

Teacher Negotiations Meeting

Minutes

Thursday, March 17; 6:00 p.m.
Central Office Board Room

Facilitator: Superintendent Douglas Sullivan

Negotiators Present:

Representing School Board: Mrs. Kris Fehr and Mrs. Sarah Ricks

Representing Dickinson Education Association (DEA): Mr. James Fahy, Mr. Lyle Smith, Ms. Sara Berglund, and Mr. Jay Schobinger.

Others: Vince Reep, Leslie Wilkie, Naomi Thorson, Shary Smith, Sonita Wegner, Tim Wegner, John Abrahamson, Clarence Hauck, Donna Abrahamson, Jane Cornell, Angela Ernst, Yvette Schubert, Les Dykema, Trina Kudrna, Kelly Jahn, Tracy Sipma, Dawn Sipma, Tom Gray, Trisha Getz, Fern Pokorny, Merrill Fahlstrom, JoAnn Coates, Jamie Prellwitz, Sherry Loris, Schott Schmidt, Cherie Mack, Twila Petersen, and Andrew Haffner from the Dickinson Press.

Call to Order – Chair Douglas Sullivan called the meeting to order at 6:00 p.m.

Review and Approval of the March 10, 2016, Meeting Minutes – A copy of the meeting minutes had been emailed to the team previously and copies were available for the team members. Chair Sullivan opened the floor for discussion. The meeting minutes were approved as presented by both parties and signed and dated by Mr. Fahy and Mrs. Fehr.

Present Topics for Negotiation – Chair Sullivan opened the floor for discussion. Mrs. Fehr stated, at this time, the Board negotiators had no topics for this evening. Ms. Berglund asked for clarification that there was one more meeting that topics could be presented. Chair Sullivan responded that was correct. Mr. Fahy stated, at this time, the DEA negotiators had no topics.

Discuss Topics for Negotiation – Chair Sullivan opened the floor for discussion.

Contract Language Cleanup - Mrs. Fehr requested reviewing the language cleanup on the Professional Negotiated Agreement. DEA negotiators agreed to discuss the topic. Mrs. Fehr distributed copies of the revised 2016-2017 Professional Negotiated Agreement with the date changes and language cleanup. She noted the changes were highlighted in yellow. Mr. Smith inquired if the topic of swimming coaches had gone before the extracurricular committee. Mrs. Fehr responded that she thought it went through after the negotiations were complete. Mr. Fahy inquired regarding the cleanup on TFFR. Board negotiators responded old information was redundant. Mr. Fahy inquired if the cleanup on the sick bank/sick leave bank was for clarification purposes. Mrs. Ricks responded that there were grammatical errors and Mrs. Fehr added that part of a sentence was omitted. Dr. Sullivan said there were words missing in the language and administrators went back to a clean copy and replicated the words. Under #5 it changes sick bank leave to sick leave bank. This change was for purposes of consistency. Mr. Fahy referenced the head swimming coach and recognized there are two coaches, one girls' and one boys'. Mr. Reep said he would need to review the notes from the (extracurricular) meeting. He thought it was set up that way in case the program would grow. There was discussion regarding other sports. Mrs. Fehr requested Mr. Reep do some research and review the notes from the extracurricular committee meeting to make sure it went to the committee the proper way and to see what was decided so as not to interfere with that agreement. Consensus was to change the language to include both boys' head swimming coach and girls' head swimming coach. Chair Sullivan declared a recess at 6:11 p.m. to make those changes on page seven of the language cleanup of the 2016-2017 Professional Negotiated Agreement. At 6:20 p.m. Chair Sullivan called the meeting back to order. Consensus to accept the revised text and the language cleanup on the 2016-2017 Profession Negotiated Agreement. Mr. Fahy and Mrs. Fehr signed the document.

