The Regularly Scheduled Meeting of the Board of Education was held at the Blake Building, 25 Ogden Street, West Haven on July 20, 2009. The meeting was called to order by Mark Palmieri, Chairman of the Board of Education at 7:00 p.m. The meeting opened with a pledge to the flag.

BOARD MEMBERS
IN ATTENDANCE:
Mark Palmieri, Chairman
Robert Saley
M. Toni Paine
Howard Horvath Jr.
Eric Murillo, Secretary/Treasurer
T. Sean Maher
Andrew DePalma

BOARD MEMBERS ABSENT:
Gerald A. Calabritto, Vice Chairman
Patrick Egolum

ADMINISTRATORS PRESENT:
Neil Cavallaro, Superintendent of Schools
Dr. Anne Druzolowski, Assistant Superintendent
Dave Cappetta, Director of Finance

CITY OFFICIALS PRESENT:

STUDENT REPRESENTATIVES PRESENT:
Mark Palmieri welcomed everyone to the West Haven Board of Education regular meeting for July 20, 2009. Mark stated that there would be a few presentations tonight by Ken Carney, Dr. Anne Druzolowski and Mark Consort and asked to have them done before public session if there was no objection. There were no objections.

C. REPORTS

Ken Carney gave an update on various summer projects that were being done. He stated that there were exciting things happening at the high school and he passed out pictures of the various changes to the board members.
1. The first picture showed 12 science classrooms and labs which were painted off white, holes in walls were repaired, cabinetry work was done and this presented a much cleaner environment.

2. Rink’s ceiling is currently metal which creates condensation which drips onto the ice. He found a different type of ceiling in Canada that can be wheeled in and out for events and contains the cold air. The return on this project is very substantial as the United Illuminating directly reimburses us 30%. The savings this product offers almost wipes out our electric bill.

Mark Palmieri asked how many lights had to be taken out. Forty five (45) new lights were put in.

Rob Saley asked what we were doing with the money from the energy savings. Neil said we aren’t going to spend it.

3. The bids are in on the boilers one bid came in a one million and the other just under one million two. We will have more information on this in a week or two. With the E042 request for state reimbursement we are looking for $250,000 reimbursement from the state without going through all the normal steps. The boilers are not reimbursable but the removal of the boilers is reimbursable. The state has been petitioned for reimbursement for $75,000 for asbestos abatement.

Eric Murillo wanted to clarify that the $250,000 will handle the asbestos and the removal of the boilers. Yes was the response and we are pretty sure we will get money back.

Neil Cavallaro said we will be delayed a little as the projects won’t be completed when the students return to school but portable boilers were included in the actual bid process.

Eric asked how much more time will be needed for this project. Not a definite response was given but portable boilers are available in October etc.

4. The rink doors are signed off on and Rob Saley asked if the bottom of the doors were painted again. Yes the whole door was painted was the response.

5. Turf replacement pictures were passed to board members. The E layer will be saved with new techniques which will save money. We are ahead of schedule. The 2” lip from the track to the field is now gone which is a good thing for all players. Howie Horvath, knows from time spend there that it was in need of replacement. We are on budget with the original 450,000 amount budgeted. Howie asked how we decided to do this. Originally through the state. Neil said we are waiting to rectify accounts through City Hall. Howie asked if we voted on this project. Mark Palmieri stated yes we voted on multiple projects.
6. Windows for Washington School have been measured and ordered. Asbestos work will not occur while school is in session. We had issues with the money the city and board had to put up. We are doing one room at a time.

Neil stated that the prep work is what will take time the windows can be done in one day. The condition of the current windows is awful – some can’t be open or shut.

Eric Murillo asked the cost of this project. The cost to the board is $175,000 and the cost to the city is $175,000 after state reimbursement. He also asked if the boiler cost was $700,000. No Ken stated it was $800,000.

Howie Horvath thanked Ken Carney for the update and work. In light of the recent newspaper article he stated that we (board members) like you give voluntarily of our time. An example is when the superintendent purchased 300 Macs and I sold IBM machines. Are there specific guidelines relative to conflict of interest. Ken Carney said we simply recommend. We have done federal work of buildings in the city which I don’t think is a conflict. We decided not to do any work for the city with our own company. Howie asked if there is a document that states no work is to be done for the city? Ken Carney said we have a self imposed policy where we don’t do work for the city. We do work for individuals. Ken stated, “I’m comfortable with the way things are going” and Howie said, “I’m not sure I am.” Anyone who knows me knows I am very fond of contracts. To save ourselves from any future potential issues we might decide to do this.

Rob Saley asked if he had to sign something from the City Charter Code of Ethics. No the board or commission has legal ties we are tied to the Mayor and approved by the mayor we are an advisory committee. Ken said we give advice. If the Superintendent gets the wrong advice he is on the hook for it.

The board will check with the corporation council about this. Neil said he will contact the city council to get the necessary forms or rules and get back to the board with the information.

The board gave thanks.

Patti Fusco gave the next presentation and did all the inputting work to complete it. She showed the new home page, the district wide calendar, and the curricula data all of this is available to you on the web. The board thanked Patti for the time spent doing this.

Anne Druzolowski said that Patti will preview what the professional development calendar looks like for the rest of the year. It showed the July 4th workshops etc. if you click on the item it gives you more information about it. It shows the dates of all up-coming events and by clicking on the event you will see the flyer which gives further details, directions, etc. We are going green and saving on paper by making this available rather than using paper. Further information was given on this and up-coming speakers
were also mentioned. This also helps to make sure everything is planned in advance as we have to spend X amount of dollars by X date. CALI is state financed. We can use money for something that is linked to our district goals which are long terms deals some are three years out. Anne is very pleased with this. For the four major subject areas our entire curriculum has to be unwrapped by August 1st.

