

Albuquerque Public Schools (NM)

GPA: 1.44

Rank: 41st place out of 50

*Document Examined: Collective bargaining agreement, August 15, 2007 – July 31, 2008**

HIGHLY FLEXIBLE
FLEXIBLE
SOMEWHAT FLEXIBLE
SOMEWHAT RESTRICTIVE
RESTRICTIVE
HIGHLY RESTRICTIVE

Introduction

This study of the nation's fifty largest school districts starts from a simple premise: district labor agreements should not make it difficult for schools to be nimble, smart, flexible, high-performing organizations.

In particular, the study focuses on provisions that may limit school leaders' ability to attract and retain excellent teachers, to identify and remove ineffective instructors, to use professional development as a tool of organizational improvement, and to manage school operations in a professional manner—i.e., to run the most effective school possible in terms of core instructional and educational activities, crucial areas where school leaders need enough authority to match their mounting accountability obligations and executive responsibilities in a results-based era.

The Grades

The scale on which districts were graded reflects the approach outlined above. Grades of A or B generally indicate provisions that confer on school leaders the latitude to man-

age their schools in a professional manner. A grade of C generally means the agreement is silent regarding the provision in question—i.e., it neither affirms nor denies a school leader's right to take a specific course of action. Grades of D and F generally indicate provisions that impede or explicitly bar school leaders from exercising discretion in a given area. Albuquerque's overall grade, therefore, reflects the degree to which district policies constrain school leaders' ability to make decisions on important management issues. It is in no way a holistic assessment of local education policy or school leadership, much less of school effectiveness.

Overall GPA: 1.44 (41st place out of 50)

Albuquerque's GPA is the average of its scores in three areas: Compensation, Personnel Policies, and Work Rules.

Albuquerque receives a disappointing Restrictive rating for its 1.44 GPA, ranking forty-first among the fifty districts studied. The district received three Fs and no grade above a C+.

Compensation: C (52nd percentile)

The Compensation grade combines four components: Credit for Previous Experience, Performance Pay, Hardship Pay for High-Needs Schools, and Extra Pay for Shortage Subjects.

Albuquerque's bargaining agreement gives schools the flexibility to raise starting teacher salaries based on previous experience teaching in a private school or college, but not for working in a subject-related profession. The agreement is silent on whether schools may reward teachers on the basis of performance or for teaching in high-needs schools. The contract does allow schools to reward teachers of shortage subjects, though it limits the number of subjects for which such rewards are permissible.

Personnel Policies: D+ (35th percentile)

The Personnel Policies grade combines four components: Tenure, Evaluation, Layoffs, and Transfers.

Albuquerque's bargaining agreement is silent on whether

Compensation	C
1. Credit for Previous Experience	C
2. Performance Pay	C
3. Hardship Pay for High-Needs Schools	C
4. Extra Pay for Shortage Subjects	C+
Personnel Policies	D+
5. Tenure	N/A
6. Evaluation.	C
7. Layoffs	F
8. Transfers	C
Work Rules	D-
9. Professional Development	F
10. Subcontracting Operations†	C
11. Faculty Meetings	D+
12. Teacher Leave	F

school leaders may factor student performance, including test scores, into teacher evaluations. The contract bars school leaders from retaining an outstanding young teacher over one with greater seniority during layoffs, giving it an F for that component. The agreement is silent on whether school leaders must give internal job applicants priority over new hires for vacant positions; whether transferring teachers may “bump” less senior teachers from their jobs; and whether school leaders must select the most junior teacher in a certification area if transfers are necessary. Tenure rules in Albuquerque, as in most places, are set by state law, not local decision; therefore, the district did not receive a grade for that component.

Work Rules: D- (35th percentile)

The Work Rules grade combines four components: Professional Development, Subcontracting Operations, Faculty Meetings, and Teacher Leave.

Albuquerque’s contract receives an F for requiring schools to give teachers stipends for professional development activities outside the scheduled workday. The bargaining agreement is silent on whether school leaders may subcontract school operations to nonunion workers. The contract also receives low marks for capping the length of faculty meetings at two hours; it is unclear on whether time at such meetings must be allotted to union matters. The agreement receives a second F in this category for requiring school leaders to grant teachers leave to attend union activities.

Conclusion

Albuquerque’s bargaining agreement gives school leaders relatively little freedom to manage their schools in a professional manner, garnering three Fs and no As or Bs among the eleven components on which it was graded. To better equip its school leaders with the flexibility they need to manage their schools effectively, the Albuquerque Board of Education should negotiate aggressively to make contract changes that explicitly confer on school leaders the right to:

1. raise the starting salaries of teachers with all forms of relevant prior experience. (The bargaining agreement allows this for some forms of experience and bars it for others.)
2. reward teachers on the basis of performance. (The bargaining agreement is silent on this issue.)
3. reward teachers in high-needs schools. (The bargaining agreement is silent on this issue.)
4. consider student performance, including test scores, when evaluating teachers. (The bargaining agreement is silent on this issue.)
5. base decisions regarding teacher layoffs on individual merit and performance rather than seniority. (The bargaining agreement bars this practice.)
6. base decisions regarding teacher transfers on individual merit and performance rather than seniority. (The bargaining agreement is silent on all three indicators directly addressing teacher transfers.)
7. subcontract (i.e., outsource) certain school operations. (The bargaining agreement is silent on this issue.)

In addition, the board should amend provisions that:

8. mandate that teachers be given stipends for professional development activities outside the scheduled workday.
9. cap the time allowed for faculty meetings. (While long meetings are not necessarily preferable, principals should have some discretion.)
10. allow classroom teachers to miss instructional time in order to attend union activities.

* The data examined in this report come from the National Council on Teacher Quality (NCTQ) database, “Teacher Roles, Rules and Rights.” All data were culled from the NCTQ database in November 2007. In states that permit collective bargaining, NCTQ examined collective bargaining agreements, with the exception of Jordan School District in Utah, which does not have a bargaining agreement. In states where collective bargaining is either illegal or otherwise not practiced, NCTQ examined school board policies. Where a provision in state law precludes the possibility of a collective bargaining agreement or school board policy addressing a certain component in our study, we excluded it from our analysis, marking the component “N/A.” Find a more detailed explanation of this report’s methodology starting on page 14.

† This indicator refers to the right of school leaders to outsource school operations to nonunion workers. NCTQ uses the term “subcontracting” in its database, which we retain here in the interest of consistency.