

June 10, 1999
Montgomery County Education Association
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A. Demographics

Number of Schools: 185

Elementary 123

Middle/Junior High 32

High School 23

Special Centers: 6

Career Centers: 1

Total number of employees by classification: 15,965 Total employees

Certified:

9,066 members in the MCEA Bargaining Unit including classroom teachers, counselors, media specialists, psychologists, and all non-supervisory certificated personnel.

Classified: 6772

Management/supervisory: 491

Current enrollment by level: (Total enrollment: 127,852)

Elementary 60,605

Middle/Junior High: 26,649

High School: 33,618

Special Education: 6,980

Current enrollment by race/ethnicity

Caucasian: 54.7%

Hispanic: 12.5%

Black/African American: 19.8%

Asian: 12.6%

Native American: 0.4%

Current enrollment: Language:

The total number of ESL students in the district is 7,625. While this figure may seem small by Southern California and Texas standards, Montgomery County's ESL program is larger than all of the other districts in Maryland combined and the total number of languages spoken in the district is approximately 90.

Average Class Size by level:

The figures below appear in the district's budget materials. While these averages are relatively low, because class size reduction programs have targeted specific classes, and because these averages include special education, the data does not adequately capture the real experience.

Primary: 24.6

Upper: 24.6

Middle/Junior High: 24.9

High School: 25.5

Private School enrollments in area/trends: Unknown

School District Budget

Total expenditures: \$945,189,869 - Fiscal 1999. Proposed for fiscal 2000: \$1,009,871,670

Expenditures per student: \$7,288

B. Significant Background Information:

. Union Structure/Roles

Officers (Names, longevity)

Mark Simon, President 2 years currently, served 6 years 1985-1991 and 6 years on the Board as 2nd Vice President during 1992-1998.

Bonnie Cullison, 1st Vice President, 2 years, Board member for a number of years prior.

Phyllis A. Parks Robinson, 2nd Vice President & Immediate Past President, 8 years

Sandy Raymond, Secretary, 2 years - Board member previously.

Jeffrey Wolf, Treasurer, 2 years - board member previously.

Executive Body

The MCEA Board of Directors, in addition to the five officers, is composed of 10 additional "Directors at Large," elected from among the membership and a non-voting parliamentarian appointed by the President and approved by the Board of Directors. The Board of Directors is the administrative body of the organization and is charged with management of the Association, including appointing and contracting with all staff members.

Representative Body

The MCEA representative body is the Representative Assembly which is composed of members elected by MCEA members at the school sites elected on the basis of one representative for each fifteen members or major fraction thereof. The Representative Assembly is the policy making body of the Association, and meets monthly during the school year, September through June.

Committees Union:

MCEA has 10 standing committees. The President is responsible for appointing the Chair of each committee and at least five members of the committee, subject to approval by the Board of Directors. The committees are:

1. Bargaining Support Network Steering
2. Constitution and Bylaws
3. Credentials and Elections
4. Human Relations
5. Instructional and Professional Development
6. Minority Affairs
7. Political Action and Legislative Support Network
8. Professional Rights and Responsibilities
9. Public Relations
10. Special Services

Committees- Joint:

The current MCEA-MCPS Agreement contains a number of joint committees and work groups. Several deal with specific groups of unit members within the MCEA bargaining unit including 1) Counselors, special education personnel, and ESOL teachers; 2) Stipends for athletic and non-athletic extra curricular activities; 3) leaves. In addition, several joint committees or work groups deal with systemwide issues:

1. Professional Development Coordinating Council (PDCC) - A joint committee charged with development and oversight of a collaborative professional development process within the district.
2. Joint Work Group to establish the Professional Development Process - A joint work group charged with the development of a professional development process model dealing with peer mentoring, peer coaching, peer assistance, review and evaluation with a report date of June 1999.
3. Salary Appeals Panel - A joint panel of three members appointed by each party, to review salary placement appeals from unit members, whose requests for salary placement or credit have been denied.
4. Joint Workgroup on Quality Management Councils (Local School Governance) - Representatives of MCEA and the District, charged with a number of tasks regarding site QMC's, including:
 - 4.1 Design and implementation of an evaluation process.
 - 4.2 Training design and implementation
 - 4.3 Develop waiver procedures.
 - 4.4 Other details of implementation of the QMC process district-wide.
5. Joint Workgroup on Human Relations Practices - A joint work group assigned the review and assessment of current human relations practices and to make recommendations regarding the design and implementation of a system-wide mechanism that provides for the prompt non-adversarial resolution of conflicts.

