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Title: **Buffalo City School District and Buffalo Teachers Federation (BTF), National Education Association (NEA), (1999)**

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Pat

MEDIATORS' PROPOSAL

[w/ Revised Art. XXVI(2)]

BUFFALO CITY SCHOOL DISTRICT

and

BUFFALO TEACHERS FEDERATION

PERB Case No. M99-261

Duration of Agreement

Modify Article XLII to indicate that this agreement shall be effective commencing on July 1, 1999 and ending on June 30, 2004.

3,900 teachers

School Year

12/29/02

Effective July 1, 2002, BTF will relinquish its BTF Teacher Conference Day and return that day to the District's sole control.

Pupil Release Time

ARTICLE X: Teaching Load and Assignments

Revise Section O to provide the following pupil release time during the school year:

a. Elementary schools shall receive a minimum of four half-day releases to provide professional staff development.

b. High schools shall receive a minimum of six 1.5 hour early releases or delayed openings to provide professional staff development.

Copy Machines

ARTICLE XI: Teaching Conditions

1. In paragraph B(2), at line 26 on page 21, replace "Duplicating" with "Copy."

2. Add the following sentences to paragraph B(2):

There shall be at least one (1) copy machine per building for up to twenty-five (25) full-time teachers or their equivalent. At least two (2) copy machines shall be provided in the event that there are more than twenty-five (25) full-time teachers or their equivalent in the building. Should there be more than fifty (50)

10+

full-time teachers or their equivalent in the building, a third copy machine shall be provided and one (1) of the three (3) machines will be a high volume machine.

Supplies

ARTICLE XI: Teaching Conditions

G. Supplies and Petty Cash Fund

Add the following sentence to paragraph G(1):

Effective with the school year following ratification, the Board will spend $1,750,000 for instructional supplies and materials.

Insert the following as the second sentence in paragraph G:

The amount per pupil shall be increased to $3.00 effective July 1, 2001 and to $5.00 effective July 1, 2002.

Replace paragraph (3) with the following:

From the amount allocated in paragraph G(1), teachers of Art, Music, Physical Education, Special Education, Science Labs, Technology and Home Economics/Home and Careers Skills shall have available to them, through a separate budget allocation, funds with which to order supplies appropriate to their program.

Teacher Notification

ARTICLE XI: Teaching Conditions

Replace Section O with the following:

Teachers shall be informed whenever feasible of student's psychological, emotional, medical conditions and other information including legal guardianship which might affect that student's achievement or behavior or the safety of that student or others.

Orientation

ARTICLE XII: Employment and Termination of Personnel

1. Add the following sentences to Section A:

All newly appointed teachers will be required to attend two (2) days of orientation prior to the commencement of classes. Teachers will be given ten (10) days notice of the scheduled orientation days. The orientation sessions will be held between the hours of 8:30 a.m. and 2:30 p.m. with a one (1) hour lunch break and shall be completed prior to the Wednesday before the opening of school. Newly appointed

teachers will not receive additional compensation for attendance at orientation. Teachers who have previously worked for the District for a minimum of one (1) year (160 days) as contract, probationary or temporary teachers, and who are asked and who agree to attend orientation, shall be paid at the contract rate.

2. In the first sentence of Section E, delete the clause "and in accordance with court-ordered affirmative action orders."

After-School Programs

ARTICLE XII: Employment and Termination of Personnel

Revise paragraph G(3)(c) as follows:

> Priority in employment in after-school programs for regular day school pupils shall be given qualified teachers employed in the school where the vacancy occurs and then advertised district-wide. The order of priority shall be contract teachers, probationary teachers, and temporary teachers. To be considered, a candidate must be able to be present at the scheduled starting time for the program.

Job Sharing

ARTICLE XII: Employment and Termination of Personnel

Add the following new Section S:

> A committee composed of six (6) members, three (3) of whom shall be teachers selected by the Federation and three (3) of whom shall be appointed by the Superintendent, is hereby established to consider a program whereby teachers may be able to share a single position. Said committee shall make its recommendations, if any, to the Board of Education prior to February 1, 2001.

Teacher Transfers

ARTICLE XIV: Teacher Transfers

1. Revise Section B at line 20 by replacing "April 15" with "March 23."

2. Revise Section J by replacing the phrase "within a reasonable time" at line 25 on page 33 with the phrase "within four (4) business days."

