

# Bargaining Priorities for Teachers

2015-17



*The union of 70,000 educators*

## Introduction

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Education Minnesota is the leading advocate for public schools in Minnesota. Our members help students in every part of the state achieve their highest potential and deserve community support for this vital work. Increasingly, our local unions are facing challenges that require creative responses as they bargain new contracts.

Two such challenges are the growing public scrutiny of contract negotiations and an increasing interest in the complex details of our public education system. It is important for Education Minnesota locals to understand that this changing dynamic in collective bargaining also creates great opportunities for us. These include bringing subjects to the table that all educators care about: fostering students' well-being and achievement, connecting with our communities over solutions and ideas that improve education for all, and joining with local unions across the state to speak with one voice about the shared needs of our schools and educators.

Since every community is different, every local union is free to tackle issues that address local needs—from educational environments that optimize student learning to educators' economic welfare. This checklist is intended to serve as a guide to Education Minnesota's ongoing priorities for local contracts and can be used to assess existing contracts and plan for future ones.

*Shared priorities for teacher and ESP contracts are marked with an asterisk \**

# Bargaining Themes

**I. Advance meaningful professional development opportunities and fair evaluation processes**

**II. Support high-quality learning environments for students**

**III. Foster strong schools as building blocks of our communities**

**IV. Promote educators' economic security**

**V. Support optimal professional teaching and learning time**

**VI. Advance learning opportunities for all children and students from birth through adulthood by addressing disparities in the working conditions of early childhood and family educators and adult basic educators and other E-12 teachers**

**VII. Recognize the importance of local union work as a contributing factor to district success**

## I. Advance meaningful professional development opportunities and fair evaluation processes

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*Rationale: Students deserve well-prepared teachers who are equipped with the tools to help students succeed in an ever-changing world and 21st century economy. Taking responsibility for our profession and our professional development is a vital principle of unionism. We have a responsibility to help new and veteran educators alike become the best they can be.*

To be effective, evaluation systems must foster both professional growth for educators and improved learning for students. Educators must be involved in decision-making in both of these areas. Access to relevant and timely professional development is critical, and educators should be involved in decisions about the content and delivery of professional development opportunities.

- ☐ Negotiate language to 1) set aside a locally determined amount of revenue for staff development purposes and 2) authorize the staff development committee to set spending parameters for programs it identifies as critical to educator professional development
- ☐ Negotiate the allocation of funds formerly required in state law, with 50 percent of funds dedicated to sites on a per-teacher basis, 25 percent to be used for districtwide staff development and 25 percent reserved for grants to school sites.
- ☐ Negotiate language memorializing the statutory right of teachers to serve on the district staff development committee.
- ☐ Negotiate language creating an oversight committee of educators and district representatives to oversee the teacher development and evaluation plan in place.

## II. Support high-quality learning environments for students

**Rationale: Teachers' working conditions are students' learning conditions.** Through collective bargaining, our union advocates for research-based best practices that foster positive learning environments. Our students deserve:

- class sizes that support their learning potential;
- art, music, physical education and other classes that provide a well-rounded curriculum;
- access to technology that gives students the tools to succeed in a digital society;
- classroom resources that allow educators to effectively and efficiently deliver instruction; and
- safe learning environments that are free from harassment.

- ☐ Negotiate language to ensure no student will be assigned to a classroom with more students than the following:

1. Early childhood/pre-K: 15
2. Elementary grades: 25
3. Middle/high school: 30

These limits should allow for circumstances where flexibility is possible to address classroom, building and student needs.

- ☐ Negotiate language to protect students' right to a comprehensive education that includes art, music, physical education and other courses, while providing extra time to assist students who are not meeting standards.
- ☐ Negotiate language that provides discretion for teachers to work beyond the regular school day to meet the needs of students who require additional assistance and support, with appropriate compensation.
- ☐ Negotiate language ensuring teachers are prepared to address and prevent bullying behavior. Provisions may include professional development for all teachers, a process for reporting and tracking bullying, a bullying prevention specialist and a joint district-union committee to enforce district policies on student bullying (see note).\*
- ☐ Negotiate increased professional development related to classroom and instructional technology to facilitate students' access to appropriate and up-to-date learning tools.\*
- ☐ Negotiate contract language that ensures appropriate and sufficient resources in every classroom and reimburses educators for their purchases of school supplies.\*
- ☐ Negotiate at least 30 minutes of paid time each week for paraprofessional and teacher teams to meet and discuss goals, expectations and communication strategies.\*
- ☐ Negotiate joint decision-making process to evaluate and manage new and ongoing initiatives and mandates at the district level that affect teaching, learning and professional development time.\*