Permanent Union Staff (Names, positions, tenure)

Executive Director: Tom Israel - 12 years
Finance Director: Diana White-Pettis - 1 year
UniServ Staff:
Dan Collins - 10 years
Patricia Gancie - 1 year
Jennifer Nguherimo - 1 year
Paul Pinsky - 5 years
Consultant: Naomi Baden

Term limits

Officers and members of the Board of Directors are limited to no more than three consecutive two-year terms in the same position.

Union Partnerships

Committee for Montgomery - A self selected group of business, education, labor and civic groups that seeks to lobby at the state capitol on county wide issues, with education as a high priority.

Progressive Montgomery - A mix of individual and organization members primarily the progressive unions in the county. Employs an organizing staff that is out in neighborhoods. Campaigns have included fighting for a "majority rule" amendment to take budget caps out of the county budget; currently working on a living wage campaign. This is an active coalition around political races.

Principal means of communication with members:

1. "Advocate for Better Schools" a professionally printed newsletter that includes reporting on curriculum, instruction and reform oriented issues as a form of member education.
2. Website MCEA has recently created a website at www.mcea.nea.org.
3. MCEA participates in a conference area on the school system's e-mail system.
4. "MCEA Connection" - A more frequent "newsy" newsletter that comes out like clockwork every two weeks.

Membership Engagement

1. Focus Group Conference with a subset of membership, to obtain feedback around peer review proposals and quality management councils. This was a one day conference which included 70 participants who were department chairs and resource teachers, or teachers in some of the joint work groups. The conference was held during the school day with the participants released from school
2. Bargaining Support Network, in the past, has done leadership retreats, conducted visits to the schools.

Significant recent budget developments (cutbacks, infusions) if any:

Montgomery is an affluent suburban area - though there have been some periods when major cutbacks have been required. In the early 90's and in 1990-1995, cutbacks were serious; in fact, the contract was not funded for three years in a row. As a result, there were demonstrations, work to the rule campaigns, etc. There was some belt tightening also in the mid-80's. In terms of current budgeting, there are targeted class size reductions, reducing classes to 15 in k-3 reading, and 15 in pre-algebra (7th and 8th grades)

In order to understand this district, what is it necessary to know/understand?

Montgomery County is a dramatically changing large suburb of Washington DC. The district is becoming more urbanized, more diverse socially economically and racially. The district has experienced the highest increase in second language students of any Maryland district over the past 10 years. The District has had cautious leadership; thus the Union has been the primary advocate for reform in the District. The most recent collective bargaining agreement, 1999-2001, represents a major shift in the approach to collective bargaining, and represents the beginning of a major shift in the union's emphasis to collaboration and education reform.

Labor-management relationship:

In the early 90's, the relationship was not amicable due to broken contracts. More recently, the relationship between the administration and the union has become collaborative, however, the relationship with the board of education has, at times, been tense. For example, in the current re-opener negotiations the school board launched a significant effort to cut contributions to health and welfare benefits. Teachers in Montgomery County had received a retirement supplement as an add on to the State Teacher Retirement plan. The School Board unilaterally cut the supplement, creating a major battle which ultimately resulted in a reinstatement of the supplement by the state legislature.

Key crises:

A significant gap continues to exist between the achievement levels of minority students and white students, and continues to receive the attention as a major agenda item for the parties. The growth in student enrollment also continues to be a challenge.

Measured outcomes - test scores, college acceptance rates (1997-98 & 1998-99)

Test scores are high - on average -

Current Superintendency:

Name: Dr. Jerry Weast

Background:

Former superintendent in Guilford County, North Carolina, who has spent most of his career as superintendent of schools in various districts. 51 years old.

Tenure:

Brand new – started officially August 2, 1999.

