

# Fresno Unified School District (CA)

**GPA: 1.04**

**Rank: 50th place out of 50**

*Document Examined: Collective bargaining agreement, July 1, 2004 – June 30, 2007\**

Data from the NCTQ database were drawn from Fresno's July 1, 2004 – June 30, 2007 bargaining agreement. The authors have confirmed that a new contract was approved in December 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
<b>HIGHLY RESTRICTIVE</b>

## 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 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. Fresno'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: 1.04 (50th place out of 50)

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

Fresno receives a Highly Restrictive rating, the lowest possible, for its 1.04 GPA, ranking dead last among the fifty districts studied, including the four California districts examined here. Of the ten components on which it was graded, the district garnered five Fs, no As, and just one B. Fresno's bargaining agreement is especially restrictive when it comes to work rules, a category in which it ranked third to last.

## Compensation: C- (38th 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.

Fresno's bargaining agreement allows schools to raise starting teacher salaries based on previous experience teaching in a private school, but is silent on whether they may do based on

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

college-teaching experience, and bars them from doing so based on experience working in a subject-related field. The contract earns two Cs for its silence on whether schools may reward teachers on the basis of performance or for working in high-needs schools. It receives an F for barring schools from rewarding teachers of shortage subjects.

### **Personnel Policies: D (24th percentile)**

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

California state law preempts district bargaining agreements on several of the indicators measured in this category. Tenure and layoff rules are both governed by state law, and consequently receive an N/A. The state also requires schools to select the most junior teacher in a certification area when transfers are necessary, and allows transferring teachers to “bump” their less senior colleagues, thus removing these two indicators from consideration for the Transfers component. Fresno’s bargaining agreement does address one part of the component, requiring that internal job applicants be given priority over new hires for vacant positions, earning it an F for its transfer policies. The contract is silent on whether school leaders may consider student performance, including test scores, when evaluating teachers, earning a C for that component.

### **Work Rules: F (18th percentile)**

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

Fresno receives Fs on three of the four components in this category. The contract requires teachers to be given stipends for professional development activities outside the scheduled workday; caps faculty meetings at ninety minutes per week; and mandates that teachers be given leave to attend union activities. It is silent on whether school leaders may subcontract operations, but the district reported to NCTQ that this is barred in practice, giving Fresno an F for that indicator, as well. The contract avoids straight Fs only by remaining silent on whether time at faculty meetings must be allotted to union matters. Only San Diego and Dade County rank lower than Fresno in this category.

### **Conclusion**

Fresno is the least principal-friendly environment in this study, giving school leaders scant authority to assemble and lead strong teams. Even in its strongest category, Compensation, it ranks below the majority of districts in this study. To better equip its school leaders with the flexibility they need to manage their schools effectively, the Fresno 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 types of relevant previous experience. (The bargaining agreement allows this for former private school teachers, is silent on its permissibility for former college teachers, and bars it for new hires with experience in a subject-related field.)
2. reward teachers on the basis of performance and for teaching in high-needs schools. (The bargaining agreement is silent on these issues.)
3. reward teachers of shortage subjects. (The bargaining agreement bars this practice.)
4. consider student performance, including test scores, when evaluating teachers. (The bargaining agreement is silent on this issue.)
5. base decisions regarding teacher transfers on individual merit and performance rather than seniority. (The bargaining agreement requires school leaders to give internal applicants priority over new hires. State law governs the other two indicators for this component.)
6. subcontract school operations. (The bargaining agreement is silent on this issue.)

### **In addition, the board should amend provisions that:**

7. mandate that teachers be given stipends for professional development activities outside the scheduled workday.
8. cap the time allowed for faculty meetings. (While long meetings are not necessarily preferable, principals should have some discretion.)
9. 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.