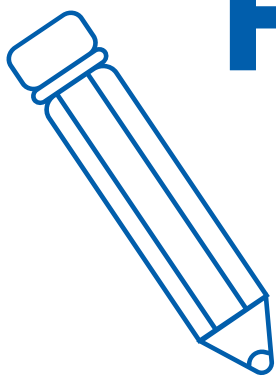




# **BUILDING REP HANDBOOK**

for members in BPS schools **2022-2023**



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# The Boston Teachers Union: Who, What, When, Where

The Boston Teachers Union is the exclusive collective bargaining agent for the school system's 7,500 teachers, other non-administrative, professional employees, paraprofessionals, and substitute teachers. We also represent 3,000+ retirees.

## The BTU believes in building POWER!

**P**rofessional growth and expertise.

**O**rganizing with our students, parents, and community.

**W**orkers' rights and labor solidarity.

**E**quity, inclusion and social justice.

**R**espect for our profession and members.

## What are the BTU's primary responsibilities?

1. Negotiate and enforce the contract.
2. Provide the best education we can for the system's 50,000 students.
3. Work with the school community to ensure our students have the schools they deserve.
4. Represent the membership in all matters related to their professional work.
5. Answer job-related questions and assist in any job-related matter, i.e., help our members navigate through Bolling Building bureaucracy.
6. Promote public education and work to ensure adequate funding to support improvements in public education.
7. Advocate for sustainable, quality working and retirement conditions.
8. Promote the growth and well-being of our profession.
9. Work politically through COPE (Committee on Political Education) to elect pro-public education, pro-union candidates.
10. Negotiate health care and provide health and welfare benefits to our members.

## The BTU is affiliated with:

1. American Federation of Teachers (AFT)
2. AFL-CIO, Mass AFL-CIO
3. AFT-Massachusetts (AFTMA)
4. Greater Boston Labor Council (GBLC)

## How to get in contact with the BTU

- Visit our office at 180 Mt. Vernon St., Dorchester Business Hours, 8-5 all workdays, except legal holidays.
- Call 617-288-2000
- Visit [www.btu.org](http://www.btu.org)
- Email staff and officers: see contact info on the next page

## Also located in the BTU building

- BTU Health and Welfare Fund: 617-288-0500
- BTU Paraprofessional Health and Welfare Fund: 617-288-5883
- BTU Prepaid Legal Services Fund: 617-288-0497
- BTU Eye Care Center: 617-288-5540

## What is the leadership structure of the BTU?

All policy is set by the **membership** at its regularly scheduled monthly membership meetings on the 2nd Wednesday\* of each month at 4:30pm at union headquarters. Refreshments and tabling resources are available when doors open at 4:00. All members are welcome to attend and arrive early to meet other members.

The BTU's policy board is its **Executive Board**, served by 12 members elected at large every two years.

Serving as a direct link between the union office and the membership are **elected BTU Building Representatives** from every building and program in the city. BTU Building Reps are elected each year to service the members at each school site and act as the liaisons between the union office and our membership in our schools.

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# BTU Building Representative Job Description

## SY 2022-2023:

**Compensation:** *BTU Building Representatives who attend 7 out of 10 of the Monthly Membership meetings and/or accumulate 1000 points are eligible to receive a \$1,000 stipend for the year. Note: You must sign in to the membership meetings to receive credit for attendance. Submit a W9 tax form to the BTU office to receive compensation.*

### Responsibilities:

#### 1. Meetings:

- Attend BTU Monthly Meetings (second Wednesday of each month, starting at 4:30), Vote on resolutions on behalf of the staff and report back to staff.
- Participate in BTU sponsored Anti-Racism training.
- Attend or recruit others at your school to attend these BTU gatherings: Fall Conference, Winter/Family2Family Conference & Summer Organizing Institute.
- Schedule a monthly meeting with the principal to facilitate communication and advocate for staff needs.

#### 2. Organizing, *These are shared responsibilities amongst the building reps at your school:*

- Collect membership cards from new staff, including substitute teachers.
- Gather a list of non-BPS email addresses and phone numbers for every BTU member.
- Establish a Faculty Senate, elect co-chairs, attend meetings and provide support.
- Establish a Contract Action Team (CAT) by selecting a CAT leader and mapping your school to make a phone tree.
- Recruit a Black Lives Matter Week of Action point person for your school.
- Build relationships with parents and identify parent leaders who can reach other parents.
- Engage school community members in union activities (contract campaigns, solidarity events, political action, etc.) and encourage staff turnout using your CAT.
- Update BTU Bulletin board in staff lounge.

### 3. Advising/Supporting/Enforcing:

- Advise members and administration on Contract and working conditions related issues.
- Ensure school governance requirements are being followed (for example, School Site Council is meeting on a regular basis).
- Provide support as a representative in meetings required by the principal that may involve discipline.
- Attend meetings with administration as requested by members.
- Run elections as needed.
- File Step 1 grievances when the contract is violated.
- Support members in filing class size grievances and maintaining class size records when class size maxima are violated.
- In pilot and other autonomous schools, work with field reps to keep Election to Work Agreements updated and improved annually. Send a copy to the BTU office once it has been approved.

## Important Dates and Action Items (SY 2021-2022)

Date	Description and Action Items
<b>At the start of the school year</b>	<ol style="list-style-type: none"><li>1. Set up one-on-one meetings with all new members in your building, including subs! Make sure everyone has signed a All-In membership application card.</li><li>2. Make sure you have a BTU bulletin board in your building. Update it with new flyers and communications from the BTU.</li><li>3. Collect phone numbers and personal emails from all members. Create or update your school union listserv.</li><li>4. Meet together as building reps and map your building. Each building rep should have 25 people or less that they are responsible for communicating and following up with.</li></ol>
<b>September 7, 2021</b>	Opening day of school: first 30 minutes for admin, remainder of the day teachers and paras prepare room. 6-hour workday.
<b>September 8</b>	Day 2: First 30 minutes for BTU for union business; remaining for admin for PD. 6-hour workday.
<b>September 9</b>	Students in grades 1-12 report

