

MANAGEMENT LIMITATIONS

2.2 – STAFF SUPPORT SERVICES & CONDITIONS OF WORK
(formerly titled Treatment of Faculty/Staff)

Purpose: The purpose of the Staff Support Services & Conditions of Work Report (formerly titled Treatment of Staff) is to inform the board about staff systems ancillary to teaching and learning. A copy of this Monitoring Report will be available on the District’s website. Items in this monitoring report include the following:

Report Item	Information
1. Background Checks	Update on new requirements (2013) for backgrounds checks in schools; Report on current status.
2. Employee Training	Update on HR team’s district wide PD/training plan using Safe Schools and other training.
3. Employee Workman’s Comp Claims	Report on the nature and cost of claims; Future reports will include data comparisons before/after staff training
4. Grievances	Report on number and nature of grievances by employee group
5. Misconduct/ Investigations	Update on staff Level 1 Investigator Training Report, Investigator training for HR staff, & Cultural Competency Training
6. Insurance & Benefits	Report on insurance information/data
7. Progressive Discipline	Report on new system of progressive discipline
8. Classification & Compensation; Work Rules	Update on wages for bargained and non-bargaining staff; Update on work rules

1. BACKGROUND CHECKS

During the 2013 Legislative Session, the Legislature passed and the Governor signed Senate File 452, Standing Appropriations. This bill included a new requirement for school districts to conduct background investigations on school employees who aren't already required to be checked elsewhere in the Iowa Code. The check entails a check of criminal history, state and federal sex offender, child abuse and dependent adult abuse registries. The new law mandated that districts check employees' background prior to initial hire, and then check again, every five years in their anniversary year of hire. By June 30, 2014, districts had to document these employees had been checked. We met with DMEA, AFSCME, and administrators prior to sending out a district wide communication explaining the new law and our process.

The majority of the background check work in DMPS was done Oct.-Dec. 2013. This was an advantage for DMPS in that the vast majority of our checks were done before the rest of the state sent in checks. This created a bottle neck of response from the Department of Human Services and delayed hiring for some districts due to the two to three week wait for response.

July 8, 2014

Contact: Dr. Anne Sullivan

We first developed a district background check philosophy of what we expected of individuals who wanted to be employed by DMPS. This was necessary in establishing fair and consistent expectations prior to conducting background checks with any employee group. Next, we established standard operating procedures for background check processing. This new law also required us to develop disciplinary procedures for how to address those employees who did not disclose an arrest on their initial investigation or did not report an arrest once employed by DMPS (which is a violation of DMPS Board Policy #418). We were then required to develop adverse action letters. This means we needed to develop a communication to send to employees who were not hired due to a background check that revealed infractions not meeting DMPS standards.

There was some initial concern about the actual form that employees had to sign. In collaboration with ISFIS, our background check provider, we were able to remove some language such as reference to financial matters that was of concern to employees. We also met individually with any employee who was concerned with confidentiality and sent follow up information to employees regarding the background check company and the security of their private information. No one refused to comply with the background check requirement once individual and group concerns were addressed by administration.

Background checks were conducted for all employee groups. While there is no requirement to check administrators, DMPS *will* conduct background checks with administrators every five years as with other groups. The Board of Educational Examiners (BOEE) conducts rechecks for substitute teachers, teachers, and administrators when they renew their license, so these employees and bus drivers are exempted in the law from being included in the 5-year recheck process.

From background checks conducted district wide with all employee groups, the following actions were taken:

- 10 employees were terminated
- 13 employees received discipline for not following district policies to disclose an arrest or failure to disclose an infraction on the initial job application.
- 4 coaching and counseling sessions with staff that disclosed an arrest to a supervisor however a form was not on file.

2. STAFF TRAINING

After being hired, District employees are provided training in Universal Precautions/Blood Borne pathogens. Building school nurses also provide an annual review. In addition, a more in-depth training on blood borne pathogens is available online through Heartland AEA.

Administrator / supervisory and certified staff must complete Mandatory Reporters training through a provider approved by the Department of Education. Training must be received within 6 months of employment and every 5 years thereafter. Access to the training is provided online through Heartland AEA. Preschool nurses and staff are required to be certified in First Aid and CPR. Recertification is required every 2 years and training is provided by school nurses who are certified instructors. Beginning last school year and continuing into this school year, the District has partnered with Community Education to provide CPR and First Aid training to any staff who would like this training.

