

Why give it back when we can spend it?

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[Dec 3, 2012 – Correction: A previous version of this article did not include information about the February 28, 2011 meeting of the Merrimack School Board.]

If you have been following my blogs for the past few weeks, you already know that the teacher's contract can be more complex than our leaders would have us believe. As citizens, we have elected representatives who sit on the School Board in order to, among other things, draw our attention to issues and conduct the business of the district in a transparent manner so that we can understand their decisions. Why is it that our Merrimack School Board so often fails to do just that? Are they **really** looking out for us? Or have they become compromised by the bureaucracy? Consider the recent contract changes with respect to Performance Pay and then you can decide how you would answer those questions.

The 2011-12 budget year just wrapped up and it was the first year of the current [teacher's contract](#). Paragraph 8.5 (on pg 15) in that agreement reads as follows (sorry for the long quote):

- 8.5 For the duration of this contract period, the parties agree to continue the Performance Based Pay Plan that will provide additional compensation to reward professional staff who foster excellence, above and beyond their job descriptions, by contributing to activities aligned with the district's mission, core values, goals and/or Logic Model, and connect to student development and/or learning.

These awards will be completely voluntary and non-competitive; approved funds will be equal to the number of employees times One Thousand Dollars (\$1,000.00). The initial award will be Five Hundred Dollars (\$500.00) for documented participation in twenty (20) hours of effort in district initiatives or One Thousand Dollars (\$1,000.00) for documented participation in forty (40) or more hours of effort in district initiatives.

On or before May 15th, the Performance Based Pay Committee shall encumber the total dollar amount needed to provide an initial award as described above to those eligible for Performance Based Pay. The funds that remain (the "unencumbered balance") shall then be allocated in the following manner.

Fifty percent (50%) of the unencumbered balance to the Professional Improvement Account to be available for use by and in accordance with the Professional Development Committee Master Plan, and fifty percent (50%) of the unencumbered balance to the Performance Based Pay Plan to be used to supplement the initial award up to an additional Five Hundred Dollars (\$500.00) for documented participation in (20) hours of effort in district initiatives, or up to an additional One Thousand Dollars (\$1,000.00) for documented participation in forty (40) or more hours of effort in district initiatives.

All monies not expended by the end of the school year will be returned to the general fund.

The Performance Based Pay Committee will consider applications that demonstrate commitment and effort outside the regular school day to uphold the district's mission, core values, goals and/or Logic Model. The administration, with input from educators, will develop a list of opportunities for Performance Based Pay applications by June 30th.

(emphasis mine)

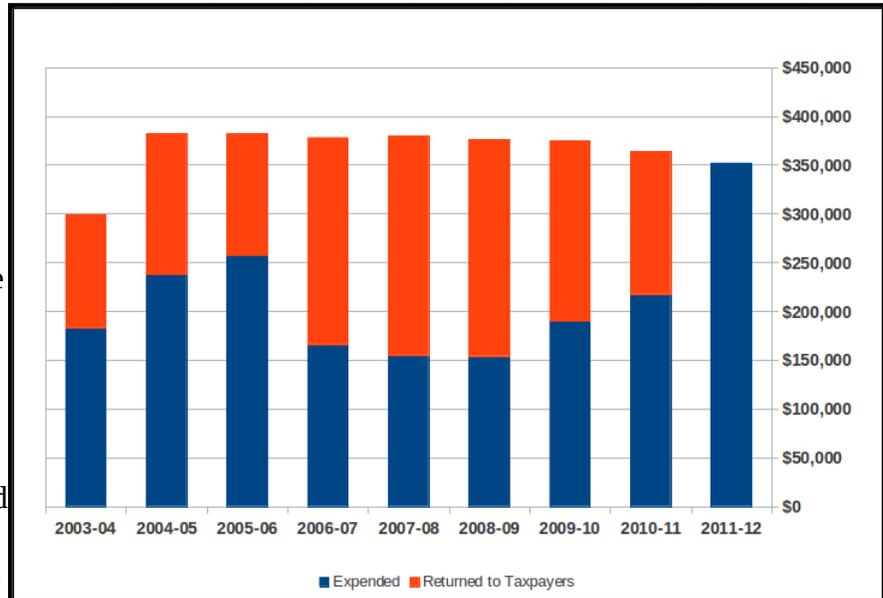
The emphasized text is new for this latest contract and it was negotiated by then School Board Chair, Jody Vaillancourt, and School Board Member, Roy Swonger. Here's what all that text really boils down to. The Performance Pay Account is never even close to fully expended because not every teacher takes the initiative to apply and even among those that do, some only go after the 20 hour

award. Because the money has already been approved by the voters, why return it to taxpayers when we can spend it? From now on, the Merrimack School District will use that left over money, to increase the award amounts for performance pay (up to double) and fund some additional professional development activities.

The problem with this approach is that those unexpended funds have historically been returned to taxpayers each year to reduce the tax burden (see the graph). This contract sets a precedent that could mean taxpayers may never see that kind of relief again, unless a new contract is negotiated that changes the provision. **The School Board has shrewdly increased spending by about \$170,000 a year without changing the bottom line!**

PERFORMANCE PAY HISTORY

The accounting slight of hand is interesting but the fact that my elected representatives negotiated this deal on my behalf and didn't even mention the change to me is what really bothers me. The School Board discussed the new contract warrant article in both the [1/3/11 meeting](#) and the [1/24/11 meeting](#) but didn't even bring up this change (or any other non-salary changes for that matter). Considering how hard many of these same Board members argued for keeping an extra \$200,000 in the Transportation budget “just in case” they needed it at last year's



school deliberative session, one would think they could have at least made mention of this change that will mean another \$170,000 per year in tax burden. Before long these “insignificant” dollar amounts that add mere pennies to the tax rate are going to start to add up to real money for the taxpayer.

Although not under an agenda item, Board Member Swonger did in fact state that the Merrimack Teacher's Contract was available for review upon request at the end of the [2/28/11 meeting](#) and he spoke for 10-15 mins on the contract at the School Deliberative Session. So, if you were lucky enough to attend either of those meetings, you would have found out that a simple request of the School Board would have gotten you a copy of the negotiated agreement.

The bottom line is this. The contract negotiations are held in non-public session, the contract is not published on the website for citizens until after it is approved by the voters, and apart from salary and benefits, there is no mention of the results of the negotiation in an open meeting after the sides come to an agreement. Shouldn't our reps come back to tell us how they did? Shouldn't they clue us in on little details like the Performance Pay provision I have outlined here? I am certain that the union negotiating team went back to report all of the negotiation particulars to their members before asking them to vote on the agreement. Shouldn't we voters get the same courtesy from our negotiating team? **Let's hope this year's negotiating team, Shannon Barnes and Davis Powell, take the time to explain the new deal to the voters before the April town meeting.**