Management team:

The District management team includes the following positions:

- Deputy Superintendent
- Chief Financial Officer
- Associate Superintendent for Pupil and Community Services
- Association Superintendent for Instruction and Program Development
- Associate Superintendent for School Administration
- Chief Information/Technology Officer
- Associate Superintendent for Supportive Services

Politics:

The Superintendent created a second structure called the "Success for Every Student Team" composed of the executive staff some additional administrative representatives and the three union presidents. This group oversees the administrative agenda for the district, reviews materials going to the Board of Education, but it is not a decision making group. The Executive Staff, is the group that makes the decisions, and during 1998-99, the Superintendent has invited three union presidents to sit in on the meetings. The three union presidents include the President of the SEIU Unit that represents Support Services, The President of the Principals Association (Montgomery County Association of Administrative and Supervisory Personnel), and the President of MCEA.

Other employee unions (Name, approximate unit membership, relationship to teachers)

Secretarial/clerical: Montgomery County Council of Supporting Service Employees - SEIU

Maintenance/Bus drivers: Same

Food services: Same

Principals: Montgomery County Association of Administrative and Supervisory Personnel

Status of contract:

Expiration of current agreement: June 30, 2001

Agency fee:

Yes. MCEA has approximately 98% of those required to pay the agency fee as members. Approximately 500 employees who were non-members prior to the passage of the permissive agency fee law are grandfathered out of the provision and remain as non-members.

Binding arbitration: Yes

Strikes:

Strikes are illegal by state law. There was a strike in approximately 1968 - less than a week, prior to passage of the Bargaining Law.

Unfair labor practices: There is no system, under the Maryland law, for ULP's.

Significant litigation:

Evolving case law around the scope of bargaining, in Maryland. Many traditional provisions such as evaluation and class size have been determined to be outside of the scope of negotiations. The interest based bargaining process resulted in some issues not traditionally included to become part of the MCEA agreement While the MCEA has contractual language around some of these issues, there exists an understanding by the parties that these provisions may not be arbitrable.

Approximate number of grievances per year:

50 grievances per year. Approximately 150-200 personnel cases annually. (Note: Online Q&A relieves Uniserv; also secretaries are trained to answer questions.)

Union role in community:

Political endorsements:

MCEA has an active political action committee. The committee raises about \$30,000 per year, and has recently created a checkoff campaign that will substantially increase the annual "pot." MCEA makes recommendations for candidates in County Council, School Board, State Legislature. The PAC committee also conducts some lobbying activity. The PAC also does direct mail to voters, "apple ballots" are distributed at the polls, phone banking, etc.

Community engagement:

MCEA has not made outreach to parents, public officials, etc. a major focus in the recent past. Now, however, the organization is beginning to discuss making community engagement a more visible part of the MCEA program. During back to school nights in the fall, the MCEA distributes handouts designed around the MCEA agenda.

MCEA has recently hired a UniServ Staff Person who specializes in media, PR, external communications.

C. Education Reform

Union posture:

Pro/anti reform:

MCEA sees itself as an advocate for education reform with campaigns currently around site based management, staff development and peer evaluation.

Membership attitudes

Membership attitudes are mixed. Members with 20 and more years are more cynical and questioning regarding the education reform issues. Newer teachers tend to be more enthusiastic about the reform agenda.

Financial commitment

MCEA has a \$10,000 line item in the budget to fund joint work group activities. In addition, the MCEA budget includes a \$41,000 line item for training, much of which funds membership training on education reform issues. The equivalent of approximately 2 full time staff (of 8 full time professionals) is spent on reform issues; primarily, site based management, joint work groups and peer assistance.

Reform elements in contract:

1. Preamble The preamble to the MCEA-MCPS Agreement contains a joint commitment to develop and nurture a collaborative environment around a shared commitment to 1) Ensure success for every student; 2) Provide an effective instructional program; 3) Strengthen productive partnerships for education; 4) Create a positive work environment in a self renewing organization, dedicated to seven continuous improvement core concepts.
2. Article 7 - Local School Governance: This article establishes a "Quality Management Council (QMC)" in each school, defines the makeup of the QMC, its scope of authority, the decisionmaking procedure to be used, and other provisions related to school site governance.
3. Article 13 - Professional Development in a Continuous Improvement System The article includes a joint commitment to collaborative professional development which supports student outcomes and system goals. The article establishes a "Professional Development Coordinating Council" to develop and oversee the collaborative professional development initiative. Further, the article

provides options for time when professional development can occur, establishes a joint committee to deal with the issues of peer mentoring, peer coaching, and peer assistance, review and evaluation. In addition, the parties provide a tuition reimbursement program funded at the rate of \$465,000 annually.