<b>September 13</b>	Pre-K and Kindergarten students report
<b>First 2 weeks of school (and ongoing)</b>	Check on class sizes for all regular education, special education, and bilingual education classrooms. Classes that exceed the contractual or statutory maximum should be reported to the BTU office promptly and a Class Size Grievance filed online.
<b>September 30</b>	Last day to donate to sick bank.
<b>October 15</b>	Deadline for electing School Site Council members. Make sure to hold timely elections following the protocols described in your Building Rep handbook.
<b>October 21-23</b>	BTU Fall Conference in Falmouth. All Building Reps are encouraged to register and attend.
<b>October 31</b>	Deadline for the first meeting of the newly-elected School Site Council
<b>November 1- November 30</b>	The open enrollment period for enrolling in Flexible Spending Accounts is usually during this period.
<b>December 1</b>	If a position is known to be vacant until the end of the school year and is occupied by a long term sub as of December 1, that person is entitled to a provisional teacher contract. If an individual in your building is in a position that you believe is worthy of a contract, call the union office.
<b>January 3</b>	PD Day. No students. Day may be converted to PD hours by staff vote.
<b>January 15</b>	<p>In Pilot schools, the proposed work schedule for an upcoming school year will be provided to staff by this date. The staff may override the schedule by a two-thirds vote. An override sends the work schedule back to the pilot's Governing Board for possible adjustment and tweaking.</p> <p>Application deadline for leave of absence to commence at the beginning of the next teacher work year. Application deadline for extension of leave of absence scheduled to expire at the beginning of the next teacher work year. Application deadline to cut short a scheduled leave of absence and to return to work at the beginning of the next teacher work year. Please note: the January 15 deadline may be waived in extenuating circumstances. Please call the BTU for more information.</p> <p>By this date, BTU staff at Turnaround Schools shall be given notice of any additional summer hours, their individual staggered start and end time for the upcoming school year, and/or a change in assignment for the upcoming school year. In any school, when implementing an inclusion model, the Principal or Headmaster must also notify impacted teachers by this date.</p>



Application deadline for filing of additional program areas for permanent teachers. Teachers who hold multiple licenses should apply for additional program areas as described in Circular HRS-HS7A.

**February 1**

BTU Staff at Turnaround Schools and Pilot Schools shall be given notice of excess by this date, and they may voluntarily excess themselves by this date.

By this date teachers may voluntarily excess themselves, as described in Circular HRS-HS7.

A list of all non-teaching assignments for which administrative periods are given in a teachers' program shall be posted in each school. These assignments may be applied for in the teacher's program preference sheet as herein provided.

Deadline for Principals to make recommendations as to which provisional teachers they want to make permanent teachers.

Deadline for programming preference sheets to be distributed to all teachers.

**February 15**

Deadline for submission to OHC of an additional program application if results of NTE or Praxis exam are needed but unavailable on January 15

Teacher members of the school-site inclusion planning teams in traditional schools shall be chosen by the school's faculty. Each Principal/Headmaster shall notify teachers of any inclusion plan to be implemented in their school during next school year prior to February 15..

In Pilot schools by this date of a given year, there must be an approved schedule in place — one that has not been overridden — or the current year's pilot school schedule remains in place.

**March 1**

Deadline to return all preference sheets to school administrator.

**March 27**

The Superintendent shall make permanent appointment of provisional teachers by this date.

**Each April**

For all PD hours, the ILT in each school shall hold a meeting with the faculty to solicit ideas for the content of professional development in the following school year.

**Early April to early May**

OPEN ENROLLMENT for Group Insurance sign-up. Please note this is not an Early May contractual deadline, but it is a city practice to begin the open enrollment period on the first Monday in April and to close it on the first Friday in May.

**April 15**

All involuntarily excessed teachers and nurses in non-Turnaround, non-Pilot schools will be notified.

## May 1

For teachers on leaves of absence: For those who respond by January 15 as to why they cannot make a decision at that time, they must send a response, postmarked no later than May 1, as to whether or not they will return in September. If they fail to respond by May 1, they shall forfeit their attachment rights, their excess pool rights, and shall be subject to reassignment by the Superintendent.

No final records will be required of teachers until May 1 for Grade 5, and 15 days before the close of school for all other grades.

Final marks shall not be required of any teacher before May 1 for Grade 8, and 15 days before the close of school for Grade 6 and 7.

The number of marking periods for all schools shall not exceed five (5) in number. Final marks shall not be required of any teacher before May 1 for seniors, and 15 days before the close of school for other students.

## May

Hold timely elections to elect building representatives for your school for the following school year. Make sure to follow the protocols described in your Building Rep handbook.

Hold a vote on converting January 2nd to 6 hours of professional development. The vote includes the length of the meetings and the dates of the meetings, 6 hours in all. This vote should be taken in June, but can be re-voted in September (by the 15th) if more than 25% of the staff is new to the building. The faculty alone has control over the decision to convert this day.

## June 1

Submit Building Rep election results online at [www.btu.org](http://www.btu.org).

A BTU teacher unit member will be given written notice of layoff by June 1 of the professional work year preceding the professional work year in which the layoff is to take place. For example, a teacher to be laid off effective in September must be given written notice on or before the prior June 1.

Deadline for paras to enroll in 26 paychecks.

## June 15

BTU teacher unit members who are provisional must be given notice of non-renewal by this date or rehire is mandated under state law.

## No later than 10 days before the end of the school year

Teachers shall be given the following information on their programs for the next school year:

- Subjects and grades of subjects to be taught
- Any special information about particular classes teachers may be required to teach, and the grade and particular type of home room.

**No later than 5 days before the end of the school year**

Teachers should receive their total program for the following school year, which shall include the periods-and rooms where their assignments are scheduled. Programs may be considered-subject to change if necessary because of changes in subject enrollments, faculty-changes, or programming conflicts. Reasons for any such change shall be given-by the principal or headmaster to any teacher affected.

**Last Day of School**

All teachers must receive a certificate from the principal for all hours spent in school-based PD during the school year.

**Ongoing**

- Familiarize yourself with the contract.
- Attend membership meetings (2nd Wednesday of each month).
- Ensure that there is an active Faculty Senate.
- Get members engaged in union committees and bodies.
- Have conversations with all members in your building.
- Ensure personnel subcommittee of the School Site Council is established.

Have questions? Need support or help? Contact your Field Rep, or a member of the BTU Organizing Team! See contact info on p.3.