In addition, school personnel who have been designated by the school nurse to administer medication receive Medication Administration Training. The District provides training to employees upon the initial position placement and every five years thereafter. The building school nurse provides an annual review. Training certificates are maintained in the medication log at each building and in the employee’s HR file. During nurses’ performance reviews, Marci Cordaro, Health Services Supervisor, verified that records and certifications were current. Therefore, the District is in compliance with these trainings and certifications.

New this year:

SafeSchools, an online training and compliance management system for schools will be utilized to implement annual and ongoing training for District employees. This system provides real-time results that are tracked with administrative reports readily available. The system will automatically email notifications and reminders to staff when training is scheduled. Schools that use this training reduced reported injuries, in-service training time, while increasing safety and compliance.

All administrators, managers and supervisors will be trained in reasonable suspicion by a trained professional as part of the District contract with Magellan Healthcare. Six training sessions have been scheduled between June and August 2014. Those trained will be given the revised policy and procedures including authorized testing locations. Annual training will be conducted for new administrators, managers and supervisors each year through Magellan. A refresher course will be scheduled through SafeSchools.

Table: *Employee Drug and Alcohol Testing Reports*

	Reasonable Suspicion Reports
FY14	3 (all founded)
FY13	2
FY12	1
FY11	2

In addition, the human resources team is reviewing 50 different training modules available through SafeSchools. Modules include classroom safety, employment practices, health, ethics, harassment, special education and many more. The team is working on determining which modules will be beneficial to our staff and students. We will also be developing a training schedule and implementation plan for this school year. The results of this effort will be included in the 2014-2015 monitoring report.

3. WORKERS COMPENSATION CLAIMS

As illustrated in Chart 3-1 below, the District’s total number of workers’ compensation claims is on a downward linear trajectory. Total reported claims has held relatively steady with a very slight decrease in FY14. While the total number of claims reported can be used to evaluate trends and identify risk areas, it may not necessarily be a true indicator of the success of the program. The District encourages all work injuries to be documented and reported. However, not all injuries that have been reported require medical attention. Beginning FY15, claims will be tracked in three categories; reportable, medical only and lost time.

Chart 3-2 illustrates the number of claims with lost time from work. These claims are the more severe claims that require employees to miss work due to surgical interventions and/or restrictions that cannot be accommodated on the job. Given the total number of employees, 1% experienced a lost time claim in FY14. The District had a decrease in lost time claims in FY14 with a decreasing linear trend over the past eight years.

