December 3 rd ? Are you available?
Wendy Doromal	There is a Fringe Committee at 1:00 pm.
Jim Preusser	We can meet in the morning.
Wendy Doromal	We are not going to meet if you don't have the data. Not going to waste my member's time.
Jim Preusser	If that is what you are going to say, then I am going to hold on a meeting date until we do have the data. I can give an update on December 1 st .
Wendy Doromal	I think it is unacceptable but that's what I get, right?
Lucia Piva	Can we set a date tentatively?
Jim Preusser	No. I will give an update on December 1 st .
Lucia Piva	So, are you saying you will have the data soon after that?
Jim Preusser	I hope to have it by the end of the week. That means received and analyzed by the end of the week.
Wendy Doromal	It seems to be there is something wrong with the system if you can't get the data and analyze the data in a day.
Jim Preusser	As I stated in the last bargaining session, we do not have a centralized repository for data.

Appendix A

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA
AND
THE ORANGE COUNTY CLASSROOM TEACHERS ASSOCIATION**

This Memorandum of Understanding is made on this ___ day of ~~September~~ **October** 2020, by and between the School Board of Orange County, Florida (District) and the Orange County Classroom Teachers Association (OCCTA).

PURPOSE:

The purpose of this Memorandum of Understanding is to provide instructional personnel with the modified evaluation timelines and related processes for the 2020-21 school year.

WHEREAS, the parties recognize that we are under extraordinary circumstances as a result of the coronavirus pandemic.

NOW, THEREFORE, it is agreed as follows:

1. ~~Teachers who have a 2018-2019 Instructional Practice score of 1.5-2.4 shall be placed in Category 2B for the 2020-2021 school year.~~ **Teachers who have a 2018-2019 Instructional Practice score of 1.5-2.4 shall be placed in Category 2B for the 2020-2021 school year.**

1. All observations conducted during the 2020-2021 school year will be scheduled at a mutually agreeable time between the evaluating administrator and the teacher.

2. Livestream observations shall be permitted for teachers that utilize the LaunchED@Home instructional delivery model.

3. ~~This shall include~~ **Live web conferencing for the completion of all formal observation(s) pre and post conferences, both for teachers utilizing the LaunchEd and/or face to face instructional delivery models, will be permitted by mutual agreement, for teachers assigned to the LaunchED@Home, and face-to-face, or a combination of the instructional delivery models.**

4. ~~For those teachers utilizing both LaunchEd and Face to Face simultaneously, the teacher will have the discretion to only be observed and evaluated on one of those instructional deliveries. For those teachers utilizing both LaunchEd and Face to Face simultaneously, the teacher will have the discretion to only be observed and evaluated on one of those instructional deliveries and may choose which delivery model to be evaluated on.~~

4. ~~Livestream observations for teachers utilizing the face-to-face instructional delivery model shall be permitted upon a documented mutual agreement between the teacher and administrator.~~
5. ~~This shall include live web conferencing for the completion of all formal observation pre and post conferences.~~
6. ~~The following observation frequency requirements will be used:~~
 - a. ~~Category 1 teachers will receive:~~
 - i. ~~1 non-evaluative coaching observation~~
 - ii. ~~2 informal observations~~
 - iii. ~~1 formal observation~~
 - iv. ~~2 evaluative Domain 4 observations~~
 - b. ~~Category 2A teachers will receive:~~
 - i. ~~1 non-evaluative coaching observation~~
 - ii. ~~1 informal observation~~
 - iii. ~~1 formal observation~~
 - iv. ~~1 non-evaluative Domain 4 observation~~
 - v. ~~1 evaluative Domain 4 observation~~
 - c. ~~Category 2B teachers will receive:~~
 - i. ~~1 non-evaluative coaching observation~~
 - ii. ~~2 informal observations~~
 - iii. ~~1 formal observation~~
 - iv. ~~2 evaluative Domain 4 observations~~
 - d. ~~No changes in the observation frequency requirements will be made for Category 3 teachers.~~
7. ~~Teachers who are assigned to the LaunchED@Home instructional delivery model may elect to be identified as a Category 2B teacher if they are currently assigned to Category 2A. Teachers shall communicate this to their administrator by the date established on the modified evaluation timeline.~~
8. ~~The modified evaluation timeline below will be utilized:~~
 - a. ~~**September 21:** First day coaching observations may be conducted in iObservation. A coaching observation is required to be completed prior to any evaluative observations.~~
 - b. ~~**September 30:** Last day for teachers to be identified as Category 2B that began their assignment on 7/31/20; administrators should verify all teachers' categories.~~
 - c. ~~**October 13:** First evaluative observations may begin to be conducted. Teachers hired on, or after, this date are Temporary Contract. Temporary Contract teachers only require 1 formal & 1 informal observations in Domain 1 & are not required to complete the Deliberate Practice process.~~
 - d. ~~**October 30:** All Deliberate Practice Plans must be submitted by teachers in iObservation~~

