

MEMORANDUM OF UNDERSTANDING

REGARDING BWSEA EMPLOYEES WORKING OUT OF CATEGORY AS PARAPROFESSIONALS OR NOON TIME AIDES

THIS MEMORANDUM OF UNDERSTANDING made this **3rd day of February, 2021**, by and between the BALDWIN WHITEHALL SCHOOL DISTRICT (hereinafter referred to as “District”) and the BALDWIN WHITEHALL SERVICE EMPLOYEES ASSOCIATION, PSEA/NEA (hereinafter referred to as “Association”).

WHEREAS, the District and the Association are parties to a Collective Bargaining Agreement effective from July 1, 2017 to June 30, 2022; and

WHEREAS, the Association is the certified collective bargaining representative for service employees within the District; and

WHEREAS, the Collective Bargaining Agreement includes terms and conditions of employment; and

WHEREAS, the District has exhausted all avenues to secure substitutes in category for the positions of Paraprofessional and Noon Time Aide; and

WHEREAS, both parties have agreed to utilize the MOU process for the clarification of CBA language regarding certain work described below.

NOW, THEREFORE, with the intent to be legally bound hereby, the parties agree as follows:

1. Student Monitors may be assigned to Paraprofessional Duties, outlined in Appendix 1, after all possible scenarios have been exhausted to provide paraprofessional support.
  - a. At the expense and arrangement of the District, all Student Monitors will be certified in CPR, First Aid, and AED. The Student Monitors will be paid the training rate \$14.02 per hour for the training.
  - b. Student Monitors assigned to Paraprofessional Duties will be paid at the rate of a Probationary Paraprofessional (\$14.16 per hour) due to the curtailed expectations listed in the attached Job Description (Appendix A)
  - c. Student Monitors will not be assigned to diapering and/or toileting responsibilities while working out of category as a Paraprofessional.

2. Other job categories may be assigned to the duties of a Noon Time Aide, outlined in Appendix B, at any buildings throughout the District, after all possible scenarios have been exhausted to provide Noon Time Aide Support during the lunch hours.
  - a. Employees assigned to these duties during their regular work day will be paid the rate of the assigned job category, as hired.
  - b. Employees assigned to these duties outside of their typical work hours will be paid at the Step 1 rate for a Noon Time Aide as outlined in the CBA.
3. This MOU shall expire at the end of the **2020-2021** school year and may be renewed upon mutual agreement between the District and Association.
4. Retroactivity will not be honored for any work that has been performed out of category prior to the execution date of this MOU.
5. This MOU shall not be used or referred to as precedent and shall not constitute evidence of a past practice relative to the interpretation or application of the current or any subsequent collective bargaining agreement. In accordance with the non-precedential nature of this MOU, the District and the Association agree that neither shall refer to this MOU during the course of pending or future grievance proceedings or in any arbitration hearing except to the extent necessary to enforce the terms of this agreement.

IN WITNESS WHEREOF, the parties hereto set their hands and seals on the date first above.

ATTEST:

\_\_\_\_\_  
Secretary

BALDWIN WHITEHALL SCHOOL DISTRICT

By: \_\_\_\_\_  
President

ATTEST

\_\_\_\_\_  
Witness

BALDWIN WHITEHALL SERVICE EMPLOYEES ASSOCIATION

By: \_\_\_\_\_  
President

## APPENDIX "A"

### Job Responsibilities for Out of Category Paraprofessional Work

- Assist the teacher in meeting the instructional needs of the student.
- Use positive behavior management techniques to reinforce appropriate student behavior and peer interactions.
- Provide physical assistance in order to maximize the student's safety and independent functioning in academic and social settings.
- Assist in transferring students between transportation vehicles and the building at the beginning and the ending of the school day and at such other times when transportation may be needed.
- Assist students in functioning in the building and the classrooms which may include moving students in wheelchairs or other types of mobility devices.
- Assist in maintaining communications among all staff including special education teachers and regular classroom teachers.
- Perform such other aide-related duties as may be determined.
- Assist in monitoring all students as directed according to the standards and policies of the school.
- Secure and operate instructional equipment as may be necessary.
- Retain in confidence all information regarding students.
- Inform teacher or principal of any conditions which should be checked or investigated,

## **APPENDIX "B"**

### **Job Responsibilities for Out of Category Noon Time Aide Work**

- Monitors students in the cafeteria dining area during lunch and/or breakfast periods.
- Maintains discipline among students in the cafeteria as assigned.
- Reports any student discipline problems to building principal or assistant principal.
- Directs students to return trays and dishes to kitchen as may be required.
- Directs students to dispose of trash and refuse in proper manner.
- Assists the custodian in maintaining a clean environment in the dining area.
- Directs students in lining up when leaving the cafeteria
  
- Performs such other duties and assumes such other responsibilities as may be assigned by the building principal or assistant principal.