

# **The Valley Crossing School as a precedent for contracting**

Notes from Ted Kolderie

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Since the discussion in the Senate committee March 27 there's been discussion about how to make it possible (a) for boards to contract for program/s while making it possible also (b) for teachers to remain in public-employee status if they wish.

It looks as if this can be done.

- SF 1459 contemplates a board being able to contract with contemplates teachers being able to work in . . . either a public or a private entity.
- The "private entity" is no problem. There are lots of options in law already for this: partnership, cooperatives, nonprofit corporations, business corporations. The 'objection' (raised by Tom Deans) was that, even if the contract were with existing teachers, those teachers would lose their public-employee status as they went to contract.
- Using another "public entity" looks like the answer. The local board could get to a performance-contract arrangement while the teachers would still have the benefits of employment with a public body.

Discussions quickly established two "public entities" that do in fact contract now with local boards to supply instructional services: intermediate districts and service cooperatives. (Intermediate 287 in Hennepin County may still have a contract to supply teachers to Shriners Hospital in Minneapolis.)

The most interesting and relevant single case is the contract with Intermediate District 916 for the Valley Crossing elementary school in Woodbury.

## **The Valley Crossing School**

This is a (roughly) 900-student K-6 elementary in Woodbury, just south of the Woodbury shopping center along Valley Creek Road. It opened in the fall of 1996. The phone is 651/702-5700.

It is a cooperative venture of three local districts: Stillwater, North St. Paul/Maplewood and South Washington County. The three districts were growing. But each was having trouble expanding. The decision was to join together (under the Joint Powers Act) to build a school all three would share. Each was allocated 300 student-slots but in practice Maplewood/North St. Paul uses only about 75 and South Washington County has about 450 students there. For Stillwater district students it's a school of assignment; for the others it's a school of choice.

Intermediate 916 built the building. The three constituent districts levy to make lease-payments in proportion to their share of total enrollment.

Intermediate 916 also hires the teachers, administrators and other staff. In the beginning some students were transferred from their district's schools to Valley Crossing. This reduced staffing requirements in the constituent district. So to avoid layoffs it was

arranged for up to 12 teachers to go to Valley Crossing as "teachers on special assignment" (TOSA), paid by the home district under the contract in effect in their home district. At the end of three years the teachers would choose either to return to the home district or to remain at Valley Crossing; converting then to employment by 916. The rest of the teachers — about 24 of the 35 as of the current school year — were employees of 916. Next fall, with some enrollment growth, the school will have 40 teachers. September 99 is three years from the opening, and most all the TOSA teachers have elected to return to their constituent districts. (Local contracts vary; Stillwater and North St. Paul/Maplewood having higher salaries than 916.)

The board of 916, being the employer, is responsible for the personnel affairs of the school; for the teachers once hired. The actual decision-to-hire is made, however, by the people who run the school (see below)

The personnel arrangements have been difficult, and the difficulties suggest a somewhat different arrangement for any future contracts. District 916 like other intermediates, dealt mainly in special education and post-secondary vocational services. It was difficult even to combine both these types of teachers into a single employment-group and bargaining unit. Things became more complicated still when the contract for Valley Crossing added, for the first time, a 'regular' mainline school. These teachers were put into the same employee group and bargaining unit as other teachers. It might have been better to have a separate bargaining unit for these quite different teachers; and indeed some discussions about separating out the Valley Crossing teachers may be ahead, perhaps connected to the merger of the teacher unions in Minnesota (the local districts having MEA representation; 916 having been MFT)

The educational program of the school is under control of the school. The arrangements for this are interesting.

- Initially there was a board made up of two board members from each of the three constituent districts, which oversaw the development of the school. This disappeared when the school opened.
- There is a leadership team': the principal and four lead teachers hired for this role, who divide their time half/half between teaching and their program-leadership role. The principal, the manager, technically known as "director", is Linda Lawrie.
- Now there is a "shared decisions site council" made up of parents, teachers a community representative and two students. It appears to exist mainly to be reported-to; mainly to provide 'input'

Valley Crossing is significantly different not only in its organizational-arrangements and in its governance but also in its educational program. The design grew out of a 'visioning' process going back to 1994. One of the key teachers was Dan Salava, now a 4<sup>th</sup> grade teacher in North St. Paul/Maplewood. The original vision — multi-age, continuous progress still characterizes the school. The building was built to facilitate that vision: an open building rather than an 'egg-crate' of conventional classrooms. It has three wings, known as 'neighborhoods', each of which contains a full K-6 group of students. Two of these use the traditional calendar; one is a year-round school (running the same number of total days)

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The arrangement between 916 and Valley Crossing could become a general pattern for a contract-arrangement in K-12 where the teachers want to retain public-employee status, as some probably will. (The arrangements would be basically the same where the teachers form as a partnership, cooperative, etc.)

- The teachers transfer from employment by the local district to employment by the other "public entity".
- The teachers probably should be able to take their contract as well as their employment-status with them. In other words: should become a discrete unit, and bargaining unit, once employments of the (intermediate district).
- The contract between the (intermediate district) and the local board could be for the operation of a whole school (as in the case of Valley Crossing); or for the operation of a program within a particular school (as, math in a large suburban high school) or for the operation of a district-wide learning program (as, art or science or world language) . The school would run its own budget. Savings realized through improvements would be retained by the school.
- Under the performance-based contract the teachers, as professionals, would be responsible for organizing and running the school or the (in-school or district-wide) learning program. The 'leadership team' at Valley Crossing may be a model, here.
- Presumably (as may be the case at Valley Crossing) the school would receive revenue based on the number and 'types' of students enrolled. (A general finance system recognizing revenue to the school would obviously be helpful in this respect.)