



September 17, 2015

To: Board of Education
From: Jennifer Cheatham, Superintendent of Schools
RE: Development and finalization of the MMSD Employee Handbook

We know that our vision as a District doesn't come to life without a thriving workforce. That is why we are working hard to provide our employees with the resources and support they need to do their best work. To be successful for all students, we must be a District that attracts, develops and retains the best employees.

The District's current employee contracts expire after the 2015-16 school year. The District is responsible for developing a handbook that will take the place of those contracts.

Purpose of the Handbook

The purpose of a handbook is to establish the foundation for the relationship between the District and its employees and outline mutual expectations. In general, an employee handbook is a compilation of the policies, procedures, working conditions, and behavioral expectations that guide employee actions in the workplace. A handbook also includes information about employee compensation and benefits, and additional terms and conditions of employment. The primary distinction between a CBA and a handbook is that a CBA mainly sets forth the obligations of the employer but a handbook also outlines obligations of the employee. It is our goal for the employee handbook to be a comprehensive resource/document for staff incorporating not only previous CBA provisions but also Board policies and Human Resources policies governing employment issues and providing links to applicable documents. We are also looking to create uniform language regarding benefits and conditions of employment across employee groups.

Process for Development

Pursuant to the process outlined by the Board for the handbook creation, a copy of which is attached for your reference, the CBAs formed the foundation for the development of the handbook. The Oversight Group comprised of District and employee representatives worked collaboratively throughout the development of the handbook.

A. Development of Table of Contents

The Oversight Group developed the Table of Contents by looking at the CBAs and determining:

- a) What legally has to change for the handbook
- b) What policies or practices set forth in CBAs are recommended to be carried forward

without change

c) What policies or practices set forth in CBAs are recommended to be addressed but should be reviewed and possibly changed

d) What policies or practices set forth in CBAs are recommended not to be carried forward

In addition the Oversight Group included items in the Table of Contents that were not currently in the CBAs or other Board or HR policies but would fall within the context of general employment matters.

B. Sub Committees

In addition, four joint sub committees that included subject matter experts worked to guide the development of handbook content.

The subcommittee's formation and focus were as follows:

- **Workday/Calendar** –discussion areas included but were not limited to: hours of school, school calendar, charter school calendar, parent/teacher conferences, planning time, and attendance at school events
- **Special Education** – discussion areas: general expectations, training and in service, role of IEP chairperson, re-evaluations, participation in IEP meetings
- **HR** –discussion areas included: Pay date, leaves of absence, reduction in staff, overtime , hiring for support units
- **Substitutes** – discussion areas included: salary, health insurance and personal illness leave

Each subcommittee met and drafted language to present to the larger Oversight Group. The Oversight Group met and discussed all language presented by the sub committees including any open items (items where the subcommittee could not come to consensus).

C. Oversight Group

The Oversight Group met throughout the summer to craft the language of the handbook

Key items incorporated into the handbook without substantive change include: salary schedules, insurance benefits, holidays, retirement benefits, and sick leave. The Oversight Group agreed that it was important to retain many of these essential items as they provide stability for our employees groups in a time of change.

The Oversight Group was able to come to consensus on numerous new items including but not limited to: attendance, lactation regulations, employee identification badges, district property, honesty, obligation to report criminal record, dress code, and wellness. The Group agreed that it was important to directly address some issues where guidance to date has been lacking in Board policy, HR policy, and the CBAs.

Finally, the Oversight Group was able to agree on substantive changes in the areas of: leaves of absence, insurance for substitutes, evaluation procedures, recall period, school calendar, new teacher training, parent teacher conferences, attendance at school events, 70/30 split (taking part of a teacher’s personal illness leave and placing it in a separate account to be used at retirement) and teacher assignment. These were areas in which the Group agreed that changes were warranted based on a set of criteria including need for consistency among employee groups, use of resources, educational policy and removing impediments.

D. Superintendent’s Recommendations

The Oversight group was able to come to agreement on all of the handbook language with the exception of one item, job transfer in the support units. Pursuant to the handbook development process, this item was presented to me for review and recommendation to the Board. My preliminary recommendation is as follows:

Item	Superintendent Recommendation	Rationale/Employee Concern
<p>Job Transfer for all support units (See Pages 151, 181, 197, 240, 261)</p>	<p>That the language in the Handbook with regard to transfer state as follows: Vacancies shall first be filled by employees in surplus. The District has the right to determine and select the most qualified applicant for any position. The term applicant refers to both internal and external candidates for the position.</p> <p>The District retains the right to determine the job qualifications needed for any vacant position. Minimum qualifications shall be established by the District and equally applied to all persons.</p>	<p><u>Rationale:</u> It is essential that the District has the ability to hire the most qualified candidate for any vacant position—whether an internal candidate or an external candidate. This language is currently used for transfers in the teacher unit. Thus, it creates consistency across employee groups.</p> <p>By providing the District with the flexibility of considering both internal and external candidates simultaneously the District can ensure that it is hiring the most qualified individual for any vacant position. It also gives the District opportunities to diversify the workforce by expanding the pool of applicants under consideration. This change would come with a commitment to provide stronger development opportunities for internal candidates who seek pathways to promotion.</p> <p><u>Employee Concern:</u> The existing promotional system already grants a high degree of latitude in selecting candidates, including hiring from the outside where there are not qualified or interested internal applicants. It also helps to develop a cadre of dedicated, career-focused employees.</p>

Annual Handbook Review Process

The Oversight Group agreed that the Handbook will be reviewed annually for possible revision.

During the course of the school year the District will obtain feedback in the following ways:

1. Develop an online and a paper feedback form where all employees can submit comments anonymously throughout the year regarding thoughts, ideas, challenges and successes with regard to the handbook
2. Hold monthly labor/management meetings with designated representatives from the employee groups

Taking into consideration the feedback received during the year the District will prepare a draft of proposed revisions.

A Review Committee comprised of 8 District and 8 employee representatives will meet to review the proposed handbook revisions. The employee groups (teachers, substitute teachers, educational assistants, school security assistants, clerical and technical employees, custodians, trades and food service) will determine the employee representatives.

The Review Committee will meet each year, as needed; to review the various proposed revisions in the attempt to reach a consensus on changes, deletions and additions to the handbook.

Revisions on which the Review Committee can reach consensus will be forwarded by the Superintendent to the Board for final approval. On any area where a consensus is not reached, the Superintendent shall make a determination and recommendation to the Board for final approval.

Supervisor Orientation to the Handbook

Prior to implementation of the Handbook (May- August 2016) every supervisor in the district will be provided an orientation to the handbook to ensure an understanding of the contents, in addition to guidance to ensure adherence to the handbook.

HANDBOOK DEVELOPMENT PROCESS

Guiding Principles

Our approach to the handbook will be through the following guiding principles. The handbook development process must:

1. Apply a clear strategy and transparent process. How will our work support our overall goal of recruiting, developing and retaining a thriving workforce?
2. Create a culture of excellence with equity. How does our work ensure that both employees and students are held to high expectations and provided the support to reach them?
3. Encourage collaborative, respectful discussion and interest-based problem solving.
4. Strategically align resources.
5. Avoid redundancies and create consistencies.

Process:

- 1) Establish Oversight Group
 - a) 5 members appointed by MTI
 - b) 2 members appointed by AFSCME
 - c) 1 member appointed by Building Trades Council
 - d) 3 building principals; up to 5 other administrators
- 2) Taking into account the feedback of the Oversight Group, the Superintendent informs the Board:
 - a) What legally has to change for the handbook
 - b) What policies or practices set forth in CBAs are recommended to be carried forward without change
 - c) What policies or practices set forth in CBAs are recommended to be addressed but should be reviewed and possibly changed
 - d) What policies or practices set forth in CBAs are recommended not to be carried forward

The Superintendent's recommendations are presented at a meeting of the Board's Operational Work Group. At a full meeting of the Board, the Board determines the policies or practices to be submitted to the Oversight Group for discussion and collaborative exploration via designated work groups, as needed, intended to culminate in consensus agreement on recommended approaches to the policies or practices.

- 3) The Oversight Group will design, conduct and analyze a survey of teachers, staff and administrators regarding issues to be addressed via the handbook development process.
- 4) The Oversight Group will establish Work Groups, as needed

- a) Work group objectives will be clearly defined. All work groups will refer to the Guiding Principles as issues are discussed.
 - b) Recommendations of the Work Groups go the Oversight Group.
- 5) The Oversight Group will, whenever possible, develop common language which will apply to all employee groups and will, where it deems necessary, develop handbook language specific to an employee group. Those areas where a consensus has been reached by the Oversight Group will be forwarded by the Superintendent to the Board for final approval. On any area where a consensus is not reached, the Superintendent shall make a determination and recommendation to the Board for final approval.
 - 6) A written status report is provided to the Board monthly throughout the process.
 - 7) The Oversight Group and Work Group(s) will set their own schedules as needed.
 - 8) The Board has final say on the handbook content.
 - 9) The dates and timelines set forth are intended to be flexible and may be adjusted, as necessary, to facilitate effective collaboration