

**Contract Negotiations between the  
Montgomery County Education Association  
and the  
Montgomery County Board of Education**

**PROPOSED SETTLEMENT**

**February 4, 2014**

**Executive Summary**

**Term:** 3 years, July 1, 2014 – June 30, 2017

**Salaries:**

- a. Three annual cost-of-living increases
- b. Three annual step increases
- c. Restoration of the delayed FY12 steps (and lost salary placement credit)
- d. Addition of two more steps

**Benefits:**

- e. Two-year phase-in of a cost shift on health insurance premiums
- f. Premium incentives for voluntary wellness program participation
- g. Premium penalties for smoking
- h. Pre-authorization for high-tech radiology services
- i. Phase-out of domestic partner eligibility
- j. Improved vision benefits
- k. Expanded Carefirst national network
- l. Incentives for voluntary diabetes management program participation
- m. Enhanced health care consumer access to information
- n. Re-bidding process for the 403b/457 retirement savings plans

**Other Economic Issues:**

- o. Restore funding for the following FY09 Deferred Items:
  - a. Implementation of the Career Lattice
  - b. Increase in “Other National Certification” supplements
  - c. Increase in Mentor stipend rate
  - d. Increase in extracurricular stipend rate
  - e. Restoration of two additional summer work days for Reading Specialists
  - f. Restoration of a paid day of training for eligible substitute teachers and home and hospital teachers
- p. Establish an excess annual leave cash-out provision for twelve month unit members
- q. Add a substitute teacher incentive bonus

- r. Increase the number of summer work days for secondary elected faculty representatives serving on school leadership teams
- s. Establish a national certification supplement for athletic directors
- t. Provide stipends to NBCT coaches in the NBPTS candidate support program
- u. Adjust the percentage sick leave cash-outs upon severance to increase the incentive for early notification

## Other Contract Provisions

1. **Career Lattice Program** – Updates the language on the Career Lattice so that implementation can begin this year
2. **Professional Development** - Re-establishes a joint committee to oversee professional development
3. **High School Resource Counselors** - Increases the number of summer work days for high school Resource Counselors
4. **Elementary Counselors** - Provides for substitute coverage for elementary counselors if they provide regularly scheduled instruction
5. **Attendance** - Allows for electronic sign-in, rather than just paper forms
6. **Part-time Employees** – Clarifies expectations for evening and weekend responsibilities
7. **Teachers with Split Assignments** - Clarifies expectations for evening and weekend responsibilities
8. **Grading and Planning Time** – Clarifies the language providing for teleworking on certain grading days
9. **ESOL Paperwork** – Provides time for caseload related tasks
10. **Elementary School Schedules** – Establishes 4 hours and 45 minutes per week as the baseline for planning time within the student day
11. **Staff Involvement in School Decisions about Scheduling** – Clarifies the language relating to changes in master schedules (ex. 8 period days) and teacher course loads
12. **Feedback Data in the Professional Growth Systems** – Agreement to develop proposal to include student feedback in teacher evaluations, teacher feedback in principal evaluations and principal feedback in associate superintendent evaluations
13. **Principal and Elected Faculty Representative Collaboration** – Clarifies the language on expectations for how principals and EFRs are to work together

