Brevard County Public Schools (Cape Canaveral, FL)

GPA: 1.54
Rank: 39th place out of 50

Document Examined: Collective bargaining agreement, 2005 – 2006*

Data from the NCTQ database were drawn from Brevard County's 2005 – 2006 bargaining agreement. The authors have confirmed that a new contract was approved in November 2007. In the interest of maintaining a clear, consistent, and reliable standard for the data analyzed in this report, however, we have adhered to NCTQ's coding. Find a more detailed explanation of this approach on page 14.

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.

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

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 manage 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. Brevard County'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: 1.54 (39th place out of 50)

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

Brevard County receives a disappointing Restrictive rating for its 1.54 GPA, ranking thirty-ninth among the fifty districts studied—and eighth among the nine Florida districts examined here. The district receives three Fs and only one grade above a C+.

Compensation: C (48th 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.

Brevard County's bargaining agreement gives schools the flexibility to raise starting teacher salaries based on previous experience working in a subject-related profession, but is silent or unclear on whether they may consider experience teaching in a private school or college. The contract allows

schools to reward teachers on the basis of performance, though it limits the size of such rewards. The bargaining agreement is silent on whether schools may reward teachers in high-needs schools, and bars them from rewarding teachers of shortage subjects.

Personnel Policies: D (29th percentile)
The Personnel Policies grade combines four components: Tenure, Evaluation, Layoffs, and Transfers.

Brevard County's bargaining agreement is silent on whether 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. It also receives low marks for requiring that internal job applicants be given priority over new hires for vacant positions. The bargaining agreement is silent on whether school leaders must select the most junior teacher in a certification area if transfers are necessary and whether transferring teachers may "bump" less senior teachers from their jobs. Tenure rules in Brevard County, 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+ (65th percentile)
The Work Rules grade combines four components: Professional Development, Subcontracting Operations, Faculty Meetings, and Teacher Leave.

Brevard County's bargaining agreement is silent on whether schools must give teachers salary credit and/or stipends for professional development activities outside the scheduled workday; whether school leaders may subcontract school operations to nonunion workers; whether the length of faculty meetings is capped; and whether time at such meetings must be allotted to union matters. The contract receives one F in this category, however, for requiring school leaders to grant teachers leave to attend union activities.

Conclusion
Brevard County's bargaining agreement gives school leaders relatively little freedom to manage their schools in a professional manner, garnering three Fs and only one grade above a C+ 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 Brevard County School Board 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 but is silent or unclear on others.)
2. reward teachers in high-needs schools and teachers of shortage subjects. (The bargaining agreement is silent on the former and bars the latter.)
3. consider student performance, including test scores, when evaluating teachers. (The bargaining agreement is silent on this issue.)
4. base decisions regarding teacher layoffs on individual merit and performance rather than seniority. (The bargaining agreement bars this practice.)
5. base decisions regarding teacher transfers on individual merit and performance rather than seniority. (Of the three indicators directly addressing teacher transfers, the bargaining agreement requires school leaders to consider seniority on one and is silent on two.)
6. subcontract (i.e., outsource) certain school operations. (The bargaining agreement is silent on this issue.)

In addition, the board should amend provisions that:
7. 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.