*Note: The Safe and Supportive Minnesota Schools law (MN Statutes 121A.031) requires districts to ensure relevant training for staff and a clear reporting mechanism, but the legal requirements can be supplemented by negotiating better involvement of staff in decision-making and enforcement of the district's legal obligations.*

### III. Foster strong schools as building blocks of our communities

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***Rationale: Public schools are the cornerstone of our communities.*** They connect families, provide a sense of community pride, and build partnerships among local businesses, their future workforce and the consumers who support them. Strong public schools not only unite a community, but can shape its future. Investment in early childhood; all-day, every-day kindergarten; and elementary programs is the first step in ensuring that every child is ready to learn, regardless of the barriers children may face.

Public school employees are the key to the success of these efforts. Our union can advance the connection between strong local contracts and strong schools, and bring financial, educational and social advantages to our communities.

- ☐ Negotiate parent-teacher home visit programs on a site-by-site basis. Language should include appropriate training provided by the district, compensation for planning and visit time and district infrastructure to support the program.
- ☐ Negotiate contract language providing for more robust wraparound services in the district and increased staffing for counselors, nurses, social workers and other job classifications, including ESP.\*
- ☐ Negotiate flexible scheduling options for teachers to meet with parents throughout the year. Unions may also consider bargaining provisions for child care for parents who cannot otherwise attend conference and meetings.



## IV. Promote educators' economic security

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***Rationale: Given the multiple challenges facing public school employees, it is critical for our union to address all elements of economic security for our members. Thinking about both short-term and long-term economic issues will lead to more comprehensive and just compensation structures. Investing in public school employees will not only ensure that our schools can recruit and retain the best educators, but will also benefit our communities as salaries are spent and invested in the economy.***

- ☐ Establish salary goals that include schedule improvements and advancements on steps and lanes. To improve career earnings, local unions are also encouraged to reduce the number of steps in salary schedules, with a long-term goal of no more than 10 steps. Local unions should not agree to the elimination of salary schedules. Local unions are discouraged from continuing or establishing differentiated salary structures for Adult Basic Education or Early Childhood Family Education teachers.
- ☐ Negotiate retiree benefits that convert all cash severance pay plans to 403(b) plans and/or retirement health care savings plans. Locals should also consider converting employer contributions toward future retirees' insurance premiums to retirement health care savings plans.\*
- ☐ Negotiate student loan repayment assistance for teachers who are new to the profession and who put in five continuous years of service to the district. Local unions should also consider negotiating credit reimbursement for teachers pursuing graduate-level coursework.
- ☐ Negotiate contract language that 1) improves the quality of health care through plan design changes and benefit improvements; 2) makes care more affordable through increased employer premium cost-sharing, lower out-of-pocket expenses or alternative health plan options; and 3) increases access to health care through less restrictive eligibility requirements. \*
- ☐ Negotiate life insurance and long-term care insurance improvements to ensure that these policies are sufficient for changing member needs.\*
- ☐ Negotiate long-term disability (LTD) plans and to ensure improved, relevant LTD coverage for all employees.\*
- ☐ Negotiate labor-management insurance committees empowered to review insurance plans and bids, decide plan specifications, and recommend changes to insurance.\*

## V. Support optimal professional teaching and learning time

*Rationale: Adequate teaching and preparation time is associated with higher student achievement, increased teacher motivation, better communication with parents and improved school culture.* Through collective bargaining, our union can advance workload practices that deliver these benefits to our students and schools.

In times of limited resources, our schools must make every effort to avoid cuts that harm classrooms and student learning—especially cuts that reduce staffing and produce workloads that interfere with best practices in teaching and preparation time. Reasonable workload requirements are particularly important for educators working with students with special needs, where federal and state law require the timely completion of Individualized Education Program (IEP) requirements..

