

Jefferson County Public Schools (Louisville, KY)

GPA: 1.25

Rank: 44th place out of 50 (tied with Jordan)

*Document Examined: Collective bargaining agreement, 2005 – 2010**

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. Jefferson 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: 1.25 (44th place out of 50—tied with Jordan)

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

Jefferson County receives a Highly Restrictive rating, the lowest possible, for its 1.25 GPA, ranking forty-fourth among the fifty districts studied. Although it receives two Bs, rare among districts ranked in the bottom ten, Jefferson County's dismal scores in the Personnel Policies and Work Rules categories drop its overall score substantially.

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.

Jefferson County's bargaining agreement allows schools to raise starting teacher salaries based on previous experience teaching in a private school or college, or working in a subject-related field, but limits how much they may pay, dropping the district's grade for this component to a B. The district receives an N/A on the question of performance pay, since Kentucky has a single statewide salary schedule. Jefferson County's contract allows schools to reward teachers for working in high-needs schools, but again limits the size of the rewards. It also bars schools from rewarding teachers of shortage subjects, earning an F for that component.

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

Personnel Policies: D (24th percentile)

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

Jefferson County's bargaining agreement is silent on whether school leaders may factor student performance, including test scores, into teacher evaluations. On the issue of layoffs, Kentucky state law stipulates that teachers with less seniority must be laid off before their more senior colleagues, precluding Jefferson County's collective bargaining agreement from addressing the issue. The contract gets low marks for requiring that internal job applicants be given priority over new hires for vacant positions, while state law again precludes the bargaining agreement from addressing the other indicators that make up the Transfers component. Tenure rules in Jefferson 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- (29th percentile)

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

Jefferson County's contract receives Fs for requiring schools to give teachers stipends for professional development activities outside the scheduled workday and to grant teachers leave for union activities. The agreement is silent on whether school leaders may subcontract school operations to nonunion workers. The contract caps the length of faculty meetings at one hour, but is unclear on whether time at such meetings must be allotted to union matters, giving the district a D for that indicator.

Conclusion

Relative to other districts studied, Jefferson County significantly constrains the authority of its school leaders, particularly when it comes to making personnel decisions and managing day-to-day school operations. To better equip its school leaders with the flexibility they need to manage their schools effectively, the Jefferson County Board of Education should negotiate aggressively to make contract changes that explicitly confer on school leaders the right to:

1. reward teachers of shortage subjects. (The bargaining agreement bars this practice.)
2. consider student performance, including test scores, when evaluating teachers. (The bargaining agreement is silent on this issue.)
3. 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. State law governs the other two practices.)
4. subcontract (i.e., outsource) certain school operations. (The bargaining agreement is silent on this issue.)

In addition, the board should amend provisions that:

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