3. Add provision stating that both BTF and the District will strongly encourage, though not mandate, that teachers notify the Board of Education in writing, on or before May 31, of their intention to retire before September 1 of the same year. Make a corresponding change at page 68, line 1.

4. Add, following line 37 at page 32:

Contract and probationary teachers who are involuntarily transferred as a result of a reduction-in-force which occurs after the first day of school and who are not returned to their school that year shall receive preference for the following school year's assignment by including them with those teachers who are being transferred as a result of a reduction-in-force at the end of the school year provided the teacher requests a transfer as per Article XIV A. & B.

Discipline Policy

ARTICLE XVIII: Discipline Policy

In Section A, replace the introductory paragraph with the following:

A. The current Board of Education policy on pupil behavior, Student Code of Conduct and Procedure for Suspension of Pupils are adopted herein with the following understanding:

Mentoring Program

ARTICLE XX: Councils and Committees

In Section A, add the following new paragraph (4):

The Professional Council shall be convened within 30 days of the ratification of this agreement for the purpose of developing a mentoring program for new teachers. They shall report the results of their deliberations no later than 120 days from the initial meeting.

Faculty Meetings

ARTICLE XXI: Faculty Meetings

Revise paragraph A by replacing "a reasonable" in line 37 with "ten (10) in . . . .

Add new paragraph C, as follows:

Five (5) faculty meetings each school year, but not more than one (1) each month, may be utilized in whole or in part for staff development purposes without additional compensation. The agenda for such meetings shall be prepared at least ten (10) days in advance, after discussion with the Federation Building Committee.

[Note: Side letter should indicate that the foregoing is not intended to change current practice regarding attendance or ending time]

Handicapped Children Act

ARTICLE XXIII: Special Area Teachers

Add the following sentence to Section I:

> The teacher designated to participate when a student's initial classification and/or level of service is before the Committee on Special Education, shall have a vote at that CSE meeting if said vote is permitted by applicable State and Federal regulations.

Coaches Compensation

Replace paragraph B(7) at pages 45 - 46 with the following:

> Effective July 1, 2000, high school coaches shall receive the following salary per season. Thereafter, coaches' salaries will be increased annually by the same percentage, excluding step increment, by which teacher's salaries are increased.

High School Coaches	Salary Per Season
Football Coach	$5,000.00
Assistant Football Coach	$3,500.00
Basketball Coach	$5,000.00
Swimming Coach	$5,000.00
Track Coach	$3,000.00
Baseball Coach	$3,000.00
Cross Country Coach	$3,000.00
Tennis Coach	$3,000.00
Soccer Coach	$3,000.00
Volleyball Coach	$3,000.00
Cheerleading Coach	$2,500.00
Bowling Coach	$1,500.00

> If a teacher coaches both a boys and a girls team where boys compete against boys and girls compete against girls, said coaches shall receive one and one-half (1.5) the applicable salary.

Prior Service Credit

ARTICLE XXV: Professional Compensation

C. Placement on Schedule

Make the following changes to paragraph 1(a):

1. Insert the following as the new second sentence:

> Appropriate experience is teaching in an institution accredited by a state, or U.S. federal agency, or, in the case of a social worker, guidance counselor or

psychologist, employment in such a state or federally accredited social welfare agency or institution. With respect to the post-secondary level, appropriate experience shall include only regular full-time appointment to the rank of instructor or above.

2. Insert the following new sentence:

The District shall inform new hires, at the time of their hire, and by a separate and independent form or other correspondence, of the process by which application can be made for prior service credit. Prior service credit, if granted, will commence with the year in which the claim is received and will not be paid for prior years.

Termination Compensation

ARTICLE XXVI(2): Employee Benefits

In paragraph F(2), at line 12 on page 67, replace the word "termination" with "layoff," to confirm that individuals terminated for cause are not eligible for payment.

Teaching Load and Assignments

ARTICLE X: Teaching Load and Assignments

In Section A, lines 24-28, add "physical education" to those teachers whose load shall not exceed 240 minutes per day

Class Size

ARTICLE IX: Class Size

Add the following paragraphs to this Article:

The District will continue its efforts to provide the best possible educational experience for students who have been identified by the Committee on Special Education with an Individual Education Plan and are being provided with special education services. Specifically, when such children are being included in a classroom with other students, the District will endeavor to reduce class size and provide additional resources in the classroom.