## Organizing 101

As a Building Rep, being an organizer is about building relationships and building power for the schools our students deserve. An organized building is one where relationships are strong, Building Reps understand what motivates their members, and educators, students, and parents are united in fighting for education justice. Even if it feels like your building is far from this level of organization, there are always steps you can take towards getting more organized. Below are some tools every organizer should have in their toolbox. More resources on how to be a successful organizer can be found at [labornotes.com/secrets](http://labornotes.com/secrets).

### Organizing Tool #1: Having One-on-One Conversations

The key to being a successful organizer is being a good listener. An effective organizer listens at least 70% of the time, and talks no more than 30%. Your first task as a Building Rep should be to set up one-on-one meetings with people in your building, especially new members or members you don't know. Some guidelines for having these conversations:

**Get in the Door:** Introduce yourself and explain why you want to sit down and talk. Your reason for starting a conversation might range from “I want to welcome you to the school and answer any questions you might have” to “I’ve been hearing that folks in the building are struggling with X and I want to hear your perspective on it.”

**Get the Story:** Most of the conversation should be dedicated to asking probing questions to learn about what the other person cares about, what motivates them, and what concerns them. Prepare for the conversation by brainstorming what questions you might ask to help you learn about the other person’s perspective on the issues, what they are passionate about or topics you may want to hear more about. LISTEN!!!

**Share a Vision of the Union:** This is your opportunity to share your own personal story so that the conversation becomes a two-way exchange. Make connections between what you heard and your own motivations for getting involved in the union. Ask questions to help the other person imagine what is possible when we build power together.

**Get a Commitment:** Oftentimes, a successful one-on-one meeting ends with the other person making a commitment. Sometimes the commitment might be as simple as meeting again in the future to follow-up and continue building the relationship. Other times you might have a very specific commitment in mind, such as asking someone to sign a membership card, attend a meeting or take an action.

## Organizing Tool #2: Establish a Contract Action Team (CAT)

### What is a Contract Action Team (CAT)?

A CAT is the structure through which you organize your staff to be united and ready to take action. This allows for the work of the union to not just fall on the shoulders of the building reps. After all, the union is all of us.

Think of a CAT as a phone tree where every CAT member has 10 members to communicate with. When it’s time to take action you will communicate with the CAT members, who will communicate with their 10 members. This way you can quickly and easily reach every single member at your school or workplace when action or input is needed!

### **Steps to take:**

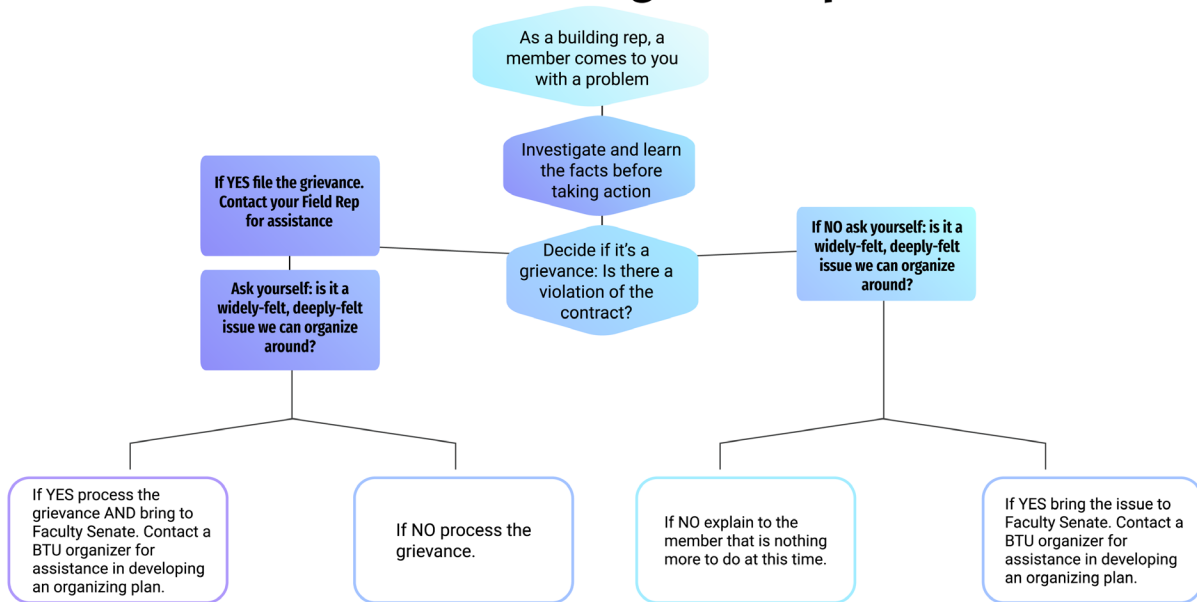
- 1. Make a contact list of all BTU members in your workplace.** Lists should include phone numbers and emails (using personal, not work, emails). Use the list to create or update a union listserv for your workplace.

2. **Identify BTU members who are leaders at your school and recruit them to join the CAT.** Organic leaders are those who are most respected and listened to at your school.
3. **Meet as a Contract Action Team and make your phone tree.** Look at your contact list and divide the members up into a 1:10 CAT member to member ratio. These are the members each CAT team member will be responsible for reaching out to converse, inform, engage and activate. Remember: phone calls and in-person conversations are the best methods of outreach!
4. **Use your contact list and phone tree every time a union action comes up.** Emails, social media posts, and texts do not lead to organized workplaces. Have a plan for reaching every single person with a face-to-face interaction or phone call whenever a union action comes up, such as a petition or rally. Use one-on-one conversations to build relationships and get small commitments first so that people are ready for bigger commitments later.
5. **Bonus Step: Get your whole school community involved!** As a CAT you can identify parents, students, community partners, neighbors and others to reach out to and engage.

## Organizing Tool #3: Problem-Solving Roadmap

Filing a grievance is only one tool in your toolbox! When problems arise at your workplace use the flowchart below to help you decide what action steps to take.

### Problem-Solving Roadmap



**Is this a district-wide issue to raise at future negotiations?**

# BTU Committee on Political Education (COPE)

## **Why is political action important for our Union?**

The political action makes decisions to endorse candidates. This follows a process for recommending endorsing candidates voted upon by the COPE committee, then presented to the executive board for a vote then to the membership for the final approval through their vote. Elected officials affect education through decisions they make. They vote on funding and budgets for public schools, and they set policies that affect our working conditions. These decisions can have an impact on our ability to negotiate issues such as supporting improvements for student outcomes, salary, class size, transfer provisions, school building improvements, and many other factors that impact our students and schools. Elected leaders can have a huge impact on our ability to do our job well and support our students!