14. **Process for Contract Waivers** – Defines the specific process for the (pre-existing) provision for contract waivers
15. **Transfers and Hiring in Schools that are Restructuring** – Defines a process for staffing in high schools that are restructuring [Alternative Programs(2014), Wheaton HS(2015)]
16. **Paperwork Reduction** – Establishes a timeline for a series of steps to reduce and better automate paperwork
17. **Adult Bullying** – Establishes a joint work group to develop regulations and processes for addressing adult bullying
18. **Annual Leave** – Increases the carryover of unused annual leave for 12 month unit members
19. **Leave for Juror or Witness Service** – Clarifies conditions for paid leave
20. **Short-term Personal Leave** – Clarifies conditions for use of leave
21. **Sick Leave Bank** – Provides a one-time reduction in annual contributions to the Bank
22. **Flexible Scheduling Option for 12-month Unit Members** – Provides options for limited flexible scheduling (i.e. 4 10-hour day/weeks)
23. **Part-time Employees** – Establishes limits on last minute changes to part-time schedules
24. **Job Fairs & Voluntary Transfer Season** – Expands the number of elementary job fairs, and speeds up the transfer and placement seasons
25. **Payroll Options** – Agreement that a 12-month payroll option will be built in to the requirements for the next payroll system plan bid
26. **Sick Leave Bank** – Modifies the Bank eligibility rules so that members do not have to fully exhaust their own sick leave before applying
27. **Work Year Alternatives in the Infants and Toddlers Program** – Establishes a joint work group to more fully develop options
28. **Innovation** – Establishes language encouraging local school innovation
29. **Observation Notes** – Clarifies the information to be provided prior to post-observation conferences
30. **Confidential Records** – Defines the process, and due process protections, for confidential records
31. **Attendance at Faculty Meetings** – Clarifies consequences for missing faculty meetings

# Salaries

- **Step Increases**

- Unit members eligible for a step increase in FY15 will move up a step on 11/29/14
- Unit members eligible for a step increase in FY16 will move up a step on 10/3/15
- Unit members eligible for a step increase in FY17 will move up a step on 9/3/16

- **FY12 Make-up Step**

- Effective 3/4/17, all unit members eligible for a step increase who missed the FY12 step increase, or who had their hire-in step adjusted back due to the missed FY12 step, shall move up a step.

- **General Wage Adjustments**

- The salary schedules will be increased by 1.5% on 11/29/14
- The salary schedules will be increased by 2.0% on 10/3/15
- The salary schedules will be increased by 2.0% on 9/3/16
- Salaries for unit members who are “off schedule” (codes “50” - “65”) will be increased similarly
- Daily and hourly rates for substitute teachers and home and hospital teachers will be increased similarly

- **Additional Steps**

- Effective 3/4/17, two new steps will be added at the top of each salary lane. On the MA/MEQ, MA/MEQ+30, and MA/MEQ+60 salary lanes, salary increases will be added for new Steps 23 and 24. On the BA salary lane, salary increases will be added for new Steps 11 and 12.

# Benefits

## 1. Base Premium Cost Sharing Formulas

	Current	Effective 1/1/2015	Effective 1/1/2016
HMO plans	95/5	92/8	88/12
POS plans	90/10	87/13	83/17
Dental, Vision & Rx	90/10	87/13	83/17

The premium cost sharing formulas for the closed POS plan shall be changed by the same amounts.

Implementation of the changes effective 1/1/2016 shall be dependent upon implementation of the wellness incentives below.

## 2. Wellness Incentives

Health Risk Assessments (HRAs) – Effective 1/1/16, MCPS will pick up an additional 1% of the premium for employees who complete an online Health Risk Assessment.

Biometric Screenings (BMSs) - Effective 1/1/16, MCPS will pick up an additional 1% of the premium for employees who complete and submit the results of standard lab tests of blood work.

All data submitted through these wellness initiatives will be treated as confidential by a third-party administrator covered by the privacy requirements of the federal HIPAA Act.

Implementation of these provisions will be overseen by the Joint Employee Benefits Committee, including approval of the final HRA questionnaires and BMS requirements. Participation in HRAs and BMS shall be completely voluntary.

HRAs and BMSs shall be documented annually through the third-party administrator for renewal of the employer premium pick-ups.

## 3. Smoker Rates

Effective 1/1/16, annual plan enrollments will include a signed attestation as to whether the employee is a smoker or a non-smoker. A non-smoker is defined as someone who has not used tobacco products during the prior twelve month period. Plan participants who are smokers shall pay a premium surcharge of an additional 3%. Effective 1/1/17, spouses on the benefit plan will also be covered by this provision. If either the employee or spouse is a smoker, the employee shall pay the premium surcharge of 3%. Plan participants who falsely attest to being a non-smoker will be subject to a penalty which will be noted on the enrollment form. The penalty applied would be \$2,500 and would be payroll deducted.

