

NORWALK PUBLIC SCHOOLS  
NORWALK, CT  
BOARD OF EDUCATION  
NORWALK, CONNECTICUT

**BOARD OF EDUCATION  
NEGOTIATIONS & PERSONNEL COMMITTEE**

**AGENDA**

**Special Meeting  
Thursday, October 20, 2016  
7:30 PM  
Room 333**

- I. Appeal by NFT of Decision Relating to Middle School Teacher Schedules
- II. Adjournment

**Middle School Schedules  
Grievance Form**

*The undersigned believes that because of the identified specific actions the following article and/or paragraphs of the contract between the Board of Education and the Norwalk Federation of Teachers has been violated.*

**1. Articles and Paragraph of the contract that has been violated.**

**Article I General.**

*p.1. "The Board will not make any change in any policy, rule or regulation affecting salaries or other conditions of employment of teachers without prior consultation and negotiation with the Federation."*

**Letter of Understanding. Middle School Teachers.**

*"In each middle school, teachers (i.e.; Art, World Languages, Family and Consumer Sciences, Technology Education, Music, Physical Education), to the extent practicable, shall not teach more than five (5) periods per day. The Board of Education agrees that the administration, in each middle school, shall consider alternative scheduling proposals that address this concern. Such scheduling alternatives shall not necessitate any additional school staff. To the extent practicable, all middle school Family and Consumer Sciences, Technology Education and Physical Education Teachers who are assigned in excess of five (5) teaching periods per day averaged over a one school week period shall be relieved of bus duty, cafeteria duty, hall duty and non-instructional period duty during such assignment period."*

**2. Specific action which violated the article including date and person responsible for alleged violation:**

*Article I. Middle School Redesign Committee meetings were held with Central office administrators, teachers, principals and parents to discuss theories and models of Middle school programs, and broad visions of how these might be implemented in our buildings. Discussions focused around variations of 4 periods per day Block schedule models. Guidance counselors, Central Office personnel, and PowerSchool consultants developed the actual schedules for the schools with input from principals, which resulted in significant changes from what had been shared in the Redesign Committee. The complete overhaul of the middle school teacher and student daily schedules was undertaken without ever sharing details with the Federation, until a May 27<sup>th</sup> meeting requested by the Federation. At this meeting, attended by Dr. Conner, Jean Starkman, and Craig Creller, schedules were requested by the Federation but not provided by the Board. As of June 18, 2016, the Board still has not provided them. Instead, a comparison chart of some details of Related Arts instruction was provided.*

*The stated intention of the Board is to share the final schedules once they are completed, indicated by the June 8 email from Dr. Conner, attached below.*

*Letter of Understanding. Middle School Teachers. This letter of understanding applies to all Middle school teachers, as indicated by the title. In this Letter, the Board agrees to address*

*schedule concerns of Middle School teachers by not assigning more than 5 periods a day to teachers to the extent practicable, and agrees to consider scheduling alternatives to avoid 6 periods a day. Additionally, the Board agrees to provide relief from non-instructional duties when 6 periods are assigned. Although specific subjects are mentioned, past practice is to provide relief from duties for any teacher assigned more than 5 classes, or to provide a stipend of 1/6 of salary.*

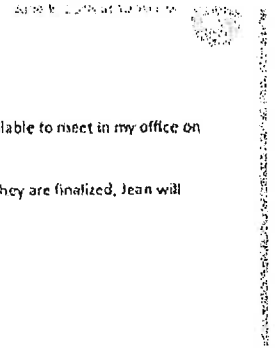
*The Related Arts chart shared at the May 27<sup>th</sup> meeting reveals a dramatic increase in the number of teachers being assigned more than 5 classes per day.*

**3. Specific connection between action and the article/paragraph being violated:**

*Article I. Conditions of employment will change significantly under the new middle school schedules, and no prior consultation or negotiation with the Federation has occurred, despite multiple attempts made by the Federation to get specifics about them, and to obtain draft copies of schedules. A complete overhaul of Middle School teacher schedules is being undertaken with no consultation with the Federation. This lack of information and collaboration is not in keeping with Article I. The overview of Related Arts teacher schedules shared during the May 27<sup>th</sup> meeting provides a glimpse into the new schedules, and reveals a disregard for the Letter of Understanding. Our contract is clear that consultation should occur prior to changes, not after changes are complete. The Board is only willing to consult after schedules are completed, not prior. This is not in compliance with Article I.*

*During the Middle School redesign process, the Board did not create schedules that address the concern of teaching more than 5 classes per day as they had agreed to in the Letter of Understanding. To the contrary, the Board created schedules that increase the number of teachers teaching 6 periods a day on at least some days, in direct violation of the Letter of Understanding. In some buildings, the number of teachers teaching 6 periods per day on at least some days will double. The assignment of non-instructional duties is an additional potential contract violation with regard to 2016-2017 teacher schedules. There may be other contractual violations, but the schedules have not been shared. Due to the increased number of teachers being assigned more than 5 periods per day, and the anticipated number of those teachers being assigned non-instructional duties, the new schedules are not in compliance with the provisions of "Letter Of Understanding. Middle School Teachers."*

Michael T. Conner  
for Mary Yordon  
Requested Information



Good Evening Mary,  
Attached are the documents that you requested today. Also, Tally will be at central office for the Math Solutions training on Friday. Are you available to meet in my office on Friday at 10:00am? We are simply just switching locations since Tally will be at central office.

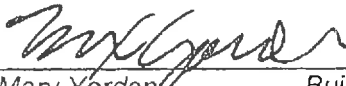
MS schedules should be completed early next week. School counselors and Jean are working this week to finalize each school schedule. Once they are finalized, Jean will forward them to you.