Clarify the Definition of National Certification - Mr. Smith noted the DEA negotiators also had a language cleanup they wished to propose. He referenced the section on the National Board Certification on the last page of the negotiated agreement. Some groups have not been able to utilize the incentive due to the way the language is worded. Mr. Fahy

explained it is very hard to get the national board certification. The DEA negotiators proposed adding "National Board of Professional Teaching Standards or American Speech/Language/hearing Association (ASHA Certification of Clinical competence [CCC])." Mr. Reep noted the school psychologist is not included but is a national certification and suggested that category be added. The school psychologist does have a teaching license and is board certified. The proper language was the National Association of School Psychologists; the certification is the NCSP. Mr. Fahy suggested striking the word "or" after "Teaching Standards" and then again after "CCC" and add "or National Association of School Psychologists." Mrs. Fehr suggested adding after "speech pathologist" the following language "/school psychologist". Chair Sullivan asked the Board to keep in mind that not all school psychologists who are licensed through NCSP also carry a teaching license as per the NDCC. He added at this time the Dickinson Public Schools does not recognize the Dickinson Education Association as the representative organization for individuals who do not have a license as per the North Dakota Century Code. At 6:36 Chair Sullivan declared a five minute recess for both parties to discuss the topic of defining national certification. At 6:45 p.m. Chair Sullivan called the meeting back to order and opened the floor for discussion. Mrs. Ricks said that the Board negotiators were very interested in the topic and thought it would be a great idea but they would be more comfortable waiting until the next meeting to see entire proposed language instead of in fragments. Mr. Fahy agreed and said the DEA negotiators would like some time to find out if there are other groups that may be nationally certified. Mrs. Fehr clarified this was a topic for negotiations rather than a language cleanup. Mr. Fahy agreed stating it is item 10 on his list (or item j). Consensus was to table the topic Clarify the Definition of National Certification until further research is done and revised language could be proposed.

Licensed Teacher Substitute Pay - DEA negotiators distributed a handout "Additional Salary" and noted that they were proposing to add an additional section to the negotiated agreement, Section III. Mr. Fahy explained current practice has been there are times when substitute teacher are unavailable, for whatever reason, such as too many vacancies for the substitute teachers to fill, and the teachers, particularly at Dickinson High School, are required to fill in. Currently those teachers that fill in are paid via an hourly rate and the DEA negotiators would like to see that in the contract. The other aspect is, in the past at Dickinson High School, there have been certain positions that have needed to be covered because the teacher left late in the season. He used as an example a couple of years ago when some of the science teachers had to take his/her prep time and fill in for another class. Those teachers that filled in did not have a prep time at all. The DEA negotiators would like this in the contract and is proposed under item "B". Mr. Schobinger explained a lot of times when these situations happen (there are not enough substitute teachers to cover a class) it tends to happen at 7:30-7:45 in the morning and then an email will come out from the secretary at the high school asking if a teacher could cover first block. He added the teachers help each other out but in essence they are giving up their prep time that morning if they happen to have first block off to cover a class. A lot of times it's the spur of the moment. Mrs. Fehr inquired if the problem that this was speaking to was the lack of substitute teachers or lack of notice to get a substitute. Mr. Fahy responded that he thought the problem was the lack of substitutes or a substitute who cancels at the last minute because something better came up. He explained with the AESOP program within the pool of substitute teachers, one sub could accept a half day position but then a full day position opens up and then the substitute drops the half day position and picks up the full day position at 7:30 in the morning. With the AESOP program it is so much easier for the substitute to do that. Mr. Fahy explained AESOP is the District's software web-based program. If a teacher is sick or has to be gone for an activity the teacher can go on AESOP and request a substitute for a day or for a particular time frame. Anybody who is on the substitute list gets a notification on their cell phone or whatever method of notification and oftentimes within seconds that substitute position is taken because the substitutes are waiting for those opportunities. He added that often times if the teacher is going to be gone for an afternoon or only gone for a morning the substitute will grab that opportunity right away because they don't know if something better will come along and then all of a sudden a full day position comes open. Mrs. Ricks asked if the substitute teacher can then just drop it and Mr. Fahy responded they can drop one and pick up another one. Mr. Fahy added that oftentimes that happens right away in the morning. Mrs. Ricks referenced the handout and asked if item A indicated the current rate of compensation. Mr. Reep responded the current rate is \$18 per hour. Mrs. Fehr inquired how often this happens in the district. Mr. Reep responded that it happened quite a bit at the high school level, it is rarer at the middle school and non-existent at the elementary level. Mrs. Fehr said it appears this was mostly a problem at the high school. Mr. Fahy responded that was probably correct. Mrs. Fehr inquired how the \$18 per hour was calculated. Mr. Reep responded the rate is set by the board through input from the Budget Committee. The hourly rate used to be a daily rate and then it was changed to an hourly rate. He added if it the amount was changed to what was proposed by the DEA negotiators it would be a significant financial budgetary amount to the District. Mrs. Ricks noted a concern if the high school schedule would ever change and Mrs. Fehr noted it would create some disparity when comparing one teacher's contract rate to another's contract rate. Mr. Reep said the charge back to the sub account would vary depending which teacher was filling in as a substitute. Mrs. Fehr said she had a concern with putting something like this in the negotiated agreement and noted the financial budgetary concern and wanted to review it some more. Mrs. Ricks asked for an

