

Teacher Negotiations Meeting

Minutes

Tuesday, March 29, 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, Ms. Sara Berglund, and Mr. Jay Schobinger.

Others: Vince Reep, Lee Mehrer, Leslie Wilkie, Naomi, Thorson, Shary Smith, Les Dykema, Merrill Fahlstrom, Jamie Prellwitz, Angela Ernst, Clarence Hauck, Jane Cornell, Mary Ann Reisenauer, Donna Abrahamson, Dawn Sipma, Sherry Loris, Jill Nelson-Wetzstein, Amy Jo Hughes, Sandra Hood, Kelly Jahn, Dixie Dennis, Brenda Loney, and Twila Petersen.

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

Review and Approval of the March 17, 2016, Meeting Minutes – A copy of the meeting minutes had been emailed to the team previously and copies were available for the team members. 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 noted ground rule #11 states the topics for negotiation will be presented and prioritized no later than the second meeting following the establishment of ground rules. This would require all topics to be introduced at this meeting unless both Board and DEA negotiators agreed. He opened the floor for discussion.

Super Block (l. or 12) – Ms. Berglund said the DEA negotiators wished to discuss the topic of Super Block. She said it applies to K-5 teachers. Every six days the elementary teacher meets for assigned or directed group activity with the administrator in his/her office and this causes the teacher to lose their 40 minute preparation time.

Remove References to School Board Policy in Professional Negotiated Agreement (m. or 13) – Mrs. Fehr said the Board negotiators would like to remove any reference to School Board policies in the negotiated agreement. There are five notations in the negotiated agreement regarding policies.

Definition of a Teacher (n. or 14) – Mrs. Ricks said the Board negotiators wished to discuss on page three, item F. of the negotiated agreement.

School Day (o. or 15) – Mrs. Fehr said the Board negotiators wished to discuss the School Day, referencing page nine, V.B. of the negotiated agreement.

No other topics were provided from either party. Superintendent Sullivan summarized that four additional topics for negotiation were added to the list. Those topics were: discussion about super block and prep time, removing the reference to school board policy in the Negotiated Agreement, the section in the Negotiated Agreement under titles names and acronyms items, and the school day.

Discuss Topics for Negotiation – Chair Sullivan asked if the parties wished to prioritize the items or pick a topic and begin conversation. He referenced ground rule #3 which pertains to financial information. “The teams will use the same baseline data and revenue estimates, which will be provided and discussed at the first negotiations meeting following the establishment of the ground rules. It is understood that the teams will agree on the financial information at a subsequent meeting.” Chair Sullivan knew that two DEA negotiators had met with Business Manager Reep and he wanted to make sure any questions they might have could be answered. Mr. Fahy clarified that the financial presentation was provided at the first meeting after the ground rules were established. At a subsequent meeting there would be a determination of the baseline that the team was going to agree to. There was discussion regarding a meeting with two DEA representatives and Mr. Reep and Mrs. Fehr asked if the DEA negotiators had any further questions. The DEA

negotiators had not had an opportunity to meet as a group (due to the Easter holiday) to go over the financial information received from the meeting with Mr. Reep, therefore they had no questions, at this time. Mr. Reep explained areas he covered in the meeting with the two DEA negotiators. At that meeting he reviewed documents that had been handed at the financial presentation, shared the state foundation aid worksheet, explained how he got the \$773,000 in new money, discussed mill levies, and explained the \$1.1 million and how that will either require a valuation increase of 112% or a board action. Mr. Reep added the baseline number of what it costs right now in the district for salary and benefits for the people on this salary schedule is \$22,998,000.

Retention of Highly Qualified and Experienced Teachers (#11 or k) - Mr. Fahy requested the DEA proposed topic Retention of Highly Qualified and Experienced Teachers be removed from the list. He explained the DEA negotiators had reviewed their topics and were writing problem statements and realized this topic was broad and is a problem, not an issue. Consensus was to remove this topic from the list.

