

## NEGOTIATION MINUTES

June 10, 2020

*To hear the complete discussion of the negotiations meeting of June 10, 2020, please refer to the audio recording link on the MHSB Webpage ([Negotiations Page Link](#)).*

**BOARD/DISTRICT PRESENT:** Eric Abrego – Board Chair, Ralph Binion – Board Vice-Chair, Amy White – District Counsel, Albert Longhurst – Director of Student Services, Levi Vick – Business Manager

**MHEA PRESENT:** Amanda Dickinson – 7<sup>th</sup> grade Life Science Teacher, Denise Weis – 4<sup>th</sup> Grade Teacher - North, David Tjaden – IEA

**OTHERS PRESENT:** Elena Tullman, Amanda Stratton, Mr. Montero

**MINUTES:** Sharon Whitman

**NEGOTIATIONS STARTED:** 6:05 p.m.

*These negotiation minutes are a synopsis of the conversations of the negotiation meeting. The negotiation meeting was recorded and has been posted, within a reasonable amount of time after the meeting, on the school district website under Departments, School Board, Master Agreement & Negotiations, or scroll down on the homepage.*

*When referencing the Board, the term “Board” will be used. When referencing the Mountain Home Education Association, the term “MHEA” or “Association” will be used. Negotiations is between the School Board, including their appointees, and the MHEA, and not with District Administration.*

*Where the term “master agreement” is used, the true name of the document is Collective Bargaining Agreement (CBA) and may be used in place of it.*

*For additional information, please contact either the MHEA (Amanda Dickinson) or the Board appointee (Albert Longhurst).*

Prior to the start to the meeting, Chairman Abrego thanked the MHEA and all school district employees who supported the supplemental levy in which their support was invaluable. He also thanked the MHEA for delaying the negotiations meeting due to the pandemic and the need to wait for the state legislators to decide on the public-school funding for the districts.

1. Agenda – no official agenda was presented.
2. Proposed Ground Rules
  - Amy – presented the Proposed Ground Rules and explained that there was one addition from the year prior. It was to add bullet #3 – Meetings should be discussions about negotiable items as identified in Idaho Code. This was added to remind us to stay on task.
  - Amanda – asked how do we determine what is non-negotiable?
    - ~ Amy – an example would be to discuss the reopening plan that the board needs to develop and approve. Obviously, there would be questions and discussions, but we (collectively) are not going to develop that plan.

- ~ Ralph – non-negotiable items are defined by law, so if the statute says that they are negotiable items, then they are negotiable.
- ~ David – everything is negotiable in Idaho.
- ~ Amy – No, but we’ll agree to disagree. We’ll deal with each issue as it comes up; I’m not worry about it being a major concern.
- ~ David – give us an example of non-negotiable.
- ~ Amy – the item I just explained. We are not going to develop the reopening plan or any plan that the Board has to approve such as the Continuous Improvement Plan, the Leadership Premium Plan, hire retirees, etc.
- David – item #4 – Spokesperson, is there designated spokespersons.
  - ~ Amy – we have an informal setting because this team is small.
  - ~ Eric & Amanda – we’ve had good conversations in the past and been it’s been very cordial.
- Both parties agreed to and signed the Proposed Ground Rules.

PROPOSED GROUND RULES  
2020-2021

1. Treat each other with courtesy and respect, focusing on the issues and not the person.
2. Meetings shall start and end on time. If a delayed start is necessary, timely notice should be made to the extent possible. Meetings may be extended or postponed by mutual consent. In addressing meeting, time, and location issues, the parties must be cognizant of the open meeting and posting/notice requirements.
3. Meetings should be discussions about negotiable items as identified in Idaho Code.
  - a. If the Association has any other matters that they would like to discuss that are not negotiable items such needs to be done in a separate non-negotiations meeting. The association needs to contact the board clerk to add the association as a delegation to a regular or special open board meeting.
4. Each team has spokesperson. The spokesperson may call on his/her other team members. All comments will be listened to and each participant shall have an equal voice in the process. All cell phones shall be on silent, absent disclosure and agreement of the parties.
5. Meetings, whenever possible, shall be agenda driven. The agenda for each successive meeting shall be established before the conclusion of each scheduled session. Each team may identify at least one agenda item for each session.
6. Each team shall make all best efforts to explain, clarify, and answer questions relating to the matter of discussion. Further, each team will make all best efforts to provide accurate information in a timely manner as such is requested.
7. Requests for side bars will be allowed by mutual agreement as to topic and team members involved, if any, to facilitate the discussion at the table during negotiations.
8. Respect each team’s request to caucus.
9. Minutes for Negotiations shall be kept by a Board designee. The parties shall make all efforts to notify of errors contained in the Negotiations minutes. If the Association’s team is not in agreement with the Negotiations minutes, the Association may submit a rebuttal set of minutes, which will be appended to the Negotiations meeting minutes. The rebuttal minutes of the Association are also subject to a Board attached rebuttal. The minutes of the Negotiations meetings will be subject to public records requests as will all submitted rebuttals.
10. Tentative agreements shall be in writing, initialed by both chief negotiators, dated, and included in the meeting minutes for the meeting during which the tentative agreement was reached. There is no ratification of tentative agreements until total agreement is reached by both teams.
11. Negotiations between the parties will be in open session. Ratification shall be pursuant to Idaho Code.
12. It is understood that each duly appointed team is empowered to draft language, negotiate, and reach tentative agreement on the issues.

