

# Denver Public Schools (CO)

**GPA: 1.77**

**Rank: 26th place out of 50**  
(tied with Fort Worth)

*Document Examined: Collective bargaining agreement, September 1, 2005 – August 31, 2008\**

HIGHLY FLEXIBLE
FLEXIBLE
SOMEWHAT FLEXIBLE
<b>SOMEWHAT RESTRICTIVE</b>
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. Denver'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: 1.77 (26th place out of 50—tied with Fort Worth)

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

Denver receives a disappointing Somewhat Restrictive rating for its 1.77 GPA, ranking twenty-sixth among the fifty districts studied. Denver's report card shows a steady decline across the three categories, going from a B- for Compensation to a D+ for Personnel Policies to a dismal D- for Work Rules.

### Compensation . . . . . B-

1. Credit for Previous Experience . . . . . C+
2. Performance Pay . . . . . A
3. Hardship Pay for High-Needs Schools . . . . . B+
4. Extra Pay for Shortage Subjects . . . . . C

### Personnel Policies . . . . . D+

5. Tenure . . . . . N/A
6. Evaluation. . . . . C
7. Layoffs . . . . . C
8. Transfers . . . . . F

### Work Rules . . . . . D-

9. Professional Development . . . . . F
10. Subcontracting Operations† . . . . . C
11. Faculty Meetings . . . . . D
12. Teacher Leave . . . . . F

## Compensation: B- (86th 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.

Denver'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 so based on experience teaching college or working in a subject-related field. The district permits schools to reward teachers on the basis of performance and for teaching in high-needs schools but is unclear on whether they may reward teachers of shortage subjects.

### **Personnel Policies: D+ (41st percentile)**

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

Denver's agreement is silent on whether school leaders may consider student performance, including test scores, when evaluating teachers and whether, during layoffs, school leaders may retain an outstanding young teacher over one with greater seniority. Denver's contract loses points for requiring school leaders to give internal job applicants priority over new hires for vacant positions, and for allowing transferring teachers to "bump" less senior teachers from their jobs. The agreement is silent on whether school leaders must transfer the most junior teacher in a certification area if transfers are necessary. Tenure rules in Denver, 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.

Denver's contract receives an F for requiring schools to give teachers stipends for professional development activities outside the scheduled workday. It is silent on whether school leaders may subcontract school operations to nonunion workers and on whether time at faculty meetings must be devoted to union matters, though it does cap the length of such meetings at a meager thirty minutes per week. The agreement also requires school leaders to grant teachers leave to attend union activities, earning it a second F in this category.

### **Conclusion**

Denver's bargaining agreement is relatively flexible on teacher compensation, but the district does not receive a grade above a C in the other two categories, suggesting that school leaders enjoy few real guarantees of flexibility in these areas. To better equip its school leaders with the authority they need to manage their schools effectively, the Denver 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 allows this for some forms but is silent on others.)
2. reward teachers of shortage subjects. (The bargaining agreement is unclear on whether this practice is permissible.)
3. consider student performance, including test scores, when evaluating teachers. (The bargaining agreement is silent on this issue.)
4. base decisions regarding teacher layoffs on individual merit and performance rather than seniority. (The bargaining agreement is silent on this issue.)
5. 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 two and is silent on one.)
6. subcontract (i.e., outsource) certain 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.