

Teacher Negotiations Meeting

Minutes

Wednesday, April 20, 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: Fern Pokorny, Leslie Wilkie, Kelly Jahn, Shary Smith, Merrill Fahlstrom, Jane Cornell, Scot Schmidt, Barb Binstock, Megan Morey, Crystal Hoerner, Laura Bloom, Brenda Loney, Diana Stroud, Donna Abrahamson, Judith Dalton, Clarence Hauck, Trina Kudrna, Sherry Loris, Dawn Sipma, Jill Nelson-Wetzstein, Tom Gray, Twila Petersen, and Andrew Haffner with the Dickinson Press.

Call to Order – Chair Sullivan called the meeting to order at 6:00 p.m. He noted this was meeting #7 of the negotiations.

Review and Approval of the April 4, 2016, Meeting Minutes – A copy of the meeting minutes had been emailed to the team and copies were available for the team members. Consensus was to accept the minutes as presented which were then signed by Mr. Fahy and Mrs. Fehr.

Financial Information

Chair Sullivan noted that Mr. Reep had been requested to provide some financial information to the group and the audience. Mr. Reep summarized that the amount of the general fund revenue was \$773,779. He noted that he had met with Mr. Smith and Mr. Fahy and gone over those numbers and explained the state spreadsheet regarding foundation aid. He added the moving target is the ADM, what the tax valuations are going to be, and what the District's oil and gas payment is going to be. Mr. Reep sent both teams the teacher calculator which generates what the amounts will be if the base is increased. He also shared with both teams a spreadsheet with the 2015-2016 staff members and what a vertical movement would be if everybody moved next year on the spreadsheet. As per a request from Mr. Fahy, Mr. Reep provided him with a printout from the system file maker PRO to show each line item of salaries and benefits. Mr. Fahy addressed Mr. Reep and asked him if he stands by his numbers for 2014-2015 for the property tax, the state foundation aid, and the oil and gas. Mr. Reep affirmed he stood by the numbers.

Mr. Fahy explained that the DEA negotiators had reviewed the financial information on the DPI website for the 2014-2015 DPS finances. He listed amounts for the property taxes for actual 2014-2105 of \$7,536,035 and state foundation aid of \$25,625,419. He said the DEA negotiators went to the DPI website and pulled up the state school finance facts. On page D7 of the school finance facts published from the DPI webpage states that local county revenue, which he assumed was property taxes, was \$10,070,418.02 and the state revenue, which he assuming was state foundation aid, was \$26,992,775. The \$2.3 million in federal revenue wasn't included in there. Mr. Reep explained the property taxes would also include all funds including building funds and debt service. He further explained that the state foundation aid adjusts for Medicare and other entities.

The DEA negotiators expressed concerns with the finances and felt there were “inaccuracies” and could not agree on the financial numbers. Mrs. Fehr responded there were no “inaccuracies.” She said there may be discrepancies between the DEA’s figures and DPS’s figures and she would stand behind the books. She inquired if the DEA had questions they would like answered. The Board negotiators would be willing to go into recess for Mr. Reep to clarify and explain any questions. Mr. Fahy responded they did not have questions to be answered and the DEA negotiators were willing to proceed to the next topic. Chair Sullivan said if the parties are unable to come to a resolution this will be on the agenda again and the agreed upon target date of May 6 was rapidly approaching. DEA negotiators understood his point. Mrs. Fehr requested to present a spreadsheet that explained the cost for the horizontal movements, vertical movements, and career increments. The spreadsheet showed those movements alone would be at a cost of approximately \$489,000. The document was informational only. There was brief discussion regarding the proposed health insurance for the next school year.

