

**FAIRVIEW AREA SCHOOLS' BOARD OF EDUCATION
SPECIAL BOARD MEETING
NOVEMBER 26, 2007**

The special meeting of the Fairview Area Schools' Board of Education was held on Monday evening, November 26, 2007 in the Elementary Media Center.

President Beth Miller called the meeting to order at 6:02 p.m. and roll call was taken.

PRESENT: Beth Miller, Chris Neff, Joel Yoder, Anne Tompkins, Gene Wysocki, Diana Danhoff, and James Yoder

ABSENT: None

Members of the Fairview Federation of Teachers/School Related Personnel were present and Carl Parker, in lieu of Mark Ciolek, was present.

II. Approval of Agenda

A closed session for discussion of negotiations was added after **IV. Review of Grievance** and the agenda was then approved by Board consensus.

III. Public Comment

There was no public comment.

IV. Review of Grievance

At the November 12, 2007 Board meeting, Board members received copies of the initial grievance filed by the Fairview Federation of Teachers/School Related Personnel and communications which followed. The grievance was scheduled to be addressed at this meeting.

The November 12, 2007 letter from Fairview Federation of Teachers/School Related Personnel to the Board of Education included the following items:

1. The Union believes that the Fairview Federation of School Related Personnel contract is not being following in its intent and the Union believes the laid-off employee should have been recalled when the paraprofessional position became open due to a resignation.
2. The Union does not agree with either of the administrator's interpretation of Article XV, letters E and F. Therefore, they appealed their decisions to the Board of Education, according to the grievance procedure in the contract.
3. The Union is seeking resolution which includes making whole the wages of the laid-off employee and the offer of the full-time paraprofessional position to the laid-off employee.

Extensive discussion about the intent, exact wording, and meaning of Article XV, Sections E and F followed. The president ascertained that Board members understood the issue at hand, i.e. if a laid-off employee must be recalled to fill a position if the employee meets the minimum qualifications of an opening in a different classification within the contract.

The Union stated their belief that language concerning qualifications and equality of such between applicants applied within the bargaining unit only and, therefore, the qualifications of any other applicants were irrelevant. The laid-off employee should be recalled across qualifications if minimum qualifications are met.

IV. Review of Grievance (Con't.)

Yoder,Wysocki
James That the position of the Fairview Federation of Teachers/School Related Personnel of making whole the wages of the laid-off employee and offering her the position of full-time paraprofessional position be approved.

Tompkins	-	Nay
Neff	-	Aye
Wysocki	-	Nay
Miller	-	Aye
Yoder, James	-	Aye
Danhoff	-	Nay
Yoder, Joel	-	Nay

V. Closed Session

Neff/Danhoff That the Board go into closed session for discussion of negotiations and that the Board return to open session in this room at the conclusion of the closed session and move into the work session.

Ayes – 7; Nays – 0 Motion carried.

At 8:25 p.m., the Board returned to open session in the Elementary Media Center and moved into the work session.

Chris Neff, Secretary