



# **RESTRUCTURING 2021-2022**

Training for Site Representatives - February 1, 2021 Representative Council



## Article 30 - Restructuring


Restructuring allows Site Management and Union Leaders to negotiate waivers to the Collective Bargaining Agreement (contract) for site specific plans. Written plan for the waiver(s) sought may include, but is not limited to:

- Collaborative planning time (modifying bell schedules)
- Rescheduling calendar events (Back to School, Parent Conferences, etc.)
- Recalculating contract time (for example to accommodate “zero” periods)
- Required after contract hours responsibilities (meetings, adjunct, etc.)
- Grade level grouping (Kindergarten extended day continues district wide)



## **Changes to process made in Tentative Agreement Ratified in January, 2020**

- The Joint Restructuring Committee was replaced by review and approval of submitted plans by a designee of the Superintendent and designee of the FSUTA President.
- 65% of eligible voters to pass Restructuring Plan.



## Consequences of COVID 19 related School Closures March 2020 - June 2021

- Agreement to set aside collaborative planning time for remainder of 2019-2020 school year (Distance Learning Plan Schedules adopted).
- Memorandum of Understanding (MOU) for Restructuring Plans for the 2020-2021 plans (in anticipation of opening schools in August 2020)
  - ◆ Set aside some requirements.
  - ◆ Voting conducted by FSUTA rather than Site Representatives.
  - ◆ Plans reviewed and approved by Ken Whitemore (FSUSD) and Nancy Dunn (FSUTA).
- Agreement to set aside approved Restructuring Plans for the 2020-2021 due to continuing in 100% Distance Learning Plan Schedules.



# Guide for Restructuring Plans for 2021-2022

Anticipating a return to full time in-person instruction and reopening of school in August 2021, it is time for sites to consider IF they want to restructure (waive) contract language.

Important to Note:

1. Due to the set aside of Restructuring Plans in 2019-2020 and 2020-2021 **ALL** Restructuring Plans in 2021-2022 will be considered **NEW** plans (no staff survey of effectiveness required).
2. Due to the likelihood of **NOT** being fully reopened during voting on Restructuring Plan(s), voting will be conducted for the 2021-2022 plans by FSUTA and results shared with FSUSD's designee.
3. Article 30 - Restructuring will proceed as outlined in the TA dated 12/20/2019.



# Restructuring: Step by Step

## *Step 1 - Start the Process*

**Site Representative(s)** (not site leadership teams, department chairs, grade level leads) schedule a meeting open to all unit members to discuss and determine IF there is an interest in restructuring and, if so, what specific contract language they would like to waive. This input will guide how Site Representatives proceed (or not) and what interests (potential waivers) they will present to management. Site Administrators are not present at this meeting.

**Site Administrator(s)** communicate with Educational Services to learn of any requirements management must have in restructuring language and develop their ideas of what interests (potential waivers) they will present to FSUTA.

**Site Representatives and Site Administrators are equal partners in this process with equal responsibility and authority.**



# Restructuring: Step by Step

## *Step 2 - Site Administration and Site Representatives Meet and Share Information*

Guided by the information obtained through the meetings outlined in Step 1, Site Administrators and Site Representatives meet and share the directions given to them by their stakeholder group to determine if there are **shared interests**.

Possible outcomes:

- If either FSUTA unit members or management is not interested in restructuring - process ends.
- If there is interest in restructuring but the directions from stakeholder group are incompatible - process ends.
- If both parties are interested in restructuring and the Site Administrator and Site Representative believe there are **shared interests**, Site Administrators and Site Representatives begin negotiations to reach positions agreeable to both management and FSUTA.



## Restructuring: Step by Step

*Step 3 - Report back either process ended or negotiations underway.*

Both parties update if the process is concluded or discussions are underway. If the process continues:

**Site Representatives** will share management's interests with unit members. Site Representatives will ask for further directions from unit members to agree, disagree, or suggest ideas to more closely align with management. At this point, only consensus is being sought and the Site Representative will return to discussions with the prevailing (consensus) directions.

**Site Administrators** will update upper management as appropriate.





## Restructuring: Step by Step

### *Step 4 - Site Administration and Site Representatives negotiate language based on directions received*

At this point, Site Administration and Site Representatives work together to identify shared interests and seek compromise in areas of disagreements. Either or both parties may repeat the process of returning to their stakeholder group for additional input or directions as need (to be determined by Site Administration or Site Representatives).

Possible outcomes:

- Verbal Agreement is reached and **Site Representative** writes up the agreed (final) plan.
- Both parties determine a verbal agreement cannot be reached - process ends.