Chart 3-1: *Workers Compensation Claims Reported*

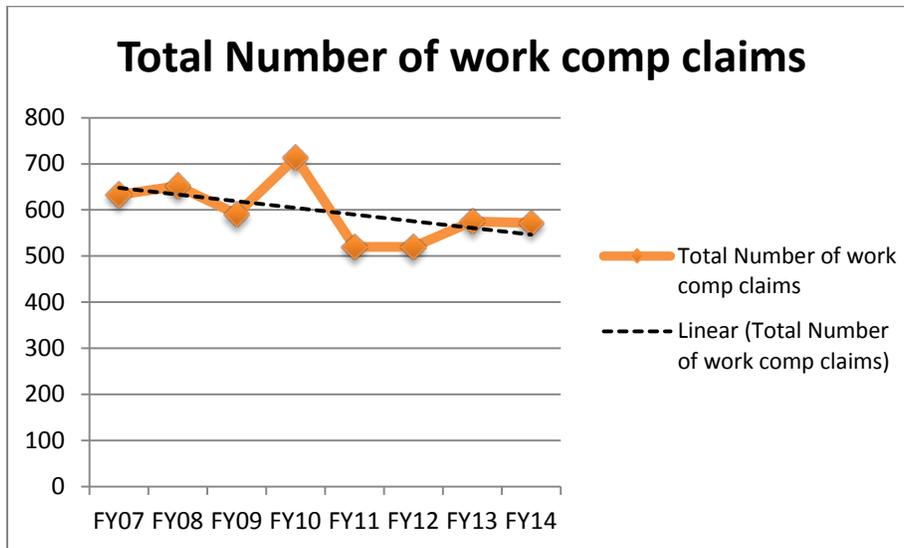


Chart 3-2: Workers Compensation Claims Resulting in Lost Time

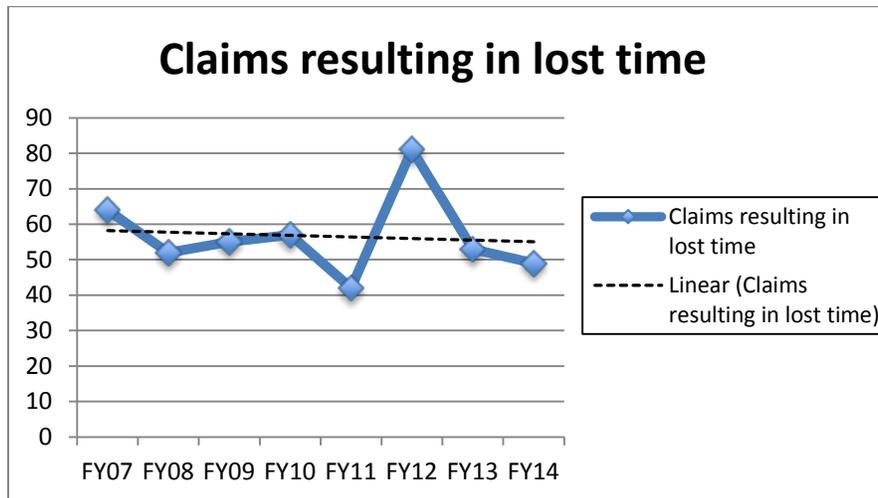


Chart 3-3: Workers Compensation Claims Resulting in Lost Time As a Percentage of Total Claims Reported

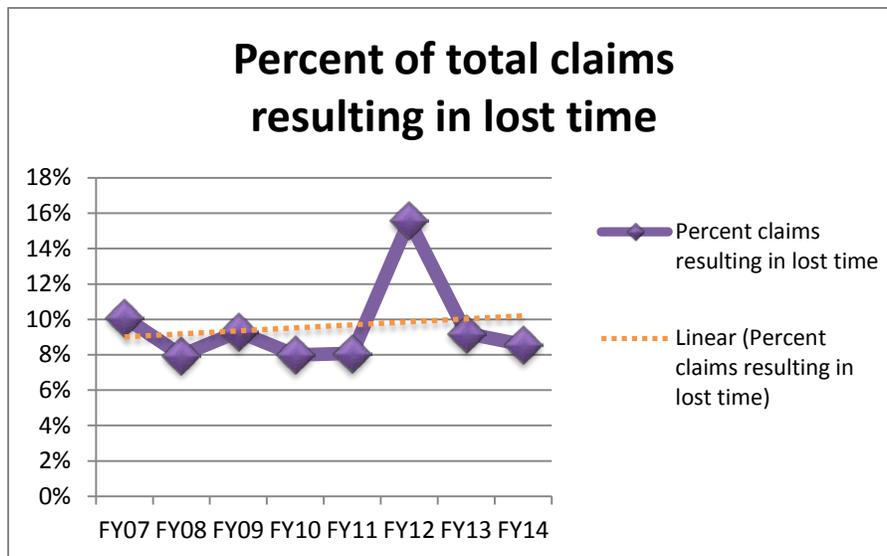


Table 3-4: Work Compensation Claims Data

	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14
Total claims reported	633	652	591	713	520	520	575	572
Claims resulting in lost time	64	52	55	57	42	81	53	49
Percent claims resulting in lost time	10%	8%	9%	8%	8%	16%	9%	9%

In addition, as illustrated in Table 3-5, the District's FY14 workers compensation claims data, when desegregated according to nine general District employee groups, demonstrates seven of the nine employee groups performed the same or better than their average claims experience from the previous seven fiscal years.

