

Beekmantown Central School District

Board of Education Grievance Hearing

Place: **MS/HS Library**

April 18, 2007

Time: **6:16 p.m.**

1. Call to Order

at: 6:25 p.m.

by: Stan Kourofsky

This meeting is a Hearing to receive testimony regarding the Beekmantown Teacher Association grievance relating to violation of the collective bargaining agreement including, but not limited to, Article XVIII: Vacancies.

Roll Call

☒ Karen Armstrong
☒ Jane Donahue
☐ Kathleen Grinberg-Funes

☒ Frank Hay
☒ Leonard King
☒ Stan Kourofsky

☒ Richard LaVigne
☒ George Palmer
☒ Steve Trombley

Stan Kourofsky called for a motion from the floor to open the Hearing.

Motion: RL Seconded: KA Yes: 8 No: 0 Abstain: 0 (Accept Reject Table)

Stan Kourofsky called for a motion to have Joe Lavorando, School Attorney, conduct the Hearing.

Motion: LK Seconded: ST Yes: 8 No: 0 Abstain: 0 (Accept Reject Table)

2. Testimony

6:22 p.m. Joe Lavorando: This is in the matter of Grievance: Vacancies, SLP hired to do Scripts filed on January 5, 2007 by the Grievance Committee of the Beekmantown Teachers Association.

The following documents were admitted into evidence and read into the record of this proceeding:

- Exhibit 1 Memorandum to Michelene DeBella, Special Education Department Beekmantown Central School from Grievance Committee, Beekmantown Teachers' Association dated January 5, 2007 in reference to Vacancies, SLP hired to do scripts, Grievance;
- Exhibit 2 Memorandum to Dr. Mark Sposato, Superintendent of Schools from Grievance Committee, Beekmantown Teachers' Association dated January 8, 2007 in reference to SLP Scripts, Stage 2: Grievance;
- Exhibit 3 Memorandum to Beekmantown Teachers' Association – Greg Myers, President & Dan Rillahan, Grievance Chairperson from Mark A. Sposato, Ed. D., dated February 2, 2007 response to Stage II Grievance - Vacancies, SLP hired to do Scripts;
- Exhibit 3a Letter of Agreement between Lea J. Bedore, Speech and Language Pathologist and Beekmantown Central School District to review student Individual Education Plans, as needed, at a rate of \$8.00 per student compensation for services rendered. The Agreement was signed by Lea J. Bedore, CCC SLP on November 16, 2006 and signed by Dr. Mark Sposato, Superintendent on November 15, 2006;
- Exhibit 3b Registration Certificate from The University of the State of New York, the State Education Department for Lea J. Bedore to certify that qualifications for professional practice in New York State have been approved as a (n) Speech – Language Pathologist thru 6/30/07;
- Exhibit 3c Listing of credentials/licenses for Lea J. Bedore;
- Exhibit 4 Memorandum to Board of Education Beekmantown Central School District from Grievance Committee, Beekmantown Teachers' Association dated February 27, 2007 in reference to Stage 3 Grievance – Vacancies, SLP hired to do Scripts;

6:31 p.m. The following witnesses were called to give testimony:

- Greg Myers, Beekmantown Teachers' Association President
- Judy Paquette, Beekmantown Teachers' Association Vice-President
- Lucy Giroux, BTA Grievance Committee Member & Speech Teacher

7:05 p.m. The above witnesses were dismissed and Michelene DeBella, Teacher on Assignment as the Director of Special Services, was called to give testimony:

- 7:19 p.m. The above witness was dismissed and Dr. Mark A. Sposato, Superintendent of Schools, was called to give testimony.
- 7:29 p.m. The above witness was dismissed and the discussion on this grievance was closed.
- 7:30 p.m. Joe Lavorando: This is in the matter of Grievance: Vacancies, Beekmantown Kindergarten Position filed on January 5, 2007 by the Grievance Committee of the Beekmantown Teachers Association.

