

Collective Commitment regarding Negotiations Procedure for the 2021-2022 Professional Negotiated Agreement

Adopted and Revised: January 28, 2021

1. Method for Negotiations

- The District and NEA SM will use interest-based bargaining (IBB) to collaboratively problem-solve issues and to reach a Professional Negotiated Agreement (PNA) for the upcoming 2021-2022 school year. Board of Education-appointed and NEA SM-appointed representatives will comprise a single IBB team (the “Team”). The Team’s goal is to work together to find solutions for identified issues and to timely reach a mutually agreeable PNA with the intent of completing the ratification process during the current school year.
- The Team will use a facilitator from the Federal Mediation and Conciliation Service (FMCS) to facilitate Team meetings.

2. Team Members

- The Board and NEA SM will each appoint five representatives to the Team (for a total of ten Team members).

3. Negotiations Timeline and Procedure

- The Team will meet once in January for an organizational meeting, and twice in the months of February, March, April, May, and potentially early June (for a total of eleven meetings).
 - Meetings generally will be scheduled from 3:15 p.m. until 5:00 p.m., however the Team may schedule some meetings during the contract day with substitutes provided for the NEA SM representatives, and meetings on non-contract days may be scheduled for a longer duration between the hours of 9:00 a.m. and 5:00 p.m.
- At its January organizational meeting, the Team will:
 - Participate in IBB training or review conducted by the facilitator.
 - Review and make any necessary revisions to this document in order to ensure that it meets the Team’s needs and accurately reflects the parties’ understanding of how the Team will conduct its work and reach its goal.

All Team members will sign this document to signify their agreement with the negotiations procedure and their commitment to serve in accordance with the provisions of this document.

- Schedule its meetings for February through June.
- At the first February meeting, the Team will exchange notice letters and issue statements, as set forth in paragraph 4.
- The Team's goal is to complete discussions on all issues, other than compensation and insurance benefits, before the first May meeting.
- At the first May meeting, a budget presentation will be given to the Team. Following the presentation, the Team will have a discussion regarding whether, given the available budget information, the Team believes it is possible to reach a solution during the meetings scheduled in May and June.
 - If the Team agrees that it is possible to reach a solution, then the May and early June meetings will focus on compensation. In the event that the Team is unable to reach a solution during these meetings, then the Team will adjourn for the summer and schedule meeting dates in August to discuss compensation.
 - If the Team agrees that it is unlikely to reach a solution during the meetings scheduled in May and June due to a lack of sufficient budget information, then the Team will cancel the second May meeting and the June meetings, adjourn for the summer, and schedule meeting dates in August to discuss compensation.
- Following each Team meeting, the Team will issue a joint statement summarizing the work completed at the meeting and providing information about the next scheduled meeting.
- Team members will comply with the Meeting Norms, attached as Addendum A to this document.
- When the Team reaches a consensus on a solution to an issue that involves changes to the PNA, the solution will be memorialized in a tentative agreement (T.A.), and the T.A. will be signed by the lead negotiator for each party. When the Team reaches a consensus on a solution to an issue that does not involve changes to the PNA, the solution will be memorialized in a collective commitment (C.C.). In the event the Team is unable to reach a

consensus on a solution to an issue, then the issue may be carried over to negotiations for the following year.

- This document may be amended at any time by consensus of the Team.

4. Notice Letters and Issue Statements

- The District and NEA SM will prepare notice letters in accordance with K.S.A. § 72-2228(a) and (b).
- The representatives for the District and NEA SM will prepare issue statements that align with the items in their notice letter, and that provide detail on the problem that the party would like to discuss and solve.
- Representatives for the Board and NEA SM may prepare a reasonable and manageable number of additional issue statements on issues that do not fall under the topics listed in the Kansas Professional Negotiations Act, but which the representatives feel could best be solved in the IBB Team setting. These issue statements will be marked as “discussion” topics. The parties expressly agree that, by the Team engaging in the IBB process on a discussion issue, neither party has impliedly or otherwise agreed to “negotiate” the issue as that term is used in the Professional Negotiations Act. Rather, by engaging in the IBB process on a discussion issue, the Team members are agreeing to “IBB” the issue, meaning to have a collaborative discussion about the issue using the IBB process. The parties further agree that discussion issues would never be the subject of impasse proceedings.
- After exchanging issue statements, the Team, led by the facilitator, will determine an order for addressing the issue statements according to the following criteria:
 - Equity in the opportunity for each party to have its issues statements addressed by the Team. Generally, the Team will alternate addressing NEA SM issue statements and District issue statements.
 - Issue statements that reflect items noticed in notice letters will be given priority. The Team will address issue statements in priority order. If the Team does not have sufficient time in the February through April meetings to address all of the non-compensation issues, then the Team may schedule additional meetings or unaddressed issues may be carried over to negotiations for the following year.