Mark Palmieri said he was very pleased with this and said he was looking at it and saw that the entire curriculum for each grade was there. Anne said the prioritized listings are areas we must focus on. The problem in the United States is we haven’t focused in depth and now we are doing this. We have aligned the curriculum with the state standards. Year to year these will change a little. We will prioritize what we will do rather than gloss over areas. We will collect information on how kids are learning.

Howie Horvath asked if there will be common assessments as to how kids are learning. This will be very helpful in the high school with the Freshman Academy we will work together with teams. Every teacher will have a period where they can learn from others and discuss things.

Anne stated that the benchmark assessments will be password protected. It is used for teaching and learning.

Mark asked if this will collaborate across grade level? Yes was the response.

Patti Fusco said we know what each student has learned and what they have to learn so there is no repetition.

Anne Druzolowski stated that Patti Fusco did an excellent job gathering and inputting all this information. Applause.

Mark Palmieri stated he found the section for parents on the home page to be very helpful.

Howie said it is a great idea to do something for the parents.

Neil Cavallaro stated that the coordinators will be out doing workshops this year. Anne said we were going in the right direction. Applause

The board gave thanks.

The next speaker was Mark Consorte. Mary Janczek was also available and is part of the Academic Integrity Committee and will accompany the students on their trip to Washington D.C. this October.

Mark said they were trying to promote integrity and stop kids cheating and were trying to find the best way to solve the problem. An opportunity became available through a school in Milford which would involve a three year study of six (6) schools where data
would be collected. Mark said they jumped at the chance. They came on board and formed a committee consisting of about 25 people 7 – 8 teachers and 15 – 20 students. The kids took control and produced the following:

- Mission statement
- 350 kids took the student pledge
- Essay contest
- T Shirts
- Vendors
- Website
- Honor Code (which will be posted in all classrooms this year
- Lessons about integrity
- Bulletin Board information
- Students will go to the elementary schools
- Students will recruit 9th graders
- Trip to Washington D.C. where David Weingarten is running a conference

The trip to Washington is paid for through a three year grant for $10,000. They are going to try and solve a societal problem. Hopefully this trip will be approved by the board tonight.

Mark Palmieri commended Mr. Consorte and said the enthusiasm he displayed tonight will keep this going. We are very proud of this committee.

The board gave thanks.

B. Public Portion

Public session began at 740 PM. Chairman Palmieri asked if anyone wished to address the Board.

Tracy Morrissey, 305 Country Hill Drive addressed the board. Mrs. Morrissey stated she attended a luncheon at Stonebridge where Senator Gayle Slossberg presented Online Reverse Auctioning: An Informational Forum. Tracy said this would save us money. This was presented by Gary Mala, Superintendent of Regional School District (RSD) 17 (serving Haddam & Killingworth) Schools. Mrs. Morrissey asked that board members receive copies of a packet of information that was given out at this meeting as no board members were present.

Tracy also thanked Ken Carney for the work done on the science labs at the high school. This will be a fresh start for the students in the beginning of the year.

The board gave thanks.
Nancy Rossi, 22 Robin Road stated that according to state statute forms for each board member should be filled out and on file for the public to inspect. This form doesn’t tell you what you can or can’t do. She urged board members to fill them out.

She liked what was spoken about tonight by Mr. Consorte regarding integrity.

She wanted to talk about a couple of things. One involves a prior board meeting where Jerry Calabritto said due to this being a special meeting under the rules there will be no public part. She would like to know what rules apply as to when there can or can’t be public input. If Jerry Calabritto was here she would have asked him but he was absent.

There is a new position called Grant Internal Auditor of Management and Budget and the person doing it has been doing so since March. It is the monitoring and accumulative reporting of federal and state funds and the monitoring of the stimulus monies in Title 1 and IDEA. Stimulus money will be carefully scrutinized. Mrs. Rossi would like to know how they are being spent. She would like this information made available to her.

She doesn’t want us to have to hire somebody in the future and doesn’t want the money to end and we have to pay for that person.

Mrs. Rossi then spoke about the current grievance which will be heard tonight. Last year a person in the business office was misplaced but this didn’t go to arbitration. The person who took this person’s job is the person in the current grievance. That job had the educational requirements lowered. We don’t have extra money for arbitration when this can be settled.

Mrs. Rossi stated she has received no expulsion information and is requesting it from Dr. Druzolowski.

There were no other speakers. Public portion closed at 8:00 PM.

C. REPORTS

C.1. Administration:
Neil Cavallaro gave an update on the hiring process. He stated that we are losing a chemistry teacher and a physics teacher. We are also losing a Spanish position which is in a shortage area and this was a concern; however we are hiring a Spanish teacher tonight.

Neil stated that by mid to late September we will know if we have approval from the State for the WHHS Grant Application. The actual packet from CREC with the specs was made available to board members.

Neil is pleased with the work being done in WHHS. Most of the work, except for the painting, is being done in-house with little or no overtime – the tradesmen and carpenters are to be complimented. The faucets and electrical outlets will work better for the
students upon their return. It is important to do this for the kids of today who will not benefit from a new building.

Anne Druzolowski said the stimulus and regular money is updated and we tried to collaborate both Title 1 and regular monies – we will see what the dollars are in October.

Stimulus Money – working on a website – state asked for a copy of what our job descriptions look like and how many new positions have been created because of this money. All of the record keeping forms designed for us will be available on the website and how many positions were established by using this money.

With this money we need positions – there is no main coordinator for Pre School Special Ed – this would have to be an administrative position. Another position is Dept. Head for the secondary and elementary level.

