Plains Unit  
Sandy Arseneault  
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SEE Unit  
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EGG Unit  
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Western Unit  
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Eastern Prairie Unit  
Emily Meier  
(605) 222-2689

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 in order to determine terms and conditions around that subject.
  - Non mandatory Items of Negotiation: Items that a district may negotiate with a bargaining agent over in order to determine terms and conditions around that subject.

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.

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.”

- South Dakota case law better elaborates on specific items 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 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 if:

1. It is an intrinsic part of the employment.
2. It is an inherent management prerogative pertaining to the determination of government policy.
3. It is a matter on which a negotiated agreement would not significantly interfere with the exercise of the district’s right to do so.

Contact the UniServ Director from your unit to schedule a bargaining consultation.

### 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.

#### 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 Department of Education Balance Information

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#### yearly established data.

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### 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 local bargainers for financial conversations with those on the other side of the bargaining table through this toolkit and support from its UniServ Directors.

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### Model language

- 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.

### 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

### Department of Education Balance Information

- The DOE provides the information about the funding balances of each District. Compiles current numbers secured from the business managers with the historic trends to insure the validity of the current year’s established data.

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- 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

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