4. Article 16 - Staffing, Section G - Differentiated Staffing Models Establishes a process for the parties to mutually develop the necessary procedures when a school site determines to move to a differentiated staffing model.
5. Article 18 - Salaries and Supplements - Section E - Quality Management Councils - Establishes that members of Quality Management Councils receive five extra days pay at per diem rate for participation in five days of summer planning each year of the agreement.
6. Appendix I - Memorandum of Agreement - Joint Work Groups - Establishes seven joint work groups in areas of mutual concern including work groups on School Governance, Employee Assistance Program, and Human Relations Practices.

Organization/structure for reform:

Central coordinating structure:

Beginning 1998-99, the School System Executive Staff meets weekly and includes the presidents of the three unions representing teachers, classified employees and principals. The group deals with reform issues, and with oversight of the school district management plan.

Organizational Development Team, the staff training department, created a "Continuous Improvement Team" that includes the presidents of the three unions and deals with issues of how to maintain continuous improvement within the district.

District office structure: No separate structure.

Union structure: No separate structure.

Responsibility (within union - leaders? Staff?)

Responsibility rests primarily with the President and the UniServ Staff who have responsibility for various programs.

Organization around standards

Implementation:

No current movement to develop standards. The State of Maryland is currently developing a series of subject area tests which students will be required to pass for graduation. It is anticipated that these tests will drive the content. There is an existing set of tests, the Maryland State Performance Assessment Program at 3rd, 5th, and 8th grades, which has driven changes in curriculum content.

Professional Development

Program description & Operation:

The Montgomery County contract contains an extensive staff development article which establishes a "Professional Development Coordinating Council," charged to institutionalize a collaborative partnership to establish a culture of continuous improvement; to establish a learning community in which professional development is linked to student success, goals and outcomes and coordinate and oversee all staff development within the district. A section on time and resources provides a list of options for both released time and compensation, and offers these options to local shared decisionmaking councils. Funds for staff development are also provided

by contract, with each school allocated a \$2000 base, plus one half day substitute teacher cost for each professional staff member on the site. The contract also provides several guarantees of funds for specific ongoing projects and programs. Other provisions in the article spell out provisions relating to tuition reimbursement, use and expansion of technology in staff development, and joint sponsorship of courses for credit.

A stated goal in Section I of the Article spells out the Union-District joint commitment to the development of a "Professional Development Institute" through funding contributions by the private sector, foundations, government and higher education partners. A joint board including representative of all partners would govern the institute. The institute is moving forward in that a joint group has met to develop a plan for creating the institute. Next year's budget will fund a person to develop a business plan, prepare links with the local college and raise funds.

Relationship to union:

The Professional Development Coordinating Council (PDCC) was negotiated into the Contract by the MCEA. It includes representatives from MCEA, the District, and other Unions.

Relationship to colleges/universities:

The charge to the PDCC includes developing and coordinating partnerships with colleges and universities.

Low performing Schools

Program description: The State of Maryland has a statewide reconstitution program, which has not touched schools in Montgomery County. The District, in the past, has sent a team of administrators into schools that the district has determined to be a low performing school. During the 1997-98 school year, the district asked the MCEA if they would be interested in participating. MCEA then developed an intervention team of its own. MCEA went to the school first, to discuss with the faculty to determine whether an intervention would be accepted. Following a positive response, MCEA assembled a team of psychologists, instructional specialists, etc., who met with the faculty, analyzed data and made recommendations. The result of the process was changes in instructional practices by teachers, and recommendations for administrative improvements that are pending action by the district.

This experience has not resulted in formalizing a program or policy.

Incentives for school improvement - measures to raise student achievement or teacher quality:

No specific programs indicated.

Peer review:

Program description:

Section H-2 establishes a joint commitment to a work group that will collaborate on planning and implementation of a peer assistance and review process including: 1) A peer mentoring program for first year teachers; 2) a peer coaching program which encourages collaboration with colleagues for continuous improvement and 3) peer assistance, review and evaluation (PARE) where at-risk teacher can receive interventions designed to improve performance. This work group is charged with issuing a report to the parties by June 1999. The MOU expands on the charge to the joint work group and provides a set of guidelines and concepts within which the group must tailor its report.

