# FREQUENTLY ASEKD QUESTIONS (FAQ): HBM Reorganization

## May 18, 2011

*Hamilton-Boone-Madison Special Services Cooperative (HBM) will be reorganizing its structure beginning in the 2012-13 school year. This document has been developed to provide answers to questions regarding this reorganization. This document will be updated and distributed as new information becomes available.*

## Background and Overview

1. **Why is HBM reorganizing?** Carmel Clay Schools (CCS) has elected to withdraw from HBM. Since CCS is the fiscal agent/Local Education Agency (LEA) for HBM, all HBM employees are Carmel Clay employees. Since CCS is withdrawing, the remaining school districts are required by law to determine a new fiscal agent/LEA.

2. **When will the CCS withdrawal become effective?** Based on the HBM Joint Services Agreement, CCS will continue to be a member of HBM throughout the 2011-12 school year and HBM will continue to function as a seven district cooperative throughout the 2011-12 school year. CCS will officially withdraw effective July 1, 2012.

3. **Can other districts also withdraw from HBM?** Yes. The HBM Governing Board extended the deadline by which a district must inform the Board of its intent to withdraw to July 1 for this year. As of April 2, 2011, only CCS has notified HBM of its withdrawal from the cooperative. However, any other district has until July 1, 2011, to notify HBM of its intent to withdraw. Any additional withdrawal would be effective July 1, 2012.

4. **How will this change the structure of HBM?** One major change will be that HBM will need to identify a new fiscal agent who will employ all staff. No decisions have been made, but this will be determined during the upcoming 15 month period. One option will be to change from the current structure which is called a *Joint Services and Supply* in which one district acts as the fiscal agent/LEA for the cooperative (as Carmel Clay has in the past) to an Interlocal in which the cooperative acts as its own fiscal agent. Essentially this would mean HBM runs itself as a stand-alone entity. The HBM Board will consider these options in the coming months.

5. **Will the HBM Education Center/Mosaics continue to be at its current location on Guilford Street?** The current lease on the current HBM EC runs through the 2012-13 school year. The HBM Governing Board will explore options for the future location of HBM offices and Mosaics, but no decision has been made at this time.

## Certified Teacher Issues and Information

6. **As an HBM employee with a teacher contract, I have a Carmel Clay teacher contract. What will happen to my contact when Carmel is no longer part of HBM?** For the 2011-12 school year, all HBM certified staff will continue to have a CCS contract as in the past. For the 2012-13 school year this will change since CCS will no longer be a member district of HBM. Indiana Code requires that when there is a reorganization in which a member withdraws from a cooperative, all of the member districts have a responsibility related to the employment of the certified staff. At a minimum all staff with a teacher contract will be offered a contract with one of the member districts, offered a contract with the new HBM interlocal (if the HBM Board decides to form an interlocal), or placed on the call-back list for all seven districts that are currently part of HBM.

7. **In the reorganization, how will it be decided which district employ which teachers?** HBM and the member districts have started a dialogue with ISTA to help determine how staff might be assigned to districts. The primary foci will be to (1) ensure student needs are met, (2) as much as possible, ensure everyone currently employed through HBM has a position either with HBM or a member district after the reorganization, and (3) to make sure none of the districts have an unfair financial burden as a result of the reorganization. As the dialogue with ISTA moves forward, an agreement will be developed to address this question and information will be shared with HBM certified staff.

8. **If the salary schedule is different in the district where I am assigned, what happens?** How this will be addressed has not been determined, but will be one of the issues to be address through the agreement developed with ISTA and the local education associations.

9. **If I am switched to another district's contract, will I lose my VEBA, "sick-day buyout" or my Early Retirement Incentive?** This will need to be determined through the agreement developed with ISTA.

10. **Will the RIF process be used?** Through the agreement that will be developed with ISTA it is hoped that the great majority of teachers will be offered a contract through the reorganization. If there are not sufficient positions to offer every teacher a contract, the RIF process will be used, but any teacher who is RIFed, will go on the call back list of all seven districts.

11. **Some teachers were RIFed this year. If there are RIFs next year resulting from the reorganization, where will the teachers on the current call back list fall compared to**

**teachers RIFed next year?** The CCS contract will guide the process, but this will also be an issue for discussion as the agreement is developed.

