

Teachers and students continue to voice concerns following the end of negotiations between the SMSD and NEA-SM

TO BE CONTINUED

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In spite of negotiations ending between school district officials and teachers' union negotiators on Jan. 30 — with a contract approved by the Shawnee Mission School District Board of Education — concerned teachers and students are disputing the contract efforts with walkouts and a filed lawsuit as the district looks to move forward.

The approved contract spans three years and is unilateral, meaning details are decided by the district on its own rather than negotiated, since negotiations were unsuccessful. The union, National Education Association-Shawnee Mission, is in the process of questioning the legality of the three-year unilateral contract, as it states in Kansas law that new contracts are to be negotiated yearly between teachers and Kansas school districts.

Student-led walkouts were held across the district on Jan. 31, the day after the BOE's 6-1 vote. The following school day, 36 teachers were absent at East, and 18 did not file a substitute — serving as a

response to the BOE's vote, according to several teachers interviewed under the condition of anonymity.

With a shortage of teachers in the building, a large percentage of students left their classes. More than 800 students were called out absent or left the building by the end of school, most of whom were called out as the day progressed. And as a result of the vote and the response, teachers like Stephen Laird have cut their club sponsorships and non-contractual duties — and several others, under the condition of anonymity, are heavily considering resignation.

The NEA-SM, along with some non-union member teachers, is concerned their ability to negotiate their contract yearly will be struck down by the binding nature of the three-year contract, and that their concerns have not been taken seriously by the district. Social studies teacher and NEA-SM representative Stephen Laird raised concerns that teacher liberties would be potentially cut out, due to the district's ability to change what they see fit without consulting the union.

"In Shawnee Mission, we negotiated something years ago called 'due process,' where they cannot remove a teacher without a hearing," Laird said. "That used to be, at the time, not that big of a deal because it was law in the state of Kansas, but under [former Gov.] Sam Brownback they took that away. So we're one of the only districts in the state that actually has that in our contract. And a lot of us fear that they could take that away... because in a unilateral contract, they can remove whatever they want."

But, according to BOE Vice President Dr. Mary Sinclair, the SMSD has not and will not cut any teacher privileges from the contract.

The final contract that the BOE approved is comprised of a three-year plan that increases base teacher salary by 1% the first year, 1.25% the second year and 1.5% the third year.

"The contract is a good contract," SMSD Chief Communications Officer David Smith said. "The contract provides 79% of all the new money. It's got increases for over the next three years. It guarantees an increase in healthcare this year, and guarantees to cover anything that's below 7.8% in terms of health increases for the next two years. There's a lot there."

A main issue the NEA-SM emphasized during

negotiations was reducing SMSD requirements from a standard of six teaching hours per day to five. Considering the Olathe and Blue Valley districts currently hold standards of five teaching hours a day, teachers like Ronald Stallard question why the SMSD can't create a similar environment.

However, the negotiation was never about the money or workload issues, but rather about respect, according to Stallard. He feels as though teacher perspectives have not been prioritized by the SMSD.

"For lack of a better term, we are being disrespected," Stallard said. "There are a lot of teachers I know that are willing to take a paycut and go out of district because it means more to us [to be respected]... We are the ones with the kids every day."

The SMSD did, however, include language that states workload implementation will begin, not necessarily be completed, during the 2021-22 school year — which is, Sinclair said, a primary reason for why the approved contract spanned three years. The earliest the reduction process could be implemented is in 2021-22, so the contract would have to be three years in length to ensure a clause addressing the issue.

One of the SMSD's Strategic Plan committees is responsible for diagnosing the best route for reducing teacher hours from six to five. Since additional teachers will need to be hired for the reduction, the team is projecting enrollment for upcoming school years and checking capacity in each SMSD school building for accurate hiring projections, according to Smith.