Discuss Topics for Negotiation

SuperBlock (12.or 1.) – Ms. Berglund explained that all K-5 teachers attend SuperBlock every sixth school day. She shared on the days they have SuperBlock the teacher attends 80 minutes of SuperBlock and therefore does not receive 40 minutes of unassigned preparation time. She gave some examples of what happens during SuperBlock time; teachers look at a lot of test scores, look at student data, look at common assessments, benchmark assessments, reading assessments, math assessments, any formative or some state assessments that the teachers provide and decide if they are seeing growth in their students. Previously there was only 40 minutes of SuperBlock which was held during assigned time and now it carries over another 40 minutes for a total of 80 minutes every sixth day. So that the Board negotiators had a better understanding of a schedule for an elementary teacher, Ms. Berglund broke down her average daily schedule with the day beginning at 8:00 a.m. and ending at 3:45 p.m. The SuperBlock is structured time with an agenda and varies by building. Ms. Berglund explained a lot of times it is all focused on data. The teachers have watched videos sometimes on different techniques used in the classroom for guided reading, etc. It is not a time for her to sit down with her teaching partner and visit about what is working and what is not working. She added that she meets with her teaching partner during the morning or after school or during her 40 minute preparation time. Mrs. Ricks addressed Dr. Sullivan and inquired if the SuperBlock time is intended to be Professional Learning Communities (PLC). Dr. Sullivan responded looking at data and common formative assessments and reviewing student performance is part of functioning as a PLC. Mrs. Ricks clarified that 40 minutes is assigned time and 40 minutes is preparation time and asked what changed and when did it become a problem. Ms. Berglund responded that it always has been a problem of losing preparation time. She acknowledged it is important to look at the test scores, data, etc. but it should be reviewed during the 40 minutes of assigned time. She added it should be her choice what she does during the 40 minutes of preparation time/unassigned time. Mrs. Ricks asked her to explain the difference between assigned and unassigned time and the definition of those times. Mrs. Ricks understood unassigned time as being time when the teacher is not with the students. Ms. Berglund responded that it is explained under the teacher’s contract #5 and #3. The definition was explained by Mr. Smith as assigned time being to give or allocate, allot. He added if there is an itinerary then it is assigned time. Unassigned time is when the teacher decides as an instructor to correct papers or to do something, such as to read an article for the betterment of their students. Mr. Smith added there has been an ongoing discussion regarding assigned time and unassigned time. He said it always has been a problem. The new grading program increased the work load for the elementary teachers. Mr. Schobinger said the elementary teachers take a lot of work home outside of their

work day. Mrs. Ricks said it sounded as if the core problem was the time was not being used efficiently. Ms. Berglund responded that the contract is not being following appropriately and the 40 minutes of unassigned time should be her own agenda adding that she is a professional and should be able to decide what is important for her to do that day during that 40 minutes. The 40 minutes of assigned time is when SuperBlock should be held. Mrs. Ricks inquired what was the purpose of the SuperBlock when it was implemented. Dr. Sullivan responded that it was to provide time for the teachers to collaborate together on the four critical questions of becoming a PLC. To take a look at what we want students to know and be able to do which is setting learning targets and things of that nature. How are we going to determine when they know it? Or how do we respond when they know it? How are we going to know when they know it? How do we respond when they know it and how do we respond when they don't know it. And to also look at common formative assessments, develop common formative assessment, give the common formative assessment to the students and bring the results back and take a look at the data and determine how things went. And find out if there are things that they need to go back and reteach and collaborate together on; all of those areas. He added it was designed to be an 80 minute block of SuperBlock when it was implemented. Mrs. Fehr referenced the contract noting it stated the average day would allow each teacher a minimum of 45 minutes for lunch and 1.5 hours for preparation emphasizing an "average day". The DEA negotiators and the Board negotiators had different interpretations of "average". Ms. Berglund interprets the work day as having the allotted time in her work day. Mrs. Fehr interpreted it to mean within a work week there would be average preparation time. Mr. Schobinger assured the Board negotiators that elementary teachers, on an average day, do not have 90 minutes of preparation. Mrs. Fehr responded that maybe it needs to be reworked so that it is more realistic; to make sure the day is what it is. The goal is to have 90 minutes a day and maybe it is not obtainable every day. There was discussion regarding emergency situations and as Mr. Fahy called it "extraordinary" circumstances. Mrs. Ricks did not think the problem could be addressed in the negotiated agreement unless similar to what Mrs. Fehr suggested. She felt it was a concern that should be brought up at the administrative level since the language is already in the negotiated agreement. If there is a misunderstanding of how that time is being used then it needs to be addressed through administration by talking it through with the principals. She felt the work that is being done would have to be done anyway, such as reviewing the student's data and making assessment; it would have to be accomplished and otherwise would have to be done after school. Ms. Berglund understood what she was saying but felt it should not be done during unassigned minutes and added there is a discrepancy between assigned and unassigned minutes. She said that unassigned time is a teacher's time and they can decide what to do during that time. Mr. Smith shared his opinion of the definition of assigned and unassigned and explained assigned is when the teacher is being told what to do, there is an itinerary. There was a discussion regarding preparation time and trying to define preparation time and if preparation time is under contract time. Mr. Fahy felt preparation time was part of the work day and Mr. Smith added that he felt it was part of the unassigned minutes. Mr. Smith suggested a memorandum of understanding to protect the integrity of the 40 minutes. Mrs. Ricks noted that other Districts provide 50-60 minutes or don't list it at all in the contract and was pleased DPS provided an average of 90 minutes and did not think the Board would approve something otherwise. Mrs. Ricks reiterated that she did not think SuperBlock was within the purview of the Board or the negotiations. It needs to be talked about and discussed with the people it pertains to. She heard what they were saying but didn't think it could be addressed at negotiations.