The committee has met, and developed a plan that includes consulting teachers, involvement with first year (new) teachers, and teachers at risk (See Attachment __). The plan was shared with the Washington Post, which summarized it in an article in January 1999 (See Attachment __). As a result, Principals, through their organization, developed resistance which has resulted in some compromises to the report that is due momentarily. If approved by the Board of Education this summer, consulting teachers will be recruited and trained during 1999-2000, and made available to new teachers in 2000-01.

School based management/decisionmaking related to school improvement

Program structure:

The Montgomery County contract provides a detailed set of guidelines and mandates for shared decisionmaking in the schools through "Quality Management Councils" (QMC's). Following a philosophical statement declaring both the union and district commitment to collaborative decisionmaking, the contract details the composition of the QMC, the scope of authority of the QMC, the decisionmaking process, appeal procedures, and measures of accountability.

The QMC members at the site are provided five days of paid time to work on site issues each summer.

The contract also attempts to place accountability upon the QMC by providing that the superintendent may place formal criticism of QMC decisions into the personnel files of employees, in accordance with disciplinary provisions elsewhere in the contract.

During 1998-99, the first year of implementation, only ten schools volunteered to become QMC sites, and only four more for 1999-2000. Accordingly, the parties see that the three-year implementation was overly optimistic, and estimates will be revised.

Following the agreement and an uproar by the PTA, the MCEA agreed to revised language that includes a minimum of two parents on the QMC.

Role of site teams:

The scope of authority of the QMC is very broad, including 1) develop, review, monitor and evaluate the instructional program and school schedule; 2) determine use of staffing allocations; 3) monitor and improve school operations and procedures; 4) staff development at the site; 5) develop and monitor a process to determine how all site funds are utilized in the school. In addition, as the QMC is developed at the site, it is to determine which decisions will be made by the QMC and which by others, how and when decisions will be made, which other stakeholders (parents, students, other bargaining units, etc.) should share in the decisionmaking. Finally, the QMC also determines its own agendas, schedules, procedures, etc. While the principal may hold up a decision with an apparent veto right, this right is subject to appeal to a joint district-union committee which may overrule the principal.

Site budgets:

See Role of Site Teams above.

Contract/rule waivers:

The Joint Work Group on Local School Governance was to develop a process for the consideration and approval of waivers.

Other major reform efforts (Description, scope, relationship to union)

Problem Solving work Groups (See Joint Committees, above)

In this first major contractual push, the MCEA and the district have agreed to a large number of joint problem solving work groups as a significant effort at collaboration. Several of these groups have made important contributions, for example:

Joint Work Group on Transfers and Leaves - Completely reinvented the transfer system within the district. Previously, unit members had to submit their names on a list in March to be considered. The committee created an online vacancy list, an annual job fair where all schools with vacancies participate, and an online resume bank that employees may utilize to advertise their availability for transfer.

Professional Development Process Joint Work Group - In addition to its' work on staff development, this work group has substantially revised the performance evaluation process in three ways: 1) Creation of the Peer Assistance and Review Program (see above); 2) A completely revised list of performance standards for teachers and 3) a differentiated evaluation cycle for teachers where, activities and timetables for evaluation vary based upon whether the unit member is new, experienced, or at risk.

Joint Work Group on Alternative Programs - Developed a set of ambitious recommendations that expanded and improved alternative educational programs for students.

Joint Work Group on Employee Assistance Program - This group is in the process of recommending significant improvements to the programs offered by the current EAP.

Attachments:

1. 1999-2001 Collective Bargaining Agreement j
2. MCEA Constitution
3. MCEA Bylaws
4. MCEA Budget
5. MCEA "Advocate for Better Schools" June, 1999
6. MCEA "Advocate for Better Schools" June, 1998
7. MCEA "Connection," June 7, 1999
8. MCEA "Connection," May 17, 1999
9. MCEA "Proposed Contract Settlement - Summary of Mediator's Recommendations"
10. "Dear MCEA Members" February 17, 1999 (Re: Contract Settlement)
11. Peer Assistance and Review Program
12. "Montgomery Teachers May Face Peer Review" Washington Post, January 2, 1999
13. MCEA Board of Directors, 1999-2000
14. Quality Management Council Brochure
15. Montgomery County Public Schools Memorandum re: Quality Management Council brochure