School Calendar (#5 or e) - Mrs. Fehr said the Board negotiators wanted to have a common understanding of what is available for professional development (days) due to state mandated training. She added that she didn't foresee those days taken away from the state being added back in by the state. Mr. Fahy inquired if the Board negotiators were looking at adding days to the calendar. Mrs. Ricks responded if a problem statement it would be that but noted there is different information coming to both sides of the table regarding the professional development days. Board negotiators are being told there is not enough professional development time and added the DEA negotiators indicate they are being told teachers don't want more professional development time. Mrs. Fehr explained she didn't know where the discrepancy was coming from. Board negotiators regard the teachers as professionals and added that all professionals do ongoing professional development. She reiterated the state mandating professional development and now there are fewer days to do them in. The committees are made up of teachers who state that teachers need additional professional development. Mrs. Fehr asked the team to come together and resolve that issue and provide the professional development that they think the teachers want; to have that discussion. Mr. Schobinger said he could understand why some teachers would need more professional development such as when new things are implemented, such as technology. He explained how each teacher at the table would have different professional development needs, more of a specialized training. If you added an additional 12 teachers there would be even more of a cluster of ideas for professional development. The professional development meets his needs but they need to find a way to where the professional development can meet the needs of a diverse group. The teachers do not want to add an extra professional development day just for the sake of having another professional development day. Mr. Fahy referenced the recent mental health/first aid training. He said the material was not presented very well; however, the book that went along with the training was great. Mr. Schobinger concurred it was great material. Mrs. Fehr inquired how they could reconcile with what the professional development committee is working on and bringing forward because that's where all the work is done. Mr. Schobinger responded that in his opinion a lot of good professional development opportunities happen in the summer. Some happen during the school year. If a teacher goes to a three-day seminar in the summer that is conducive to what they are teaching that is better and a quality professional development than something that catches everyone. Mrs. Berglund explained instances throughout her day that are professional development and yet it is not during the set aside professional development days. One example she gave was when she was pulled out of the classroom to watch another teacher. She said these examples that happen throughout the school year along with the designated professional development can be a bit overwhelming for a teacher. Mrs. Fehr addressed Superintendent Sullivan and inquired if those times that Ms. Berglund referenced are noted as professional development hours for the elementary teachers. Dr. Sullivan responded it is a professional development activity that occurs during the regular work day and the District hires substitutes. Mrs. Fehr asked if it counts in the larger scheme of professional development. There are X amount of days, is it part of those days? Dr. Sullivan responded "The answer to that is no." She also inquired if the Professional Development Leadership Team meeting minutes are posted. Mrs. Ricks said it seemed like some additional data needs to be gathered and talk to some more people before finding a possible solution. Mrs. Fehr noted that in the last session she and Mr. Hanson liked the idea of the flexible professional development introduced by the DEA negotiators. Mr. Fahy gave some examples of some training that he attended during the summer.

Graduated Personal Leave (#4 or d) - Ms. Berglund said the DEA negotiators feel the problem of retaining highly qualified teachers would be covered by graduated personal leave. The DEA negotiators had a proposal that they distributed. Mr. Fahy explained it was similar to what was discussed last year. This topic was dropped last year. Mr. Fahy noted he had read an article that the number of students entering the teaching field five years ago was about 11%; it has now dropped to about 4.2%. Therefore finding new teachers is difficult. He added this would be a way to attract quality teachers. Mrs. Fehr inquired what the problem was that the personal leave change speaks to. Mr. Fahy responded retention of quality teachers and highly qualified teachers. Mrs. Fehr inquired if there was a problem with highly qualified and long term teachers leaving because of this. Mr. Fahy responded that it wasn't necessarily because