- Negotiate caseloads for teachers who provide instruction to those students, with caseloads not to exceed those established in the Minnesota Rules PT 3535.2340 (see Appendix A).
- Negotiate dedicated time throughout the school year (weekly, monthly, etc.) for non-instructional professional duties such as parental communication and outreach, analysis and creation of formative assessments, common planning time, IEP conferences and paperwork, preparation of meaningful feedback to students and preparation of lesson plans and curriculum using district technology. Teachers should determine the best use of this time based on their professional judgment.



## VI. Advance learning opportunities for all children and students from birth through adulthood by addressing disparities in the working conditions of early childhood and family educators and adult basic educators and other E-12 teachers

*Rationale: Early learning is a critical part of child development and a key determinant of future academic success. Continuing education for adults is necessary to create opportunity for learners outside the traditional school system. The critical work of educators working in Early Childhood Family Education (ECFE) and Adult Basic Education (ABE) programs, however, is often underfunded. Working conditions for these educators differ from other E-12 colleagues despite the reality that these educators are required to be licensed and qualified in the same manner.*

**Collective bargaining can level the playing field for educators working in these vital areas by addressing inequities in compensation, benefit eligibility, paid time off, staff development, access to resources and other areas.**

- ☐ Negotiate language ensuring that ABE and ECFE teachers are paid on the same salary schedule as other licensed teachers in the district rather than on a separate schedule. Compensation may be prorated by FTE, as it is with other educators, but FTE should include the full range of duties including prep time, set-up and take-down time, and other duties that are required by the district, such as PLCs, committees, etc.
- ☐ Negotiate language ensuring that advancement on the salary schedule for ABE and ECFE teachers is consistent with requirements for other educators.
- ☐ Negotiate language increasing eligibility and affordability of health insurance for ABE and ECFE teachers. This may involve focusing on increasing the contribution levels for those working at less than a 1.0 FTE.
- ☐ Negotiate clear timelines for districts to commit to annual hours of assignment, duty days and annual benefit eligibility. Locals should negotiate conditions that will mitigate the impact of class cancellation on assignment and benefit eligibility.
- ☐ Negotiate the explicit duties or assignments that are to be included in a teacher's FTE. These duties may include but are not limited to: preparation time; set-up and take-down time; staff and curriculum development; staff and team meetings; PLCs and other staff development activities; home visiting; Classroom on Wheels; parent and family outreach; liaison work with outside agencies or other district departments; speaking engagements; marketing and catalogue development; screening and screening coordination; state reporting; special assignments and special events. These duties are in addition to parent/student contact time, school readiness conferences, IEP meetings and follow-up time.
- ☐ Negotiate language providing that ABE and ECFE teachers are eligible for paid time off consistent with other educators when it comes to vacation, sick leave, personal leave, bereavement leave and other paid leave provisions.
- ☐ Negotiate contract provisions that guarantee that ABE and ECFE teachers will have access to relevant, district-provided staff development specific to their field. Locals should also negotiate inclusion of ECFE and ABE teachers on district staff development committees.
- ☐ Negotiate language include other birth-to-pre-Kindergarten teaching positions in the teacher bargaining unit.

## VII. Recognize the importance of local union work as a contributing factor to district success.

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*Rationale: Local leaders provide support and resources to members on a daily basis, and districts benefit from this work. Union leaders are often asked to serve on district committees, represent members in discussions with the district, and provide insight into on-the-ground problems and the solutions available. Education Minnesota activists are also critical voices about the needs of students and school districts to legislative leaders.*

**Negotiating additional time, access to district facilities and voluntary payroll deductions for political action expands the work that unions do on behalf of district employees and students.**

- ☐ Negotiate contract provisions that ensure that the exclusive representative has full use of school facilities, including teacher mailboxes and district email systems to communicate the business of the union without regard to the content of the material.\*
- ☐ Negotiate local union security language that provides for identified blocks of district-paid union leave time for local presidents. This time is in addition to leave time to be used when other members need time off to do the work of the union.\*
- ☐ Negotiate language that provides for members of the exclusive representative to voluntarily request payroll deduction and district transmittal of contributions to the federal political action committee(s) identified by the exclusive representative.\*