 6-10-20  
Board & Date

 6-10-2020  
Association & Date

### 3. Conceptual Discussion

- Amy – normally when we (collectively) start, we (collectively) have stacks of paper that we pass back and forth and this year I have none due to this year being so unique, so I thought it would be best to have the conceptual discussions.
  - ~ Amanda – yes, but the MHEA has a ton of papers to pass along.

- Discussion on the Supplemental Levy and the number of other districts that had failed levees and therefore RIFs are in place and how great it is that MHSD's levy passed and a RIF conversation isn't needed, etc.
- Eric – again, thanked the teachers and all the school district personnel for their support in the passing of the levy and without that support, the levy might not have passed. He asked the MHEA to please pass along the message to teachers.
  - ~ Amanda – said she would definitely pass along the message.
- Discussion about this difficult school year; about the Board and District Administration recognizing and appreciating the teachers being able and willing to go from in building instruction to remote instruction without interruption to the students' education; about rethinking education and how to best educate students; about remoteness of remote education; about engaging students remotely; about the new community appreciation of teachers; about MHSD being able to do what very few other school districts were able to do regarding going from in building instruction to remote instruction without missing a day, etc.
  - ~ Amanda – relayed the MHEA and teachers' appreciation for the guidance every step of the way, and the great communication.

#### 4. Budget & Insurance Discussion

- Amy – reminded everyone that typically we (collectively) discuss the budget and insurance costs and luckily there is no insurance increase to the District this year, unlike other districts who had anywhere from an 8.8% insurance premium increase up to 23% insurance premium increase.

#### 5. Agenda & Spokespersons

- David – asked if there was an agenda and if Amy was the spokesperson for the District?
  - ~ Amy – responded that she would speak on matters and that Eric and Ralph would also speak on matters just like she expects that all the persons of the MHEA Negotiations Team would speak. She added that there is no agenda for tonight's meeting because it's conceptual and she wanted to address the Ground Rules and not needing to schedule an Insurance session and having to delay the Budget Hearing session.

#### 6. MHEA Proposed Language Items

- Amanda – handed out MHEA Prop #1 – Military Spouse Clause

##### Military Spouse Clause

Upon an employee's military spouse being assigned to a new base that requires a physical move during the course of the employee's contract and the employee requests relief from their contract, the board shall release the employee from their contract.

- ~ Amanda – this is something we don't have in our contracts and being a military spouse and that other military spouses have approached her over the last couple of years we should. She said it is a safe guard for military spouses and to encourage future employment of future military spouses.
- ~ Amy – how many military spouses have asked to be released from their contracts in the last year?

- ~ Amanda – at least two and one ended really badly and that is why some military spouses have approached her about this matter. She said as a military spouse she was surprised to learn that we don't have anything to protect military spouses.
- ~ Discussion about military spouses and having to separate from their families should military orders to move elsewhere come about.
- ~ Eric – it's something we can discuss.
- Amanda – handed out MHEA Prop #2 – Securing Substitutes

#### Securing Substitutes

Upon an employee submitting a request for any leave provided in the Master Agreement, it is the responsibility of the building principal to secure a substitute for the employee.

- ~ Amanda – this is putting the responsibility on building principals or administration to secure a substitute for the employee (teacher), especially if the employee (teacher) is sick or has a doctor's appointment. Teachers are worried about having someone cover their classes if they are absent. In some of the buildings, the principal puts the responsibility on the teacher, they (principals) put a lot of stress on the teacher, and it is part of the teachers' contract, so I would like it in writing that it is the buildings' principal's responsibility to secure substitutes for their teachers.
- ~ Albert – asked if there were specific examples that you are referring to? Are these last-minute requests, are these immediate requests like during the school day or during prep?
- ~ Amanda – some teachers have spoken to her about how their principal has complained to them about how there is a shortage of subs and having to pull paras from classrooms to cover the teacher's classroom, even if it's to take the following Friday off, they are asked who is going to cover the classroom.
- ~ Albert – said to better address this matter, research needs to be done on if the scheduled absence was input into AESOP (*Note: Frontline Absence Management Program and Skyward Program; AESOP hasn't existed since the beginning of the school year*), what point of time did the teachers ask for the day off, and what type of leave was requested?
- ~ Amanda – added the regarding AESOP (*Note: Frontline Absence Management Program and Skyward Program; AESOP hasn't existed since the beginning of the school year*), it puts a lot of stress on teachers. We have plenty of coverage, but the coverage is pulling paras from another classroom, so we have plenty of coverage. How many paras were pulled from a classroom to cover a teacher's absence?
- ~ Albert – that is difficult to answer because of how it is reported in the system, at times it's just identified as uncovered.
- ~ Amy – asked is there is a bigger problem in one building than another?
- ~ Amanda – said that most of the complaints come from one particular building.
- ~ Discussion about last minute requests and covering classrooms; about planning teacher absences ahead of time and/or planning a couple of days ahead of time; about unplanned absences; about absences during specific times of the school year; about the different cultures in the different buildings; about complaints from some principals while other principals find subs for their teachers; about language on personal and sick leave, but no language of who is responsible to find subs for teachers, etc.
- ~ Eric – asked if a teacher is sick and either puts the illness into AESOP (Frontline & Skyward) or informs the principal and then the position is or isn't filled, are you saying

that when a teacher gets back to the classroom that the teacher hears about it from the principal?

