

Teacher Negotiations Meeting

Minutes

Monday, April 4, 2016, 6:00 pm
Central Administration 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, and Mr. Jay Schobinger.

Others: Fern Pokorny, Lee Mehrer, Brenda Loney, Mary Ann Reisenauer, Yvette Schubert, Shary Smith, Merrill Fahlstrom, Donna Abrahamson, Trisha Getz, Melinda Fridrich, Clarence Hauck, Crystal Hoerner, Dave Michaelson, Tom Gray, Julie Maes, and Twila Petersen.

Call to Order – Chair Sullivan called the meeting to order at 6:00 p.m. He noted this was meeting #6 of the negotiations.

Review and Approval of the March 29, 2016, Meeting Minutes – A copy of the meeting minutes had been emailed to the team and copies were available for the team members. Mr. Smith requested several sentences be added to page two under the category of School Calendar. Consensus was to accept the amended minutes which were then signed by Mr. Fahy and Mrs. Fehr.

Financial Information – Mrs. Fehr stated late last week she became aware of some information which would pertain to financial information that was a concern to her. She asked Dr. Sullivan to share the details to the team as it might help for the team during its deliberation. Dr. Sullivan said that an enrollment count is done every month and the enrollment was received late Thursday (March 31) for the month of March. In the month of March, the enrollment in the school district declined by 39 students. For this school year the enrollment has dropped 134 students since September. March marks the first time this school year where the enrollment was lower in 2016 than March of 2015.

There was a recent Budget Committee meeting. At that meeting there was a request for additional services and programs and positions. One position request was for a counselor at the high school and another request was for a center based emotionally disturbed program for grades K-5. Due to the recent enrollment numbers the superintendent has placed both of those hiring processes on hold; they may not get implemented. Additionally there was permission from the Budget Committee to add a 16th kindergarten section. That section is not necessary as the estimate now for kindergarten is 302; this is a decrease of approximately 33 kindergarten students. The superintendent notified the Cabinet today that the District will not be proceeding to fill the 16th section unless something dramatic should change in the kindergarten enrollment. The last piece of information the assistant superintendent shared with the superintendent was that when he originally did his preliminary budget for 2016-2017 the marker he put for the increase in health insurance was 8%. Mr. Reep advised the superintendent that has been moved to 14% due to the significant claims which have decreased the balance by \$385,000 compared to March 2015. A 14% increase may not be enough. The District is also considering the possibility of collapsing some of the grade levels due to some vacancies in an effort to be cautious with the budget for the 2016-2017 school year. Mrs. Fehr referenced a handout from a previous negotiations meeting with the general fund total highlighted in yellow. She inquired if the DEA negotiators had any questions on the document. Mr. Fahy said that the DEA negotiators still have not had a chance to review the material shared by Mr. Reep and have a discussion regarding the financials. Mr. Schobinger added there is now new information to add. Mrs. Fehr responded that in light of the new information, Mr. Reep has assured her that the school board can still stand

behind the new information, for the time being. Mr. Fahy guaranteed that in the near future the DEA negotiators would meet and discuss the financial information.

Discuss Topics for Negotiation – Chair Sullivan understood there were a few items left to be introduced before the parties take a look at trying to come to an agreement on some of the remaining items. It appeared the School Board had the most topics and therefore they were asked to introduce the first topic.

Titles, Names and Acronymous Items (Definition of a Teacher) (n or 14) - Mrs. Fehr referenced the topic introduced at the last meeting item F. of the negotiated agreement. She distributed a handout with a proposed modification of the definition of a teacher. She explained the Board negotiators would like it to say teachers as defined by the North Dakota Century Code. DEA negotiators had no questions.

Remove References to School Board Policy in Professional Negotiated Agreement (m or 13) – Mrs. Fehr explained they had proposed changes to the references to policies within the negotiated agreement. Mr. Fahy inquired if there is a problem with having the policy referenced in the agreement. Mrs. Fehr responded the school board policies could change during the school year due to changes to the descriptor code and added that it is redundant. She also noted changes such as federal mandated changes or legislative action which reflect changes to the policies. Mr. Fahy inquired if there have been changes in the last 6-8 years. Mrs. Fehr said there have been changes to the language almost every time. Mr. Fahy inquired if there would be a reason to change the policy classification (descriptor code). Superintendent Sullivan explained the primary reason for a descriptor code change is due to the North Dakota School Boards Association (NDSBA) going through the policies and making significant changes. Mrs. Fehr added often if there is some changes the School Boards Association may combine policies because one policy may be basically the same as another one, the NDSBA will combine the two and give it a new descriptor code. Or if there's something new from the legislature they give it a new name. Mr. Fahy inquired if all the school boards use the same descriptor. Mrs. Fehr responded that those going through the NDSBA's Policy Services would probably have similar descriptor codes.

