

# MINUTES

## OESPA CBLT

Edgewater High

May 27, 2021

### In Attendance

Yolanda Anderson	OESPA	Annette Henry	OESPA	Christina Pretorius	OESPA
LeighAnn Blackmore	District	Glarsnell Jean-Charles	OESPA	James Preusser	District
Robin Bolden	OESPA	Rivers Lewis	District	Michelle Stile	OESPA
Lindsey Bowlin	District	Scott Lindsey	District	Laura Suprenard	District
Beth Curran	District	Clyde Mitchell	OESPA	Helen Tyree	OESPA
Jennifer Fowler	District	Judith Padres	District	Julio Vazquez	OESPA
Temika Hampton	OESPA	Ron Pollard	OESPA	Byron Wilson	OESPA
Theresa Harter-Miles	District	Sophia Pollard	OESPA	Mike Winter	District
Ernest Jean Baptiste	District				

<b>James Preusser</b>	Alright, Good Morning OESPA. Thank you for meeting with us today. We appreciate your time. Temika, a couple of things. I know we sent you a pretty extensive response to the RFI (request for information) that you had. I know you may still be looking at that. Do you want us to walk you through it? You have questions you want to ask of any one person?
<b>Temika Hampton</b>	We don't have questions right now because we are still reviewing it. One of the things that was sent to Ron was this safety committee thing. We are just getting it. We have not had the chance to review the bulk of it. If there is something specific you want to explain feel free. We have not had a chance to review.
<b>James Preusser</b>	Ok, that's fine, we can move past that. I just want to make sure that if there are additional questions that you have, we can certainly answer them.
<b>Temika Hampton</b>	As I indicated in my email this morning, I don't know if we will have questions as we get into it. We don't have any questions (now).
<b>LeighAnn Blakemore</b>	I just want to make sure you got the amendment to Michelle. We gave you the overtime?
<b>Temika Hampton</b>	Yes, I got that. I got it this morning.

<b>James Preusser</b>	<p>The other thing I wanted to go through. We had a little bit of this discussion via email, but I certainly wanted to bring it to the table today. While LeighAnn passes this around, this is the memorandum of understanding.</p> <p>In regards to summer school specifically, our extended school year. It really helps our students with disabilities.</p> <p>One of the things we wanted to do was to offer the opportunity for our paraprofessionals and our program assistants to be part of this. As you can see the MOU speaks to that any paraprofessional or programs assistant assigned to an ES1 class or classes for students with disabilities for summer school will be paid as follows: \$20 per hour or their current hourly rate, whichever is greater. Same for program assistants who will be paid \$25 per hour or they're current rate, whichever is greater. This will be for summer school only and would expire at the end of July 2021.</p> <p>The funds for this are coming from ESSER dollars. This is absolutely what ESSER grant dollars are supposed to be used for. When there is a technical disruption or closure or learning loss, deep learning loss. That is specifically what we are trying to target here. We know that a lot of students have indicated that they will be coming to summer school. Many of these students are students with disabilities. We want to make sure that we can provide the necessary services for those students.</p> <p>I have signed the MOU already, do you have any questions about it, or is there anything we can explain further or do you need further clarification?</p>
<b>Temika Hampton</b>	<p>I think the MOU is self-explanatory. Again, our concern is similar to the one I sent in the mail. We are using the ESSER funds for this. We wanted to look at what additional funds were being used? If there are funds there used to pay out a bonus to our employees. Again, we have not had the opportunity to review everything that was sent over. Like I said we got the other seven amendments sent over this morning. So, a lot of this is contingent upon feedback we receive from you on the last proposal we gave regarding wages excreta.</p> <p>So we are not in a position to sign off on allocating funds to something else until we know where we are on that, specifically.</p>
<b>James Preusser</b>	Well, let me just talk a little bit about ESSER. ESSER funds generally aren't used for bonuses and merit pay and other expenditures that are similar to that.
<b>Temika Hampton</b>	Except that is exactly what is being used for in other school districts.
<b>James Preusser</b>	Ok, well, what are you referring to specifically?
<b>Temika Hampton</b>	<p>The bonus the governor just announced for teachers and principals is coming out of the ESSER fund as bonus money. Other school districts, the larger school districts have also used those funds to pay a bonus.</p> <p>It cannot be used for regular wages but can be used for all the work that all the employees have put in during the 20-21 school year, during conditions of COVID 19.</p>