Addendum A - Meeting Norms

Team members will adhere to the following meeting norms as “ground rules” for Team members’ conduct at meetings:

- Team members will not engage in sidebars or caucuses during meetings to discuss issues away from the Team.
- Team members will respect the established schedule for meetings and will be ready to both start and stop on time. However, Team members will allow for some flexibility at the end of meetings, and the Team may agree to extend meeting times in order to reach a good stopping point or to complete a discussion.
- Team members will timely complete any assignments that they have accepted.
- Team members will respect the purpose behind issuing joint statements and will not communicate information that conflicts with or undermines joint statements.
- Team members will communicate professionally during meetings, including not interrupting and staying engaged when others are speaking.
- Team members will seek to understand other Team members’ statements.
- Team members will operate under an understanding that, for effective IBB, Team members need the ability to freely brainstorm ideas for solutions. Ideas for solutions are not formal proposals by any Team member on behalf of a party. The entire Team must reach a consensus in order for a solution to be adopted by the Team.
- In discussing issue statements, Team members will freely engage in the IBB process without feeling that there is a predetermined solution to a given issue. Team members recognize that the solution to any given topic may not result in changes to the PNA language and that there is a wide range of possible solutions to all issues.

Collective Commitment regarding Work-Life Balance for Professional Employees

Adopted: May 20, 2021

The Shawnee Mission School District and NEA SM enter into the following Collective Commitment applicable to the 2021-22 school year:

1. Guidance for Secondary Teachers Assigned to a 5:7 Schedule regarding Support Time

- Dr. Joe Gilhaus, Director of Secondary Services, prepared a “Do’s and Don’ts” list that was previewed with the IBB Team prior to being finalized. The finalized document will be shared with Linda Sieck, NEA SM president.
- The “Do’s and Don’ts” list will be shared with building leaders. Principals and associate principals will receive a consistent message in regard to appropriate use of support time to assist and support students.
- At the start of next school year, building principals will clearly define support time for their building staff, including establishing clear boundaries.

2. Break Time for Secondary Teachers Assigned to a 6:7 Block Schedule during the 2021-22 School Year

- The District will work to minimize, through adjustment of master schedules, the number of teachers who do not have a scheduled break time (outside of lunch) during a particular day.

3. Special Education Caseload Assignments and Schedules

- The parties acknowledge that 12 additional special education teachers will be hired for the 2021-22 school year in an effort to reduce caseload numbers for special education staff.
- Sherry Dumolien, Director of Special Education, will work with building principals to streamline schedules for special education staff and to strategically schedule staff so that they will not have to cross into multiple content areas.
- A work study will be conducted through the Special Education Department to review special education workload issues.
- During negotiations for the 2022-23 school year, the IBB Team will review language in the Professional Negotiated Agreement that excludes special education staff from the provision regarding secondary teachers and number of subject matter preps, in order to determine if the language should be edited or deleted after 5:7 is fully implemented.

4. Elementary Teachers, Including Specials Teachers

- The 3.2.2 Strategic Plan committee will meet to develop suggested solutions for plan and collaboration time during the 2021-22 school year (*i.e.*, a “stop gap” solution until we can begin implementation of an adopted/approved solution to plan and collaboration time for elementary teachers.)
- The parties acknowledge that \$1.4M in ESSER funds have been allocated to hire additional elementary teachers in order to reduce class sizes.

5. Schedule Calculation for Part-Time Teachers

- Beginning for 2022-2023, each section taught per semester will be calculated as 0.1 of a full-time (1.0) school year schedule.