- ~ Amanda – explained that she has at times gone to go to work even though she was ill because the position couldn't be filled. She added that some principals take care of their teachers while others don't.
- ~ Amy – it's something we can discuss, but it requires research.
- Amanda – handed out MHEA Prop #3 – Classroom Discipline Sections A & B

Section A: Classroom

Paragraph 1: General

The individual classroom teacher shall assume the major responsibility for classroom control and discipline, and his/her judgment in this regard will be relied on in the general course. The Board hereby recognizes its responsibility to give support and assistance to teachers in this endeavor and its policies will continue to reflect its position in this regard. Each school will have a discipline procedure setting forth the responsibility and authority for all professional personnel.

Paragraph 2: Pupil Misbehavior

When, in the judgment of a teacher, parents should be informed of a pupil's misbehavior, the teacher should notify the building principal and contact the parents unless the principal assumes the responsibility to do so. Parent conferences with teachers and/or principals should be scheduled and/or other appropriate disciplinary action taken.

Paragraph 3: Referral of Pupil

When, in the judgment of a teacher, a pupil requires referral to other district employed professional personnel or specialists, he/she shall so inform his/her principal or immediate supervisor in writing. The principal or immediate supervisor shall arrange as soon as possible for a conference 31 which includes himself/herself, the teacher, and appropriate specialist(s) to discuss the problem and to decide upon appropriate steps for its resolution.

Paragraph 4: Removal of Pupil from Classroom

When, in the judgment of a teacher, a pupil is substantially disrupting the instructional program to the detriment of other pupils, the teacher may remove the pupil from his/her class. The teacher will instruct the pupil to report immediately to the appropriate supervisor or administrator. Following the decision to remove the pupil, the teacher will advise the principal of the action and will, as soon as possible, furnish full particulars. Appropriate written records of such removals shall be maintained by the principal and teacher and shall be available to the parties upon request.

Paragraph 5: Readmittance of Pupil to Classroom

A pupil shall not be readmitted into any class instructed by the teacher who removed the pupil during the half-day in which the pupil was removed unless there is mutual agreement between the teacher and the principal.

Section B: Suspension, Expulsion

Paragraph 1: Pupils may be subject in certain circumstances to suspension and/or expulsion in accordance with law and Board policies.

- ~ Amanda – said this is the number one complaint on their (MHEA) survey to teachers. I know we talked about this at length (last year's negotiations), but I was thinking of, with regards to behavior, we have PBIS, but what if we have some general guidance of what the norm in the district is on how to handle behaviors so that teachers feel (*distorted audio*). Last year we were talking about putting in a huge policy and this proposed language is more flexible of how to handle behavior situations in the classroom vs. going into admin to step in and it also puts more responsibility on the teacher to call the parent, it additionally puts the responsibility back on the principal once they've been told that parents have been called several times, shared responsibility.
- ~ Amy – part of this is the part of what I was talking about earlier regarding items that aren't negotiable; it's understood about the joint action on both parties. Referring to