For IDEA or Title 1 area position we have nobody in math and we have not done well in math over the last five years.

A further discussion ensued with Neil, Anne and Howie about stimulus funds and positions, outsourcing, releasing people from main duties to perform in newly created positions, replacing them with new people with a smaller salary, and eliminating a classroom position if there is a smaller population. Howie asked questions so that at some point a more in depth conversation will take place.

Anne Druzolowski said that in Pre-K we want to open up more classrooms for Psych, speech, and language and money can be used to support and equipment classrooms – we must meet the needs for these kids.

Anne said she and the new high school principal Pam Garner have met with parents and teachers from the alternative high school.

Anne said that there is a need for an Assistant Principal position at Carrigan. This person would be coaching and demonstrating in the classroom.

The position on the agenda tonight for the Grant Internal Auditor is very important. We need this position for accountability. At the state level as long as one’s intentions are well founded there is not a problem. Eric Murillo talked about this position and said that we need to be accountable to the taxpayers. We need to have a contract with the person and he needs to find out more about why this position needs to be filled. Anne said that we have a cut off date which is 2011 which sounds a long way off but really isn’t. A further discussion ensued.

C.1.a Status of Schools

C.1.b. Student Representatives
C.1.c Board

Howie Horvath thanked everyone for the many cards he and his wife Patti received due to the passing of his father-in-law.

Rob Saley didn’t remember hiring this many people last August. Were there a lot of resignations? Neil said we hired two part time kindergarten teachers and people have retired or resigned. The medical para positions were on this agenda.

Howie asked if there were any non-professional positions and Neil said the 12 – 14 para positions - we are adding two new pre-school classes. It was then asked if there were any secretarial positions. No, we have eliminated three AFSME positions.

Rob Saley asked about the ethics form and Toni Paine said that the board has its own form and if you look in the front of your policy there is one there. Rob also mentioned in the July American Schools Magazine there is an article which the board should be interested in.

T. Sean Maher thanked Dr. Druzolowski and Principal Gardner for their work with the Alternative Program at the high school he is very impressed with the progress with the future programs and the available space.

Eric Murillo asked if the paras are IDEA funded; yes, it is stimulus money.

C.1.d Committee

D.1. Approval of Minutes

D.1.a. West Haven Board of Education Special Meeting for the Budget,
June 11, 2009 5:30 p.m. at the Blake Building (enclosure)

T. Sean Maher made a motion to approve the Board of Education minutes D.1.a.
M. Toni Paine seconded the motion
Discussion: Howie Horvath was absent from the June 11, 2009 meeting and abstained.
All other board members present voted in favor
No one was opposed
Motion Carries
D.1.a. Minutes are approved

D.1.b. West Haven Board of Education Regular Meeting,
June 15, 2009 7:00 p.m. at the Blake Building (enclosure)

M. Toni Paine made a motion to approve the Board of Education D.1.b. minutes
Rob Saley seconded the motion
Discussion: None  
All board members present voted in favor  
No one was opposed  
No one abstained  
Motion Carries  
D.1.b. Minutes are approved  

**D.1.c. West Haven Board of Education Special Meeting with Executive Session for hiring of the new High School Principal, June 25, 2009**  
*6:00 PM at the Blake Building (enclosure)*

T. Sean Maher made a motion to approve the Board of Education D.1.c. minutes  
M. Toni Paine seconded the motion  
Discussion: Eric Murillo and Howard Horvath were not at the meeting and Rob Saley was late for the June 25th meeting and abstained. All other board members present voted in favor.  
No one was opposed  
Motion Carries  
D.1.c. Minutes are approved

**D.2. New Hires (Certified)**

| 09-54 | Karen Cordaway, 59 View Terrace, East Haven, CT 06512  
Bilingual Teacher - System wide  
Effective: August 27, 2009  
Salary: $40,808.54 (Step 4 B.S. + 30) |
| 09-55 | Alberto Martinez, 485 Kelsey Avenue, West Haven, CT 06516  
Spanish Teacher – West Haven High School  
Effective: August 27, 2009  
Salary: $37,974.28 (Step 4 B.S.) |
| 09-56 | Amy Schock, 26 Chew Street, West Haven, CT 06516  
English Teacher - WHHS  
Effective: August 27, 2009  
Salary: $36,842.76 (Step 3 B.S.) |
| 09-57 | Dana Soderberg, 37 Nacca Road, West Haven, CT 06516  
Art Teacher – Thompson and Pagels  
Effective: August 27, 2009  
Salary: $36,842.76 (Step 3 B.S.) |
| 09-58 | Krista Wajnowski, 116 Skyline Drive, West Haven, CT 06516  
Library Media Specialist – Savin Rock Community School  
Effective: August 27, 2009  
Salary: $36,842.76 (Step 3 B.S.) |
09-59  Kevin P. Mahoney, 381 Ocean Avenue, West Haven, CT 06516
Elementary Teacher, Grade 4 – Washington School
Effective: August 27, 2009
Salary: $37,974.28 (Step 4 B.S.)

09-60  Jacqueline Amendola, 82 Ridgeland Rd., Wallingford, CT 06492
Special Education Teacher – Forest School
Effective: August 27, 2009
Salary: $36,070.04 (Step 2 B.S.)

