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 duty status, health insurance information, leave changes, and notable language updates. Visit: This Year’s Negotiated Settlements

**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. Visit: South Dakota Compensation Survey

**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**

**What are my bargaining rights?**

**SBCL 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 might negotiate, 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)

- Establishment of a three-prong test to determine if a particular issue constitutes a condition of employment on which the school districts must negotiate. According to that test, a subject is a negotiable condition of employment:  
  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 this toolkit and support from its UniServ Directors. Contact the UniServ Director from your unit to schedule a bargaining consultation.

**Negotiation Tools**

- **Model language:** 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: South Dakota Compensation Survey

- **SDEA’s Strategic Initiative:** The information is voluntarily reported by business managers, resulting in gaps in data from some districts. The information is voluntarily reported by business managers, resulting in gaps in data from some districts.

- **North Dakota**

- **South Dakota**

- **Negotiation 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 duty status, health insurance information, leave changes, and notable language updates. Visit: This Year’s Negotiated Settlements

- **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.

- **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**

- **What are my bargaining rights?**

- **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 might negotiate, 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)**

- Establishment of a three-prong test to determine if a particular issue constitutes a condition of employment on which the school districts must negotiate. According to that test, a subject is a negotiable condition of employment:

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.