- e. ~~November 16:~~ Last day for administrators to review Deliberate Practice plans, approving or providing feedback for the plans in iObservation.
 - f. ~~November 30:~~ Last day for teachers to resubmit Deliberate Practice Plans that required revision in iObservation.
 - g. ~~December 1:~~ Last day for Category 2A teachers to receive their first evaluative observation (formal or informal).
 - h. ~~December 7:~~ Last day for Administrators rate Element “Developing a Written Growth & Development Plan”.
 - i. ~~January 21:~~ Teachers hired on or after this date should be identified as a Category 4.
 - j. ~~February 16:~~ Last day for non-evaluative Domain 4 observations to be completed for Category 2A and evaluative Domain 4 observations to be completed for Category 1 & 2B teachers. Last day for midpoint evaluations to be completed for Category 1 & 2B teachers.
 - k. ~~April 1:~~ Last day for teachers to complete the Deliberate Practice process in iObservation.
 - l. ~~April 15:~~ Last day for administrators to rate Element “Monitoring Progress Relative to the Professional Growth & Development Plan”.
 - m. ~~May 1:~~ Last day for administrators to complete second semester Domain 4 observations. Last day for teachers to request an additional evaluative informal observation.
 - n. ~~May 20:~~ Last day for Domain 1, 2, and 3 observations to be completed; administrators should verify that all observations have been completed.
 - o. ~~May 21:~~ Last day to finalize Deliberate Practice plans and complete final evaluations for all categories of teachers.
9. All categories of teachers can request one additional evaluative informal observation by the date established on the modified evaluation timeline.
10. Teachers shall be able to request a conference to discuss their finalized Instructional Practice score with their administrator through May 26.
11. The Instructional Practice procedural error appeal request process shall be extended to June 30, 2020.

~~5. Before a teacher may be given a score of “Not Using,” “Beginning” or “Developing,” the assessing administrator shall meet with the teacher to provide instructional support and the teacher must’ve had an opportunity to increase the rating with a subsequent observation. The assessing administrator shall change an informal or formal observation to a coaching observation before giving any rating lower than “Applying.” The teacher will receive instructional support and must have had an opportunity to increase the rating with a subsequent observation.~~

5. Teachers shall be able to request one (1) additional informal observation in either the first semester or the second semester, in conjunction with the existing provisions outlined in Article X.C.3.b. If additional informal observations are completed, the parties understand that the lowest informal observation is dropped from the instructional practice score calculation.

~~6. The following scoring method shall be used to determine the Deliberate Practice Score:~~

- ~~• Innovating = 1.5~~
- ~~• Applying = 1.4~~
- ~~• Developing = 1.3~~
- ~~• Beginning = 1.1~~
- ~~• Not Using = 0~~

~~7. Instructional Practice and Final Summative Ratings – The ranges for the four evaluation ratings are specified as follows:~~

- ~~Highly Effective: 3.0 to 4.0~~
- ~~Effective: 2.0 to 2.99~~
- ~~Needs Improvement/Developing: 1.3 to 1.99~~
- ~~Unsatisfactory: 1.0 to 1.29~~

ACKNOWLEDGEMENT, SIGNATURES AND DATES:

The MOU shall expire on June 30, 2021. Electronic and facsimile copies will be considered originals for all purposes, including enforcement. This Agreement may not be amended except by a written agreement signed by the parties.

This MOU does not establish a precedent beyond the time period set forth herein.

Dated this _____ of _____ 2020

For School Board of Orange County, Florida:

For Orange County Classroom Teachers Association:

James Preusser
Senior Executive Director, Human Resources

Wendy L. Doromal
President