09-61  Melissa Cohen, 282 Hawthorne Lane, Orange, CT 06477
School Psychologist – SRCS
Effective: August 27, 2009
Salary: $39,648.16 (Step 2 B.S. + 60) Plus Stipend

09-62  Julie Anne Wessinger, 73 Grant Street, Milford, CT 06460
School Psychologist – System-wide Pre-School 4 Days/Week
Effective: August 27, 2009
Salary: (.8) $35,818.83 (Step 5 B.S. + 60) Plus Stipend

09-63  Elizabeth Ginand, 360 Allyndale Drive, Stratford, CT 06614
Full Time Speech/Language Pathologist for Pre-School
Effective: August 27, 2009
Salary: (.8) $54,315.32 (Step 8 B.S. + 60) Plus Stipend

09-64  Michelle Acker, 2 Mansfield Grove Rd #373, East Haven, CT 06512
Physical Education Teacher - Washington School
Effective: August 27, 2009
Salary: $36,842.76 (Step 3 BS)

09-65  Kathleen Pittman, 80 Beth Ann Circle, Meriden, CT 06450
English Teacher – West Haven High School
Effective: August 27, 2009
Salary: $40,808.54 (Step 4 BS + 30)

09-66  Eugene Sullivan, 6 Harding Street, West Haven, CT 06516
Physical Education Teacher – Thompson/Molloy Schools
Effective: August 27, 2009
Salary: $36,842.76 (Step 3 BS)

09-67  Rebecca Molloy, 750 Whitney Ave., Apt. A5, New Haven, CT 06511
Science Teacher – West Haven High School
09-68  **Jeffry Lawlor, D.C.,** 30 Plum Tree Lane, Trumbull, CT 06611
School Social Worker – Carrigan
Effective: August 27, 2009
Salary: $44,004.12 (Step 3 PHD) Plus Stipend

09-69  **Shannon Goetze,** 38 Rockefeller Avenue, West Haven, CT 06516
Half Time Kindergarten Teacher – Mackrille School
Effective: August 27, 2009
Salary: $18,035.02 (Half of Step 3 BS + 30)

09-70  **Elizabeth Delaney,** 47 Joiners Road, Rocky Hill, CT 06067
Elementary Teacher – Forest School
Effective: August 27, 2009
Salary: $39,110.74 (Step 3 BS + 30)

09-71  **Eric Brisart,** 33 Vine Street, Milford, CT 06460
Special Education Teacher - Pagels
Effective: August 27, 2009
Salary: $43,064.56 (Step 4 BS + 60)

09-72  **Katharine MacDonald,** 50 Bennett Street Apt. #2, Bridgeport, CT 06605
School Social Worker – Carrigan Middle School
Effective: August 27, 2009
Salary: $39,648.16 (Step 2 BS + 60)

09-73  **Amanda Plant,** 67 Smith Street, West Haven, CT 06516
Half Time Kindergarten Teacher – Pagels School
Effective: August 27, 2009
Salary: $18,035.02 (Half of Step 2 BS)

09-74  **Michael Backman,** 182 Church Street, West Haven, CT 06516
Consumer Awareness Teacher – Bailey Middle School
Effective: August 27, 2009
Salary: $36,842.76 (Step 3 BS)

09-75  **Jaimee Ianniello,** 821 Sheffield Road, Orange, CT 06477
Elementary Teacher – Forest School
Effective: August 27, 2009
Salary: $37,411.34 (Step 2 BS + 30)

09-76  **Nicole Provenzano,** 31 Upland Terrace, Ansonia, CT 06401
Special Education Teacher – Molloy School
Effective: August 27, 2009
Salary: $36,842.76 (Step 3 – BS)

M. Toni Paine made a motion to approve item 09-54 – 09-76
Rob Saley seconded the motion
Discussion:
All board members voted in favor
Items 09-54 – 09-76 are approved

D.3. New Hires (Non-Certified)

09-77 Mathew Cavallaro, 50 Sumac Street, West Haven, CT 06516
Grant Internal Auditor of Management and Budget
Effective: July 21, 2009
Salary: $46,000 plus benefits

09-78 Listing of recommendations for paraprofessionals

M. Toni Paine made a motion to approve items 09-77 and 09-78
T. Sean Maher seconded the motion
Discussion: (Limited to 09-77) Howie Horvath is concerned about the need for more
details and more time to vote on something like this. He asked if this was the normal
standard benefit package, yes was the response. The process and timeframe is a concern.
He will defer to Neil’s wishes and judgment due to the deadline which presents a
problem. Neil said this position is state funded and will terminate and is not a union
position. Rob Saley stated in this economy we would rather have the position posted so
more can apply. In a few months it was requested that Mr. Matthew Cavallaro come
before the board to report on the details of his position. Eric stated he is uncomfortable
with the way this was presented and will abstain. Toni Paine understands but doesn’t
think a union person would leave their job to take this one. Neil stated if we require a
teaching certificate the person would have to be a member of the bargaining unit.

Eric Murillo abstained
All remaining board members voted in favor
Items 09-77 – 09-78 are approved

D.4. Leave of Absence: (Certified)

09-79 Nicole Cosgrove, Part-Time Kindergarten Teacher – Washington
School
Effective: August 27, 2009 through the end of the 2009/2010
school year
Reason: Child Rearing Leave
D.5. Resignations: (Certified)

09-80 Meghan Hewitt, Biology Teacher, WHHS
Effective: June 23, 2009
Reason: Personal

D.6. Resignations: (Non-Certified)

09-81 Susan J. Sarno, 12 Month Bookeeper – Blake Building
Effective: June 30, 2009
Reason: Retirement

09-82 William A. Sarno, Assistant Custodian – WHHS
Effective: June 30, 2009
Reason: Retirement

09-83 Sherry Pereira, Paraprofessional – SRCS
Effective: June 25, 2009
Reason: Personal

09-84 Josephine Franco, Assistant Custodian – Gym – WHHS
Effective: July 13, 2009
Reason: Retirement

M. Toni Paine made a motion to approve item D.4. – D.6. Items 09-79 – 09-84
Andy DePalma seconded the motion
Discussion:
All board members voted in favor
Items 09-79 – 09-84 are approved

D.7. New Business:

09-85 Request from David Russell, Director of Grant Administration
doors for approval of the completed Title I, Part A ESEA Federal Grants for 2009-2010.

