

August 2012

## After 27 Months, Teacher Contract Moves to Fact-Finding

*BPS will implement an improved teacher evaluation system starting in September*

After 52 negotiating sessions from May 13, 2010 to April 2, 2012 and eight mediation sessions from June 6 to August 15, Mayor Menino [petitioned](#) the state Department of Labor Relations on August 16 to allow the dispute resolution process to move to fact-finding due to a lack of "meaningful progress" in mediation. The importance of achieving significant educational reform in this contract made this move necessary. The state Department of Labor Relations approved the Mayor's request on August 27. This step could lead to the School Committee implementing its last best offer if the BTU does not support real systemic reform.

Equally important, the BPS [informed](#) the BTU that if agreement was not reached on a new teacher evaluation system by August 21, it would implement an evaluation system that complied with new state regulations starting in September. The BPS is legally required by the state to implement such a system and negotiate a final plan. Both parties, at the subcommittee level, had reached consensus on a slightly different evaluation plan, but the BTU backed away from its position in mediation. The BTU is now suggesting that it will take legal action in an effort to stop the BPS from moving forward.

### New Teacher Evaluation System

The BPS' plan to implement a greatly improved teacher evaluation system for the 2012-2013 school year based on new state regulations will benefit teachers who will be engaged in a more collaborative process with evaluators. Teachers begin with a self-assessment and work with evaluators in crafting steps to improve any weaknesses to be more effective in the classrooms. The system incorporates

accountability for student learning and grants administrators enhanced authority to terminate ineffective teachers.

The Boston United for Students Coalition, consisting primarily of parent, student and community organizations and the Research Bureau issued a [statement](#) supporting the implementation of the improved teacher evaluation system calling it "the single most important reform in the proposed new contract for improving the quality of teaching and education in the Boston Public Schools."

### Steps in Fact-Finding

If the impasse in negotiations continues through mediation, either party or both parties acting jointly may petition the state Department of Labor Relations to initiate fact-finding proceedings. After that:

- A fact-finder will be selected by the Department from a list of qualified persons with input from the parties
- After a reasonable time if impasse continues, the fact-finder will close the record and within 30 days issue a report recommending a solution
- If impasse remains unresolved 10 days after report is issued, the report is made public

If impasse continues after the publication of the report, and voluntary arbitration is not pursued, the issues in dispute return to the parties for further negotiations. At this point, the School Committee may unilaterally implement its last best offer.