opportunity to research the cost. Mrs. Ricks inquired if there are people who are unwilling (to substitute). Mr. Fahy said there have been times when a second or third email will come down to the hour of need where the DHS secretary says she needs help and most often times somebody will step up and take the class. Mr. Schobinger gave an example that if a DHS teacher filled in for his class while he was gone that the curriculum would continue and that was worth more than when most substitute teachers filled in. Mr. Schobinger noted the District has great substitute teachers. Mr. Fahy explained item "B" referenced when a licensed, certified teacher is not available for a long period of time, the class has to go on and therefore a substitute teacher, who may not be highly qualified, would be unable to continue the curriculum. He used as an example when a science teacher was gone for an entire 9-week period of time and the staff stepped in and took over. They gave up their prep time. They were compensated at 1/12 of their pay to do so. Mr. Fahy said that the DEA negotiators are looking for something to validate should this type of situation ever arise again. Mrs. Ricks noted the rate in the proposal was different than what he explained. Mr. Smith said that currently there is a situation where six teachers are covering the load for nine and this would address something to that nature. It would help with the speech and language pathologists, specifically. Mrs. Fehr inquired if this section (B) was trying to address a current problem with speech language pathologists or was it looking to the future for any particular position. Mr. Fahy felt it could address both. Mrs. Fehr said she would like to do some research to find out what the District is currently doing in terms of money and also in terms of how this affects staff because the District wants to fill vacant positions; that this would not be the norm. Mr. Fahy agreed, the teachers do not want to give up their preparation time. They also want the vacant positions to be filled. This topic was tabled until further research can be done.

School Calendar – Mrs. Fehr stated the Board negotiators would like to start the discussion regarding the school calendar. She said it would take some time to discuss. She wanted to talk about the changes to the school calendar and what's happened to the professional development days. Mrs. Ricks displayed on a white board the below information.

<i>School Year</i>	<i>Calendar Days</i>	<i>Student Contact Days</i>	<i>Professional Dev. Days</i>
2009-2010	185	173	6
2010-2011	185	174	5
2011-2012	185	175	4