Thank you.

MC

Dr. Michael T. Conner  
Chief Academic Officer  
Norwalk Public Schools  
125 East Avenue  
Norwalk, CT 06852

4. Remedy sought:  
*The Board must revise middle school teacher schedules to comply with all contractual requirements, and provide documents relating to the schedules. The number of teachers teaching 6 periods per day in buildings should not increase in 2016-2017. The Board must begin to implement the language of Article I faithfully, by consulting with the Federation at the earliest opportunities and sharing information concerning changes to policies, rules and regulations affecting salaries or other conditions of employment.*

Signature of Grievant:  Date: June 18 2016  
Print name: Mary Yordon Building: Central Office

Informal Level Date: \_\_\_\_\_ Resolution: \_\_\_\_\_

Level 1 Sustained \_\_\_\_\_ Denied \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Administrator

Level 2 Sustained \_\_\_\_\_ Denied \_\_\_\_\_ Date: \_\_\_\_\_

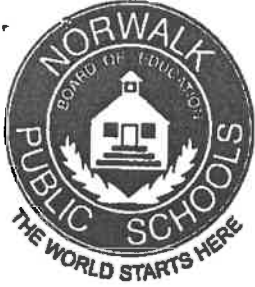
Signature of Superintendent

Level 3 Sustained \_\_\_\_\_ Denied \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Board/Committee/Chair

Note:

1. A copy of the grievance must also be filed with the NFT President or his/her designee.
2. A copy of the grievance must be sent to the teacher and NFT President or his/her designee after disposition at each level of the grievance.



## NORWALK PUBLIC SCHOOLS

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**Steven J. Adamowski, Ph.D.**  
*Superintendent of Schools*

August 29, 2016

Ms. Mary Yordon, President  
Norwalk Federation of Teachers  
9 Mott Avenue #203  
Norwalk, CT 06850

### **Re: Response at Level II to NFT Grievance Concerning Middle School Teacher Schedules**

On August 10, 2016 a hearing was held on this grievance of the Norwalk Federation of Teachers dated June 18, 2016. The Level II hearing was delayed until the schedule of every teacher in all four middle school could be finalized and compiled – a project that involved hundreds of pages. There are no individual teacher “grievants.” This grievance was filed by the NFT President.

At the hearing, the NFT’s claims were presented by Mary Yordon, President and Joseph Giandurco, Vice President. Dr. Michael Conner and Craig Creller presented for the Administration, Chief Talent Officer, Chereese Chery also attended.

In its grievance the NFT asserts that the teaching schedule of certain middle school teachers in Grades 7 and 8 and some specialist teachers generally violated Article I. #4, p.4 of the Contract and specifically violated the “Letter of Understanding-Middle School Teachers,” p.72. The Federation representatives did not see a problem with the grade 6, 4x4 Block Schedule, rather they found problems with the existing schedule traditionally used in grades 7 and 8 that has now been augmented with enrichment/intervention experiences and Tier III structural supports such as System 44, Read 180 and Math 180 to provide the lowest performing students with additional help.

The work day of K-8 teachers in the Contract is defined by time, not periods; in the case of middle school teachers, 7 hours and 5 minutes of teaching time. The primary purpose of middle school redesign is to create greater opportunity for students to learn by maximizing the instructional time available during the school/work day, particularly in reading and math where student achievement has been abysmally low.

The "Letter of Understanding" cited by the Federation (p.72) applies to related arts teachers, i.e., Art, World Language, Family and Consumer Science, Technology, Music and P.E., not to all middle grades teachers as asserted by the Federation President. Moreover, the extensive data compiled to inform this grievance suggests that the vast majority of middle grades related arts teachers are providing students with fewer minutes of instruction in 2016-17 than they did in 2015-16. It appears that all classes of both academic teachers and related arts teachers conform to class size guidelines.

Therefore, I can find no credible evidence that the schedule of any middle school teacher contravenes any of the work rules or conditions of employment stipulated in the Teachers' Contract.

After careful consideration of the information presented at the Level II, I am solicitous to the Federation's request to carefully and systematically adhere to the spirit of Article I, #4 (last sentence) in moving forward with middle school design. Teacher representatives served on the Middle School Redesign Committee and Ms. Yordon also attended the meetings. School teams included teachers and counselors, all NFT members with whom Ms. Yordon had frequent contact and influence. Middle school redesign was a frequent topic of monthly consultation meetings with the Superintendent and special meetings with Dr. Conner. Ms. Yordon spoke about and against aspects of middle school redesign numerous times at public Board of Education meetings and appeared to be fully aware of the plans of each school.

The District values the input of the NFT leadership and recognizes its role as the exclusive bargaining representative for Norwalk teachers. Through this grievance decision, the Administration acknowledges the spirit of Article I, 4. and assures the NFT representatives that it will consult and where appropriate, negotiate with the Federation over those changes that affect salary or other conditions of employment. Moreover, the Administration is committed to consultation with NFT representatives as soon as the "Phase II" recommendations of the Middle School Redesign Committee are known (tentatively January 2017) so that abundant time will be available to formally hear the Union's views and consider any concerns prior to planning and implementation in 2017-18.

Sincerely,



Steven J. Adamowski, PhD.  
Superintendent

cc: Joseph Giandurco, Vice President, NFT  
Cherese Chery, Chief Talent Officer, NPS  
Michael Conner, Chief Academic Officer, NPS  
Frank Costanzo, Chief of School Operations, NPS  
Thomas Mooney, Shipman & Goodwin