of this and added the morale in some of the schools isn't the best. This would be one way of showing the teachers that they matter. Mr. Smith said this topic could fit into the Board's topic of Recruitment of Highly Qualified and Experience Teachers. Mrs. Fehr explained that DPS is probably the only school district that offers career increments which encourages teachers to stay longer. Mrs. Ricks said this was a tough topic for the Board negotiators. They do agree the teachers have personal lives; however, it is important for the teacher to be in the classroom. Mr. Fahy agreed but then asked why teachers are being pulled out of the classroom to watch other teachers. Mrs. Fehr said that wasn't something that could be debated at the table and Mr. Fahy agreed. Ms. Berglund explained the teachers have two personal days each year. If they have a child that is in athletics and they want to support that child it is difficult with two personal days. If there is a wedding or something else that comes up the teacher possibly has to take day deducts for those events. Mr. Schobinger said his wife has missed out on a lot of athletic events because she has only two personal days. Mrs. Fehr addressed Mr. Reep asking him if this is a problem for the District and if he had data available. Mr. Reep responded the District has hired a lot of new staff in the last six years. He added when the topic came up regarding retaining and hiring of highly qualified teachers he compiled some data. People that retire fall into three different types of groups. He noted 40% of those teachers who left the District retired from their profession. He said another 40% went to another district and/or transferred mostly due to a spouse being transferred; those were mostly newer teachers. He said the last 20% are mostly younger teachers that left the profession or left for other reasons. Mr. Reep had additional information he shared regarding retirees hitting the rule of 85 and still continuing to teach. Mrs. Fehr noted the teachers can accumulate their personal leave. Mr. Fahy agreed and said that was negotiated and the DEA negotiators appreciated that extension. There was a discussion regarding a misunderstanding of experienced teachers leaving due to morale concerns. Mrs. Fehr said that it was maybe a bigger concern for teachers who are also parents and more of a personal issue rather than an experienced teacher leaving. She felt there has not been enough time to see how the new accumulated personal leave extension is affecting the teachers. She didn't know how many people have used the blocks or saved their days for a block of time or to take advantage of the personal leave to go see their children do things. Mr. Fahy added it could take a year or two to get that data. Mr. Smith felt those parents that are involved with their children's activities may never get to see those days accumulate until after their children graduate. Mrs. Fehr agreed. Mr. Schobinger said as a coach he does not see a lot of parents that are teachers at the activities when they are subvarsity and out of town. Mrs. Fehr shared her own experience with attending activities and having to take vacation or leave without pay. Those were her own choices. Mrs. Ricks also shared her personal experience as a teacher and having to take time off for a wedding. She said she understands and the School Board has empathy for the decision teachers who are parents make.

Outside the Work Day Compensation (#6 or f.) – Mr. Fahy said during the last negotiation cycle there was a memorandum of understanding. He said the end of the memorandum stated "This memorandum of understanding cannot nor will not bind further boards or committees to dissolve or withdraw for reasons deemed...." He said the DEA negotiators are requesting to put this (the language from the agreement) into the negotiated agreement so that should a new board come in or should a new superintendent come in that they understand that it's there and there are accepted nights. At 6:50 p.m. Chair Sullivan declared a recess to make copies of the memorandum. At 6:52 p.m. Chair Sullivan called the meeting back to order. Copies of the Memorandum of Understanding regarding Outside the Work Day Compensation signed in 2015 were distributed to the team members. Mr. Fahy referenced the paragraph in the memorandum that it would be a future topic for discussion. Mrs. Ricks asked the reasoning that it didn't get in the negotiated agreement. Mr. Fahy felt there was a lot of issues with coming up with the appropriate language. Mrs. Fehr agreed. Mr. Smith added that time was an issue. Mrs. Fehr said that the School Board doesn't want to add this type of language to the negotiated agreement because when there are other changes that come up the changes affect the whole negotiated agreement. Mr. Fahy agreed and said he thought there could be a solution to this and that was to make the administration accountable to the school day and so forth and that would solve it. Mr. Fahy referenced an activity this year that was outside the work day. It was not mandated but it was strongly encouraged (for the teachers to participate). Mrs. Ricks asked if it was (requested) by the District or by the building. Mr. Fahy responded it was by a building, it was not district-wide. Mrs. Fehr said that in her opinion that is an administrative issue that the superintendent needs to deal with. There was discussion regarding the language within the Memorandum of Understanding. Mrs. Ricks asked if there was still a problem. Mr. Fahy responded that teachers that did not participate in the event had been ridiculed and told they were not team members because they didn't attend the reading night. Some teachers had other commitments and could not participate. Mrs. Fehr asked what was the problem they were trying to address. Mr. Fahy responded that he didn't think it was a problem. He felt the team needed to continue the process of putting the language into the agreement at some point. Mrs. Berglund said that the School Board probably will not agree to put that language into the negotiated agreement. Ms. Berglund said that the teachers (previously) went through the whole grievance process and had it (the language) all written up and the very next year after that another building required it (parent engagement event) again. Almost the same identical thing just finding a different way to go around it. Mrs. Fehr addressed Dr.