<b>James Preusser</b>	<p>But that is if it is related to a closure or disruption. So the criterion is very specific. Of course you can use a bonus or merit pay for that type of criteria, but it has to be very specific to have closure or disruption.</p> <p>So, in this case you were speaking about the teachers and the principals. Number one, he (Governor DeSantis) hasn't signed that yet. I know yesterday he had a press conference where he said he was going to. So, at this point he hasn't signed it. You are saying that money is coming out of ESSER. I don't agree with that. I don't think that it is. I think it is coming directly out of the state's budget.</p> <p>So, you may indicate that it's coming out of ESSER; I'm not completely in agreement with that. I haven't seen where the money is coming from. My understanding is that it is coming directly from the state's budget.</p>
<b>Temika Hampton</b>	That is not what was put out by the governor's office. It is coming from ESSER funds they received, the state received. That was not allocated to the school districts, not allocated to the counties. It is the funds that the state received.
<b>Jim Preusser</b>	I understand.
<b>Temika Hampton</b>	And, other school districts have done it as well. We often like to compare ourselves to the big school districts. So Orange County is saying all those districts are wrong in how they are allocating their funds?
<b>James Preusser</b>	Which school districts? Can you tell me which ones?
<b>Temika Hampton</b>	Broward has paid out a bonus.
<b>James Preusser</b>	And it came directly from ESSER? You're sure they didn't just move money around and paid it differently?
<b>Temika Hampton</b>	<p>Well, I mean, the point is, however they did it, they made it happen. And Orange can do it as well if they so choose to.</p> <p>But Orange County has taken the position of "we can't be bothered to do all those things". It (OCPS) just says we can use it for this. We are just going to analyze it as broad as we can to say no we can't give anything that has to do with wages, or bonuses or anything like that.</p>
<b>James Preusser</b>	<p>Well, we didn't say we can't give any money relevant to a bonus. We had a proposal on the table and you rejected it. The 1.27% (OESPA's proposal), that money is not coming out of ESSER funds. That money would be coming directly out of OCPS' budget.</p> <p>So, that's a completely different conversation. Relevant to the bonus itself, there was a bonus on the table, I know that you rejected the bonus and you came back with another proposal, which I will address shortly.</p> <p>But, again, I don't want to get into a back and forth on this because I know you're still looking at the document, but this is the MOU we have. We believe it provides an opportunity for these two classifications to assist with our ESE students, our students with disabilities, over the summer. So, I'll leave it at that. I did sign it already. Let me know if you have any interest in it or not, and we will go from there.</p>

<b>Temika Hampton</b>	We'll caucus after we finish doing what we are doing here.
<b>James Preusser</b>	<p>Ok, fair enough.</p> <p>As it relates to your proposal. I have indicated a couple of different times at the table here, even as far back as September 2020, that the district cannot agree to a proposal from OESPA that has to do with recurring funds. The proposal that you presented to us, a 1.275% increase to the hourly rate of pay, certainly has an impact on recurring funds.</p> <p>So, we cannot agree to that proposal as it is written and presented to the school district. Because it has to do with recurring funds and we are not going to agree to recurring funds at this point and time. That is our position.</p> <p>I would say that we are going to hold our position on the 1.27% bonus but you have already rejected that so I am not going to put it on the table again because that would not be appropriate to do that.</p> <p>Just know that was obviously our last position, which was rejected. So, I think that's where we are right now. So with that being said, do you want to go ahead and caucus now Tamika?</p>
<b>Temika Hampton</b>	There was another proposal before you regarding the "10 %" ( non-recurring duties shall not exceed more than 10% of a regular work week).
<b>Jim Preusser</b>	<p>I'm still working on that, still researching that because that is a very broad proposal that you presented. That has to be something that I talk to the teaching and learning group and there are multiple folks that are involved with that discussion, not just senior leadership.</p> <p>I have to go down to the level of the principal to understand. So I am holding on to that.</p>
<b>Michelle Stile</b>	What is the district's thinking in terms of offering this additional pay to program assistants and paraprofessionals, but not to the transportation employees that serve students?
<b>James Preusser</b>	You are more than welcome to give a counter proposal.
<b>Michelle Stile</b>	No, no, I asked your position.
<b>James Preusser</b>	Because those individuals are in the classroom. That's my conversation with leadership, that really where the greatest need is now. If the union believes that there is another job classification we have left off, we're happy to entertain that. I am happy to take that back.
<b>Michelle Stile</b>	Well, the concern from OESPA members and folks we talk to, the district when they need folks, because you all are running low on folks that would work in the classroom with the students with disabilities. When you need them then you find the money for these employees but if you feel like you don't need them, then you don't have the money.