Questions as to whether or not the district will legitimately address workload issues — which were brought up as concerns by several teachers — need not be worried about, Sinclair said. The SMSD will adhere to the contract, she said, in that the workload issue will be a key priority. The committee's findings on the issue are scheduled for presentation in front of the BOE in June, which will set the course for the district's "reaffirmed commitment" to the six-to-five class reduction in 2021-22.

"[Research on implementing workload reduction] would've needed to happen many yesterdays ago for it to be implemented this coming year, or sooner than the 2021-22 school year," Smith said. "We have to be able to say, 'here's how many kids we have, do we have the space, do we

have to make adjustments to free up space,' etc. to implement the plan. That certainly takes time."

The Jan. 31 walkout stemmed from East students' frustrations with the contract's inclusions. After cardstock notecards were posted in East hallways urging students to leave their classrooms at 11 a.m., many students walked out of their fourth hour classes to show "support" and "solidarity" for their educators. Hundreds of students gathered on the practice field for an impromptu rally.

Senior and class president Emory Apodaca, who has educated himself with the negotiation process and spoke at a board meeting in support of the NEA-SM, stood in front of the crowd vocalizing his thoughts on the subject.

"These teachers sacrifice for us all the time, every day, and that's not something that the board sees," Apodaca said at the walkout. "And it's important to support that and take action in strikes like this, but also continue to work hard and fight until these teachers can get better contracts, better hours, fewer classes, and a better paycheck. And until then, we won't have justice."

Junior Charlie Birt, whose mother is a district teacher and hasn't received a raise since he was in elementary school, emphasized the importance of paying teachers adequately with the district's available funds.

"Shawnee Mission has a history of having great teachers in our schools, but it's time that we pay them what they deserve and not give them negligible pay raises by 1% or 2% max in the next couple of years," Birt said. "And if we don't pay our teachers as well as they deserve, they're going to leave and tank the ratings of our district because we will no longer have the quality teachers or even the necessary amount of teachers that we need."

Many teachers, like Laird, felt proud of their students for using their voice courageously despite the possibility of facing consequences for skipping class, and appreciative that they did so in support of teachers. Others, however, saw the walkout as a blemish on the students body considering the explicit language used and irrelevant topics introduced by speakers to the crowd — some of whom had little to no background on the negotiations and contract situation.

"There is no doubt in my mind that the intent of the people that put it together was good, it was," East teacher Sharon Hughes" said. "Those people

are leaders in our school, people that younger students might look up to and should, but the behavior of some which was evident on [a] video was very disappointing and insulting. For some, it turned into an opportunity to not be in class and to chant things about sports with very vulgar [language]. Disappointing is an understatement."

After school on Jan. 31 following the walkout, a "what's next?" meeting was held in Laird's room to touch base with teachers on how to best move forward regarding the contract. Considering district teachers have until Feb. 15 to either accept the 2019-20 contract, continue working under their 2018-19 contract or resign without penalty, NEA-SM teachers and some non-union members are still waiting for the union's legal inquiry to process before deciding.

As this process moves on, Sinclair emphasized her personal intention to keep an open dialogue between her and involved teachers, especially now that she is able to actually communicate openly. Until the BOE's final vote, board members weren't able to comment on negotiations off-table in any fashion.

"I think it's pretty safe to say that nobody wanted a unilateral agreement," Sinclair said. "It was the last stop in a very long process of negotiations. But now that we're there, and I can talk about it and keep that open dialogue, I want to move forward with teachers. We all want to do what's right for kids and what's right for teachers so they can help students learn. It's incredibly important to me."

For teachers in the union, movement forward will rely heavily on the lawsuit — NEA lawyers combing through the contract to gauge its validity as well as the state's verdict on whether or not the contract is constitutional. After the negotiations process, Laird said, the trust between the district and union teachers has deteriorated to a point that will take "a long time" to restore.

"Unfortunately at this time, teachers no longer trust this district to do what is right for teachers or do what is right for students," Laird said. "Morale is the lowest it's ever been, but at the same time I've never seen more teachers fired up."

