

NOVEMBER 21, 2107 NEGOTIATION SESSION

Union Proposals

1. Student Assessments

- We do not agree to the MFT proposal on student assessments. In addition to being regulated by law, when and how often students are assessed is a matter of educational policy within the School District's sole authority.
- PELRA specifically states that educational policies are not "terms and conditions of employment." (MS 179A.03, subd. 19) Therefore, this policy is not subject to collective bargaining. We will not negotiate educational policy.
- In addition, PELRA states that the School District has no obligation to negotiate inherent managerial policy, which includes "such areas of discretion or policy as the functions and programs of the employer, its overall budget, utilization of technology, the organizational structure, selection of personnel, and direction and the number of personnel." (MS 179A.07, subd. 1) Student assessments are part of the School District's functions and programs. We will not negotiate inherent managerial policy.

2. Union Access to District Mail Systems: Waiting for MFT clarification on questions raised during 10/3/17 session.

3. Teacher Teleworking: Waiting for MFT clarification on questions raised during 10/3/17 session.

4. Class Size

- We share MFT's view that class sizes are an important part of the School District's educational program. However, we do not agree that the way to address this issue is through collective bargaining and a union contract.
- Class sizes are an educational and inherent managerial policy. Thus, they are not subject to collective bargaining.
- The MFT proposal would cost more than \$37,000,000. This would further exacerbate the \$33,000,000 deficit the District is already facing for 2018-19.

5. Student Behavior/Discipline

- We agree that the current language in the CBA is outdated and needs to be revisited. We are reviewing this issue and will respond at a future date.
- We are waiting for a document from MFT identifying which language in Article VI was changed when it was copied and moved to Article III.

6. Physical Relief Breaks

- When explaining this proposal, the MFT referred to it as addressing the need for teachers to use restrooms. The actual language of the proposal, however, refers to “physical relief breaks.” Please clarify: Are we talking only about using the restrooms or something more?
- Clearly, we recognize the need for employees to use the restroom. This is already being addressed in numerous ways:
 - Student passing time (i.e., asking a neighboring teacher to monitor students)
 - Prep periods
 - Lunch breaks
 - Other employees in the buildings frequently cover for teachers
 - Teachers are encouraged to call building leadership for coverage
 - Teachers with unique medial needs are encouraged to talk to building leadership for accommodations
 - This issue is taken into consideration by building leadership and staff when developing schedules
 - This issue is already covered by the law: “An employer must allow each employee adequate time from work within each four consecutive hours of work to utilize the nearest convenient restroom.” MS 177.253, subd. 1.
- As a result, we see no need for contract language to address this issue.

7. Pay for Professional Development

- This is a financial issue to be addressed during the financial portion of the negotiations.

8. Sale/Lease of Buildings for Charter Schools

- The sale or lease of District buildings does not impact teacher terms and conditions of employment.
- The sale or lease of District buildings is an inherent managerial policy, which we will not negotiate.

NOTE: Please refer to the document presented by the District on 10/3/17 for its responses to MFT proposals on student recess, union access to personnel data, and union building access.

District Proposals

1. Teacher Duty Days: Waiting for MFT response.
2. Negotiations timeline and step/lance advancement: Waiting for MFT response.
3. Seniority exemption for graduates for District residencies: Waiting for MFT response.
4. Transfer and Reassignment process: MFT has declined this proposal.
5. Opening Week: Waiting for MFT response.
6. Streamlined Interview and Select Process MOU: We agree to MFT counter-proposal made on 10/3/17. See attached.