Recruitment of Highly Qualified and Experienced Teachers (9. or i.); Definition of a Teacher (14. or n.); and Clarify the Definition of National Certification (10. or j.) – Board negotiators presented Board Package Proposal #1 which addressed three topics for negotiations: national board certification; title, names and acronyms items; and recruitment of highly qualified teachers. DEA representatives requested additional time to review the material and asked it be placed as a tentative agreement towards the beginning of the next meeting agenda.

Discussion of Proposals

DEA negotiators requested a recess to caucus. At 7:01 p.m. Chair Sullivan declared a recess. At 7:05 p.m. the meeting was called back to order.

Salary Proposal – DEA negotiators distributed a 2016-2017 salary schedule proposal. Mr. Schobinger presented information on behalf of the DEA negotiators. He noted one of the topics for negotiations was recruitment of highly qualified teachers and one of the DEA's topics was fixing the matrix. He explained the proposal would fix the salary matrix going vertically to match the horizontal steps and then added \$1,500 on the calculating base. He used, as an example, a first year teacher with BS+0. Currently that teacher would be paid \$43,920; with the DEA proposal a new teacher would be paid \$45,750. Mrs. Fehr inquired what the total cost of the DEA's proposal would be. Mr. Schobinger responded \$1.7 million. She asked how the DEA negotiators proposed the District pay for the proposal since there was only \$774,000 in new money available. Mr. Fahy said that the DEA had not agreed to that number (\$774,000). Mrs. Fehr said the numbers could be off by a little bit but not another million dollars. Mr. Schobinger said the DEA negotiators had done a little research and did not agree with the financial information that had been provided. They had looked at the ending fund balance for the last six years for nine of the top class A schools. When comparing the ending fund balance, on average, DPS rolls over 29.16%. The next closest school (Fargo) rolls over, on average, 22.8%. Mrs. Fehr inquired if the DEA negotiators understood that monies had been allocated for the purchase of land. Mr. Schobinger responded that if he took the next highest school which is Fargo at 6.36% and averaged that over the six years, that's \$1,916,465 per year that DPS spends less than the percentage of its budget than that school. The average of DPS is 8.97% which calculates to \$2.7 million and stated the \$2.7 million is what the District is not spending on the students. That money could be spent on books, technology, and quality transportation. Mrs. Fehr responded the budget items cannot be negotiated at the table and couldn't understand why they would think that money wasn't spent on the students since the money is not just sitting there. She added the Board allocates the carry over money every single year and that money is spent. Mr. Fahy explained that Mr. Schobinger was only answering her question of where the District would find the funds. Mrs. Fehr felt that insinuating the board was not spending money on the students was wrong. Mr. Schobinger continued explaining a large percentage of the budget is left over compared to every other class A school in the state. On average DPS spent \$938,000 less of its budget than the other top nine schools. He noted the District needs to be fiscally responsible but felt, using his calculation, that if the average that is not spent is subtracted that would still leave \$1.7 million. According to his calculations that would still leave a rollover of 23%. Mrs. Fehr said she believed the school district spent 70-80% of its budget on salaries and benefits. Mr. Schobinger inquired who those salaries and benefits were for. Mrs. Fehr responded everyone. Mr. Schobinger said he was comparing only teacher salaries and benefits, not administrators or the superintendent. Mrs. Ricks asked for a reason why these differences were not shared with Mr. Reep when he offered to answer any questions or to discuss them so that they could be cleared up before today. Mr. Smith responded that the DEA negotiators understood the budget and the financials off the website and had no questions. Mrs. Fehr said that