- MHEA Prop #3, bullets #1 and #3 in your proposed language could be in conflict with an IEP or BIP and could be in violation of federal law.
- ~ Discussion began regarding behavior; the possibility of entertaining a counter Board proposal that adds language addressing IEPs and such; the MHSD School Safety and Discipline Policy and in what manner is the MHEA proposed language on discipline different from the District policy and building handbooks that are also District policy.
  - ~ Amy – added that each school should have a building discipline procedure and statute requires the District to have a policy addressing behavior and discipline. She asked what the is the difference between your (MHEA) discipline procedure vs what already exists in District Policy?
  - ~ Amy – last year we discussed consistency in all the buildings and currently there isn't any consistency between the buildings. I think that is part of the trouble that we are seeing.
  - ~ Discussion about the perceived inequity of discipline rendered to students; the perception of teachers with regards to disciplining students and not following the building handbook; the perception of inconsistency of following procedures from building to building; the expressed concerns of teacher's wanting more input regarding student discipline; the perception of teachers' input being ignored, etc.
  - ~ Amy – do teachers ask why they aren't being told the reasons for the discipline decision?
  - ~ Amanda – there's a lot of confidentiality of the disciplinary decisions, but teachers feel that they are left in the dark and that is the reason for bullet #5. It's appropriate to give some teacher discretion and to be given some explanation of the discipline decisions.
  - ~ Amy – will the teacher discretion be any different from the principal discretion because you have more teachers who are going to have more discretion than the principal.
  - ~ Amanda – that is where guidance comes in.
  - ~ Amy – referring to the proposed language of MHEA Prop #3 regarding bullet #4, it states that in a judgement of a teacher...; every teacher is going to have a different judgement so you would end up with more inconsistency than less.
  - ~ Amanda – not if we have really awesome guidelines.
  - ~ Discussion on having more consistencies in classrooms; on how individual decisions and judgements are going to be different among different teachers; the special ed problems, etc.
  - ~ David – the closer one gets to the classroom the better knowledge that person has on the students and it's in the best interest of classroom for teachers to have the most control over all situations. He added safety of teachers is the forefront of teachers.
  - ~ Discussion on the interpretation of policy and how it would be different among the different teachers; interpretation of policy would be different among the different administrators; interpretation is different among the Board; on the difference between having a small group of administrators interpreting the policy vs almost 300 teachers; the problems of OCR coming in to investigate all claims of violations of civil rights and there needing to be a small group of people responsible to address those accusations vs the much larger teacher population having to address those accusations to the OCR and having to explain why one teacher disciplined one way and the other ten teachers disciplined in ten other ways, etc.
  - ~ Amy – District Administration and the Board understand how annoying and frustrating it is for teachers to not know the complete reasons for dispensing discipline to a variety of students in a variety of forms of discipline. We spent a lot of time talking about that last year.

- ~ David – what is the piece in this proposed language that you (Board) think are in here that is going to be interpreted so differently by teachers?
- ~ Amy – the verbiage of bullet #4, “...in the judgement of a teacher, if a pupil is substantially...,” the word substantially is why lawyers question reasonable or just cause.
- ~ Discussion on the expectation and right of teachers to start the disciplinary process; on other legally questionable verbiage; on the differences between the culture of the different buildings; on different teachers would handle disciplines differently depending on their personalities and tolerances even with the grading context should a student be sent out of a classroom for a period of time, how many teachers would mark the student tardy and how many teachers would mark the student absent (tardy, excused absence, make up work, not allowed to make up work, etc.); the disruptions to the classroom and other students, etc.
- ~ Amy – referring to the proposed language of MHEA Prop #3, what is the purpose for section B?
- ~ Amanda – it is just the behavior policy.
- ~ Albert – what you (MHEA) are talking about are things that policy isn’t going to address. It’s more about a building staff discussing and agreeing on what the important issues are of that building and how those issues are addressed. What works for one building doesn’t work for another, so it needs to be a building discussion and the building staff need to come to an agreement with the understanding that there are different temperaments and tolerances among teachers that need to be taken into account. Those conversations need to take into account the actual number of kids demonstrating the problems and the number of issues that present the problems. Typically, the students that create the most issues are going to be special education students with IEPs or BIPs, it is a small student population in each building. That’s when as a building you discuss and create a building plan on how to address those issues on the small amount of the student population in a building.
- ~ Amanda – are you suggesting that we put together working groups?
- ~ Albert – those things should have already been in place.
- ~ Discussion on how each building needs to figure out how to get their staff input regarding their concerns; how the buildings needs to address the behaviors and disciplines in each building; how each building needs to define what is a disruption or interruption of classroom instruction and define the disciplines to fit the disruptions; each building needs to how to define the disciplines for behavior students, special ed students, and general ed students; the need for each building to form committees and determine who should be part of the committee while at the same time getting input from all of the building’s staff, etc.
- ~ Albert – building committees should come to an agreement and all building personnel need to agree and abide by the decision of the building committee.
- ~ Amy – thanked them for the proposed language.
- Amanda – handed out MHEA Prop #4 – Evaluations of Teachers

### Evaluations of Teachers

The Association and District understand the need for collaboration of resources and best practices to ensure adequate support is provided to all instructional and pupil service staff. In collaboration with Idaho Code 33-1004 (A-E) and Idaho Code 33-1001 and Idaho Code 33-2101(A), the Association and District shall provide the following support to staff:

Evaluations: Evaluations shall be conducted in accordance with Idaho Code, and with the additional parameters provided herein.

1. To improve the professional performance of the Teacher.
2. To provide the Teacher with regular feedback about his/her performance.
3. To specifically inform the Teacher of ways in which he/she can improve.
4. To identify and provide specific professional development needs of a Teacher.

Pre-Observation meeting: A pre-observation meeting shall be held at least ten working days before a formal observation. The pre-meeting shall be an opportunity for the instructional or pupil service staff member to share the instruction or job-related work that will be evaluated, including goals, objectives, and methodology to be used.

Observations: Observations of Teachers shall be formal or informal.

Documented Observations: Each certified staff member shall be observed twice in a school year and each shall be documented. One documented observation shall occur by December 15 of each year, and the second documented observation shall occur before April 15 of each year. The final, written summative evaluation shall be completed no later than May 1.

Informal observation: Administrators may perform informal observations at any time. If an administrator conducts an informal, drop-in, observation, the Administrator shall provide written feedback and meet with the Teacher or pupil service staff person.