Management Right's Clause (g. or #7) – Mrs. Fehr referenced the proposed language in the negotiated agreement that would help during negotiations because oftentimes things are brought up at negotiations that really are something that the management, or the administration, or the school board control and cannot be negotiated items. A management right's clause in the negotiated agreement would state that the rights of the school board or the administration and that it belongs to school board, administrators and management. Mr. Fahy said that it was his understanding that if it's not in the negotiated agreement it can't be negotiated anyway. He thought it could possibly be redundant. Mrs. Fehr noted there was a clause in Minot's negotiated agreement that states "except as expressly provided otherwise in this agreement, the determination and administration of school policy, the operation and management of the schools, and the direction of employees are vested exclusively in the Board." Mrs. Fehr noted she did not have any proposed language to present at this time.

Superblock (l. or #12) – Mrs. Ricks asked what exactly this pertains to since the Board negotiators don't work in the schools. In the absence of Ms. Berglund, Mr. Smith responded. Every sixth day, in this year's school calendar that would amount to 25 times, they (the elementary teachers) have an 80 minute Superblock and 40 minutes of that is their prep. He believed it was the first 40 minutes that is assigned duty and it runs into their prep every sixth day. This would be about 25 days out of this school year or approximately 1,000 minutes which calculates to approximately 16 hours. Mrs. Ricks asked when the teacher is meeting with administrators, what's happening. Mr. Smith responded they don't necessarily just meet with administrators; they also meet with other teachers. Mr. Smith added the teachers must prepare for the Superblock. There are books to read, curriculum to review, or numbers to crunch. The teachers come prepared so they can optimize their time. Mrs. Fehr inquired if it is grade level or one-to-one with the principal. Mr. Fahy responded that it is grade level. Mrs. Ricks inquired if Superblock is the same as the professional learning communities. Mr. Smith requested to hold that question until Ms. Berglund could respond because the negotiators at the table work at the high school and don't have additional information or knowledge about Superblock, which happens at the elementary schools. He requested to table this topic until Ms. Berglund, an elementary teacher, is available.

School Day – (o. or #15) Mrs. Fehr said the issue is the Dickinson Middle School lunch period is 45 minutes long. The middle school committee has been working on developing a new approach that has not been done before and one of the possibilities that has come up in their discussion is that an optimal schedule may not allow for a 45 minute consecutive lunch for the teachers. Mrs. Fehr said she is hoping this team would allow the flexibility to the middle school by putting some language in the negotiated agreement that would allow them to either have 30 (consecutive) minutes with 15 minutes later in the day, or 45 minutes depending on what the middle school decides for their situation.

The Board negotiators appreciated the work being done by the committees on the middle school and how they have worked well together. A proposal for the middle school has come forward that she hoped this team would support. The way the negotiated agreement is currently worded it would not allow flexibility to support the proposal. There would need to be some language changed or added to the negotiated agreement to allow them that flexibility. Mrs. Ricks added the Board negotiators are looking at only the middle school, this would not affect any other school. Mrs. Fehr said the language would state something to the effect that when something specific happens at the middle school then this is how it would be handled allowing the middle school to have flexibility. She added that it is possible the middle school teams could find a way to leave the lunch schedule at 45 consecutive minutes for the teachers. Mr. Smith inquired how well this change is being received by the middle school staff. Mrs. Fehr responded that it is their understanding it is a collaborative group of staff and administration who have come together because they are all working on the schedule together so it is her understanding this is one of the solutions that was being talked about. Mrs. Ricks added that they do not know how many are supporting this idea or how many are hesitant. The Board negotiators want to give them the option of doing it because it is their understanding this may be the best choice.

Mr. Schobinger requested a five minute caucus. At 6:43 Chair Sullivan declared the meeting in recess for a five minute caucus. At 6:47 p.m. Chair Sullivan called the meeting back to order.

DEA negotiators requested to review some topics and review a couple of proposals. One proposal was a DEA topic and one was a Board topic. Mrs. Fehr said that would imply they were satisfied with the initial discussion of all the topics and concurred to proceed.

Clarify the Definition of National Certification (Vocationally Certified Teachers) (j. or #10) – Mr. Smith referenced the last meeting where he offered to contact someone at the state regarding the hours required for vocationally certified teachers. He handed out a sheet from the state website with the new requirements for vocational certification. The response Mr. Smith received during his discussion is the state is reworking its requirement and revised the following language to the certification: “Instructors shall have a minimum of four years (8,000 hours) of progressive work experience in the occupation to be taught within the past eight years.” Mr. Smith gave an example of a person working in a non-progressive position who would not qualify for the certification. Using the language the District has regarding continuing education credits, Mr. Smith drafted some proposed language and distributed it to the team. The language pertained to vocationally certified teachers. He noted at one time the District kept track of the continuing education credits and then decided to change the language to mirror the language for teachers holding a current teaching license. Mrs. Ricks didn’t foresee a problem with the proposal but asked to table this topic until they could receive guidance from the human resources department.

