

BOARD STRATEGIES FOR IMPLMENTING SENATE FILE 277

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1. NEGOTIATE A PROVISION SPECIFICALLY LIMITED TO GRIEVANCES PERTAINING TO EVALUATIONS AND INTENSIVE ASSISTANCE PLANS AND INCLUDE AN ACCELERATED PROCESS AND EXPEDITED RESOLUTION.

Example: **All grievances that allege a violation of any provision of the Agreement pertaining to the substance of an evaluation, to evaluation procedures, or to an intensive assistance plan shall be commenced at the _____ Step (insert the number of the Step which immediately precedes Arbitration), and the arbitration hearing regarding such a grievance shall be held not later than _____ days (insert a number that is short but realistic) following the date on which the request for arbitration is received by the District.**

2. NEGOTIATE SPECIFIC TIME LIMITS THAT GOVERN THE PROCESSING OF ALL GRIEVANCES AFTER THE REQUEST FOR ARBITRATION HAS BEEN RECEIVED.

Examples: **After an arbitrator has been selected by the parties, the arbitration hearing regarding the grievance shall be held not later than sixty (60) days (or insert a number that is short but realistic) following the date on which the request for arbitration is received by the District.**

Or

The date of the arbitration hearing shall be selected not later than thirty (30) days (or insert a number that is short but realistic) following the date on which the request for arbitration was received by the District.

3. NEGOTIATE LIMITATIONS ON TRANSFERS THAT APPLY TO: (A) ALL TEACHERS DURING THEIR FIRST THREE YEARS OF EMPLOYMENT, (B) ALL NEWLY HIRED SPECIAL EDUCATION TEACHERS, AND (C) ALL TEACHERS WHO RECEIVE MARKET FACTOR COMPENSATION.

Examples: **During their first three (3) years of employment, employee may apply for a transfer, but the request may be granted or denied by the**

Superintendent in his or her sole discretion, and the decision of the Superintendent shall not be subject to the grievance procedures.

During their first three (3) years of employment, employees in special education teaching or other special education positions may apply for a transfer, but the request may be granted or denied by the Superintendent in his or her sole discretion, and the decision of the Superintendent shall not be subject to the grievance procedures.

During their first three (3) years of employment, employees who receive market factor compensation may apply for a transfer, but the request may be granted or denied by the Superintendent in his or her sole discretion, and the decision of the Superintendent shall not be subject to the grievance procedures.

4. **NEGOTIATE STAFF REDUCTION PROVISIONS WHICH PLACE TEACHERS ON AN INTENSIVE ASSISTANCE PLAN IN A SEPARATE CATEGORY IN THE ORDER OF LAYOFF.**

Example:

Layoff Procedures

When the Board determines that employees should be laid off, the following procedure will determine the order in which employees shall be laid off:

1. **The Board shall first attempt to make all staff reductions through attrition. Attrition shall only be deemed to have occurred where the Board has received resignations in the classification in which reduction is sought prior to the issuance by the Superintendent of Notice of Intent to Terminate Contract.**

2. **Unless the employees are needed to maintain an existing program, employees with emergency and/or temporary certification will be laid off first.**

3. **Unless the employees are needed to maintain an existing program, probationary employees will be laid off next. If there is more than one probationary employee in the affected job classification, then probationary employees will be laid off based upon seniority.**

4. **Employees who have been placed on an intensive plan of assistance will be laid off next. If more than one employee in the affected job classification has been placed on an intensive plan of assistance, then employees who have been placed on an intensive plan of assistance will be laid off based upon seniority.**

5. If the staff reduction cannot be fully accomplished following the layoff of employees as provided in (1) through (4), then the employee(s) in the affected job classification with the least seniority shall be laid off.

5. USE THE PROBATIONARY PERIOD AGGRESSIVELY.
6. WHEN IN DOUBT, EXTEND THE PROBATIONARY PERIOD OF A TEACHER OR MOVE TO TERMINATE THE TEACHER IF THE TEACHER REFUSES TO CONSENT TO AN EXTENSION.

Note: Every teacher is subject to a probationary period upon hiring, regardless of whether the teacher has successfully served a probationary period in another Iowa school district or in your own school district. The probationary period of every teacher can be extended for one (1) year, but this requires the consent of both the teacher and the School Board, not the Superintendent.

7. INITIATE AN INTENSIVE ASSISTANCE PLAN AS EARLY IN THE SCHOOL YEAR AS POSSIBLE.
8. IN THE NEXT FEW YEARS, BE SELECTIVE ABOUT THE TERMINATION OF NON-PROBATIONARY TEACHERS WHO FAIL TO DEMONSTRATE SUFFICIENT PROGRESS WHILE ON AN INTENSIVE ASSISTANCE PLAN.
9. CONSIDER ADOPTING A POLICY REGARDING THE REPORTING OF ARRESTS AND CONVICTIONS.

Example: **Employees are expected to perform their assigned jobs, respect and follow Board of Education policies, and obey the law. In the event that employees experience any arrests, the filing of any criminal charges, the disposition of any criminal charges pending against them, and/or any charges relating to operating a motor vehicle while intoxicated, they must notify the Superintendent. Notification to the Superintendent must be given within five (5) business days of date on which the employee is arrested, convicted, or receives notification of any action that is covered by this policy.**

Employees whose duties require possession of a Commercial Driver's License or who regularly and frequently operate district vehicles must report all motor vehicle and drivers license charges, citations, and Department of Transportation proceedings, including traffic tickets such as speeding tickets. Other employees need not report such traffic tickets. Notification must be given to the Superintendent within five (5) business days of the date on which the employee is charged or

cited, or within five (5) business days of the date on which there is a disposition of a proceeding or the date on which the employee receives notification of any action that is covered by this policy.

Employees must notify the Superintendent of any child abuse complaints filed against them. Employees must notify the Superintendent regarding the findings in any complaint against them alleging child abuse. The Superintendent must be notified of any complaints and findings within five (5) business days of the date on which the employee receives notification of any action which is covered by this policy.

Information relating to arrests, criminal charges and child abuse complaints shall be treated as confidential and maintained as part of the employee's personnel file. Employees who do not notify the district as required by this policy may be subject to disciplinary action up to and including termination.

10. ADOPT WORK RULES THAT CAN BE USED BY THE DISTRICT TO SUPPORT A TERMINATION USING STANDARD 8.

Example: **All employees are required to fully cooperate with any member of the Administration who is conducting a work-related investigation. Employees will be disciplined for lying to any member of the Administration or for providing information to any member of the Administration which is dishonest, misleading, inaccurate, or incomplete.**

Employees will also be disciplined for impeding, obstructing, or failing to cooperate with an inquiry or investigation conducted by any member of the Administration. "Obstructing" includes, but is not limited to, threatening, intimidating, or coercing other individuals who may be contacted by the Administration, and discouraging other individuals who may be contacted by the Administration from responding to or cooperating with the Administration. "Failing to cooperate" includes, but is not limited to, failing to provide information, documents, or materials requested by the Administration, and providing information, documents, or materials to the Administration which are dishonest, misleading, inaccurate, or incomplete.

Disciplinary action for a violation of this work rule includes, but is not limited to, written warning, suspension without pay, and termination of employment.