Sullivan and asked him if he could address the concern that was brought to the table. Dr. Sullivan responded that he was not aware of any stern encouragement that was given. He said it is something he will need to explore. He added the District has been cautious. Mrs. Fehr reiterated that the specific instance and any future instances need to go back to the administration to find out what happened and an issue for the administration to figure out.

Recruitment of Highly Qualified and Experienced Teachers (#9 or i.) – Mrs. Ricks said the problem referenced to this topic is the teachers that the District tends to lose are in the earlier years of their teaching career. The Board negotiators felt it would be advantageous to attract more experienced teachers who are more likely to stay with the District and the teaching profession. The Board negotiators referenced under Salary on page 5, item A1 of the negotiated agreement and requested to increase the number of years the teacher could bring in. Mrs. Fehr said there have been a couple of instances where a teacher candidate didn't accept a position because they could not bring in as much experience as they would like.

Mrs. Fehr said when the District looks at the figures Mr. Reep just gave them, 60% of the people who are leaving are in the 0-6 experience level. If the District could recruit teachers with more experience that will help. Mr. Fahy inquired if the solution of adding .02 to the base of the 0-6 didn't work. Mrs. Fehr responded that wasn't the entire issue. At that time the issue brought to them was beginning teachers couldn't afford to live in Dickinson. It was important to the Board, at that time, to bring up the salary and be competitive with other class A schools and they feel the District is competitive and still remains competitive. Mrs. Ricks added that the Board negotiators want the opportunity to interview and hire experienced teachers and that's a benefit to everyone. Mr. Fahy agreed adding that it is a proven fact that if a teacher makes five years they probably are going to stick to the profession. Mrs. Ricks said there was a second part on the reference in the Salary section where there is a sentence starting with vocationally certified teachers, she said it was her understanding there is a math error. The vocational teacher actually needs 8,320 hours of trades and industry time. It is her understanding that a year of experience is 2,080 hours; that calculates to 8,320 hours. Mr. Fahy asked for clarification that the problem of recruitment of highly and qualified and experienced teachers would be solved by increasing the number of years that the teacher could bring into the District to 15 and changing the language on the math. Mrs. Fehr responded that they were not saying it would not solve it but would assist the District in recruiting more experienced teachers. Mr. Fahy inquired if the Board negotiators were anticipating any other topics to be raised that would tie in with recruiting highly trained and experience teachers. If so, now would be the time to bring those items forward. Mrs. Fehr did not think there were any other topics to tie in with this topic. They hadn't planned it that way. Mr. Fahy clarified the math issue was a language clean up. Mrs. Fehr concurred and said that they hadn't caught the error in time to have it with the previous language cleanup. Mr. Smith explained that he thought the 8,000 hours was from the state and suggested that be verified. Mrs. Fehr agreed that it should be checked on and make sure it is correct.

