



Bargaining Preparation Toolkit

411 East Capitol Avenue | Pierre, SD 57501 | 605-224-9263

Purpose: SDEA realizes that local negotiations teams are often sitting across the bargaining table from business managers, superintendents, school attorneys, and the Board Members who construct and pass the school budgets. SDEA will provide the information necessary to prepare its local bargainers for financial conversations with those on the other side of the bargaining table through this toolkit and support from its UniServ Directors. Contact the UniServ Director from your unit to schedule a bargaining consultation.

Plains Unit Sandy Arseneault (605) 200-2283	SEE Unit Rich Mittelstedt (605) 695-2579	EGL Unit LouAnn Jensen (605) 220-1688	Western Unit Sandy Arseneault (605) 200-2283	Eastern Prairie Unit Emily Meier (605) 222-2689
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Model language provides local associations with a starting point on single issues that will be discussed in the upcoming negotiation cycle. Not needing to start from scratch will allow you to choose what works for your district. Click here to see the model language proposals that your local association can use as a starting point: [Model Language](#)

Negotiated Agreements
SDEA maintains a repository of negotiated agreements. Remember that the language in an agreement is what was settled on and is likely a result of a compromise. To find language used in other districts, visit: [This Year's Negotiated Agreements](#)

Negotiated Settlements
During bargaining season, SDEA updates settlements as they are reported by locals including base salary, salary increases, contract days, health insurance information, leave changes, and notable language updates. Visit: [This Year's Negotiated Settlements](#)



Department of Education Balance Information
The DOE provides the information about the funding balances of each District. Compare current numbers secured from the business managers with the historic trends to insure the validity of the current year's established data.

District Profile
Provides a snapshot of your district including your teacher salary, student teacher ratio, number of FTEs, and ending fund balances and expenditures. For your district's information visit: [Statistical Digest](#)

Fund Balances
Provides a look at the trends of each of the larger funds in your district over the last seven years.

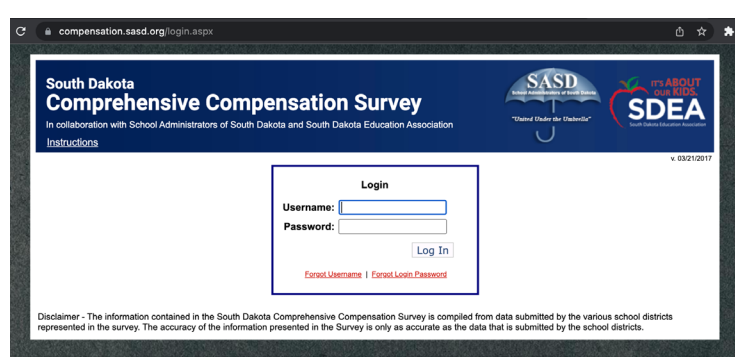
[General Fund](#) [Capital Outlay Fund](#) [Special Education Fund](#)

Monthly Fund Balances
Per the 2016 law changes, districts are subject to reserve caps based on the lowest monthly fund balances which are found below. See the accountability section below for information on the calculation.

[2022](#) [2021](#) [2020](#) [2019](#) [2018](#) [2017](#) [2016](#)

South Dakota Compensation Survey
SDEA and the School Administrators of South Dakota maintain a database of compensation by district. The information is voluntarily reported by business managers, resulting in gaps in data from some districts. This tool is best used for comparison of benefits which are not reported by the Department of Education.

<https://compensation.sasd.org/login.aspx>
Login: teacher **Password:** sdeaneg



What are my bargaining rights?

SDCL 3-18-3
South Dakota law establishes the right of public employees, through their bargaining representatives, to bargain (negotiate) in respect to “rates of pay, wages, hours of employment, and other conditions of employment.”

Mandatory v Non Mandatory Subjects of Negotiation:
Mandatory items of negotiation: Items that a district must negotiate with a bargaining agent over in order to determine terms and conditions around that subject.



Non mandatory items of negotiation: Items that a district may choose to determine conditions around through bargaining, but are not required by law to do so.

Bargaining statute is vague on the definition of, “other conditions of employment.” South Dakota case law better elaborates on specific items such as RIF policy and school calendar. Additionally, case law gives a test that helps determine if a subject is mandatorily negotiable. Find more information here: [Legal Law Resources](#)

Rapid City Education Association vs. the Rapid City School District (1985)
Establishes a three-prong test to determine whether a particular issue constituted a condition of employment on which the school districts must negotiate. According to that test, a subject is a negotiable condition of employment only if:

1. it **intimately and directly affects the work and welfare of public employees**, and
2. it has **not been pre-empted by statute or regulation**, and
3. it is a matter on which negotiated agreement **would not significantly interfere with the exercise of inherent management prerogatives** pertaining to the determination of government policy.

To provide extra, specialized support to fit the needs of your local bargaining team, please take advantage of the additional tools below. Click the icons below to find additional resources you and your local team can use to prepare for negotiations in each area.

 Accountability Information	 ARP Funding Guide	 Crafting A Reasonable Salary Proposal	 School Auditing Resources	 Bargaining 101	 The Cost of Teacher Turnover Calculator	 Establishing Student Loan Assistance Programs
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