6. Counselor Workload

- The parties acknowledge that \$372,000 in ESSER funds have been allocated to hire high school counselors. An additional counselor will be added at each high school.
- The parties acknowledge that the IBB Team will need to continue reviewing counselor workload as real world teaching positions are added.
- The parties acknowledge that middle school counselors have a high caseload, and that this issue will require further review and problem-solving.

7. Additional Uses of ESSER Funds to Address Learning Loss during the COVID-19 Pandemic

- The parties acknowledge that \$572,000 in ESSER funds have been allocated to hire 7 additional social workers.
- The parties acknowledge that \$780,000 in ESSER funds have been allocated to hire 10 additional secondary math teachers.
- The parties acknowledge that \$500,500 in ESSER funds have been allocated to hire additional instructional coaches.
- The parties acknowledge that all ESSER positions are being added with one-time federal monies, and that these positions would need to be reduced or absorbed into operating funds by the 2023-24 school year. Careful study will need to be completed to determine whether to reduce the positions (through attrition) or to absorb the positions.

**Collective Commitment regarding
Professional Development for Professional Employees**

Adopted: May 25, 2021

The Shawnee Mission School District and NEA SM enter into the following Collective Commitment applicable to the 2021-22 school year:

- 1. In order to ensure that the new Director of Professional Development, Dr. Brittany Gonser, has necessary data to improve Professional Employees' satisfaction with professional development:**
 - The District's professional development survey results, including disaggregated data if possible, will be shared with Dr. Gonser.
 - NEA SM's professional development survey results, including disaggregated data if possible, will be shared with Dr. Gonser.
- 2. The IBB Team's meeting notes on the professional development issue will be shared with Dr. Gonser.**
- 3. The District will make a recommendation that PDC reps be members of the BLT, so that the BLT can have productive discussions about professional development.**

Collective Commitment regarding
Logging Parent Contact and Self-Directed Professional Learning Time

Adopted: June 9, 2021
Updated: August 2, 2021

The following language will be added to the Administrative Operating Handbook for the 2021-22 school year:

Flex days for parent contact built into the calendar: November 23, 2021 & April 15th, 2022

The first day staff may begin logging parent contact hours for the 2021-2022 school year is August 12, 2021

Just a reminder that to be included for the flex day, the parent contact must take place outside of normal contract hours.

(ELEMENTARY) 430 minutes will need to be logged prior to 11/23/21. (Any time over 430 minutes will be applied to the April flex date time requirement).

(ELEMENTARY) 860 minutes will need to be logged prior to 4/15/22.

(SECONDARY) 7.5 hours will need to be logged prior to 11/23/21. (Any time over 7.5 hours will be applied to the April flex date time requirement).

(SECONDARY) 15 hours will need to be logged prior to 4/15/22.

*For part-time employees, the required minutes logged should correspond to their contracted FTE.

Self-directed Professional Learning days built into the calendar: November 22, 2021 & May 26th, 2022

The first day to log Self-Directed Professional Learning hours for the 21-22 school year is June 9, 2021.

Activities will be counted as Self-Directed Professional Learning activities if the following conditions are met:

- a. It occurs outside of the contract day
- b. You do not receive compensation for participating in the activity from the district

c. Participation in the activity does not advance you on the pay scale

(ELEMENTARY) 430 minutes will need to be logged prior to 11/22/21 (Any time over 430 minutes will be applied to the May flex date time requirement).

(ELEMENTARY) 860 minutes will need to be logged prior to 5/26/22.

(SECONDARY) 7.5 hours (450 minutes) prior to 11/22/21 (Any time over 7.5 hours will be applied to the May flex date).

(SECONDARY) 15 hours (900 minutes) prior to 5/26/22.

The parties recognize that, because Professional Employees cannot be required to work outside of their contract hours, they may choose to not log any hours of parent contact and Self-Directed Professional Learning prior to the flex day. If that occurs, the Professional Employee would NOT earn the flex day and instead would complete the parent contact and/or Self-Directed Professional Learning on the designated flex day.

The parties recognize that the expectation of the District is that Professional Employees regularly communicate with parents/guardians throughout the school year and that it is good practice to maintain a record of those communications.