## **What is the process used by the Union to endorse candidates?**

The COPE committee meets when needed to make decisions about whether or not to endorse a political candidate running for office. Candidates are provided a questionnaire from the BTU with a series of questions pertaining to issues that would support our members before being asked to come before the committee for an interview. Decisions are made via regular support on our issues, candidate voting records by incumbent candidates, responses to questionnaires and in-person interviews. Decisions can also be made based on support for or against bills presented for upcoming legislation. That legislation could include COLA for retirees, support for English Language Learners, funding for education, educator licensure, and other bills on education. The committee then votes by a 2/3's decision to recommend to the Executive Board. The Executive Board votes on the recommendations from COPE by a 2/3's decision before sending it to a vote by the members for a 2/3's decision at the membership meeting. If the membership endorses the candidate, the candidate will be backed by our Union throughout their campaign.

## **Why are members asked to pay into COPE?**

Based on state and federal laws there are restrictions on what Union dues are used for. A member can voluntarily decide how much is deducted for COPE. For example, members can contribute through payroll deduction by a suggested minimum of \$2.00 for Teachers and \$.75 for Paraprofessionals on the membership application in the section labeled. COPE reports political actions to members at membership meetings. As required by law there is a yearly audit to confirm that funds were documented for appropriate use. The BTU Committee on Political Education (COPE) is the program that supports the Union's political action. The COPE committee members are appointed by the BTU President for a two-year term. The BTU uses COPE to endorse candidates in local elections.

*Contact Political Director Johnny McInnis to learn more: [jmcinnis@btu.org](mailto:jmcinnis@btu.org)*

# Filing a Grievance

One of the most important duties of the Building Representative is the handling of grievances at Step One. Therefore, it is imperative that all Building Representatives become thoroughly familiar with the "Dispute Resolution" sections of the contract, and especially with the paragraphs which deal with the filing of a grievance at the school level. This is found in Article X of the teacher contract and Article V of the paraprofessional, substitute, and ABA contracts.

Put in general terms, a "grievance" is a statement which says that a teacher's rights have been violated due to a misinterpretation or misapplication of the contract. It is not a general complaint or claim of unfair treatment.

The importance of filing a grievance when applicable is obvious. A grievance must be filed every time an individual teacher's rights are violated in order to protect the rights of the entire membership.

The following is a list of guidelines which the Building Rep should follow in filing a grievance.

## **Gathering information before meeting with the Administrator**

1. Get all the facts from the teacher(s) involved in the grievance.
2. Get copies of all pertinent documents related to the grievance, e.g. bulletins, notices, letters, e-mails, memos, etc. (Building representatives have the right to obtain copies of all official school documents).
3. Examine the contract and locate any articles of the contract that have been violated.

## **Initial meeting with the Administrator**

1. You may request a meeting with the Administrator and the teacher(s) involved.
2. Present the case orally. Show documents and cite the contract violation(s). Explain the Union's position and request that the violation be resolved.
3. It is of the utmost importance that in these meetings the Building Representatives be prepared, be professional and remain courteous (but firm). Do not insult the Administrator or attempt to intimidate him or her in any way. On the other hand, do not approach the Administrator as a subordinate. In this situation, as a representative of the Union the Building Representative is on equal ground with the Administrator.
4. Make every effort to reach a resolution consistent with the contract at this meeting. This will save time, work, and money for the Union and possibly considerable inconvenience for the grievant.

## **Written Grievance**

1. If the Administrator is unwilling to resolve the grievance at this meeting, file a written grievance with the Administrator. (Be sure to make several copies of the grievance – one for yourself, one for the grievant and one for the Union office.)
2. The grievance letter should be succinct but civil. It should include the following information; Name and position of the grievant, Statement of the grievance, Action requested, and Name of Union Representative. Send a copy of the grievance to the appropriate Field Representative.

## **Contacting the Union Office**

1. If the Administrator denies the grievance or fails to respond to the grievance within five school days, your appropriate Field Representative should be contacted. You can call 617-288-2000 or email the appropriate Field Rep.
2. Send copies of the grievance letter and all pertinent documents to the Union office via email to your Field Representative, via mail to 180 Mt. Vernon Street, Dorchester, MA 02125 or fax to 617-288-0024. If this step does not occur, the grievance goes no further so it is very important to follow through with it.
3. While the grievance is in process, the BTU member must comply with the administrative directive in dispute. The Field Rep will refer the grievance to mediation, and if the grievance is deemed valid by the union, two trained mediators will meet with the grievant and the administrator. If this fails, Step Two of the grievance procedure will be handled by the union's Executive Vice President.

## **While the Grievance is in Progress**

1. The Building Representative should request the Administrator to put in writing any disputed orders or assignments.
2. The Building Representative should not advise a teacher to disobey or ignore an Administrator's order while a grievance is in progress. This may well hurt the chances for a successful resolution of the grievance and possibly leave the teacher open to charges of insubordination.



## Sample Grievance Letter

September 1, 2021

Dear Headmaster Washington,

This letter is to inform you that I am filing a grievance at step one on behalf of Mr. John Adams, a member of the English Department at the Jefferson Elementary School. Mr. Adams's grievance is that on Tuesdays he is assigned to teach periods one, two, three and four totaling 200 minutes.

This program is in violation of the Contract including but not limited to Article V. Section A 3 (d) which states:

"Teachers shall not be required to teach more than 160 minutes without a lunch break, planning and development period, or an administrative duty."

In order to resolve this contract violation, Mr. Adams must be relieved of one of his four consecutive classes, and to make him whole in all respects.

Respectfully yours,

Mary Smith-Jones

B.T.U. Building Representative

## How to file a Class Size Grievance\*

1. Go to [www.btu.org](http://www.btu.org)
2. Follow the link under the "Contract" menu to "Class Size Grievance"
3. The teacher with the class size violation must fill out and submit the online form.
4. Download the linked Class Size Grievance Tracking Form and keep track of your enrollment throughout the school year.