the DEA negotiators were asking the Board negotiators to answer their questions, which they were doing to the best of their knowledge, but believed Mr. Reep could have answered them better. Mr. Smith said that he has heard over and over the amount for the new money and the DEA negotiators started doing research and felt there were a lot of things that could have been done in the past towards teachers' salaries. He added they went back to 2008 and reviewed line items and how the money was spent. Mr. Smith referenced two line items from 2008 for equipment rental and books and software and said there was \$1,225,000 that was not used. Mrs. Fehr could not respond to line items that far back and responded it could be due to many reasons. She reminded the DEA negotiators that two years ago the school district postponed several large expenditures, namely purchasing land for the new middle school in order to make large raises possible. The land purchase had already been allocated in the budget. Mr. Smith questioned if that was bonded and Mrs. Fehr responded the bond funding did not include the land purchase. Mr. Fahy questioned an amount of approximately \$2.2 million transferred to the middle school fund in February. Mrs. Fehr referred the question to Mr. Reep. Mr. Reep explained the total middle school project currently stands at \$68 million. There is \$65 million that was bonded. The \$2.2 million was part of the Board's budget to make the middle school project complete. Those funds are for furniture, fixtures, and equipment which total approximately \$3 million. Mr. Reep referenced the previous comment regarding the 2014-2015 financials and the line items. He said they match to the penny on the website and also the state report. Chair Sullivan requested to review the 2014-2015 revenues since he now had a copy of the financials. Mr. Fahy explained the local and county revenue states \$10,070,418. Mr. Reep responded that those numbers are not from the general fund; that number was arrived by including \$3 million in paid debt and said Mr. Fahy was mixing fund groups together. Mr. Reep added the other two numbers were also correct. Chair Sullivan noted the oil and gas was listed at \$2,052,083. Chair Sullivan stated that Mr. Reep has told him that he does stand by his numbers. Mr. Fahy inquired regarding the money for the mills for the buildings. Mr. Reep responded if all the county money was totaled it would be \$11,032,768 and added that Mr. Coleman (from DPI) doesn't count all of that. There was \$1.3 million for the 10 mills for the building fund and almost \$2.5 million in debt services. Mrs. Fehr requested the discrepancy in the state foundation aid be addressed. Chair Sullivan asked Mr. Reep if the per pupil state and foundation aid of \$25,625,419 matches with what he provided the DEA. Mr. Fahy said when he was looking at the state revenue in the document published by DPI it was \$26,992,000. Chair Sullivan responded that was the total state revenue, not just the per pupil state foundation aid. Mr. Fahy inquired what document Chair Sullivan was looking at and he responded the July 13, 2015, Dickinson Public Schools financial report affidavit of the business manager. Mrs. Ricks reiterated if they saw a discrepancy and had questions that they should have been brought forth before the meeting. She said that it felt "disrespectful" to bring these questions to the table when Mr. Reep has been available for months to answer any questions. Mr. Fahy responded it was not meant to be disrespectful.

Debrief – Chair Sullivan summarized the meeting. There was a discussion on the financial information. At the end of the meeting the discrepancies were cleared up between the numbers and verify that the data Mr. Reep provided on the financial information for the school district was in fact accurate. There was a discussion about SuperBlock and provided some clarification about the reason why SuperBlock is on the list of topics for negotiations. The school board presented a proposal to the DEA regarding the recruitment of highly qualified and experienced teachers, clarifying the definition of national certification, and the definition of teacher as a package proposal. The DEA requested additional time to review the information prior to signing as a tentative agreement. It will be one of the first topics on the agenda when the team reconvenes on

April 28. The DEA negotiators provided a proposed 2016-2017 salary schedule based on a different set of financial information.

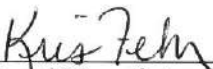
Mrs. Fehr shared her frustrations with not agreeing on the numbers and if the numbers cannot be agreed upon then the team cannot proceed with salary proposals. She inquired if the DEA negotiators were going to be able to come to an agreement on the numbers. She did not receive a response. If there were discrepancies she encouraged the DEA negotiators to meet with Mr. Reep so that the team could move forward. Mr. Smith said the DEA negotiators were also frustrated and said the 1st three meetings were spent discussing ground rules. Mr. Schobinger suggested the Board bring a (salary) proposal based on what they think are the numbers. Mrs. Fehr responded if the DEA negotiators were not agreeing on the numbers it would be almost meaningless for the Board negotiators to put forth a proposal based on the numbers and added it is a huge concern to the Board negotiators that the team is a million dollars apart on how much money is available.

Schedule Next Meeting Date and Time - By consensus the next meeting was scheduled for Thursday, April 28 at 6:00 p.m. at the Central Office. Agenda topics for the next meeting had been mentioned throughout this meeting.

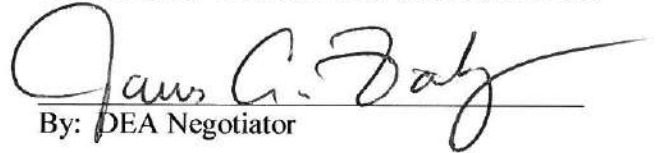
Adjournment – Chair Sullivan declared the meeting adjourned at 7:36 p.m.

Dated this 28th day of April, 2016.

DICKINSON PUBLIC SCHOOLS


By: Board Negotiator

DICKINSON EDUCATION ASSOCIATION


By: DEA Negotiator