If an administrator identifies a deficiency during an informal or documented observation, the Administrator shall schedule a meeting to review the deficiency or concern within 10 working days of observing the concern or deficiency.

Appeals Process: If a Teacher or pupil service staff member disagrees with the findings of their evaluation, the Teacher or pupil staff member shall have the following rights of appeal:

1. The right to review and rebut any evidence the Administrator used in the Administrator's findings. If the rebuttal provides clear and convincing evidence to the contrary of the Administrator's findings, the evaluation must be changed to reflect the evidence.
2. The right to request another documented observation and a second evaluation by the same Administrator, or to request an additional observation and evaluation by an alternate administrator.
3. The Teacher may choose which to accept for the final evaluation.
4. If, at the end of this process, the Teacher does not believe the evaluation process was followed or the conclusions of the evaluator are not supported by the evidence and data, the Teacher may utilize the grievance procedure to come to a final resolution.

### Targeted Professional Development

Teachers holding a Residency Certificate shall be provided mentoring as outlined in Idaho Code 33-1201(A).

Teachers holding Professional or Advanced Professional certification shall be provided professional development in any area of her/his performance identified in a formal observation as "Basic". Additionally, any certified Teacher holding Professional or Advanced Professional certification in year seven or beyond in the profession shall be provided professional development support if the certified employee is found to be less than overall distinguished in the areas of Domain 2 or 3 of the Danielson Framework.

Professional development provided shall include but not be limited to district provided professional development, Association offered professional development, mentoring, and collegial support.



### Leadership

A Teacher, or pupil service staff member shall be considered to have demonstrated professional leadership if she/he meets any of the following criteria:

1. Serves on a district leadership committee or other committee providing guidance to the district, a department, program, or school building
2. Serves on a site-based committee providing guidance, direction to Teachers or one that makes site-based decisions
3. Is the recipient of a leadership premium as provided under Idaho Code 33-1004(J)
4. Serves in a leadership position in a state or national professional association related to public education
5. Serves on a community or state group/organization that works to benefit public education.
6. Serves in a leadership position in the association.
7. Has received a Master Educator Premium, National Board Certification or leadership premium (re: Idaho Code 33-1004(j))
8. Holds a master's degree in a content area related to the teaching profession
9. Documents providing mentoring, collegial support or professional development to Teachers and pre-service educators
10. Is a respected professional educator serving the students and community of an Idaho School District
11. Teachers working as a coach, co-curricular advisor, department team member, grade-level team, professional learning community, and other groups, teams, or roles supporting students and the district

### Student Growth

Measurable student achievement shall be determined by the individual Teacher or pupil service staff member, in collaboration with the Teacher's or pupil service staff member's direct supervisor. The ultimate decision is up to the Teacher or pupil service staff member.

Assessment tools that may be used for measuring student achievement shall be:

- Student learning objectives.
- Formative assessments.
- Teacher-constructed assessments of student growth.
- Pre-and-Post tests.
- Other assessment tools defined by Idaho Code at the choice of the Teacher

Multiple Teachers may have the option to work collaboratively to set student growth measures. No Teacher shall be compelled to collaborate.

- ~ Amanda – with the state starting with the advanced professional teacher requirements, language should be added to the teacher contracts that is in the best interest of the district, and to address professional teachers and how to advance a teacher to the different aspects of what is considered an advanced professional teacher, etc. This gives teachers feedback and ways to make teachers more distinguished so that they can obtain the advanced professional teacher status.
- ~ David – discussed his conversations with other districts and concepts to address teacher evaluations to give teachers every opportunity to receive distinguished on their evaluation and not to have unsatisfactory. He then reviewed the proposed language of MHEA Prop #4, including their proposed evaluation procedure language, their proposed appeals process, their proposed targeted professional development, their proposed language defining professional leadership and stipends, and their proposed language addressing student growth, etc.
- ~ Amy – MHEA is essentially writing the policy, but it needs to fit IDAPA and the IDAPA requirement for parental input on the teacher evaluation policy development.

