

Montgomery County Public Schools (MD—suburban Washington, DC)

GPA: 2.11

Rank: 10th place out of 50 (tied with Cobb County)

*Document Examined: Collective bargaining agreement, 2008 – 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. Montgomery 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: 2.11 (10th place out of 50—tied with Cobb County)

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

Montgomery County receives a Somewhat Flexible rating for its 2.11 GPA, ranking tenth among the fifty districts studied—and third among the five Maryland districts examined here. The district hovers around the C mark in all three categories.

| | |
|--|-----------|
| 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 | C+ |
| 5. Tenure | N/A |
| 6. Evaluation. | C+ |
| 7. Layoffs | C |
| 8. Transfers | C+ |
| Work Rules | C- |
| 9. Professional Development | F |
| 10. Subcontracting Operations† | A |
| 11. Faculty Meetings | D+ |
| 12. Teacher Leave | 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.

In this category Montgomery County receives a C for every component, due to its contract's silence on whether schools may raise starting teacher salaries based on previous experience teaching in a private school or college, or working in a subject-related profession, and whether they may reward teachers on the basis of performance, for teaching in high-needs schools, or for teaching shortage subjects.

Personnel Policies: C+ (71st percentile)

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

Montgomery County's bargaining agreement allows school

leaders to factor student performance, in general, into teacher evaluations, but bars them from considering student test scores in particular. The agreement is silent on whether, during layoffs, school leaders may retain an outstanding young teacher over one with greater seniority. The contract loses points for requiring that internal job applicants be given priority over new hires for vacant positions, but gets high marks for barring transferring teachers from “bumping” less senior teachers from their jobs. It also frees school leaders from considering seniority when forced to transfer teachers. Tenure rules in Montgomery 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: C- (76th percentile)

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

Montgomery County’s contract receives one F in this category for requiring schools to give teachers salary credit and/or stipends for professional development activities outside the scheduled workday. It also loses points for capping the length of faculty meetings at ninety minutes, though it is silent on whether time at such meetings must be allotted to union matters. The bargaining agreement receives one A for granting school leaders the right to subcontract operations to nonunion workers, but is silent on whether they must provide leave for teachers to attend union activities.

Conclusion

Montgomery County steers a steady middle course, with eight of its eleven component grades falling in the C range, leaving much room for improvement. To better equip its school leaders with the flexibility they need to manage their schools effectively, the Montgomery County 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 is silent on this issue.)
2. reward teachers on the basis of performance. (The bargaining agreement is silent on this issue.)
3. reward teachers in high-needs schools and teachers of shortage subjects. (The bargaining agreement is silent on these issues.)
4. consider student test scores when evaluating teachers. (The bargaining agreement bars this practice.)
5. base decisions regarding teacher layoffs on individual merit and performance rather than seniority. (The bargaining agreement is silent on this issue.)
6. 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 grants them flexibility on two.)

In addition, the board should amend provisions that:

7. mandate that teachers be given salary credit and/or 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.)

* 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.