Recruitment of Highly Qualified and Experienced Teachers (i. or #9) – Mr. Fahy noted the Board negotiators requested new teachers be allowed to bring in 15 years of experience rather than 10 years. He said there would be some hurt feelings amongst some of the teachers that were not allowed to bring in those five additional years when they started but it is good for the school district. Mrs. Fehr agreed. Mr. Fahy said it is good for the teacher coming into the District. Mrs. Ricks said that the Board negotiators understand that sometimes timing isn’t on their side. She said she would be frustrated too if she were in their shoes. She appreciated Mr. Fahy’s comment that it is for the good of the school district. Mr. Fahy noted that they would need to take it back to the DEA for

final approval. Because it was all in the same paragraph (under Placement on Salary Schedule, years of teaching experience and vocationally certified teachers) Mrs. Fehr thought the language should be reviewed by both parties and brought back for discussion at the next meeting. Chair Sullivan asked for clarification. Mr. Fahy said that under Salary A. Placement on the Salary Schedule, the DEA negotiators are willing to take to the DEA an increase of up to and including 15 years and then vocationally certified teachers following that will be given the four years. Mrs. Fehr inquired if they would be removing the part of the 8,000 hours of trade. Mr. Smith said that was correct, it would be removed. Mr. Fahy said language would be added that the appropriate CTE Endorsement as issued by the North Dakota Education and Standards and Practices Board. These two items will be on the agenda for the next meeting.

Clarify the Definition of National Certification (j. or #10) – Mr. Fahy noted this topic was tabled at the March 17 meeting because there was some issues with the language and adding different things. At the previous meeting school psychologist was added along with school speech pathologist. Mr. Fahy visited with some counselors and it is his understanding the counselors (certification) program is very rigorous and expensive. At the high school those counselors do not have the certification and do not intent to get the certification. Mr. Fahy distributed a handout with proposed language under Article XII. National Board Certification. Based upon the discussion at the last meeting Mr. Fahy said the DEA negotiators changed the language on the last sentence to note that it is not an additional \$1,000 every year. He said they included language from the current negotiated agreement that proof of certification must be provided in writing to the Central Office prior to the last Friday in August deadline. Mrs. Fehr said the Board negotiators had also reviewed the language in Article XII and also provided a draft proposal which she distributed. She also distributed a handout from the National Board of Teaching Standards website. When looking at the website handout there are many areas of certification. The Board negotiators thought to simplify it, rather than listing the different areas, note it in the language “through the National Board for Professional Teaching Standards.” Mrs. Fehr said they wished to submit it for consideration. There was discussion regarding exceptional needs specialists. Mrs. Fehr requested this topic be tabled and put on the agenda for the next meeting.

Mrs. Fehr requested a five minute recess. At 7:08 p.m. Chair Sullivan declared a recessed. At 7:12 p.m. Chair Sullivan called the meeting back to order. The floor was open for discussion. Consensus was that both parties were not prepared to present any further proposals or topics for discussion.

Chair Sullivan noted that before moving forward any item that has not been settled or has not been removed comes for consideration; therefore, all items are open for discussion and/or settlement moving forward. When the agenda is put together there are not going to be any specifically targeted items. He would leave some of that discretion to the parties based on their previous discussions. There was input from Board negotiators and DEA negotiators requesting to have the topics listed on the agenda so that they could be prepared. Mr. Fahy requested the topics be listed as roman numerals and list those topics that have been tabled and add another section for new proposals of topics. Mrs. Fehr said this may help the team to focus their discussion.

Debrief – Chair Sullivan summarized the meeting. The remaining topics presented or discussed at today’s meeting were: management rights clause, Superblock, removing references to school board policy, definition of a teacher, and school day have all been presented. All items that have been proposed for negotiation have been presented at this time. Information was handed out on required hours for vocationally certified teachers; removing the references to school board policy; on titles, names and acronymous items; information on the definition of national board certification with possible language provided by both parties; and salary schedule placement. There was a brief discussion on the topic of Superblock.

Schedule Next Meeting Date and Time and Agenda Items for the Next Meeting – By consensus the next meeting was scheduled for Wednesday, April 20 at 6:00 p.m. at the Central Office. There was an agreement that Superblock would be a topic for next meeting as well as recruitment of highly qualified and experienced teachers which is the salary schedule placement and then the national certification topics. It is anticipated there will be some understanding on the financial information at the next meeting.

Adjournment – Chair Sullivan declared the meeting adjourned at 7:20 p.m.

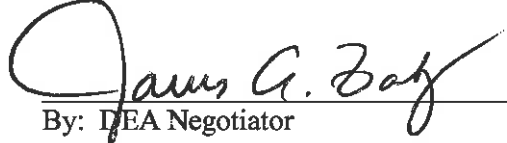
Dated this 20th day of April, 2016.

DICKINSON PUBLIC SCHOOLS



By: Board Negotiator

DICKINSON EDUCATION ASSOCIATION



By: DEEA Negotiator