12. **What is CCS's RIF process?** The Reduction in Force/Recall process is outlined in the Article XXV of the CCS contract which can be found online on the CCS website at WWW.ccs.k12.in.us. Click on Support Services, then Human Resources, and then Teacher contract in the left-hand column.

13. **The CCS contract expires in 2012. Will that have any impact?** It depends on when and if the contact is renegotiated before July 1, 2012. If it is, any changes may have an impact on HBM employees. However, the contract for the CCS 2012-13 school year should not have an impact as CCS will have withdrawn on July 1, 2012. If changes are made to the contact before the reorganization happens, those changes will have an impact on how issues like call back lists are handled.

14. **Where will I be placed on the call back list compared to others who might already be on the call back list?** This is determined by each of the local contracts, but this will be an issue for discussion as the agreement is developed.

15. **Will seniority be the determining factor for assignment to districts in the reorganization?** Currently, seniority is one of the factors in the CCS contract for guiding reductions in force and recalling teachers. It is also a factor in other districts.

16. **If I do not continue on a Carmel Clay contract and am employed by the Interlocal or another member district, will I retain my tenure status and years of experience on the salary schedule?** Depending on new state laws, teachers may maintain their tenure status if they are employed through the Interlocal or a different member district. This will be clarified in the agreement developed with ISTA. Where individual teachers are placed on the salary schedule has not yet been determined, but this will also be addressed through the application of new state law and the agreement. More information will be shared as it becomes available.

17. **I have heard that school psychologists and HBM services will be decentralized. Is that true?** Separate from the reorganization resulting from CCS's withdrawal from HBM, the HBM administration began exploring the decentralization of some of the services currently provided by HBM to determine if some services could better be provided by local districts rather than HBM. As HBM is reorganized, a recommendation will be made to the HBM Governing Board to consider decentralizing some HBM departments. The same protections for certified staff described above will be applied to staff members impacted by any decentralization of HBM services. However, at this time, no decisions have been made.

18. **So who represents me as a teacher in this process?** Currently the Carmel Clay Education Association (CCEA) and ISTA represent teachers employed through HBM. As the development of this agreement proceeds, there will also be involvement from the teacher associations in the member districts.

19. **What is the timeline for making decisions?** July 1, 2011, is a crucial date because on that date the membership of HBM in the fall of 2012 will be known. In the fall 2011, a decision will be made about the future structure of HBM. Discussion will be held with ISTA and the associations from the seven districts. All issues will be reviewed including the seven local contracts, individual teacher licenses, geographic location of districts, and seniority. It is anticipated that by December, 2011, the agreement should be well under way and by early in 2012 specific information will be shared with teaching staff about the agreement.

20. **How will I receive more information about teacher contracts?** A session for teachers was held on April 20 which resulted in gathering the questions used to develop this document. Additional sessions will be scheduled throughout next school year as information becomes available. In addition, this FAQ document will be updated and distributed as new information is available.

## Noncertified Staff Issues

21. **Will current noncertified staff continue to be employed by the new HBM organization?** Noncertified staff will continue to be employed by HBM during the 2011-12 school year as they have been employed in the past. With the reorganization which will begin with the 2012-13 school year, there will be noncertified positions available at both the new HBM and CCS. No decisions have been made about how noncertified staff will be offered position, but information will be made available as soon as the future structure of HBM becomes clearer.

## Parents

22. **How will parents be notified of the upcoming changes?** Parents who learn of the changes often come to staff with questions and it is important that parents be given clear information and that the transition to the new organization is a transparent process. School staff should share with parents that the HBM structure and services will remain the same during the 2011-12 school year, but that changes will occur in the 2012-13 school year. Specifically, CCS will no longer be connected with services provided by HBM beginning July 1, 2012, and all services after that point will be provided by CCS. Students from other districts will continue to receive services from

HBM, but the organizational structure will change at that time. Parents should be assured that all students will continue to receive appropriate services through IEP as has been done in the past.

## Change in Legislation

23. **How will recent changes in Indiana legislation impact teacher contracts through this reorganization?** The recent passage of new legislation might have an impact on some of these changes. These changes are currently being reviewed and will be incorporated into discussion with the ISTA representatives.