M. Toni Paine made a motion to approve item 09-85
Andy DePalma seconded the motion
Discussion: Rob Saley asked that Mr. Russell come and update the board at a future meeting. Neil stated he would have been here tonight but was on vacation.
All board members were in favor
Item 09-85 is approved

09-86 Request from Mark Consorte, Dept. Chair, Social Studies, WHHS to have the AIC group from WHHS attend the National Conference on
T. Sean Maher made a motion to approve item 09-86
M. Toni Paine seconded the motion
Discussion: Rob Saley asked about the cost of the trip and was told it was being paid for out of a $10,000 grant.
All board members voted in favor
Item 09-86 is approved

Mark Palmieri requested a short 10 minute break before beginning item 09-87 C.W.A. Local 1103, AFL-CIO Grievance #09-013 as the recording process was not working and another recorder was needed.

09-87 C.W.A. Local 1103, AFL-CIO Grievance #09-013: – Rosemary McDonnell

Joseph Mayhew the Local 1103 business agent stated he appreciated the opportunity to speak tonight and presented Joseph Yacono our chief steward, Ken Shield our Vice President of CWA Local 1103, and our National Representative Pat Telesco. Pat is here because she will be taking us on to arbitration if unfortunately we can not come to a decision here tonight or if we don’t come to a decision that we both agree with obviously.

This grievance is not about one member versus another member; it is about a contract and what we feel is a violation of the contract. Unfortunately there are two members involved and I want to make it clear to everyone we do not see any bad people we don’t think they did anything wrong; however we believe there was some amount of contract language that wasn’t followed and that some mistakes have been made and they should be rectified.

Rose McDonnell is a member of the supervisor’s unit and on December 14, 2008 Ms. McDonnell applied for the job of Coordinator Data Processing and Data Support Specialist. This was a new job and we just negotiated it we worked with the school and board of education with Neil and we came up with a job description that we both agreed on and it was posted. Ms. McDonnell a veteran of the board of education for 24 years was denied that job and it was awarded to Maria Giovanni a member of much less seniority in the unit. Article 35 of the contract under promotions, Section 4 states, “Selection will be based on ability. With two employees of substantially the same ability seniority will go”. The facts are clear. Rose McDonnell is the most senior member of the board of education supervisor’s unit to apply for this job. Ms. McDonnell has been working for the board of education for 24 years since 1985.

Ms. McDonnell has held several job titles throughout her long career to include bookkeeping, office manager, payroll, business office, executive secretary to the
Superintendent and to the Assistant Superintendent, executive secretary to the board, and presently the career counseling office manager at WHHS. Ms. McDonald submitted a job history which shows she is more than qualified for this position. Based on the job qualifications on the posting Ms. McDonnell had at least two years of bookkeeping. As the bookkeeper and office manager she had experience in troubleshooting software applications, she has all the computer skills detailed in the job posting (that is important for you to understand - the job posting - and we will talk about this in a minutes), word, excel, and access were the programs talked about in the job posting. As the Executive Secretary to the Superintendent and in bookkeeping she has extensive state reporting skills. She has trained personnel in various capacities during this time. She attended an interview on December 23, 2008. A total of 6 applicants were interviewed. Two applicants were members of the supervisor’s union. The interview process only consists of 7 questions. Of those seven, two of those questions were areas of concern for this union. Question 1 asked the applicants to state their ability level with the following software and to rate yourself from a scale of 1 – 10. The software list included Power School, Microsoft Word, Microsoft Excel, Microsoft Access, Quick Books and Munis. The only problem here is that as I said earlier we negotiated this earlier and we negotiated that particular portion of the job title. The actual posting that was hung and responded to stated at least two years of previous experience in Microsoft Word, Excel and Access this is important because Quick Books is not on there.

During negotiations we talked about Quick Books and asked specifically for it to be removed from the job description. The union took the position that Quick Books was not a vital part of the job title and it could be used to disqualify a candidate unfairly. We had asked what would be the amount of time a person hired for this position would be spending on Quick Books? Through negotiations it was decided to take Quick Books out. Yet, the question appeared as the first question of the interview. A question that was a direct violation of a grievance. Grievance BOE 08-011 the second question asked said describe your hands on experience working with professional IT consulting teams. During the negotiations we were having for the new job title a grievance was filed by Rose McDonnell. That grievance involved another member who was being utilized to work with the consulting team and they spent quite a bit of time there. What we talked about in that grievance was that we felt that this would give that particular person an unfair advantage, a leg up so to speak, for this job. To that end the grievance was settled and answered by the superintendent in a paragraph that said. This will confirm that the time Ms. Giovanni spent performing duties similar to those previously performed by Mr. Lessandrini will not give her a competitive advantage for the new position. The duties Ms. Giovannini was performing for the purpose of this grievance was working with the IT Group and the upgrading of the board of educations various reporting systems. In fact when you look at the interview sheets, one of the interviewers, the Assistant Superintendent, specifically noted that the candidate Giovanni worked with the consulting team to resolve PSI problems in her notes; clearly seeing that as an advantage. They said the interview process had four individuals for the interviewing and we requested all the notes, any type of records that might have been used to negate one candidate from another and we received this. The question in our minds is only the Assistant Superintendent and Dave Russell of the interview panel even bothered to take
notes. Of those two panel members there were only two points of difference between Ms. McDonnell and Ms. Giovanni after scores were totaled up. Taking into account the grievance violation by asking the question, and the question involving Quick Books, which we believe the other candidate had knowledge of and worked with and was not part of the posting, we believe that may have at best tied the two candidates. Look to the contract language and it would be awarded to the more senior person.