All class size grievances are now filed online. If a teacher in your school has a roster of students who have reported to school that exceeds their class size maximum, please direct them to the BTU website to file their grievance. Teachers should also keep their records until the grievance is resolved. Procrastination does not pay. File your grievance when the maximum is exceeded. A student who has reported to school and who has not been discharged counts on your class roster.

## Class Size FAQ\*

**Big Idea: DO NOT sign a "Resolution Form" for your class size grievance without discussing it with the union office!**

### ***What are the class size limits?***

In general, the class size limits are as follows (The table below has more details):

Grades K1-2	22
Grades 3-5	25
Grades 6-8	28
Grades 9-12	31

Please note the following important exceptions:

In schools designated Level 3 or Level 4 by DESE (Now called "Focused/Targeted Support" schools), the maximum in grade 6 is 26, and in grade 9 the limit is 30.

In inclusion classes, there can be no more than 20 students at any grade level, with not more than 6 inclusion students. In the "Exhibit A" schools from the inclusion settlement (Bates, Blackstone, Bradley, Chittick, Clap, Condon, Conley, Curley, Edison, Everett, Harvard/Kent, PJ Kennedy, King, Lee, Mattahunt, Murphy, Otis, Qunicy, Taylor and Sumner), there may be no more than 5 inclusion students.

In Bilingual, ESL, and SEI classes, there can be no more than 20 students at any grade level, or 25 if a paraprofessional is provided (though only 22 with a para in grades K1 and K2).

In elementary schools where there is only one regular education class in a grade level, the above maxima may be exceeded by one or two students. Similarly, in secondary schools where there is a singular regular education course offering (for instance, only a single section of French 4, or AP Physics, etc.), the maxima may be exceeded by one or two students.

### ***Are these strict limits?***

BTU members, and the students we serve, have among the strongest class size language in the state. While we might want the actual limits to be lower, the limits themselves are firm. **The most important sentence in our contract around class size is this: “Ultimately, the classroom teacher may insist that the class size maximum be enforced.”** (p. 25) This right was reinforced by a settlement agreement reached in 2004 between the BTU and the BPS.

When the Boston Public Schools assign more students to a class than are allowed under our contract, they do a disservice to those students. It is our job to ensure that our kids get the differentiation and personalized attention that they deserve. We can do this by insisting that our class size limits are enforced.

### ***What should I do if my class size is over the limit?***

First, file a grievance immediately. You can do this from the BTU website. At the same time, please download and print the form at the same website and **record your class size each day throughout the year.** We will need this at the end of the year to process your grievance and ensure proper payment if compensation is required.

Second, you should insist that the class size issue is addressed. This could involve moving a student or students to a different class or section, opening a new class, or adding a teacher. While the district may offer a paraprofessional or payment to you, our advice is to “insist that the class size maximum be enforced.” This follows our contract, and ensures that our students get the education they deserve. **Stay strong. Your principal and others will try to pressure you to settle for a stipend. If you do this, you are letting our colleagues and our kids down.**

### ***My principal gave me a form to waive the grievance and accept payment. Should I sign it?***

No. We do not believe these forms are valid without involvement of a member of the BTU staff. Do not sign any form without consulting with your building representative, field representative, or BTU Vice President Erik Berg, at [eberg@btu.org](mailto:eberg@btu.org). In recent years, the BPS has convinced many teachers to sign a form accepting \$1500 per

student per year in order to purportedly settle their grievances. **We believe that class size issues are most effectively addressed by adding personnel, not paying a stipend.** And with the limited exceptions of single-strand elementary schools and secondary schools with a single course offering, the payment that is owed to teachers is significantly more than \$1500.

***What payment is owed to teachers who taught oversubscribed classes and the grievance was not resolved?***

There are two arbitration decisions governing this situation. The calculations are different for elementary and secondary teachers, but in every case, teachers are owed

<b>Class Size Maxima*</b>		
2019 - 2020		
*GENERAL EDUCATION*		
BPS SCHOOLS		
Kindergarten – Grade 2	22	
Grades 3 - 5	25	
Grade 6	26	Level 3 or 4 Schools (now "Focused/Targeted Support")
Grades 6 - 8	28	
Grade 9	30	Level 3 or 4 Schools (now "Focused/Targeted Support")
Grades 9 - 12	31	
Grade Combinations (Elem.)	22	
Arts/Vocational Classes	20	
IN ELEMENTARY SCHOOLS WHERE THERE IS ONLY ONE GENERAL EDUCATION CLASS IN A GRADE LEVEL, THE SCHOOL DEPARTMENT MAY EXCEED THE CLASS SIZE MAXIMA BY ONE OR TWO STUDENTS. FOR ONE STUDENT OVER THE CLASS SIZE MAXIMA THE TEACHER WILL RECEIVE \$1,500. AND FOR TWO STUDENTS \$3,000.		

IN SECONDARY SCHOOLS WHERE THERE IS A SINGULAR GENERAL EDUCATION COURSE OFFERING, THE SCHOOL DEPARTMENT MAY EXCEED THE CLASS SIZE MAXIMA BY ONE OR TWO STUDENTS. FOR ONE STUDENT OVER THE CLASS SIZE MAXIMA THE TEACHER WILL RECEIVE \$300. PER CLASS AND FOR TWO STUDENTS \$600.

\* SPECIAL EDUCATION \*

Resource Room	10
	12
	16
Early Childhood	6
	9
Substantially Separate	8
	12
Inclusion	20

SOME VERY SPECIALIZED CLASSES, E.G. LAB CLUSTER, MAY HAVE A SMALLER CLASS SIZE

\* BILINGUAL, ESL & SHELTERED IMMERSION \*

ANY Grade	20
With paraprofessional	25
K1-K2 with paraprofessional	22

Teachers should immediately report class size violations by filling out the form at [www.btu.org](http://www.btu.org)

*NOTE:* The details of the class size provisions of our contract will be somewhat different if the tentative agreement on a new contract is ratified, though the maximum numbers, and their ultimate enforceability, will not change.

## Representing a Member at an Investigatory Meeting

In the Boston Public Schools, when an employee is alleged to have engaged in misconduct, the principal or supervisor will issue a letter inviting the employee to an “investigatory meeting,” or “IM.” This is an opportunity for the principal to investigate the alleged incident and the employee to tell her or his side of the story. Employees are entitled to union representation at this meeting, and representing members at investigatory meetings is an important function of your role as a Building Rep.

