



**NOTICE OF DETERMINATION THAT AN IMPASSE IN NEGOTIATIONS
HAS BEEN REACHED
(Pursuant to Education Article, Title 6, Subtitle 4, Section 6-408(e)(1) or
Subtitle 5, Section 6-510(e)(1))**

Pursuant to the Requests filed by the public school employer [XX] and /or the employee organization [XX], the Public School Labor Relations Board (PSLRB) has determined from the facts that an impasse has been reached in negotiations between:

Montgomery County Public Schools

Public School Employer

and

Montgomery County Education Association

Employee Organization

This determination was made by the PSLRB on September 3, 2020.

An impasse in negotiations has been reached as to the following matters (Matters in Dispute):

- Article 4 – Negotiation Procedures, Section A.2
- Article 6 – Collaboration, a new item related to Operations and Contract Administration Labor Management Committee
- Article 10 – Physical Environments, a new item related to Transparency – Environmental Concerns
- Article 13 - Instructional Materials and Supplies, a new item related to Transparency – Instructional Materials Distribution
- Article 16 – Schedules and Workload, a new Section c.12 related to Use of Planning Time
- Article 16 – Schedules and Workload, modifications to Section D.1.a
- Article 16 – Schedules and Workload, modifications to Section F.1.b
- Article 16 – Schedules and Workload, modifications to Section F.6
- Article 16 – Schedules and Workload, modifications to Section F.7
- Article 19 – Salaries and Supplements, items related to budget review for FY 21 possibilities
- Article 19 – Salaries and Supplements, Year 2 compensation

- Article 19 – Salaries and Supplements, a new Section on Enhanced Compensation – new hires
- Article 19 – Salaries and Supplements, a new Section on Enhanced Compensation – teachers hired with less than full service credit who transfer to high-impact schools
- Article 19 – Salaries and Supplements, a new Section on Enhanced Compensation – teachers hired with less than full service credit who are in schools designated as high-impact
- Article 24 – Voluntary Transfers, Section L, transfer dates
- Article 25 – Involuntary Transfers, distribution of novice teachers who are transferred
- Article (New) – Equity and Access, School Discipline
- Article (New) – Equity and Access, Transparency in School Allocations/Staffing
- Article 32 – Duration, reopened negotiations for second year
- Substitutes Article 7 – Salaries, compensation rates for FY 22
- HHT Article – Salaries, compensation rates for FY 22

1. (a) Within ten (10) calendar days after the Determination Date, the public employer and the employee organization each shall file with the PSLRB its “last and best offer” as to each of the Matters in Dispute. Said filing shall be sent to Erica L. Snipes, Executive Director of the PSLRB, and a copy shall simultaneously be served on the other party. Filing and service must be in person or by U.S. mail, return receipt requested. A party’s “last and best offer” as to a particular Matter in Dispute shall be the offer that it made to the other party with regard to that Matter immediately before a Request for a determination that an impasse had been reached was filed with the PSLRB.
- (b) Within five (5) calendar days after the Determination Date, the public school employer and the employee organization shall “select a mediator” in accordance with the selection process set forth in Title 6, Subtitle 4, Section 6-408(e) or Subtitle 5, Section 6-510(e). (The relevant statutory sections are attached hereto). The term “select a mediator” means that the parties have begun the selection process.
- (c) Within fourteen (14) calendar days after the Determination Date, the public school employer and the employee organization shall “commence mediation.” The term “commence mediation” means that the parties have selected a mediator, and that he or she has agreed to serve.
- (d) The public employer and the employee organization each or jointly shall notify the Executive Director of the PSLRB (by e-mail or in other written form) promptly after each of the deadlines set forth in sections (a), (b) and (c) above have been met.

BY ORDER OF THE PUBLIC SCHOOL LABOR RELATIONS BOARD



Elizabeth M. Morgan, Chair

Date: September 3, 2020