The union requested a final summary or any records that were used by the board of education to award the job; this was at a second step grievance. We were told that no such report existed that the job was placed by the final tally of the interviewers’ scores. We continue to ask this board for any information that was used to show why Maria Giovannini was in fact of greater ability than Rose McDonnell something we have yet to receive.

At the second step grievance we asked the panel did they have access to the resumes and what weight was placed on the resumes that each candidate handed in. The superintendent said he did not know if they saw them, if they read them, or what weight was possibly placed on them. The contract states where two employees are substantially the same in ability seniority will govern. The union continually asks the board of education during a grievance procedure in what way was Maria Giovanni better or of greater ability than Rose McDonnell. The answer was continually I don’t know the panel made that decision. Today again the union asks based on the contractual language how did Maria Giovanni exceed Rose McDonnell’s ability and in what measurable way was a decision made. If this board denies this grievance we will ask in answer to that grievance the specific reasons and detailed explanation of why under contractual provisions was Maria Giovanni chosen over the vastly more senior member who was of at least the same ability and worked with the board of education for over 25 years. Ms. McDonnell possesses all the skills and requirements of the job posting. Ms. McDonnell is the most senior member to apply for the job. She should be made whole to include being awarded the job of Data Processing Support Specialist and any and all wages from the time she should have received the job.

The board’s attorney, Floyd Dugas asked if there were any questions for Mr. Mayhew from the board members. Attorney Dugas stated he has a packet which will explain to the board the process that was engaged in to fill this particular vacancy. At the end I will ask you to confirm that the process I described in fact took place and one of the panel member’s particular observations of what happened in that interview.

Tab #1 is the grievance and is an important document and one which you asked for. If you look at the 4th paragraph the nature of the grievance states: I have more seniority than Maria Giovanni. I have more experience in building administration, in building office, payroll, secretary to the superintendent, the board and all areas including state reporting and data processing. She then goes on to ask what her remedy was. The second document is an excerpt from the bargaining agreement. The second page is the language to which Joe referred Article 35, Section 4 and there are actually two provisions that arguably apply, the most generous I would say in favor of the grievant in this case,
would be the first one that says selection shall be based upon ability. This is a very important sentence. Then it goes on to say where two employees are substantially the same in ability then seniority will govern. That is the first provision. The second provision on the second page, Section 9 when a vacancy exists in the secretarial unit selection will be based upon ability as determined exclusively by the supervisor. The supervisor determines it and it is irrelevant to think we may have an argument here whether this is in a secretarial union but for today’s purposes without waving any arguments I may make at the arbitration stage we will talk to that first standard which is selection based on ability and if ability is substantially similar seniority will govern.

The third document you have is the posting for the job. This was a position formerly held by John Lessandrini and we were expanding it to include oversight in terms of over all data processing with specific responsibilities for State reporting and Power School and some other applications. The existing job was modified and expanded somewhat but that is the posting.

Section 4 shows the names of all candidates who applied; there were two from within the bargaining unit Maria Giovannini and Rose McDonnell and there were non-union folks that were considered. We are not talking about going outside the bargaining unit here we are talking about the consideration of two bargaining unit employees and which of those two employees in the language of the contract have the better ability.

Section 5 includes the resumes of the various applicants. One person had withdrawn their name.

Section 6 – Some folks met ahead of time – Dave, Anne, and I forget who else was included, but essentially they would pick the positions they understood it and what skills and experience would be needed. They reduced that to a number of questions they would ask the applicants. The same questions were asked of all people and they elicited what in their judgment were the important characteristics of this particular job. In fact those questions were asked of each applicant consistently throughout the process.

Section 7 – Skip over the fist page because that is just a summary that was put together after the process. Jolene prepared the interview rating sheet document. The process engaged was the questions were answered and then each of the interviewers (Assistant Superintendent, Dave Cappetta, Dave Russell and Jolene Barnes) for each of the candidates in areas 1 – 6 (knowledge of the aspects of the position, knowledge of technology, ability to work independently, sense of commitment to the mission, ability to communicate to resolve complexities etc. They were scored on each one of those factors based upon those questions that were asked. Then each one individually rated each of the applicants according to that. There is a space for notes and remarks and there is nothing in the contract saying anybody has to put a remark; that is purely up to the individual. It doesn’t void or make it any less valuable then somebody who chose not to make that comment. They scored this independently as they went along for each of the candidates and at the very end tallied the scores and that is what you see on the first page of section Section 7. As you can see Maria was the one who emerged as the clear first choice and
when I went back to look at this I thought this was more telling than anything. Maria’s score from Dr. Druzolowski was 29; she had her 1st. Dave Cappetta had Maria 1st. Dave Russell had Maria 1st. Jolene Barnes had Maria 1st. Lest there be any concerns, at the time two of these positions Dave’s and Jolene’s were still in the bargaining unit and two people outside. Consistently they scored Maria 1st and they individually rated them. Based upon the criteria that was established and guess what as management we still get to determine what we think is the appropriate criteria for a job and unanimously they determined that Maria was better suited for the job.

Section 8 shows a letter to Neil from Jolene Barnes which states that the steering committee: Anne Druzolowski, Dave Russell, Dave Cappetta, and she have completed the interview process regarding the above referenced individual. A consensus by the committee is to recommend Maria Giovannini for the position.