#### 4. Utilization Management

Effective 1/1/15, the Personal Health Solutions Plus utilization management program will be incorporated into the CIGNA Point-of-Service plans; to provide for pre-authorization of high-tech radiology (MRI, CAT and PET scans) and certain other outpatient services.

#### 5. Domestic Partner Coverage

In light of the recent changes to Maryland law relative to marriage equality, the plans will be closed to enrollment of new domestic partners effective 7/1/14. Coverage will no longer be provided for domestic partners as of 1/1/15.

#### 6. Vision Benefits

Modify the vision plan benefits as follows (“NVA Wholesale1” option):

	<u>Current reimbursement rates</u>	<u>Proposed</u>
Exams: optometrist	\$25	\$50
Exams: ophthalmologist	\$33	\$66
Frames: frames only	\$20	\$40
Lenses: per pair		
Single vision	\$20	\$40
Bifocal	\$35	\$70
Trifocal	\$45	\$90
Lenticular	\$120	\$240
Contact lenses:		
Medically necessary	\$230	\$230
Standard or disposable	\$40	\$80

#### 7. Carefirst National Networks

Effective 1/1/15, the Carefirst BlueChoice Advantage national point-of-service network will be incorporated into the Carefirst Point-Of-Service networks available to plan participants.

#### 8. Disease Management

Phase 1 - Effective 1/1/15, plan participants diagnosed with diabetes, who participate in one of the plans’ Diabetes Disease Management programs will have their co-payments waived on diabetes medications and test strips. Phase 2 – JEBC to consider and recommend incentives for additional value-added disease management programs.

#### 9. Market Transparency: cost and effectiveness

Recognizing the shared interest in enabling plan participants to be better informed consumers of health care services, the parties agree that MCPS will use its’ available communication systems to maximize the availability of comparative costs for services being charged to the plan by doctors, labs, and hospitals as well as information on hospital re-admission rates and post-surgical infection rates. The Joint Employee Benefits Committee will be provided with full

access to plan utilization and vendor performance, outcome and cost data, including vendor contracts, to facilitate their work towards increasing market transparency so that plan participants can be better informed consumers of health care services.

#### **10. 403b/457 Retirement Savings Plans**

In order to improve the current defined contribution retirement savings plans for the benefit of current and future participants, the parties agree that the plans will be put out for bid during 2015 for changes to be effective 1/1/16. The goals of the bidding process will include: 1) reducing fees currently charged to plan participants, 2) increasing the transparency of fees being charged, and 3) provide participants with access to independent investment advice. The parties agree to continue to work through the advisory committee to establish an oversight structure for the defined contribution plans, to include representatives of the employee organizations as is currently done with the Retirement and Pension System Board of Investment Trustees.



**MCEA NEGOTIATIONS  
SETTLEMENT SUMMARY  
02/09/2014 2:01 PM**

**1. Career Lattice Program**

Modify Articles 14(G) and 19 as follows:

**Article 14 Section D - Career Lattice Program**

1. MCEA and MCPS are committed to ensuring that there are high-quality educators throughout every level of MCPS. This initial design will focus on school-based unit members. A second phase will consider lead teacher status for other unit members. These commitments emphasize the importance of having structures and processes in place to attract, recruit, hire, mentor, develop, evaluate, recognize, and retain high-performing teacher professionals. MCEA and MCPS believe that excellence in teaching is critical to student learning.
2. There are three developmental stages in a teaching career, which include induction, skillful teaching, and leadership in teaching (referred to as the lead teacher). To be successful in MCPS a teacher must reach the skillful teaching stage. Some professionals will choose to become teacher leaders and enter into the leadership in teaching stage. Teachers in this stage serve through leadership in their schools and classrooms and seek even greater responsibility. At this stage, the teacher takes on new challenges to support, coach, mentor, and lead colleagues in instructional and school improvement which result in increased student learning. The Career Lattice is a framework that includes definitions of leadership responsibilities; processes for application, identification, and evaluation of teacher leaders; and a compensation structure that is aligned to the leadership responsibilities.
3. Educators with lead teacher status are eligible for a variety of teacher leadership roles, as collaboratively determined by the Career Lattice Joint Panel and the Superintendent or his/her designee. Lead teacher opportunities consist of specific leadership positions and project leadership.
4. Classroom teachers who achieve lead teacher status can apply for teacher leadership positions or carry out school-based improvement projects. Lead teachers in designated leadership positions will receive a salary supplement. Lead teachers who are approved for project work will receive a salary supplement (Article 19B6)
5. The Career Lattice is collaboratively designed to provide a structure for career planning that expands professional opportunities for teacher leaders while allowing them to continue to have direct responsibility for student learning.
6. The Career Lattice program shall operate in accord with the procedures enumerated in the Career Lattice Handbook, which will be created by the Career Lattice Joint Panel, and will be reviewed and revised annually by the Teacher PGS Implementation Team.
7. The Career Lattice Program shall be run by a Career Lattice Joint Panel. The Panel shall consist of at least 12 members appointed by the superintendent, an equal number being

teachers recommended by MCEA, and school-based administrators recommended by MCAAP. The associate superintendent for the Office of Human Resources and Development (or his/her designee) shall also serve as a panel member

8. The Career Lattice Joint Panel is responsible for the following:
  - a. Lead teacher application process
  - b. Lead teacher identification process
  - c. Lead teacher recertification process
  - d. Data collection about the cadre of lead teachers (demographic, educational, etc.) as well as data needed to track results for continuous improvement
  - e. Career Lattice revisions and improvement recommendations
  - f. Working with the Department of Shared Accountability to provide input for the evaluation of the Career Lattice Program
9. The Career Lattice Joint Panel will report to the Teacher PGS Implementation Team which will review and revise procedures as necessary. The Teacher PGS Implementation Team will provide quarterly reports to the MCEA/MCPS LMCC. Unresolved issues will be submitted to the LMCC and to the Joint Associations/Deputies/Chief Operating Officer Committee.
10. The parties agree to design and oversee jointly evaluation of the Career Lattice Program.

Modify Article 19 Section B(6) to read:

**Lead Teachers**—Effective July 1, 2014, lead teachers who serve in teacher leadership positions identified as part of the Career Lattice program will receive a supplement of \$2,000, in addition to any supplement provided for the specific position. Lead teachers who carry out approved projects as identified in the Career Lattice program will be eligible to receive a salary supplement of \$2,000 and \$1,000-\$3,000 in supplemental school improvement funds, as determined by the Career Lattice Project Review Panel.

**Letter of Agreement  
On the Use of Feedback Data in the Professional Growth Systems**

Between  
The Montgomery County Board of Education  
And  
The Montgomery County Education Association

The parties to this Agreement remain committed to the use of Professional Growth Systems that are standards based, qualitative in nature, and which rely on multiple measures to assess performance. The parties are also committed to the continued refinement and improvement of the Professional Growth Systems.

The parties agree that stakeholder feedback is an important component of professional growth and accountability, and therefore that it should be included as additional measures in the evaluation process within the Professional Growth Systems. Specifically, the parties agree that:

1. Principal and Assistant Principal feedback should be included in the evaluation process within the Professional Growth System for Associate Superintendents
2. Faculty feedback should be included in the evaluation process within the Professional Growth System for Principals and Assistant Principals, and
3. Student feedback should be included in the evaluation process within the Professional Growth System for Teachers

Therefore the parties charge the Joint PGS Implementation Team with designing proposed processes, survey instruments, and implementation timelines to accomplish these goals.

The proposal developed by the Joint PGS Implementation Team is to be presented to the joint Associations/Deputies/Chief Operating Officer (ADC) Committee by the end of the 2014-2015 school year for review and final approval.

In Witness Whereof, the parties hereunto set their hand and seals, this \_\_\_\_ day of \_\_\_\_\_, 2014.

FOR THE BOARD:

\_\_\_\_\_

FOR MCEA:

\_\_\_\_\_