Indexes on the Salary Schedule (#2 or b.) – Mr. Schobinger felt that the team would agree that in the past because of the economic situation in Dickinson the District needed to raise the base and be able to recruit new teachers. He added first year teachers are maybe #4 in the state which he thought was awesome. He added the DEA negotiators felt that the team should take a look at the indexes and felt the team was aware there was a freeze in the index. He distributed copies of the index which displayed the percentage rates. He noted looking at it horizontally on the index it is 3% and 4%. If a person looks at it vertically each increment for each year in the 0-6 is 3%. At year seven it is 1% and then the next year is back at 3%. He noted if a teacher is at the seven year range they basically get nothing and that affects everybody down to the lower right hand. He added in all actuality every lane in that sector is losing 2% which ends up being a large sum for a veteran teacher; approximately \$720 in a cell. Mr. Schobinger said that if the Board negotiators were interested in getting somebody in with 15 years they could help by adjusting those cells. He added those having the years of experience are going to have their credits and are going to go ahead and be bumped up. It will make it easier to retain some of those teachers and hire some of those teachers. Mrs. Fehr addressed Mr. Reep and inquired if he had the history on how that happened (on the salary schedule) or how that came about. Mr. Reep responded at one time the Board and the DEA agreed to make the change to those cells to help the beginning teachers as it was harder for them to pay rent and because of the cost of living. Mr. Fahy concurred. Mr. Reep added a line had to be drawn somewhere and it was drawn between six and seven. Teachers have by passed that by going horizontally. He said that it comes down to where the School District puts the money to recruit teachers, all teachers, from whether they have ten years and a masters, or a masters, or a masters and 15 years. The District has lost some potential teachers because they couldn't bring more than ten years of experience. If only part of the index is changed it will affect the remaining unchanged part. If you change the small gap and push it down then it is adding money to the veteran teachers and not to the beginning teachers. Mr. Fahy said in retrospect in the past ten years there has been a lot done to recruit the newer teachers, including a salary freeze in 2009-2010. The teachers understand that and referenced back to fewer people going

into the teaching field. Mr. Fahy said that there used to be maybe five or six student teachers a year at the high school. Now there are very few student teachers. Mr. Fahy referenced teachers getting credits to move lanes and said that is 15 hours of work, a teacher has to take 16 days out of a summer to earn eight credits. Mrs. Fehr said they are rewarded on the salary schedule for that and Mrs. Ricks added they get to keep that bump thereafter. Mrs. Fehr said she would be reluctant to undo what was just done last session. There was a difference of opinion amongst the negotiators as to how many teachers this affects. DEA negotiators felt it affected every teacher who is past six years. Mr. Reep said the increase to the 0-6 cells did not make those in years 7+ to go backwards so the index points were not reallocated. Mr. Fahy said when looking at the 2015-2016 salary schedule DPS is #4 with new teacher salaries. He added at the very end the District is #14 (MS and 15) in class A. Mrs. Ricks inquired if that was including career increments. Mr. Fahy said he was just looking at the number coming from the state data. Mrs. Fehr said that doesn't include career increments because they are not on the salary schedule. When adding in the career increments the District is competitive with the most experienced cells. Mr. Fahy read off the information he had available from the state. The information was ranking for first year teachers and the top salary. Bismarck was 7-1; Devils Lake 59-28; Dickinson 4-14; Grand Forks 26-11; Jamestown 20-9; Minot 11-8; Valley City 40-13; West Fargo 64-12; and Williston 18-7. Mr. Reep inquired regarding Bismarck's steps. Mr. Fahy responded they had 25. Mr. Reep suggested adding in the career increments into the DPS amounts because there are 37 steps. Mrs. Ricks suggested discussing this further to know if the District is doing poorly in its upper cells. She said she would like more information.

Mrs. Fehr distributed a handout with information which she had forgotten to distribute earlier.