The following documents were admitted into evidence and read into the record of this proceeding:

- Exhibit 1 Memorandum to Sandra Gardner, Beekmantown Elementary Principal from Grievance Committee, Beekmantown Teachers' Association dated January 5, 2007 in reference to Vacancies, Beekmantown Kindergarten Position, Stage 1: Supervisor;
- Exhibit 1a Transcript of pages 255-256, School Law, 31st Edition, with reference to Section 11:15 What type of teaching position requires a probationary appointment?;
- Exhibit 2 Memorandum to Patricia Gallagher, Grievance Committee Chairman Beekmantown Teachers' Association from Sandra J. Gardner, Principal dated January 9, 2007 response to Grievance: Vacancies, Beekmantown Kindergarten Position, Stage 1: Supervisor;
- Exhibit 3 Memorandum to Dr. Mark Sposato, Superintendent of Schools from Grievance Committee Beekmantown Teachers' Association dated February 1, 2007 in reference to Vacancies, Beekmantown Kindergarten Position, Stage 2: Grievance;
- Exhibit 4 Memorandum to Beekmantown Teachers' Association, Greg Myers, President and Patty Gallagher, Grievance Chairperson from Mark A. Sposato, Ed. D. dated March 7, 2007 response to Stage II Grievance - Vacancies, Beekmantown Kindergarten Position;
- Exhibit 4a Transcript from the Board of Education Meeting on November 14, 2006 referencing the appointment of Miranda Lynch as an Elementary Teacher for a term beginning November 15, 2006 and ending June 30, 2007;
- Exhibit 4b Appointment & Salary Notice, One Year Term (Instructional), for Miranda Lynch, Early Childhood Education (Birth – Grade 2), signed by Miranda Lynch on November 20, 2006;
- Exhibit 4c Appointment Notice - Term, for Julie Fredette, Teaching Assistant, signed by Julie Fredette on December 20, 2005;
- Exhibit 5 Memorandum to Board of Education, Beekmantown Central School District from Grievance Committee, Beekmantown Teachers' Association dated March 27, 2007 in reference to Vacancies, Beekmantown Kindergarten Position, Stage 3: Grievance;

- 7:40 p.m. Dr. Mark A. Sposato, Superintendent of Schools was called to give testimony.
- 8:08 p.m. The above witness was dismissed and the Board took a recess.
- 8:14 p.m. The Board reconvened and the following witnesses were called to give testimony:
- Greg Myers, Beekmantown Teachers' Association President
 - Judy Paquette, Beekmantown Teachers' Association Vice-President
 - Lucy Giroux, Beekmantown Teachers' Association Grievance Committee Member
- Ms. Giroux appeared only and did not give testimony during this session.*
- 8:49 p.m. The above witnesses were dismissed and the Board had discussion.
- 9:14 p.m. Frank Hay made a motion to deny the Grievance. Jane Donahue seconded.

Roll Call

- | | | |
|--|--|--|
| <input type="checkbox"/> Karen Armstrong (No) | <input checked="" type="checkbox"/> Frank Hay | <input type="checkbox"/> Richard LaVigne (No) |
| <input checked="" type="checkbox"/> Jane Donahue | <input type="checkbox"/> Leonard King (No) | <input checked="" type="checkbox"/> George Palmer |
| <input type="checkbox"/> Kathleen Grinberg-Funes | <input checked="" type="checkbox"/> Stan Kourofsky | <input checked="" type="checkbox"/> Steve Trombley |

Grievance is denied and Mr. Lavorando will draft the Board's formal decision to be voted on during a public meeting.

9:14 p.m. George Palmer made a motion to deny the Grievance. Frank Hay seconded.

Roll Call

☐ Karen Armstrong (No)

☒ Jane Donahue

☐ Kathleen Grinberg-Funes

☒ Frank Hay

☐ Leonard King (No)

☐ Stan Kourofsky (No)

☐ Richard LaVigne (No)

☒ George Palmer

☐ Steve Trombley (No)

Motion does not carry. Mr. Lavorando will draft the Board's formal decision to be voted on during a public meeting.

9:45 p.m. Stan Kourofsky called for a motion to conclude the Hearing.

Motion: FH

Seconded: LK

Yes: 8

No: 0

Abstain: 0

(Accept

Reject

Table)