<b>James Preusser</b>	<p>We are not finding money, the money part of ESSER and that is the purpose of utilizing the money (ESSER funds). For us, it is a pretty bright line in terms of what the money can be used for and specifically, as you read the assurances about ESSER and how it should be used. This is clearly one of those reasons why.</p> <p>So, that is why we come forth and have provided this proposal. And, again, if the union believes that there's another job classification that needs to be considered, I am happy to entertain that and take that back.</p>
<b>Ron Pollard</b>	<p>Can I say something? Have you considered that the reason you have these problems getting the people to sign up for summer is because the district has held its position that we're not going to give you any raise of compensation. So, they might feel like "Well, why would I sign up?"</p> <p>So, now we come with this because, like she (Michelle Stile) said, we need people to sign up. So we will throw you all a bone, which you sound like to me you really want this agreement signed. But we are still not going to give employees anything. So, it is self-serving, again it is self-serving.</p> <p>I would love to see these people get more money. But, at the expense of employees as a whole, this is a small amount of people that are going to get \$20-25 per hour. That is a small amount of people.</p> <p>So, we will throw you all a bone. It sounds good, but it is not really reaching people; and you need people. We are going to come back to this by the time the summer is over because you are going to need bus drivers. But, you are still going to nickel and dime bus drivers, when all around you, Disney and others, because I see them. Everything is opening back up. They are looking for these drivers, everybody is looking for drivers. We are already down drivers.</p> <p>While it sounds good as you presented it, you all are not looking at the bigger pitcher and the hole you all (referring to the school district) are digging for yourselves With this "this all we got, this is all we will do." And, teachers did get a raise, a recurring raise to their salary. I know you are not going to talk about teachers because that is a different union, but it is not, we are all in the same union. Teachers did get a raise, veteran teachers did get a raise to their salary. But we are not going to talk about any recurring? So, we won't but we don't. That is what we are saying right here, we won't but we don't.</p> <p>We need to caucus before I put my signature on anything.</p>
<b>James Preusser</b>	Let me respond to that, to the actual and factual.
<b>Ron Pollard</b>	Your opinion.

<b>James Preusser</b>	Well, no, no, this is not my opinion. This is actual and factual. The dollars that were provided to CTA, I've said this several times before, are categorical dollars from the state. It was not money coming out of our budget, the state has identified those funds as categorical "you will pay and you will utilize this money accordingly". That is how it was written into law. I have the house bill from the state. There is nothing I can do about that. Okay, there is nothing we can do differently about that.
<b>Ron Pollard</b>	So, there's not recurring for the teachers?
<b>James Preusser</b>	The dollars are recurring, but the state is supplying that money to us. So it's 500 million for the entire state of Florida. Right? The 500 million dollars in the budget "again" this year, has already been identified for that recurring cost. It's actually 550 million, I believe? It hasn't been signed yet, but that money is already being allocated because there is a recurring cost and the state is covering that. We are not paying for any of those recurring costs, the state is.
<b>Temika Hampton</b>	However, the agreement does obligate you to some of those recurring costs, should your grant for the pre-K teachers not be renewed. The district said they pull from operating costs, etcetera to find that money that may reoccur.
<b>James Preusser</b>	We are talking about 109 teachers and a grant.
<b>Temika Hampton</b>	<p>The point is that you will sit down and find that money for that pool of people! Yet, when we are coming to you, all we get is we don't have it, we do have it! When you do have it. You roll over, more than what we are asking for, each year to your reserve. In your worst year, your worse year (repeated for emphasis), you have not rolled over less than \$4 million. In your best year it has been much more.</p> <p>Our proposal, with the raise, is 2.86%, sorry I don't have the number in front of me. But, again, even in your worst, you do have recurring, you roll over each year, but you won't take the time to try to find the money for this group of people. But you did for those groups of teachers who were excluded from those allocated funds.</p>
<b>James Preusser</b>	Okay, that was \$200,000.
<b>Temika Hampton</b>	It is not the dollar amount, it is the intent!
<b>James Preusser</b>	<p>You are not comparing apples to apples; so, all I will say is I have given my position before on the recurring cost. To represent as though the district is coming up with the dollars on the recurring cost out of our own budget is not an accurate statement. It is not.</p> <p>Your proposal is asking for us to provide recurring cost, year over year, dollar over dollar, for the hourly rate. That is not something we are willing to do right now. I have rejected that proposal, the board is aware of it, they know, they've seen the proposal. The superintendent has seen the proposal. Now, relevant to this other proposal, I know you are going to caucus.</p> <p>Look, the door is not closed, we are still talking about it. As it stands today, with the proposal you presented to me, that's where we are. I am not saying the door is closed.</p>
<b>Ron Pollard</b>	That is what it sounds like to me.