- The Board, Administration, staff, and the Parents are part of the policy development. The proposed language of MHEA Prop #4 is developing the policy without any parental/patron input, which is a requirement of teacher evaluations.
- ~ Amanda – this is to make sure teachers are influencing their evaluation and getting a fair shake of the quality of the teacher evaluations and the quality feedback to give teachers opportunities to make ourselves more distinguished.
  - ~ Amy – referring to the proposed language of MHEA Prop #4, Appeals Process, your (MHEA) language is attempting to rewrite an evaluation tool and leaving two of the four parties required by state law out of the process of rewriting the tool.
  - ~ David – no, we are not rewriting the policy. Just like the current evaluation policy must adhere to state requirements.
  - ~ Amy – you want the Board to follow two different policies, what’s in the agreement and what is required by state?
  - ~ Discussion began about teacher evaluations; about the current district policy; the proposed language to the master agreement; state evaluation requirements, etc.
  - ~ David – nothing in our evaluation proposal policy violates state requirements.
  - ~ Amy – I respectively disagree, but we will look for a way to address your issues.
  - ~ Discussion continued regarding the proposed language of MHEA Prop #4 and the second part of the four separate issues addressing the proposed language regarding targeted professional development (PD) with the mixing of language addressing probation under code that requires basic teachers having to do both concepts; on who would decide on the PD offered; on how to handle rejected or declined PD offers, etc.
  - ~ Discussion on the proposed language of MHEA Prop #4 and the third of the four separate issues addressing the proposed language regarding leadership; clarifying some of the language; on the MHEA interpretation of a professional learning community and other groups, teams or roles supporting students; the clarification of the semantics of the language; on the possible violation of IDAPA rules, etc.
  - ~ Discussion on the proposed language of MHEA Prop #4 and the fourth of the four separate issues addressing student growth regarding teacher evaluations; on the MHEA’s envision of each teacher deciding on the measure of student growth with consultation of their building; on the interpretation, etc.
  - ~ Amanda – added that another teacher complaint from several buildings regarding teacher evaluations was the number of teachers that were put on probation this school year and it being tied to student growth data because they didn’t meet the required student growth data. It’s hard when teachers have over 30 kids in their classrooms or they are trying to juggle everything.
  - ~ Ralph – asked how many teachers were placed on probation this school year because he didn’t think the Board wasn’t aware of any?
  - ~ Amanda – she only knew of the six or seven teachers who contacted her, but she was made aware of other teachers who were put on probation and didn’t contact her.
  - Amanda – handed out MHEA Prop #5 – Classroom Sizes

## Classroom Sizes

The board will strive to achieve no greater than the following class size ratios:

<u>Grade</u>	<u># of Students</u>
Kindergarten-1st grade	20
2nd grade-3rd grade	24
4th grade-6th grade	28
Junior High	150 Students per teacher
High School	150 Students per teacher
Alternative School 7-12	18 Average Daily Class load

When the maximum enrollment at a specific grade level has been reached, the District shall accommodate additional enrollment by:

1. Busing the additional students to an appropriate school with space available.
2. Assigning an instructional assistant to the classroom. However, if the student enrollment in that class drops below the limit, the instructional assistant will be reassigned or released after 10 days notice. The instructional assistant assigned to the classroom of students shall remain with those students except under exceptional circumstances.
3. At the district's discretion, adding certificated staff.

- ~ Amy – do you know the current classroom sizes?
- ~ Amanda – the problem with class sizes when we start looking at the data is if we look at IEP and Special Ed classes, those classes are significantly lower, and it drastically brings down our class size average. We need to look at data for general classrooms and bring those class size averages down.
- ~ Amy – do you know what this would cost?
- ~ Discussion began about options to lower classroom sizes including not allowing open enrollment; hiring additional teachers and the cost; what to do to if parents don't want to move their kids to another classroom; the perception that certain building administrators don't try to resolve the high classroom sizes vs other buildings hiring more teachers and extra help; the dis-apportionment of class sizes among the different buildings; the Board's definition of classroom sizes; the Board approving the hiring of additional teachers for certain buildings this school year (2019-20), etc.
- ~ Amy – priority-wise is dollars, how high up on your priority list is classroom size if we can find solutions that don't necessarily involve cost.
- ~ Amanda – teachers aren't thrilled about the size of the classrooms and then add having evaluations involving student growth and what does that data look like.
- ~ Amy – regarding teachers placed on probation, were you able to see their evaluations or probation plans or was it their interpretation of the reason for the probation?
- ~ Amanda – no, but David did.
- Amanda – handed out MHEA Prop #6 – Internal Vacancies & Transfers

## INTERNAL VACANCIES AND TRANSFERS

When a job posting occurs in the District for a certificated non-administrative position, notice shall first be sent to all certificated employees to afford the opportunity to request a transfer into the position. The notice shall include the minimum requirements as well as the closing date and time. There will be a minimum of five (5) work days before any position is posted for out-of-district applications.

The request for transfer must be made in writing to the Building Principal/Immediate Supervisor within five (5) days of the date of notification. Prior to interviewing external candidates, current certificated employees wishing to transfer into the open position shall be provided the opportunity for a face-to-face interview with the building principal and/or immediate supervisor of the position.

If the transfer request is approved, the Principal/Immediate Supervisor shall notify the District Human Resources Director of the acceptance of the transfer. If the transfer is not approved, the individual requesting the transfer shall be notified in writing, along with the reasons the individual was not approved for the transfer, and the position will be open to applicants outside of the District. The transfer applicant may apply for the position along with the applicants outside of the District.

In the case of multiple employees requesting an in-district transfer for the same position, when all other factors are substantially equal, length of contracted time in the district shall be the deciding factor in filling the vacancy.

