

ARTICLE TWENTY-FOUR PROFESSIONAL CONCILIATION

The Board and the Union agree that professional involvement of teachers in educational issues should be encouraged. However, it is recognized that there may be differences in professional judgment.

A. School Level

1. Where differences related to school-based decisions in one of the following areas cannot be resolved, a conciliation process will be available to facilitate the resolution of these differences:

- a. Curriculum mandates
- b. Textbook selection
- c. Program offerings and scheduling
- d. Student testing procedures and appraisal methodology
- e. Pedagogical and instructional strategy, technique and methodology.

In order to utilize the conciliation process, the UFT chapter may request, through the Union, the service of (a) person(s) identified as expert in conciliation. Selections of such person(s) will be made by the Board and the Union from a list of conciliators mutually agreed upon by the Board and the Union.

2. Within five school days, the Board Coordinator will contact the appropriate superintendent who will promptly advise the Board Coordinator as to whether he/she will directly address the issue.

a. If the issue is addressed by the superintendent, he/she should resolve it within ten school days. If not resolved, the Board Coordinator will assign a conciliator at the end of that period.

b. If the superintendent does not respond to the Board Coordinator or advises that he/she is not addressing the issue, the Board Coordinator will assign a Conciliator within five school days.

3. The Conciliator will initiate the conciliation process within ten days. This stage of the process is expected to be completed within a month unless the participants, including the Conciliator, believe it beneficial to continue the process.

4. At the conclusion of the conciliation:

a. If a resolution is reached, the Conciliator will prepare an agreement for both parties to confirm and sign. It is expected that both parties will adhere in good faith to the agreement. Where one of the parties believes that a good faith effort is not being made to adhere to the agreement, the party will contact the superintendent and district representative who will assess the situation and take actions as necessary to assure implementation of the agreement. If the superintendent and district representative cannot resolve it, the issue will be forwarded to the Chancellor and Union President for resolution.

b. If there is no resolution, the Conciliator will send letters to the parties confirming termination of the conciliation process. In addition, the Conciliator will send letters to the Board and Union Coordinators advising them of the same.

B. District Level

1. A teacher(s) who wishes to conciliate a professional difference regarding a community school district, high school or Citywide special education superintendency policy/procedure shall forward it to the UFT school chapter for review. If appropriate,

the chapter will forward it to the district representative who will present the issue to the superintendent.

a. If the issue is addressed by the superintendent, he/she should resolve it within ten school days.

b. If the issue is not addressed at the end of that period, or, if the superintendent elects not to address the issue in this fashion, the district representative may refer the issue for conciliation to the UFT Coordinator.

2. After a decision to proceed with conciliation has been made the Board Coordinator will assign a Conciliator within five school days. The Conciliator will initiate the conciliation process within ten school days with the district representative and the superintendent. This stage of the conciliation process is expected to be completed within a month unless the participants, including the Conciliator, believe it beneficial to continue the process.

3. At the conclusion of the conciliation:

a. If a resolution is reached, the Conciliator will prepare an agreement for both parties to confirm and sign. It is understood that for any agreement that requires a waiver of a policy adopted by a community school board, the superintendent would be expected to seek the waiver. It is expected that both parties will adhere in good faith to the agreement.

b. If there is no resolution, the Conciliator will send letters to the parties and the Board and Union Coordinators confirming termination of the conciliation process.