

NDSBA NEGOTIATION SEMINAR 2015

Thursday, February 5, 2015

Investigation Allegations of Employee Misconduct

Presented by Barrett Christina, staff attorney for New Hampshire School Boards Association

Mr. Christina identified areas that should be considered when investigating misconduct. Areas included:

- Identifying the nature of the complaint (initial considerations)
- Is an investigation warranted?
- Who should investigate?
- The investigation process
- Confidentiality
- General tips for conducting an investigation
- After the investigation is complete
- Documenting the complaint and investigation
- Pertinent ND laws.

The last part of the handout was a checklist for investigating misconduct, think this will be helpful if we ever need to investigate misconduct.

Superintendent and Teacher Nonrenewal Training, Presented by Annette Bendish, NDSBA Legal Counsel, and Alyssa Martin, NDSBA Director of Policy Services

Ms. Bendish and Ms. Martin took turns speaking on the following subjects:

- Superintendent Evaluations and Nonrenewal
- Teacher Nonrenewal Basics
- Teacher Performance Nonrenewal
- Teacher RIF Nonrenewal
- First-Year Teacher Nonrenewal
- Exceptions to Continuing Contract Law

The take home message for all the subjects covered is to have proper policies and processes in place. Follow the law and the policies put in place.

Friday, February 6, 2015

Health Care Reform, presented by Brian Rossen, American Fidelity Administrative Services

Topics: What you need to do from now to 2018, and finalizing compliance plans for upcoming health care reform requirements:

- ACAI Full-time Tracking and Reporting
- ACAI Cost Implications
- Future Compliance Requirements
- Employer Alternatives

Negotiation Basics, presented by Alyssa Martin, NDSBA Director of Policy Services

Ms. Martin spoke on the following basic negotiations:

- Agenda
- Recognition
- Meeting Requirements
- Ground Rules
- Costing and Contract Language
- Impasse

Also provided was an Impasse Procedural Flow Chart.

Preparation and Strategy, by Jim Johnson, board member Fargo Board of Education

Mr. Johnson spoke of how his board shows their teachers association how the funding works. He also said they put a link on the school districts website of the recording of the negotiation meetings.

Establishing Ground Rules, by Lisa Kudelka, HR Director Bismarck Public Schools

Ms. Kudelka spoke briefly on how negotiations are performed in Bismarck and also provided a copy of their ground rules.

Recognition Process, presented by Dr. Viola LaFontaine, Supt-Williston, and Sara Kasmer, Board member-Williston

Topics covered:

- Five Step Process
- Too Broad of Language
- Legal Requirement
- Reject Petition
- Meeting with Teacher Association President
- New Petition

Tactics Used by Teacher Groups, presented by: Kris Fehr, board president-Dickinson; Dr. Doug Sullivan, Supt-Dickinson; Joyce Braunagel, Board president-Valley City; and Tim Holte, Supt-Stanley

Common thread of how negotiations went with each district throughout the presentations.

Legislative Update on Bills Related to Negotiations, by Annette Bendish, NDSBA Legal Counsel and Jon Martinson, NDSBA Executive Director

Topics:

- House Bill (HB) 1251
- HB 1315

ND Education Fact Finding Commission, by Dean Rummel, Chair

Topics:

- Commission members
- NDCC
- Purpose
- Preparation for Hearing
- The Hearing
- Commission Report
- Expectations

Issuing Teacher Contracts, by Annette Bendish, NDSBA Legal Counsel

Topics:

- NDCC 15.1-15-04
- Sample contract
- Issuing contracts
- Limitation on agreement after impasse