<b>James Preusser</b>	Well, it is not.
<b>Caucus begins</b>	
<b>Return for Caucus</b>	
<b>Temika Hampton</b>	<p>Ms. Hampton returned from the OESPA Caucus and declared impasse on the following items:</p> <ul style="list-style-type: none"> <li>• COVID 19 Substitute Pay where OESPA was seeking \$50 and &amp; \$75 (If the employee has completed the District endorsed Substitute Teacher Training) per day for a bargaining group member that substituted for at least 2.5 cumulative hours of student contact time.</li> <li>• That all members of the bargaining unit, would receive an increase of 1.27% increase to the hourly rate of pay.</li> <li>• An employee who substitutes for at least 2.5 cumulative hours of student contact time for a teacher who is absent, shall be paid the supplemental rate of \$30 and \$50 (if completion of training course). The district countered this request at the rates of \$20-\$30 respectively.</li> </ul>
<b>James Preusser</b>	Mr. Preusser asked if the OESPA union would still be open to additional dates for discussion to try to resolve the impasse.
<b>Temika Hampton</b>	Ms. Hampton stated that she was open to additional dates to try to resolve the impasse.
<b>Meeting concluded</b>	

# Appendix A



**DISTRICT PROPOSAL #8**  
**Summer School Employment**  
**May 21, 2021**

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA**  
**AND**  
**THE ORANGE EDUCATION SUPPORT PROFESSIONALS ASSOCIATION**

This Memorandum of Understanding is made on this \_\_\_\_\_ day of May 2021, by and between the School Board of Orange County, Florida (District) and the Orange Education Support Professionals Association (OESPA).

The District recognizes the many challenges faced by classified personnel and students during the 2020-21 school year as a result of the COVID-19 pandemic. Among these challenges are the need to address learning loss in addition to the additional instructional opportunities provided during the typical extended school year (ESY) for our students with disabilities.

To address these challenges, any paraprofessional or program assistant assigned to an ~~Exceptional Student Education (ESE) class~~ ESY class(es) or for students with disabilities for summer school will be paid as follows:

- Paraprofessionals -- \$20 per hour or their current hourly rate, whichever is greater
- Program Assistants -- \$25 per hour or their current hourly rate, whichever is greater

This increased hourly rate of pay is for summer school only and will expire July 27, 2021.

This is funded with ESSER grant dollars.

# Appendix B

**OESPA COUNTER PROPOSAL TO DISTRICT COUNTER PROPOSAL TO  
OESPA COUNTER  
TO OESPA PROPOSAL #9**

**OESPA-CBLT  
MOU  
May 10, 2021**

**Salary Increase for 2020-21 School Year**

All members of the bargaining unit, shall receive an increase of 1.27% increase to the hourly rate of pay.

- a. To receive the 1.27% increase, employees must be in a benefitted position, worked one-day over half the 2020-21 school year and be in an active employment status on the day the raises are paid.

# Appendix C

**OESPA PROPOSAL #14**  
**Non-recurring Job Duties**  
**May 11, 2021**

**Article IX**  
**General Personnel Provisions**

**A. Job Descriptions**

1. The Board shall maintain a separate job description for each position listed in Appendix A. It is understood by the parties that every incidental duty connected with the functions enumerated in the job description may not be specifically described and such shall not preclude the required performance of related duties.
  - a. It is understood between the parties that employees normally will be assigned duties consistent with those set forth in their job descriptions.
  - b. Specific duties shall not be assigned in a capricious manner.
  - c. Non-recurring duties shall not exceed more than 10% (on average) of a regular work week.