Mrs. Fehr explained during the 2011-2012 school year there was a transition when the District went from six PD days to four PD days. Back at that time the Board elected to take the additional (two student contact) days that were required by the legislature and subtracted days away from the professional development days. Now there are four professional development days in the school calendar. Two days are scheduled at the beginning of the school year. One of those two PD days is sort of a management day to prepare for the new school year but that is not PD. That leaves two days or 12 hours for professional development. One day is usually scheduled in October and the other is usually scheduled in January. Recent legislative action requires all teachers to have eight hours or 1-1/3 PD days for mental health training. Additionally, every year the grades 7-12 teachers are required to have two hours or 1/3 of a day for PD for suicide prevention training. Mrs. Ricks demonstrated on the white board representing the remaining days are 2-1/3 days per year or 4-1/3 days in every two years left for professional development. Mr. Smith inquired if this also counting the early release days. Mrs. Fehr responded that it was her understanding the early release days were organized by the principals and were building level. Mrs. Ricks stated a possible problem statement could be that staff and teachers want training in certain specific things and there is not enough time to do it. Mr. Fahy responded that he thinks the Board negotiators are talking to different staff than the DEA negotiators are because they are hearing just the opposite. When the school calendar was brought up the reaction the DEA negotiators heard was the teachers do not need another professional development day. Mrs. Fehr responded that the Board regards the faculty as professionals and that in order to continue in their fields they need to go to training, do training, and have the professional development. She added a lot of the buildings work on data and that's how good decisions are made is by working on the data. They are hearing that some teachers want more time to look at more data and more collaboration time so that they are all working together on data and on the same page. Mr. Smith referenced his situation or someone like him in the NCTE. Sometimes the professional development does not fit their needs. They have to go elsewhere for training. He mentioned some districts being flexible, a day that is flexible that can be substituted. Mrs. Fehr said that during the last negotiations this topic was brought up and Mr. Hanson and her were both very interested in the idea because they know if a teacher can go somewhere over the summer it is often a great conference and they can bring the information back and share with everyone. Mrs. Fehr inquired if this was a topic the DEA negotiators would be proposing and the response was it was not a topic but it could fit in with this topic. Ms. Berglund inquired if there was space in the calendar or if the Board negotiators had a proposal. Mrs. Fehr responded they did not have a solution or proposal; they wanted to explain what the school district and the Board was dealing with in reference to the professional development days. This topic was tabled with discussion continuing at another meeting.

Debrief - The March 10 meeting minutes were approved and signed by both parties. There were no additional topics presented for negotiation. It is understood that there is one more meeting available for both parties to put out additional topics the next time that the parties meet. Contract language cleanup was settled and signed by both parties. The administration will clean up the formatting of the co-curricular scheduling and get a clean copy to both parties so that all team members have the same information. The school calendar was discussed and tabled. Licensed teacher substitute pay was discussed and tabled. Clarifying the definition of national certification was discussed and tabled.

Schedule Next Meeting Date and Time and Set Agenda Items – By consensus the next meeting was scheduled for Tuesday, March 29 at 6:00 p.m. at the Central Office. Chair Sullivan suggested keeping the agenda the same as this meeting. Mr. Fahy inquired if any of the tabled topics will be put on the agenda and if so, in what order. Chair Sullivan responded they would not be in a particular order, just the order they were introduced. He said he would not put them in any prioritization. It will be noted that the Contract Language was settled and the other three items were tabled and the parties can determine when they will bring it off the table. Mrs. Fehr inquired, for clarification, if at the next meeting the team would be discussing topics that had not been discussed yet and also the last chance for presenting topics. Mr. Fahy concurred that would be the last time for presentation of topics. Mrs. Fehr inquired if the team wanted to discuss all the topics and then prioritize them. Mr. Fahy responded there was no need to prioritize since all topics would need to be discussed. Mrs. Fehr inquired if at the next meeting the first thing would be to discuss the new topics and Mr. Fahy said there would be a presentation of new topics and discussion of new topics and if time allows begin the tabled topics. Mrs. Fehr suggested, if time allows, additional information be available and that would lead to the discussion at the next meeting. Mr. Fahy concurred.

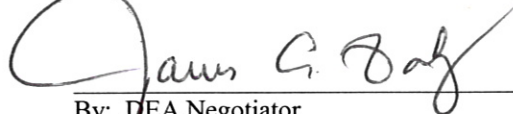
Adjournment – Chair Sullivan declared the meeting adjourned at 7:26 p.m.

Dated this 29th day of March, 2016.

DICKINSON PUBLIC SCHOOLS


By: Board Negotiator

DICKINSON EDUCATION ASSOCIATION


By: DEA Negotiator