Table 3-5: FY14 Claims Compared to 7-Year Average

<i>Employee Group</i>	<i>FY 07</i>	<i>FY 08</i>	<i>FY 09</i>	<i>FY 10</i>	<i>FY 11</i>	<i>FY 12</i>	<i>FY 13</i>	<i>FY 14</i>	<i>FY 07- FY 13 Avg.</i>	<i>FY 14 +/- Avg.</i>
<i>Administrators</i>	11	7	14	16	12	9	11	8	11	-3
<i>Associates</i>	102	123	129	180	109	117	130	121	127	-6
<i>Clerical</i>	17	10	5	10	7	5	8	7	9	-2
<i>Food Service</i>	87	78	70	81	71	70	68	91	75	16
<i>Facilities/Oper/ Crafts/Security</i>	89	92	82	103	77	59	64	63	81	-18
<i>Teachers</i>	242	265	218	231	178	218	217	224	224	0
<i>Transportation</i>	43	47	45	51	26	25	48	28	41	-13
<i>Para Professionals</i>	25	14	10	9	17	6	9	7	13	-6
<i>Other</i>	17	16	18	32	23	11	20	23	20	3
<i>Total</i>	633	652	591	713	520	520	575	572	601	-29

4. GRIEVANCES

A grievance is an action taken by a labor union when it is believed that management violated an article(s) in the negotiated labor agreement. The number of grievances can vary from year to year. When reviewing grievances, considering only the number of grievances is not enough data to draw conclusions about the actions of either labor or management. It is important to look further into the type of grievances being filed and to keep open and ongoing communication between management and labor. For these reasons, meetings between labor and management are scheduled each month.

History of Grievances Filed during the 2013-2014 School Year

Union	Year	FY10	FY11	FY12	FY13	FY14
Des Moines Education Association (DMEA)	#	1	2	2	1	3
American Federation of State, County and Municipal Employees (AFSCME)	#	22	16	26	17	23

UNION	Basis for Grievance	Resolution as of June 30, 2014
DMEA	Deadline for insurance (1)	Grievance withdrawn by union
DMEA	Type of pay assignment notification (1)	Grievance withdrawn by union
DMEA	Transfer of teacher (1)	Ongoing

UNION	Basis for Grievance	Resolution as of June 30, 2014
AFSCME	Discipline (5)	1 resolved; 2 pending grievance steps; 2 pending arbitration.
AFSCME	Discharge (4)	1 withdrawn; 3 pending arbitration.
AFSCME	Contact Violation (14)	2 withdrawn; 7 pending grievance steps; 5 pending arbitration.

*6 of 23 grievances filed between May 1, 2014 – June 30, 2014

5. REPORTS OF MISCONDUCT/INVESTIGATIONS

Generally, a “complaint” is a student or employee’s allegation of mistreatment by a member of the District’s staff or an allegation that a member of the District’s staff has violated one of the District’s policies.

During the 2014-2015 school year, the District established at least one Level 1 Investigator in each school. Generally these were principals, released deans, unreleased deans, vice principals, SILs, or counselors. This involved the staff member completing an online training through Heartland AEA, a follow up district training, and completing a follow up survey to collect questions and feedback. The employee(s) then serve as the school’s point person for Level 1 Investigations. Most schools have more than one person trained as a Level 1 Investigator. These are not paid positions, rather these individuals have the knowledge/skills to address allegations immediately on site. This is also beneficial in case of a conflict of interest between employees. Building Level 1 Investigators can also assist at other buildings when necessary due to a conflict of interest, personnel conflicts, etc.

In addition to the Level 1 Investigators, complaints are investigated by employees at the building and district level. The district hired an Equity Coordinator in the spring of 2014 to facilitate Equal Employment Opportunity Complaints and any complaints of discrimination.

As illustrated in Chart 4-1, complaints have been categorized by several categories. A complaint has been redefined as a verbal or written communication/complaint that was investigated.

We analyze the data collected regarding complaints to determine if staff training is needed. If so, who should be included and when/how often should training occur. Data will also be used to determine if there are additions/revisions needed to the DMPS Employee Handbook or DMPS Board Policies.

Chart: Summary of Investigation Types for 2013-2014 School Year

Type/Number of Formal Investigations	Outcome of Investigation
Sexual Harassment (2)	Founded (1) Unfounded (1)
Misconduct (3)	Founded (2) Unfounded (1)
Student Physical Abuse (3)	Founded (1) Unfounded (2)
Intolerance-Disability (1) Intolerance-Religion (1) Intolerance-Race (1)	Founded (3)
Hostile Work Environment (1)	Founded
Sexual Abuse (1)	Unfounded
Total Investigations: 13	Total Founded: 8 Total Unfounded: 5

6. INSURANCE & BENEFITS

Employees of Des Moines Public Schools are offered a comprehensive benefit package. These benefits are designed to provide protection and stability. The chart below is a summary of benefits offered by employment classification.