Section 9 shows a letter from the superintendent to Jolene stating that based upon the committee’s recommendation Maria Giovannini will be transferred to the Coordinator of Data Processing/Data Support Specialist. In a sense he is approving the recommendation of the committee in that letter.

Section 10 shows the correspondence to Maria awarding her the position and appointing her to that position.

What we have here is not where one person, the superintendent or personnel director or anybody else for that matter said this is my totally subjective judgment but in my opinion I think Maria is the more qualified individual for this job. You had a panel of four people, two of whom were in the bargaining unit at the time, the four people independently assessed each individual, who unanimously ranked Maria as the preferred candidate. Is it completely scientific – I don’t suppose it is but it is certainly better than a totally wholly subjective process on the part of one person. It is not unlike processes that are used in work places everywhere to arrive at who the most qualified person is for the position.

I suppose in a sense here what the grievant is trying to argue indirectly is that I’m the most senior here and therefore I should get it. The contract is clear; this is not the way it works we have the right as management to hire who we deem to be the most qualified person for the position. With the people involved in the process if it is essentially a toss up then seniority is the tie breaker. Clearly, from the four people involved, certainly people who come into this with knowledge and experience of context for this job, I certainly think we would defer to their individual judgment but certainly would suggest that you defer to the collective judgment of the group. So, based upon that it is the administration’s view that Maria is clearly the better qualified person for this position based primarily on the information provided during the interview process and therefore the grievance should be denied. Before I finish I would simply ask Anne to briefly tell you about the process and her perceptions and particularly of the grievant during the interview process.
Anne Druzolowski said it was very much as you had stated that the questions were developed based on the job description. I took a good look at them and said what are the qualities here that would make somebody that would be a team player and took those and assigned them to a rubric because without a rubric then you just kind of all make decisions. The questions were asked by one individual so as to make sure you are keeping to the integrity of the questions. There was no bird walking allowed that was one of the rules in the beginning. When we read the resumes we were also reminded that anything you asked outside of the questionnaire need to be asked of all candidates so that nobody was asked any different questions. Then each of us after the interview responded independently – we were allowed to take notes if we chose to. I did because I don’t remember as good as other people and it is not a requirement to write comments. Comments are there and all of the interviews are done and I have done well over 100 in my career. It is a personal preference it is certainly not required. At the end of that we tallied and it was pretty clear that one candidate would be more suited for the position.

I do need to say that the opinion of the committee at the time of the interview was that Rose was not necessarily ready for the interview in that it was taken for granted that she would get it and her opinion was more about telling us exactly what we needed to change in terms of running the system which kind of sidelined us from asking the questions to get the answers that we needed. I as well as the others were not real impressed with the responses and I look at things as objectively as I possibly can. Maria clearly answered all of the questions using all the knowledge she had applicable to that position. She was the best suited. Her ability clearly outweighed the ability of Rose’s. At that point I would also like to state a clarification; it is difficult to read my writing, and the copy didn’t come out as clear but it does not say that mostly the support was in PSIS I said the knowledge was limited in PSIS if not nonexistent. The reason that was there just to let you know that we start looking at the state reports which are a high end area and we really needed to make sure those reports were done at an expert level and it was very clear that nobody else was well suited for that. That is how the interview went. Nothing was outstanding about it one way or the other and I think it pretty much speaks for itself.

Attorney Dugas said when he and Anne had talked months ago earlier on you had indicated something to the effect that when you asked questions Maria would give very specific, concrete answers particularly software application whatever whereas Ms. McDonnell would say well I can learn that, I can learn that. Would you comment on that. Anne said she thinks she alluded to that a little bit about the bird walking and telling us what we could do differently but it was also in response to any of the questions. It was assumed that, and I had no reason to doubt that, anybody can learn anything but the point in having the interview was to see who in fact had the most expertise in particular areas and could hit the ground running – not that you could learn it. There was a difference when you look at ability and expertise – I can learn how to be a plumber – but you are not going to hire me because I’m not the best. Basically that is exactly what the conversation was. I think the group did expect specific, applicable responses to what we perceived to be the abilities for that position. We expected to see that demonstrated through speech and through examples.
Joe Mayhew spoke to Anne and said you talk a lot about the interview process in fact that is all you talk about. Did you see the resumes. Yes I did but as part of the interview process we had to look at them that is what I said when I described the process – all the interviewers had to look at them absolutely. Would you show where on the score sheet they were weighed. If I add these scores up there are only the interview scores but you had the resumes and you said they--Ann interjected typically you can do it any variety of ways. I have never scored, screened on an application or a resume it is a paper process. The data is never used to figure into the application itself it is a separate process altogether. Joe Mayhew stated you are saying that the resumes have no weight at all. The resumes have weight in terms of looking at who is the best qualified to receive an interview. Joe Mayhew said the question was what weight was on the resume; Attorney Dugas stated she has answered that. Joe Mayhew said he would like to point out if you don’t mind, the answer was that at the interview process we saw them but they weren’t scored at the interview process. So if the resumes were part of it why wasn’t there a score on it. Attorney Dugas stated that she has answered the question and I think any of us in management know that you use resumes to screen people to get to the next stage and then you interview them and then base it on the tally. I don’t believe there was any job posting to submit the resume and I don’t believe it is in our contract that a resume had to be submitted.

Board Member were asked if they had questions.

Mark Palmieri had a question on Article 35 since both gentlemen have brought this up. If this board was ever to base this on seniority before I go any farther is Ms. Giovannini also in CWA yes both are. So according to this section 4 if we go to the ability will this board be getting another grievance because she was based on her ability and now you are telling us that this is ability and seniority.