- ~ Amanda – this is something we worked with other negotiators throughout the valley.
- ~ Amy – referring to the proposed language of MHEA Prop 6, first paragraph, basically states that this gives internal candidates first dibs to apply. What is the current practice of filling an open certified position?
- ~ Amanda – it’s my understanding that open positions are advertised on Skyward and anyone can apply.
- ~ Amy – referring to the proposed language of MHEA Prop 6, second paragraph, states that every internal candidate that applies shall receive an interview. Should that candidate receive an interview even if the building has no intention of selecting that person?
- ~ Amanda – of course, we must be fair. All that needs to be done is send out an email to teachers informing them that a position has opened in the district.
- ~ Denise – there was a time that all openings were advertised internally in the district before it went out to the public.
- ~ Eric – clarified with Denise that there was a time that openings were advertised internally first.
- ~ Denise – when there was a job opening in the district, an email was sent out to teachers about the opening, teachers would apply, and at the time seniority (most senior teacher) was given the open position. There were things in place in which I could apply for a position in another building.
- ~ Amy – referring to the proposed language of MHEA Prop 6, third paragraph, states that if the transfer isn’t approved, those persons would receive a written letter stating such and the reason for not being selected. It also states that if a teacher who has been turned down for a transfer can apply for the position again once the position is advertised to the public. Question – If a teacher has already been denied once for a transfer, isn’t that a waste of time to apply for it again only to be denied again?
- ~ Discussion began regarding open positions in the district; regarding current staff should have first choice for open positions districtwide; regarding the semantics of the language, etc.
- ~ Amy – referring to the proposed language of MHEA Prop 6, last paragraph, are you envisioning some sort of rubric or scoring factor?
- ~ Amanda – the factor of how long a teacher has been working in the district should matter (seniority).
- ~ David – the seniority should matter.
- Amanda – handed out MHEA Prop #7 – Patron Complaint Procedure

## PATRON COMPLAINT PROCEDURE

Any parent and/or patron concern involving an employee of the bargaining unit shall first be addressed between the employee and the concerned party. If the initial concern is expressed to an administrator or board member, the concerned party shall be directed to attempt to resolve the concern directly with the employee.

In the event that the employee feels that the manner cannot be resolved directly with the concerned party, the employee may request that the building principal or immediate supervisor be involved in the initial resolution process.

If, after the initial resolution process, a resolution has not been reached, the concerned party may elevate their concern to the building principal or immediate supervisor. If a resolution can not be reached with the building principal/immediate supervisor, the concerned party may elevate their concern to the Superintendent.

If the concerned party feels a resolution has not been reached, the concerned party may elevate their concern to the Board of Trustees. The appeal must be submitted, in writing, within fifteen (15) days of receiving the Superintendent's decision. The Board of Trustees shall only consider whether or not a district policy has been violated and the burden of proving a policy violation shall be borne by the concerned party.

Upon receipt of the appeal, and if the appeal alleges a violation of Board policy, the matter shall be placed on the agenda of the next regularly scheduled meeting. A decision by the Board shall be made and reported in writing to all interested parties, including the employee, within thirty (30) days.

Patron complaints shall not serve as the basis for comments on the evaluation of an employee.

- ~ Ralph – your proposed language of MHEA Prop #7, first paragraph states that any parent/patron concern involving an employee of the bargaining unit... what do you mean by bargaining unit?
- ~ Amy – it should be any certificated teacher shall be the first to be addressed between the employee and the concerned party.
- ~ Albert – what is driving this proposal?
- ~ Amanda – since parent input is such a big deal, having a patron complaint procedure allows the problem to stay at the lowest level possible without overwhelming the administration. If a parent has an issue, they should contact the teacher first.
- ~ Discussion began regarding parent/patron complaints and how it should start at the lowest level; on enforcement issues; on the different scenarios of complaints; on the fact that the district already had a policy in place; etc.
- ~ Amy – regarding the proposed language of MHEA Prop #7, second paragraph, why do you have employee may request intervention from the building principal, but you don't include parents?
- ~ Amanda – if there is no resolution between the teacher and the parent than an administrator could be brought in.
- ~ Amy – asked what the driving force is behind the proposed language of MHEA Prop #7, fourth paragraph that states the Board shall only consider whether a district policy has been violated and the burden of providing a policy violation shall be borne by the concerned party.
- ~ Amanda – we are looking at District Administration and then the board. Some students exaggerate an issue or outwardly lie to their parents who then come in with their grievance to District Administration or the Board without getting a true answer (full explanation) from the teacher involved. This should open up the conversation between teachers and parents.
- ~ Amy – regarding the proposed language of MHEA Prop #7, last paragraph, it states that patron complaints shall not serve as the basis for comments on the evaluation of an employees. What if the complaint is valid? How is this any different from District Policy 1012?
- ~ Eric – we already have a Patron Grievance Policy and it doesn't prevent the parent from going to the teacher first and the Board last.

## 7. Other Business

- Amy – asked if there was any other business to discuss tonight. We (Board) are going to discuss the MHEA Proposals and have a response for the next meeting.

## 8. Fund Balance & Post Passing of the Supplemental Levy

- Amy – reminded the MHEA of the Budget Workshop and the budget being built conservatively and the Board has accepted and understood that this year was the kind of year that caused the Board to build a Fund Balance, this kind of year is the reason that the Fund Balance was built, and thankfully there was a Fund Balance. That is something the Board is going to address when they come back with their Compensation Package.
  - ~ Amy – it will be something similar with regards to Insurance and there being no increase this year.