If a member asks you to join them at an IM, you should schedule it at a mutually convenient time. Your role is primarily to take notes and ensure that the member is treated fairly.

### Weingarten Rights

An employee is entitled to union representation if the employer is investigating an employee’s alleged misconduct or inadequate work performance, and the employer convenes a meeting that could result in disciplinary action. An employee’s right to have union representation in an investigatory or pre-disciplinary meeting was established for private-sector employees in a 1975 United States Supreme Court decision, *NLRB v. Weingarten, Inc.* The Massachusetts Department of Labor Relations has adopted the Weingarten rules for public employees covered by M.G.L. c.150E.

As a Building Rep at an Investigatory Meeting you have a right to:

- Be informed about the subject matter of the meeting.
- Consult privately with the employee before or during the meeting.
- Speak and be proactive during the interview, as long as doing so does not interfere with or disrupt the meeting.
- Advise and counsel the employee.
- Provide additional information to the employer at the end of questioning.
- Bear witness to the proceedings and take notes.

*Consult your Field Rep for additional support. See p. 1-3 for contact info.*

# Conducting Elections and Faculty Votes

## Election Protocol

1. Elections are run by the Building Reps or Faculty Senate Election Committee. If BTU Reps are on the ballot, they organize and run the election but ballots must be distributed, collected and counted by a BTU member other than candidates for election. The election must be held in a neutral area such as the library or cafeteria, wherever possible.
2. Give at least five (5) School Days written notice including time & location of vote.
3. Conducted by written secret ballot of those BTU members who are present, eligible and voting.
4. Bldg. Reps. control location & time for voting which shall be listed in notice.
5. Ballots counted by BTU members other than candidates for election, ex. Faculty Senate Chair, BTU volunteers
6. Voters are BTU members assigned more than half time to your building. Eligibility dependent upon type of vote. Please see below.

\*Please use this protocol even when the number of candidates is equal to or less than the number of openings to allow for write in candidates. We want to encourage increased participation and capacity building within our Union. Voting is part of our by-laws

## January 2nd PD vote

Each staff by a majority vote (secret ballot, five days' notice, run by the BTU Building Rep.) can convert January 2nd to 6 hours. The vote includes the length of the meetings and the dates of the meetings, 6 hours in all. This vote should be taken in June, but can be re-voted in September (by the 15th) if more than 25% of the staff is new to the building. The faculty alone has control over the decision to convert this day.

## Type of vote

1. Waiver votes on contractual changes
  - a. 66% (2/3) majority
  - b. School site council must formally vote in approval in advance of faculty vote.
    - i. Members of any bargaining unit affected by the waiver may vote. For instance, if it is about the length of P&D periods, only members of the

teacher bargaining unit would vote because they are the only ones with P&D periods in their contract.

2. Middle/High School Teacher Schedule Changes
  - a. Any Master Schedule change (e.g. 6 – period, 7-period, block schedule) from one year to another requires a waiver vote in accordance with regular contractual provisions, except a 55% vote is required instead of a 66% (2/3) vote. Elections for BTU members on School Site Council.
3. Elections for BTU members on School Site Council
  - a. Any eligible BTU member can vote and run for office

**NOTE:** Building Reps have no obligation to run a fraudulent vote. Some common examples:

- a. School Site Council did not previously and formally approve by vote an issue where approval is necessary
- b. Proposed schedule too vague

*Contact your respective BTU Field Rep for clarity if needed.*

## Faculty Senate

### PURPOSE

The purpose of the Faculty Senate (FS) is to play an advisory role in the operation of the school and to problem-solve around issues and concerns of the faculty. FS should be formed in each school building and will be recognized by the administration as having an advisory voice.

### MEMBERSHIP & STRUCTURE

- All BTU members are members of the FS and should be welcomed and encouraged to attend.
- Non-BTU members cannot attend or be part of FS meetings unless explicitly invited by the FS and for a specific purpose.
- FS members should elect co-chairs who facilitate and coordinate FS by October of each school year.



- FS should be run by elected co-chairs. If possible, FS chairs should not also be the elected Building Reps;
- FS should be well coordinated and in direct communication with Building Reps in all contract matters and union policy

## MEETINGS

- Building representatives should organize the first meeting of the Faculty Senate.
- At that first meeting, FS co-chairs should be elected. Dates and times for Faculty Senate meetings should be set and communicated.
- Faculty Senate meetings shall be held at least once a month.
- Faculty Senate meetings are typically set to follow the BTU membership meeting, which occurs on the second Wednesday of each month. This makes it possible for school-based union representatives to be able to report on important issues that are raised at the monthly membership meetings.

## COMMUNICATION

- FS should keep accurate attendance and minutes that will be shared with other FS members monthly
- Faculty Senate representatives shall meet monthly with the Principal/ Headmaster to discuss issues that come up at FS meetings.
- After meeting with administration, the representatives from FS shall report back to the FS members. Issues that are not resolved should be discussed at the next Faculty Senate meeting at which time further action can be planned.

# Role of the School Site Council, the Personnel Subcommittee and the Instructional Leadership Team

The parties agree that 1) the School Site Council shall remain the central governing body of the school under the school-based management/shared decision making model; 2) the Instructional Leadership Team is an advisory body to the principal/headmaster on issues related to teaching, learning, assessment, and professional development; and 3) the decisions of the Personnel Subcommittee are not subject to the approval of the School Site Council.

## School Site Council

1. The Role of the School Site Council shall be\*:
  - a. To review and approve the Whole School Improvement Plan within guidelines established by the Superintendent.
  - b. To approve the budget for discretionary school materials, supplies, textbooks and equipment, including the use of school improvement award funds.
  - c. To develop and approve plans for increasing parent involvement in the school.
  - d. To approve waivers.
  - e. To review and approve recommendations of the Instructional Leadership Team that will have a major effect on the school community. Such recommendations need not be forwarded to the School Site Council unless they are endorsed by the principal/headmaster.
  - f. To review and approve recommendations from any other committee or group that is established to recommend changes that will have a major effect on the school community.
  - g. To receive information about all outside programs and outside professionals that come into the school.
  - h. To review and comment on the entire school budget, including the General Fund and External Funds budgets in a timely fashion. Upon written

request school site council members shall be provided with written or electronic copies of school budgets.