A joint committee comprised of an equal number of district and BTF representatives will meet to develop recommendations which will be forwarded to the Board of Education and the BTF for their respective approval and implementation. Said committee will make recommendations relating, but not limited, to:

a. The reduction of student-teacher ratios when handicapped students are assigned to classes with non-handicapped students.

b. The provision of adequate released time so that special education and non-special education teachers can confer.

c. The provision of additional services to support the handicapped student who have been so assigned.

Said committee shall make its recommendations no later than February 1, 2001 for implementation in the 2001 – 2002 school year.

Work Related Injury

ARTICLE XXXIV (2): Absence Due to Work Related Injury and Illness

Effective July 1, 2003, in Section C, at line 10 on page 80, replace ". . . three (3) years (36 months . . ." with ". . . two (2) years (24 months . . . ."

Health and Human Services Delivery

ARTICLE XXXVIII: Subcontracting

Add the following paragraphs:

Buffalo Public School students and their families may be provided with family therapy, psychiatric counseling, medication evaluation and other social services that are not being performed by Buffalo Public School personnel.

In conformance with the above, it is agreed that in no case will non-bargaining unit individuals perform bargaining unit work.

Health Insurance for Active Employees

Revise to provide that all group health plans include coverage for prescription drugs with co-payments of $5.00 for generic drugs and $10.00 for brand name drugs. This provision to become effective as soon as administratively practicable after agreement is concluded.

Retiree Health Insurance Contributions

ARTICLE XXVI (2): Employee Benefits

A. Health and Hospitalization

Add to the first paragraph in section 9 at page 64 of the agreement, the following:

It is understood that "retirement" means the receipt of benefits from the New York State Teachers Retirement System within forty-five (45) days of the date of separation from the District. Such retirees will be eligible for single or family coverage under one of the group health plans set forth in section A(1) of this Article, with co-payments for prescription drugs as provided for in said plans.

[Note: This provision has been modified by the mediators as a result of the clarification meeting with the parties, with the understanding that parties did not concur in this clarification. The original proposal did not recognize that this clause was still in contention between the parties, given that it had not been the focus of discussions before them for many months.]

Such retirees will be required to contribute the following amounts toward the cost of group health coverage:

	Each Single Coverage		Family Coverage	
	Quarterly	Annual	Quarterly	Annual
Effective 7/1/2001	$ 82.50	$330	$165.00	$660
Effective 7/1/2002	$ 98.75	$395	$197.50	$790
Effective 7/1/2003	$118.75	$475	$237.50	$950

Married retirees without dependents shall be eligible for two (2) single coverages only and not for family coverage. Both the retired teacher and his or her spouse must apply for Medicare parts A and B when eligible.

Early Retirement Incentive

ARTICLE XXVI (2): Employee Benefits

I. Early Retirement Incentive Program

1. In the first paragraph (page 67, line 45), insert the following after the word "teachers":

   ". . . . with a minimum of twelve (12) years of service in the Buffalo Public School District (which service requirement shall increase to fifteen (15) years effective July 1, 2003) . . . ."

2. In the first paragraph (page 68, lines 7 and 8), replace "minimum annual salary for the retiree's position" with the words "annual salary for a teacher with a master's degree at Step 1."

3. Revise the third paragraph (page 68, line 16 - 19) to state:

Effective Date	Age at Application Date	Percentage Paid
7/1/2001	55 - 57	75%

7/1/2002	55 - 57	72.5%
7/1/2003	55 - 57	70%

Supplemental Benefit Fund

ARTICLE XXVI (2)G.

Modify language to indicate that the District will pay into the BTF Supplemental Benefit Fund five hundred twenty-five dollars ($525) during the 2002-03 school year.

Art, Music and Physical Education

ARTICLE X: Teaching Load and Assignments

Section J to be supplemented with the following:

> The District will enter a separate memorandum of agreement incorporating the August 23, 2000 Board of Education resolution regarding the phase-in of art, music and physical education in the primary grades, beginning with the 2001-02 school year. The memorandum will include a sunset provision corresponding to the last day of the parties' negotiated agreement.

Salary

ARTICLE XXV: Professional Compensation

Revise salary schedules as follows:

Effective Date	Increase over Previous Year's Schedule
7/1/99	0%
7/1/00	2%
1/29*/01	1.5%
7/1/01	2%
1/ * /02	1.5%
7/1/02	2%
1/ * /03	1%
7/1/03	2%
1/ * /04	1.5%

NOTE: Asterisk is intended to indicate date of the start of the second semester.

Other Proposals

Include all other proposals upon which the parties have reached tentative agreement.

Remaining proposals by both parties are deemed withdrawn.