Debrief – Chair Sullivan summarized the meeting. The minutes from the March 17 were reviewed and approved. Additional topics were put out for negotiation. Those four additional topics were super block and losing prep time, removing reference to school board policies in the negotiated agreement, titled names and acronyms items, and school day. The parties discussed the following topics: evaluated and discussed some of the indexes on the salary schedule, graduated personal leave, school calendar, outside of the workday compensation, and recruitment of highly qualified and experienced teachers. The DEA negotiators removed the topic of retention of highly qualified and experienced teachers from the list.

Schedule Next Meeting Date and Time and Set Agenda Items – Chair Sullivan noted that it was suggested that discussion in compliance with ground rule #3 that the team would discuss financial information at the next meeting and take a look at the baseline data. Mr. Fahy noted there were still five topics left to discuss and requested to have that discussion first and depending how long it took to discuss before getting into the discussion of what the money situation is going to be. Board negotiators wished to have a confirmation from the DEA negotiators that team members had a mutual understanding regarding the financials as presented because it will drive to other discussion that will involve money. Mrs. Fehr said at some point they have to agree on the numbers. Mr. Fahy concurred but added that the ground rules say it would be agreed on at a subsequent meeting. He had no problem discussing it at the next meeting as long as they get through the discussion of all the topics. He would hate to table the discussion of the topics again. This is meeting #2 of the discussion and all the topics have not been covered. Board negotiators agreed. Mrs. Fehr said the Board negotiators would like to discuss salaries at the next meeting, but that topic requires the financials and therefore there should be an agreement on the numbers. If the DEA negotiators do not want to discuss the financials the Board negotiators would still like to talk about salaries. Mrs. Fehr suggested the team agree that they would talk about the remaining five topics at the next meeting. Mr. Fahy noted that with the topic of salaries it makes it six topics. Mrs. Fehr noted that a lot of the topics proposed cost money. Mr. Smith said the DEA negotiators have come prepared to the meetings with draft proposals. They have brought forth topics and proposals to support the topics. He would like the team to pick up the pace. He added he would hate for it to be three weeks down the road and then they are under the gun. Mrs. Fehr said she would hate to push off the salaries and financial discussion and noted in the past they were to the point of discussion of the financials and there was a question on the amount and then everything had to stop until the question on the financials was complete. All progress stopped at that point. Mr. Fahy said they knew they have looked at the \$773,000. The question they have is out of the \$773,000 what new money is going out to buses and things like that that are being taken out. Mrs. Fehr said those are budgetary items that are not negotiated. Mr. Fahy agreed but noted that affects what they look at and that's kind of why they stalled before. Mrs. Fehr noted it took a long time to get started and the District and budget committee has to move forward. Mr. Fahy agreed. Mrs. Ricks suggested making a few brief statements on the last five items (six items) at the next meeting. Mr. Fahy responded the DEA negotiators may have a lot of questions about a couple of things. Mrs. Ricks said the Board negotiators would like some type of commitment that the financials will be discussed at the next meeting so that the team can move forward. Mr.

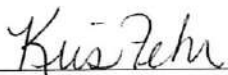
Fahy said that the DEA negotiators can guarantee a commitment to discuss them but he didn't know if they could actually agree with them.

By consensus the next meeting was scheduled for Monday, April 4 at 6:00 p.m. at the Central Office.

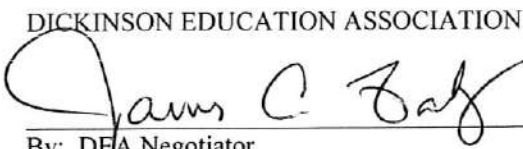
Adjournment – Chair Sullivan declared the meeting adjourned at 7:42 p.m.

Dated this 4th day of April, 2016.

DICKINSON PUBLIC SCHOOLS


By: Board Negotiator

DICKINSON EDUCATION ASSOCIATION


By: DEA Negotiator