Voting: The consensus model of decision making is encouraged when making decisions as a council. Formally, decisions of a School Site Council also can be by majority vote with the Principal/Headmaster voting with the majority. The Principal/Headmaster may not delegate his or her vote except in emergency situations. The Principal/Headmaster is required to account in writing and in person (at a subsequent meeting) for any vote in contravention of a majority of the Council. In the event that a school has no sitting or acting Principal/Headmaster, the appropriate central office administrator or his or her designee shall be substituted.

\*Each School Site Council is responsible for finding ways to implement the intent of the provisions governing school-based management in ways that do not violate outstanding court orders or state and federal laws and regulations.

## Personnel Subcommittee

1. The Role of the Personnel Subcommittee of the School Site Council shall be:
  - a. To approve the hiring of new BTU teachers' bargaining unit staff and in-transfer of BTU teachers' bargaining unit staff from other schools in the system.
  - b. To approve the selection of Lead Teachers, Mentor/NTD Teachers, and new athletic coaches
  - c. To determine the schedule and procedures for reviewing candidates for positions.

## Instruction Leadership Team

1. The Role of the Instructional Leadership Team:
  - a. An Instructional Leadership Team shall be established at each school and shall be a representative body of the professional staff at the school. It shall be composed of administrators and teachers from the various grade levels, disciplines, and programs of the school.
  - b. The Team shall serve as an advisory board to the principal/headmaster on issues related to teaching, learning, assessment and professional development.

- c. It shall be the responsibility of the principal/ headmaster to give a report each month to the School Site Council on the activities of the Instructional Leadership Team.
- d. Any recommendation of the ILT that alters the Whole School Improvement Plan or may have a major effect on the school community and which is supported by the principal/headmaster shall be subject to the approval of the School Site Council before being implemented.

### **Important Contract Language**

Each Principal/Headmaster will create a description of the process for composing the ILT, Communicate the process to staff, and take the process to the School Site Council for Input. Where ILT members are compensated, the process shall include a job description.

## **Common Questions about PD and Scheduling**

### ***What is the length of the school day?***

- Teachers in Schedule A elementary schools have to be present in school for 7:10 each day.
- Teachers in Schedule A middle schools work 7:20 per day
- Teachers in most secondary schools and EECs and ELCs work 6:40 per day.
- We all know most teachers work well beyond those hours in all schools, not to mention daily time spent at home and on weekends. We are referring here specifically to on-the-clock, 'bell-to-bell', mandated hours.

### ***What are the hours of professional development?***

- In traditional BPS schools there are 18 hours of professional development for members in the teacher-bargaining unit and 12 hours of professional development for members in the paraprofessional bargaining unit. If you work at an autonomous school, consult your Election to Work Agreement or other governing document for details on PD hours.
- The building administrator may establish the professional development schedule provided that the meeting schedule be provided to the staff no later than the end of school for the preceding year, none of the time be scheduled over the summer unless there is a waiver vote under CBA, and provided that no professional development time be scheduled on the 2nd Wed. of the month, and must be at least two hours in length.

- Teachers will receive a PDP certificate at the end of the school year for all time spent in professional development activities. Teachers may combine PDP activities year-to-year to comply with state requirements.
- For all of the above, the professional development content belongs exclusively to the building administrator and participants get PDP-certificates for their attendance for all of the PD time required.

***What if you are absent on a day when a portion of the 18 hours are scheduled?***

- If you are on legitimate leave (bereavement, sick, personal, etc.) and you miss a day when there is scheduled a 2-hour-or-less professional development meeting, you do not have to make up the time.
- If you are on legitimate leave (bereavement, sick, personal, etc.) and you miss a day when there is scheduled a meeting that is longer than 2 hours, you do have to make up the time. The scheduling of the make-up of the time is a mutual agreed-upon endeavor.
- If you are in school and have to leave during the day of a scheduled PD meeting of any duration, you owe the time & must reschedule the missed time with the school administrator.

***Is January 2nd an all day Professional Day?***

- Each staff by a majority vote (secret ballot, five days' notice, run by the BTU Building Rep.) can convert January 2nd to 6 hours. The vote includes the length of the meetings and the dates of the meetings, 6 hours in all. This vote should have been taken last June, but can be re-voted this September (by the 15th) if more than 25% of the staff is new to the building. The faculty alone has control over the decision to convert this day.
- Specialty staff throughout the city have one day set aside for PD, and that day is January 2

***What if your administrator schedules a 40-hour math (etc.) workshop?***

- Anything over either the 24 hours (with the conversion) or the 18 hours (without) as mentioned above is voluntary, no matter how worthy and valuable.

## Scheduling Breakdown in Traditional and Schedule A Schools: Teachers

	Non-Schedule A - Traditional Schools		Schedule A		Schedule A Changes in TA	
Contract Provision	Elementary	Secondary <sup>1</sup>	Elementary	Secondary <sup>1</sup>	Elementary	Secondary
Length of Work Day	6:30	6:40	7:10	7:20	No change	No change
Instructional Day	6:00 <sup>2</sup>	6:10	6:40 <sup>2</sup>	6:50	No change	No change
Report and Sign-out	:15 before and :15 after instructional day <sup>3,4</sup>	:15 before and :15 after instructional day <sup>3,4</sup>	:15 before and :15 after instructional day <sup>3,4</sup>	:15 before and :15 after instructional day <sup>3,4</sup>	No change	No change
Consecutive Teaching Minutes	N/A	160	N/A	160	No change	165
Maximum Teaching Time Per Day	N/A	240	N/A	280	No change	No change
P&D Periods (minimum)	48min. 4x/wk <sup>5</sup>	240min./wk <sup>6</sup>	48min. 4x/wk <sup>5</sup> + 35 min/wk	240min/wk <sup>6</sup> + 35 min/wk <sup>7</sup>	+40 minutes/week	No change
Common Planning Time (CPT)	48 min./wk	see note <sup>8</sup>	48 min./wk	see note	No change	1 40-minute period may be added
Duty-Free Lunches	40min	25min	40min	25min	No change	No change
Teacher Facilitated Time (TFT)	0	0	40 min/wk	40 min/wk	Eliminated, becomes P&D	Eliminated, may become CPT
PD Calendar	Principal sets calendar	Principal sets calendar	staff approves in June	staff approves in June	No change	No change

- 1 Includes Irving, Horace Mann
- 2 K-8 schools should default to elementary length instructional day (students only; work day is by grade level).
- 3 Where instructional day is longer or shorter than prescribed time, overall length of workday may not exceed that listed in Row 1
- 4 These :30 may be reallocated (e.g. 10 before and 20 after) by a majority vote of the faculty
- 5 No more than 2 P&Ds per day
- 6 P&D must be provided daily, no shorter than 40 consecutive minutes.
- 7 Must be in either 1 35min. block per week or 5 7-minute periods
- 8 Secondary schools do not have contractual CPT time. Generally, such time is allocated through an administrative period.

