SDEA realizes that local bargaining 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. While it is not possible to make every member of a local bargaining team as knowledgeable about school funding as a business manager, SDEA hopes to 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.

Following the passage of HB 1182, SB 131, and SB 133 in 2016, accountabilities were created to ensure funds are distributed by the district to the employees that the Legislature intends the money to go towards. The accountability thresholds have varied from year to year depending on legislative action. The accountability for FY19-FY21 is established by Statute 13-13-73.6. The average total compensation for districts cannot fall below the average total compensation in FY2017. For information on district accountability targets, visit: https://bit.ly/3smBpYO

For additional information on the law established in 2016, and how that law has impacted the district funding formula, reserve fund balances, pension levy, capital outlay flexibility, and local effort revenues, visit: https://bit.ly/2J5JcE1

For frequently asked questions
Department of Education Balance Information
The DOE provides accurate information about the funding balances of each District. Compare current numbers collected from the business managers with the historic trends to ensure the validity of the current year's established data.

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

To see how your district's base salary, staff turnover, and start dates compares to other districts, visit: Data Dashboard of Statewide Data

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

<table>
<thead>
<tr>
<th>General Fund</th>
<th>Capital Outlay Fund</th>
<th>Special Education Fund</th>
<th>Fund Balance Summary</th>
</tr>
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</table>

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 above for information on the calculation.

|------|------|------|------|------|------|

Language & Compensation Comparisons
Local bargaining teams should compare their compensation to like sized and nearby districts, and look to those same districts for inspiration.

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.


Negotiated Agreements
SDEA maintains a repository of negotiated agreements. You don’t have to start from scratch to craft new language. 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: https://bit.ly/2XMxarr

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: https://bit.ly/3oFhUID
School Auditing Resources
The above resources provide the framework for basic bargaining preparations. However, additional information and data is collected through the state auditing process. This information can be extremely useful for more advanced preparation and increase a bargaining team’s background knowledge of the financial functions of the District.

School District Audit
Each District has its own audit report. These audit reports will provide a local bargaining team with a flood of data. Specifically, it will illustrate the discrepancies between what a district has budgeted and what a district has spent for a given year. The most valuable information for bargaining preparation is found on the, “Statement of Revenues, Expenditures, and Changes in Fund Balances” section of the audit.

Audits by District
After navigating to this page, select the proper school district from under the “Schools” tab.

Classifications of Funds
This document provides a deeper dive into each of the separate funds which may be at the disposal of a District. Definition and Classification of Funds

School Financial Law
This resource more thoroughly defines different funds and the restrictions for the uses of those funds. The document cites state codified law for each section that it speaks to. For additional information beyond that provided in each section, look up those law citations in a search engine.
School Financial Law

Additional Accounting Resources
For additional accounting resources, look to individual sections of the School Accounting Manual.
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.”

What items are negotiable?

Mandatory items of negotiation: Items that a district must negotiate in order to determine terms and conditions around that subject.

Nonmandatory 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 mandatory negotiable.

Rapid City Education Association vs. the Rapid City School District, 376 NW2d 562 (SD 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.

For additional bargaining laws and information on negotiable items visit: https://bit.ly/2YvZiiI
For suggested bargaining language for the 2021-2022 contract year visit: https://bit.ly/3r7yZM7