The average annual District cost for the health, dental, life and disability of an employee electing family coverage is \$20,264. This cost does not include the District's contribution for employees to either IPERS or DMTRS. In a recent poll of metro area schools, DMPS is the only district contributing the full family premium for health coverage in FY14.

Benefit Summary									
Benefits for full-time employees									
Title	Health	Health Incentive	Wellness	Dental	Disability	Life Insurance	Vision	Early Retirement	TSA
Teachers (DMEA) includes case manager	Single/employee+1/family coverage offered for \$200 annual premium	\$250 annual for employee+ 1 coverage \$500 annual for single coverage or no coverage	ability to earn \$200 annual wellness incentive	single/family coverage - no employee premium share	60% salary at disability - health insurance for one year	\$30,000 term life Can purchase additional on self, spouse and dependents		per Board approval on an annual basis	
Associates (DMEA) includes Tutor	Single/employee+1/family coverage offered for \$200 annual premium	\$250 annual ofr employee+ 1 coverage \$500 annual for single coverage or no coverage	ability to earn \$200 annual wellness incentive	single/family coverage - no employee premium share	60% salary at disability - health insurance for one year	\$30,000 term life Can purchase additional on self, spouse and dependents			
Administrators	Single/employee+1/family coverage offered for \$200 annual premium		ability to earn \$200 annual wellness incentive	single coverage at no premium share - can purchase family	60% salary at disability - health insurance for one year	\$50,000 term life Can purchase additional on self, spouse and dependents	family vision provided no premium share	per Board approval on an annual basis	13.5% of annual salary
Clerical (DMEA)	Single/employee+1/family coverage offered for \$200 annual premium	\$250 annual ofr employee+ 1 coverage \$500 annual for single coverage or no coverage	ability to earn \$200 annual wellness incentive	single/family coverage - no employee premium share	60% salary at disability - health insurance for one year	\$30,000 term life Can purchase additional on self, spouse and dependents	family vision provided no premium share		
Child Care (AFSCME)	Single/employee+1/family coverage offered for \$200 annual premium		ability to earn \$200 annual wellness incentive	single/family coverage - no employee premium share	60% salary at disability - health insurance for one year	\$30,000 term life Can purchase additional on self, spouse and dependents	family vision provided no premium share		
AFSCME - includes FoodService/Operations/Transportation	Single/employee+1/family coverage offered for \$200 annual premium		ability to earn \$200 annual wellness incentive	single coverage at no premium share - employee pays 20% for family	60% salary at disability - health insurance for one year	\$30,000 term life Can purchase additional on self, spouse and dependents	family vision provided no premium share		
Crafts	Single/employee+1/family coverage offered for \$200 annual premium		ability to earn \$200 annual wellness incentive	single coverage at no premium share - can purchase family	60% salary at disability - health insurance for one year	\$30,000 term life Can purchase additional on self, spouse and dependents			
Specialists	Single/employee+1/family coverage offered for \$200 annual premium		ability to earn \$200 annual wellness incentive	single/family coverage - no employee premium share	60% salary at disability - health insurance for one year	\$50,000 term life Can purchase additional on self, spouse and dependents	family vision provided no premium share		

7. PROGRESSIVE DISCIPLINE

Progressive discipline has been in place via the AFSCME Comprehensive Agreement for those applicable employees. The steps of progressive discipline include the following:

- Oral Written Reprimand
- Written Reprimand
- Suspension (unpaid)
- Terminations

There was no progressive discipline system in place for certified staff. There was a process/template in place for a teacher placed on an intensive assistance plan for performance. Performance issues, including misconduct, were not addressed with a district form or standard. A system of progressive discipline was developed for performance issues, including misconduct, based on the 8 Iowa Teaching Standards & Criteria beginning November 2013. Standard Operating Procedure were developed, communicated and applied as appropriate as follows:

- Record of Discussion
- Written Reprimand
- Suspension (unpaid); misconduct issues or Phase 1/Phase 2 Plan of Assistance (teaching performance issues)
- Termination

8. CLASSIFICATION & COMPENSATION

Bargaining Staff

Contract negotiations were not conducted during the spring of 2014 because the district and labor unions bargained a two year contract with DMEA and a three year contract with AFSCME which both end June 30, 2015. This will require us to convene contract negotiations spring of 2015. This resulted in the following increases for the 2014-2015 school year. Historical data is also included.