## 9. State 1%, 5%, and 3% Holdbacks from School Districts

- Amy – informed the MHEA about the State's 1% holdback, 5% holdback, and the likely additional 3% holdback from school districts, and how MHSD will address the holdbacks through the Fund Balance. When the Board comes back with their Financial Compensation Package, there will not be certified furlough days (taken care through the Fund Balance) and there won't be RIFs unlike some other school districts throughout the state. The Board and the District has the intention at this time to fill all the open certificated positions, but unfortunately that cannot be said about all the classified employees. It's not that the Board doesn't want the classified, it is that at this stage, the District has no idea of what the start of school will look like. If the District goes remote or hybrid, there will not be the need for all the classified positions. The certificated positions are safe!

## 10. MHSD Reopening Scenarios

- Amy – addressed the concern about ADA for the upcoming school year that resulted from the District survey that went out to parents in which 7% of the parents said they would not be physically sending their kids back to school and they would find an online option to educate their kids. The State is working on redefining ADA, but the District has started the process of working through the potential of three different reopening plans. She informed the MHEA of the three possible reopening plans, the all open normal reopening, the all online instruction, or some sort of a hybrid mix. This is an ongoing District and Building Administration project.
  - ~ Amanda – said she had a suggestion that she has been working on in terms of negotiations, I would like to assume we will all be back in the buildings in the fall, but should that not occur, I would like us all to come back to the table to discuss the reopening concerns and the expectations.
  - ~ Amy – approached the MHEA with Article 1.5 – Time Period Certificated Professional Teachers are to be at School, and it would require some thought.
  - ~ Amanda – that is why we need to come back to the table to discuss such matters. If we go hybrid, I don't want to have to teach half of my students on an A or B day and I also don't want to be responsible for supplying a full day's worth of content and then go home every night with three to four hours of additional work.
  - ~ Discussion continued regarding the reopening scenarios; regarding teaching half the students on one day and the other half on the alternate days; regarding the work involved for teachers if hybrid instruction is chosen; regarding components of online instruction using IDLA; regarding dedicated online teachers; regarding ADA; regarding the different instructional needs between elementary and secondary, etc.

## 11. Other Affected Articles

- Amy – the other areas of concern in addition to Article 1.5, are Articles 3.3 and 3.4. Elementary and Secondary Prep Time. Part of the issue is some of the concepts regarding cohorts of students so that there won't be any intermixing of classes and the social distancing of students. It's easy in the elementary levels, but the secondary might need to consider alternate classroom settings such as all the students staying in one classroom and the teachers moving from classroom to classroom and the possibility of the District not being able to guarantee 3.3 and 3.4 as it is currently defined.
  - ~ Amanda – you will have a hard time convincing teachers to give up their prep time.
  - ~ Amy – it's not necessarily taking away the prep time, but what would prep time look like.

## 12. COVID19

- Amy – if you have teachers who are in the vulnerable adult category, have them contact HR.

## 13. Miscellaneous

- David – what role will the MHEA have with the reopening development?
  - ~ Amy – apart from Albert, the District hasn't received a single question from anyone on the plans and development of reopening the school.
  - ~ David – just District Administration is going to develop the reopening plans?
  - ~ Amy – no one has asked the District Office any questions, not even the MHEA. The District Administration will develop a plan and bring it before the Board; obviously, there will be a lot of public discussion.
- Amy – we've discussed that there will be no certificated furlough days, no RIFs, and all open certificated positions will be filled. It is the desire of the Board not to freeze the certified salary schedule, to give teachers movement. It will cost the District about \$250,000, and that the money will have to come from the reserve money. The Board budgeted conservatively, they cut where they could, they really appreciated the work that teachers did to get the levy passed and they really appreciated the work teachers did to educate our kids during the pandemic. That is one of the reasons I asked your priorities on class sizes and the cost associated with it.
  - ~ Discussion continued regarding the conservative budget; the purpose of having a Fund Balance to help in situations such as this pandemic; the hard work of teachers, etc.

## 14. Next Agenda

- Amy – I plan to bring back everything we discussed, Articles 1-5, Exhibit A and B, and address MHEA Props #1-7.
- Amanda – there is one more thing that shouldn't cost a lot of money and that is paying the coach of the swim team.
  - ~ Amy – isn't there a swim coach on Exhibit B?
  - ~ Discussion continued regarding the swim coach; the difference between a school sponsored team and a school club; the possibility of adding clubs coach stipends, etc.
  - ~ Eric – explained that there is more that goes into being a coach than just coaching than what everyone assumes, first it must be a school sponsored team, transportation and the cost, etc. How many schools in our new conference (2020-21) in which we belong have a school sponsored swim team? If we pay one school club coach, we need to pay all the other school club coaches.
- Next Negotiations Meeting: June 17, 2020 – 6:30 p.m. – MHJH Library
- Adjourn – 8:15 p.m.