Joe Mayhew said no we are not saying that at all we are representing what the contract says Mr. Chairman. When two employees have substantially the same ability seniority will govern. We believe that the interview process in two areas specifically tainted. The area about the IT – the question specifically had said do you have any IT experience. We clearly filed a grievance at that type of questioning. Skills that were gained from there would not be used. They clearly were used and as process because it was right in the question also the issue of Quick Books that was completely thrown out in negotiations yet that turned up there too. We believe that the ability when you look at these resumes clearly Rose has more ability. She certainly substantially is equal so yes in that case seniority should govern.

Mark Palmieri said if we award Ms. McDonnell this grievance are we going to have another grievance. That is certainly a possibility. No one here can answer that question. Mark said there is no one here representing her then. Joe Mayhew said I understand that but again I don’t believe we are asking you to award this based solely on seniority but if substantially equal seniority rules.
Attorney Dugas said our position would be based upon the interview process the scoring unanimity among the interviewers that there was not substantially the same ability.

Joe Mayhew said we believe the interview process was tainted in clearly those two questions mentioned previously. It was known this would be contentious because of the grievance filed prior. Where when we knew that the board had given the opportunity for Maria to spend time with the IT people that was a clear issue for us. That would be used as a leg up and we were told that it wouldn’t be. Yet the question is right there and Anne clearly in her notes that she wrote put dialog in there about that. We only ask what the contract affords.

Eric Murillo asked Anne for more elaboration about PSIS – what they do and stuff like that. Anne said it is the state reporting system that is used to report the data that generates all of our money. There are several different reports that are built into that at different times of the year. Eric asked for the different types of reports. Student attendance data, expulsion data, special education data. Neil said it is basically to track and monitor student enrollment and activity and Ann interjected it is used as a baseline to generate dollars for the City. Eric said in your statement you said that Maria had more experience. That is not what I said. What I said was, I was clarifying what was misinterpreted to say, that I was saying that I was impressed with PSIS experience that Rose had and that is not what I wrote there. I was clarifying what I wrote. Eric said you were impressed with Maria’s experience is that what you said? No he misread what I wrote that’s all. What I wrote was that she didn’t have a lot of experience if any with PSIS. Eric asked who is she - Rose was the response. Eric asked where did Maria get the experience to know about the PSIS where did she get the knowledge of that. In your resume you should have known that right. She actually wrote by putting that data into the system. She was cleaning up and getting rid of all the problems with the system as it was already. She cleaned up all the data. Eric asked for how long did she do this. She had been doing it for a good 8 or 9 months. This was changed to 4 or 5 months. It was the time when the Assistant Superintendent position was vacant. Eric said he will come back to this later.

Howie Horvath asked if we were going to be asked to sustain or deny the grievance; is there any flexibility relative to what she is asking for – is there room to have a conversation around this? No it is what it is.

Joe Mayhew interjected and said if I may, it is an important question. Maria Giovannini did gain that experience in the last few months. She gained it when she was given the opportunity to work with IT people. The one thing we filed a grievance about and said would not be used. She would not get a leg up and she did based on what Anne just said right now. That is unfortunate that is not supposed to happen we should not be here today. I would like to address another thing. There was an offer to settle this; it was turned down but there was an offer to settle this already. Let’s say there was a fair amount of discussion about this and there was give and take. A further discussion ensued.
Howie Horvath said he thought we heard a version of what it is that was offered and the response but could you from your perspective explain this. He was told that couldn’t be done now. Howie just wanted to understand what Mr. Mayhew understands to be the offer. Mr. Mayhew said he would be available if you wanted to have further discussions later on regarding settlements etc.

Attorney Dugas said that was an unfair labor practice filed by Ms. McDonnell and so in a sense it had something completely different although we did attempt to resolve this as well and let’s just say that at the end of the day those efforts were unsuccessful.

Sean Maher made a motion to take this into discussion.

Andy DePalma said he has a question to ask first. He is looking at the dates of the posting and the date of the grievance why is there such a long delay. The important thing is the date the position was awarded December 30, 2008 then you look at when the grievance was filed – January 5, 2009. Andy thanked him for this information.

Eric Murillo said you mean that Ms. Giovannini did PSIS work for five months before this am I right or am I wrong. Yes, you are right.

T. Sean Maher made a motion to take this into discussion. Toni Paine seconded the motion.

Howie asked if at the conclusion of this discussion do we have any more room for conversation. Yes most definitely.

All in favor.
Deliberations began at 9:30 PM.
The meeting resumed at 10:25 PM

T. Sean Maher made a motion to deny item 09-87 C.W.A. Local 1103, AFL-CIO Grievance #09-013
Andy DePalma seconded the motion
Discussion: Howie Horvath stated he had concerns and hopes this can be settled. Eric Murillo stated he would like to see this settled without arbitration and the process might have been tainted. Maria had been in the job and possibly this gave her an advantage.
Mark Palmieri said it is the board’s consent that we would like to settle this also. He asked for a role call vote with yes meaning to deny the grievance and no meaning to uphold the grievance.

Eric Murillo – No
Howard Horvath – No
Rob Saley – Abstains
M. Toni Paine – Yes
Andy DePalma – Yes
T. Sean Maher – Yes
Mark Palmieri – Yes

The motion to deny the grievance was approved.
Grievance #09-013 was denied.

Mark Palmieri asked for a motion to adjourn the meeting.
Andy DePalma made a motion to adjourn the meeting
T. Sean Maher seconded the motion
All members were in favor
The meeting ended at 10:35 PM

Respectfully submitted,

Marylou Amendola
Board Secretary