Staff Wage & Compensation Settlements

	<u>2011/12</u>	<u>2012/13</u>	<u>2013/14</u>	<u>2014/15</u>
DMEA - Teachers	3.11%	3.95%	3.98%	4.09%
DMEA - Clerical	3.44%	4.11%	4.62%	4.09%
DMEA - Associates	3.79%	4.93%	8.62%	4.50%
AFSCME - Operations	0.17%	4.27%	3.79%	3.75%
AFSCME - Food Service	0.62%	5.13%	3.97%	4.00%
AFSCME - Child Care	1.98%	3.93%	4.16%	4.00%
Bldg & Trades Council - Crafts	-5.72%	1.15%	3.28%	2.34%
Para-Professionals (average)	3.11%	4.11%	3.96%	4.00%
Specialists	3.11%	3.95%	3.95%	4.00%
Administrators	2.92%	3.60%	3.95%	4.00%
Overall Average	2.81%	4.03%	4.22%	4.07%
Increase in State Foundation Aid (allowable growth)	0.00%	2.00%	2% + 2%	4.00%

Non-Bargaining Staff: Update on Fox Lawson Classification & Compensation Study

DMPS contracted Fox Lawson to conduct a classification and compensation study during the past calendar year. The compensation and classification study had two components. The first component was to review all job functions to ensure staff were appropriately classified. We were provided job description samples which will assist the district with our job description review during the 2014-2015 school year. The second component was to review staff and faculty compensation in order to determine if compensation was both internally equitable and externally competitive in the market.

Below is the timeline of action plan:

- August 7, 2012: Comprehensive pay study for entire organization requested by DMPS administration and school board.
- September 14, 2012: RFP for comprehensive classification and compensation study issued
- October 16, 2012: Contract awarded to Fox Lawson.
- December 12, 2012: Study begins
- December 10, 2013: Fox Lawson Compensation Study Report presented to DMPS Board of Education
- February 2014: Addressed salary deficiencies for employees as identified by Fox Lawson Study for employees receiving pay below low range of pay for their respective classification.
- February - June, 2014: Human Resources, Business & Finance departments worked with supervisors/administrators to determine pay for all other non-bargaining employees; discrepancies among all classifications and individuals within a classification also reviewed
- June 2014: Individuals and their supervisors notified of process and individual pay adjustments
- July 1, 2014: Adjusted pay increases began

The Fox Lawson data established pay ranges (low, midpoint, high) and a system of determining pay for all new hires. The length of work day and work year is also considered in assessing pay for new and existing staff. The Fox Lawson data was based on an 8 hour work day.

Some staff saw an adjustment in pay in Feb. 2014 if they were below the pay range. Approximately 42 staff received no pay increase or only a cost of living increase (about 1.5%) in pay.

The monitoring and review of compensation is not a one-time event, rather it is an ongoing process. The Human Resources department, in cooperation with the rest of the administrative team, will continue to refine job descriptions and monitor compensation for all employee groups for external comparability and internal equity.

Work Rules

The District's Employee Handbook was reviewed and revised by the Chief of Human Resources and the human resources department staff.

Various Articles within each of the District's Comprehensive Agreements as well as the District's Employee Handbook serve to clarify personnel rules, policies and procedures.

In August 2013, the District distributed a revised Employee Handbook to all staff. All employees except those in food service and transportation received the contract electronically and they were asked to acknowledge receipt of the Des Moines Public Schools Employee Handbook electronically. Food service and transportation staff received a paper copy because they did not have enough access to technology at the time. Since then, every building and department has access to computers/technology necessary to send/receive emails and access online documents such as the employee handbook. Beginning in August 2014, staff will acknowledge electronic receipt of the employee handbook when they log on to their computers.

The District provides each teacher working under the Alternative Teacher Contract with an electronic copy of the Alternative Teacher Contract Handbook. Each teacher working under this Contract has signed an acknowledgement of their agreement to perform the duties of the alternative contract as well as an acknowledgement of their receipt of the Alternative Contract Handbook electronically.

Finally, all policies, handbooks, and comprehensive agreements are available to staff and the public through the District's website or through SharePoint.