# PROCESS GOALS\*

*In addition to priorities relating to the content of collective bargaining agreements, Education Minnesota has set goals for locals addressing the manner in which contracts are negotiated. A critical component of the collective bargaining process is member mobilization and engagement during negotiations. These goals address actions that all locals should take to help organize members in support of bargaining.*

*All process goals are shared teacher and ESP goals.*

## VIII. To build bargaining strength through member unity and mobilization, local unions are encouraged to:

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- ☐ Establish a local bargaining team and a Local Contract or Community Action Team (LCAT) by the end of February 2015.
- ☐ Establish a target settlement date before the end of the 2014-15 school year.
- ☐ Develop a planning calendar for organizing settlement activities and for communicating with members throughout the negotiation process. The plan should include opportunities for members to offer feedback to local leadership throughout the process.

## IX. To build bargaining strength through purposeful planning and strategy development, local unions are encouraged to:

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- ☐ Create issue-based member committees to research specific proposals and make presentations to the bargaining team.
- ☐ Develop a clear communication plan that provides timely, predictable updates to members about progress on important goals. Negotiation updates may be delivered through personal contact, planned and rapid-response updates, regular general membership meetings and other means.
- ☐ Create a clear process for updating and working with the LCAT to ensure member support for the bargaining team.
- ☐ Develop ground rules at the table that promote transparency and permit members to give feedback to their union on the bargaining process.

## X. To build bargaining strength through community engagement and intra-district collaboration, local unions are encouraged to:

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- ☐ Develop common bargaining proposals with other unions in the school district to promote common issues and build unity and strength among employees.
- ☐ Hold public listening sessions to hear parent concerns and develop bargaining proposals to address those concerns.

## Council of Local Presidents

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## Appendix A: Minnesota Rules PT 3525.2340 on Case Load for Special Education

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### *3525.2340 CASE LOADS.*

Subp. 4. Case loads for school-age educational service alternatives.

- A. The maximum number of school-age pupils that may be assigned to a teacher:
  - (1) for pupils who receive direct special instruction from a teacher 50 percent or more of the instructional day, but less than a full school day:
    - (a) deaf-blind, autism spectrum disorders, developmental cognitive disability: severe-profound range, or severely multiply impaired, three pupils;
    - (b) deaf-blind, autism spectrum disorders, developmental cognitive disability: severe-profound range, or severely multiply impaired with one program support assistant, six pupils;
    - (c) developmental cognitive disability: mild-moderate range or specific learning disabled, 12 pupils;
    - (d) developmental cognitive disability: mild-moderate range or specific learning disabled with one program support assistant, 15 pupils;
    - (e) all other disabilities with one program support assistant, ten pupils; and
    - (f) all other disabilities with two program support assistants, 12 pupils; and
  - (2) for pupils who receive direct special education for a full day:
    - (a) deaf-blind, autism spectrum disorders, developmental cognitive disability: severe-profound range, or severely multiply impaired with one program support assistant, four pupils;
    - (b) deaf-blind, autism spectrum disorders, developmental cognitive disability: severe-profound range, or severely multiply impaired with two program support assistants, six pupils; and
    - (c) all other disabilities with one program support assistant, eight pupils.
- B. For pupils who receive direct special education less than 50 percent of the instructional day, caseloads are to be determined by the local district's policy based on the amount of time and services required by pupils' IEP plans.

Subp. 5. Case loads for early childhood program alternatives. A teacher's caseload must be adjusted downward based on pupils' severity of disability or delay, travel time necessary to serve pupils in more than one program alternative, and if the pupils on the teacher's case loads are receiving services in more than one program alternative or the pupils are involved with other agencies. The maximum number of pupils that can be assigned to a teacher in any early childhood program alternative is:

- A. birth through two years: 12 pupils per teacher;
- B. three through six years: 16 pupils per teacher; and
- C. birth through six years: 14 pupils per teacher.

District early childhood special education (ECSE) classes must have at least one paraprofessional employed while pupils are in attendance. The maximum number of pupils in an ECSE classroom at any one time with a teacher and a program support assistant is eight. The maximum number of pupils in an ECSE classroom at any one time with an early childhood team is 16.



*The union of 70,000 educators*

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