

What is Collaborative Conferencing?

Collaborative Conferencing is the process by which local boards of education and their professional employees meet, either directly or through representatives designated by the respective parties, to confer, consult, and discuss matters relating to certain terms and conditions of professional service as specified by the passing of the PECCA. The process of collaborative conferencing includes the exchange of information, opinions, and proposals among the conferencing parties, as well as the use of the principles and techniques of interest-based collaborative problem solving (IBCPs).

Initiating Collaborative Conferencing

Collaborative Conferencing is initiated by the submission of a written request to the district's board of education by at least 15% of the professional employees in the district.

The local board then appoints an equal number of local board members and professional employees to a special question committee to hold a private poll. A majority of professional employees eligible to vote in the poll must vote to undertake collaborative conferencing with the local board of education for the board to be obligated to participate. When this requirement is met, the local board will appoint 7-11 management personnel, and an equal number of professional employees will be selected as representatives.

The poll also determines which employee organizations will be represented. Representatives will be selected based on each organization's proportional share of the responses. A professional employee organization must receive at least 15% of the votes in the poll to be entitled to representation. Each representative serves for 3 years.

Memorandum of Understanding

Management personnel and the professional employee representative may enter into a memorandum of understanding (MOU) on the terms and conditions of employment, not to exceed 3 years in duration.

An MOU becomes binding from the date of its approval by the local board of education or at a later effective date specified within the MOU. Items that require funding are not effective until the local funding body has approved such funding in the budget. If the amount of funds appropriated is less than the amount required, the parties may continue to confer to reach agreement within the amount of funds appropriated.

Subjects Local Boards Are Required to Conference

1. Salaries or wages
2. Grievance procedures
3. Insurance
4. Fringe benefits (not to include pensions or retirement programs of the Tennessee consolidated retirement system or locally authorized early retirement incentives)

5. Working conditions, except those working conditions that are prescribed by federal law, state law, private act, municipal charter or rules and regulations of the State Board of Education, the Department of Education or any other department or agency of state or local government
6. Leave
7. Payroll deductions (except with respect to those funds going to political activities)

Subjects Prohibited from Conferencing

1. Differentiated pay plans and other incentive compensation programs, including stipends, and associated benefits that are based on professional employee performance that exceeds expectations, or that aid in hiring and retaining highly qualified teachers for hard-to-staff schools and subject areas
2. Expenditure of grants or awards from federal, state or local governments and foundations or other private organizations that are expressly designed for specific purposes
3. Evaluation of professional employees pursuant to federal or state law or State Board of Education policy
4. Staffing decisions and State Board of Education or local board of education policies relating to innovative educational programs under § 49-1-207; innovative high school programs under Title 49, chapter 15; virtual education programs under Title 49, chapter 16; and other programs for innovative schools or school districts that may be enacted by the general assembly
5. All personnel decisions concerning assignment of professional employees, including, but not limited to, filling of vacancies, assignments to specific schools, positions, professional duties, transfers within the system, layoffs, reductions in force, and recall. No agreement shall include provisions that require personnel decisions to be determined on the basis of tenure, seniority or length of service
6. Payroll deductions for political activities.