## Scheduling Breakdown in Traditional and Schedule A Schools: Paraprofessionals

	Standard CBA Language (Pre-Schedule A)	Schedule A
Contract Provision	All Paraprofessionals	All Paraprofessionals <sup>9</sup>
Minimum Length of Work Day	6:10 <sup>10</sup>	6:50 <sup>10</sup>
Length of Break	:10	:10
Duty-Free Lunches	:30	:30

# Resources for Autonomous Schools

## Four Types of Autonomous Schools in BPS

### Four types of autonomous schools in BPS

- |                                    |   |
|------------------------------------|---|
| <b>Pilot Schools</b>               | <ul style="list-style-type: none"> <li>Created by agreement between the BPS and BTU in 1995</li> <li>Operate based on Pilot Schools Manual, developed by Pilot school leaders</li> <li>Negotiate working conditions with teachers, codified in school-specific Election to Work Agreements (EWAs)</li> </ul>  |
| <b>Innovation Schools</b>          | <ul style="list-style-type: none"> <li>Created by the state legislature in 2010</li> <li>Operate under individual Memoranda of Understanding with BPS, based on Innovation Plans approved by the School Committee</li> <li>Like Pilot schools, each Innovation school also has its own EWA</li> </ul>   |
| <b>Horace Mann Charter Schools</b> | <ul style="list-style-type: none"> <li>Created by the state legislature in 2010</li> <li>Authorized by the state</li> <li>Operate with autonomies similar to that of Commonwealth charter schools</li> <li>Working conditions are further detailed in a MOU with the district</li> </ul>  |
| <b>Turnaround Schools</b>          | <ul style="list-style-type: none"> <li>Created by the state legislature</li> <li>Selected by the district for increased support after "Level 4" designation</li> <li>Granted some of the budget, staffing, and time flexibility that Pilot &amp; Innovation schools have</li> <li>Staff receive stipends for increased time</li> <li>Retain significant flexibility from the terms of collective bargaining agreements</li> </ul> |

<sup>9</sup> Some traditional and schedule A schools schedule and compensate paraprofessionals for hours beyond those outlined here. For example, secondary schools like Irving with a 6:50 instructional day set the para work day at 7:00.

<sup>10</sup> Paraprofessionals are hourly employees and as such must be compensated for all hours worked, including those beyond the length of the work day.

## Pilot School Schedules

Pilot schools create their own schedules subject to the below:

Pilot school teachers and paraprofessionals can be required to work additional time, either in hours or days. But there is compensation for some of those additional hours. Here's a short description of what constitutes extra time in a pilot school, how to calculate it, and how the additional compensation will look.

To understand this, we first have to look at the traditional school schedule. The school day is defined as 6:30 for elementary teachers and 6:40 for secondary teachers. If you are given a :30-minute break in the middle of the day for lunch, or time-off for whatever, that time counts as part of the school day.

The length of the traditional school year is 180 school days as defined above. There are 3 additional non-student days: the two days after Labor Day and the day after the Winter/December break. These three non-student days, however, are 6-hour days for a total of 18 hours. In addition to the '180' plus the '3', there are 18 additional hours of professional development time and 4 hours of parental contact time. This is a total of 1,210 hours for elementary teachers and 1,240 hours for secondary teachers. There are no other days or hours required, whether during the school year, in the summer, or whenever. All time required above and beyond what is defined in this paragraph is considered additional time and would contribute to the limits, which, if exceeded, require compensation. If you have any questions on this calculation, please call the BTU office.

All hours beyond the normal school day/year in excess of 45 will be compensated, so it is important to confirm the actual number of hours required. The first 100 hours in excess of 45 will be compensated by the city; all hours beyond those will be compensated by the individual school.

The compensation for time above and beyond the hours detailed above will be at the contractual hourly rate and will be retirement-worthy.

## Turnaround School Schedules

Beginning with the 2012-2013 school year, the MA Department of Elementary and Secondary Education established "Turnaround Schools," which have also been known as "Level 4" schools. The existence of Turnaround Schools was established by state law, and unions lose some collective bargaining rights in Turnaround Schools. Turnaround Schools may work longer hours for additional compensation, the terms



of which are usually governed by a Memorandum of Agreement negotiated by the BTU and the School Department, but in any case should be no less than \$40.26 per hour during the 2019-2020 School Year.

*Any questions on any of the above, please call the BTU office at 617-288-2000.*

## Crafting a Thoughtful Election to Work Agreement (EWA)

### Pilot Schools and Election to Work Agreements

Every year, according to our contract (pg. 17-19), Pilot Schools have an opportunity to revisit the Election to Work Agreement (EWA) that determines the working conditions at their school. Contract language states that the agreement designating length of work day and school year, professional development time, and summer work, originates with the Governing Board. However, in practice, Building Reps and staff in many pilot schools initiate the work to revamp Election to Work Agreements. Building Reps should look to gather input from members and craft new language in the fall in order to be able to impact the EWA for the following year. The proposed changes should be shared with the Governing Board. The Governing Board is required to present the staff at the school with a proposal for the EWA for the following year by January 15. BTU Bargaining Unit members can vote to reject the Governing Board's proposal by a 2/3 majority vote and then return the proposal to the Governing Board for possible re-working. If an agreement is not reached by February 15, the previous year's EWA remains in place. Please reach out to the BTU staff if you need support navigating this process.

Innovation Schools and Horace Mann In-District Charter Schools also sometimes have Election to Work agreements but these schools are governed by DESE regulations. See below for links to more information regarding these types of schools.

Innovation - <http://www.doe.mass.edu/redesign/innovation/>

Horace Mann Charters - <http://www.doe.mass.edu/charter/guidance/2003-1.html>