Updates provided to stakeholders.



## Restructuring: Step by Step

*Step 5 - Written FINAL Restructuring Plan is presented for discussion.*

**Site Representatives** will give a copy of the written (verbally agreed upon) plan to Site Administration to confirm accuracy of agreement.

**Site Representatives** will schedule a meeting open to all unit members to review the finalized written plan and ask clarifying questions to inform the upcoming vote. Site Administration is NOT present at this meeting. Site Administration should not participate in “side discussions” of the plan with unit members. After the meeting, the FSUTA President will be notified voting may begin no earlier than one week from the meeting date.

**Site Administration** will present a copy of the written plan to Educational Services (for “sign off” by various departments), Site Council, and communicate the plan to parents.



# Restructuring: Step by Step

## *Step 6 - Voting on plan proposal*

The FSUTA President will send out an electronic ballot (google form) to all eligible voters. FSUTA will tabulate the vote and share results with FSUSD designee to verify the outcome.

Site Representatives and Site Administrators will work cooperatively to complete the submission packet by the deadline for consideration.



# Restructuring: Step by Step

## *Step 7 - Review and Approval*

All plans receiving a “YES” vote by at least 65% of eligible voters AND submitted by the deadline will be reviewed. Results of the review (approval or questions before determination of an outcome) will be sent to Site Administration and Site Representatives by management’s designee.

Site Administration and Site Representatives will announce the results to school staff.

Restructuring Packets may be submitted at any time prior to the deadline. Plans will be considered in the order received. Do NOT wait until the last minute!



## Additional Information on Voting

Voting will be by secret ballot. Eligible voters who do NOT vote are counted as a NO vote.

Eligible voters are:

- FSUTA members
- Assigned to the school site for 50% or more of their contract

Ineligible voters are:

- Unit members who are NOT FSUTA members, assigned to a site for less than 50% of their contract, not impacted by the plan, on a temporary contract, released from their contract, substitutes, members of other bargaining units, or have paperwork on file to retire or resign prior to the start of the next school year.

Eligible voters who are on extended leave and who meet the voting criteria will be allowed to vote, however, they may waive their right to vote or choose not to vote. If not cast, these votes will not be calculated in the percentage necessary for approval.



## Additional Information on the Plan

The most important component of a successful plan is to be as specific and detailed as possible. After all, this plan becomes contract language for the year with both sides agreeing to abide by it.

It is also important because members need to understand the specifics of a plan in order to vote it up or down after it is in the final written form.

For example, if you are writing a plan for collaborative planning time, be sure to include details such as: What time it will begin? What time it will end? What specifically can this time be used to accomplish? Who is in charge of planning this time? Is there any documentation required of tasks undertaken (if so who is responsible, what must it contain, when is it due, etc.)? Are there any trade-offs for other duties?

Plans may encompass the entire school or part of a school. For example, is kindergarten part of a collaborative planning time?

It is impossible to be too specific and detailed. Use words like “may” or “shall” critically.



## **Packets for Restructuring 2021-2022**

Restructuring packets with reminders of responsibilities, process steps, and deadlines will be made available to all sites by the end of February.

Sites may develop multiple Restructuring Plans. Each Plan (waiver sought) is submitted separately and voted on separately.

Site Representatives should begin NOW - Step 1 - schedule the meeting to open discussion to determine interest in restructuring and if so concerning what specific contract waivers will be sought.

Sites without Site Representatives (or Site Representatives who request support) will be assisted by FSUTA's President or members of FSUTA's Executive Board.

Any concerns the process is not being followed properly, or questions on the process, should be directed in writing to Ken Whittemore and Nancy Dunn simultaneously.



## **Submission timeline will be strictly enforced - 5/14/21**

Suggested goals for each month (or sooner):

**February** - Both parties begin discussion with their stakeholders to determine desire to move forward, formulate interests and “must haves” or “deal breakers”. When packets become available, Site Representatives and Site Administrators review individual areas of responsibilities. Schedule meetings to discuss shared interests and areas of disagreement.

**March** - Continue negotiations between Site Administration and Site Representatives. If a Restructuring Plan is moving forward, target the week of March 29th to have a finalized written proposal.

**April** - Present written proposal to unit members (Site Representative), Educational Services, Site Council and parents (Site Administration). Jointly work on finalizing submission packet.

**May** - Votes on plans taken (at least one week after the final written proposal presented to unit members) and finalized packets submitted to FSUTA and FSUSD simultaneously.

**Deadline for packet submission is May 14, 2021.**





**Questions?**