

Documenting Variation in Teacher Contract Provisions  
Across New York School Districts

Condition Report Prepared for the  
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Executive Summary

Teacher collective bargaining agreements (teacher contracts) represent one of the most important school district contractual obligations. Despite their potential impact on district budgets and human resource practices, relatively little research has examined the contents of teacher contracts across a large sample of school districts. The few studies that have examined a broad array of contract provisions find significant variation in some provisions and not in others.

The major objective of our study is to document the contents of teacher contracts for a large and representative sample of New York school districts. Specifically, we develop a classification scheme for coding teacher contracts, which is used to evaluate contract provisions. The teacher contract database allows us to document the similarities and differences in the content of contracts across school districts and to examine which factors seem to be related to variation in contract content. While the purpose of this study is primarily descriptive, the contract database could help facilitate future research on how contract provisions affect school district budgets and teacher labor market decisions.

*Methodology*

Teacher contracts are complex legal documents which cover a number of subjects. Contract provisions selected for inclusion in this study are generally those which could potentially have a significant impact on a school district's operating budget or human resource practices, are likely to vary significantly across school districts, and are not heavily regulated by state law. Contracts were coded by several people and steps were taken to assure inter-coder reliability. We acknowledge in the study several potential limitations with the database, including potential coding errors or omissions and lack of information on health insurance plans, other agreements or plans which have been negotiated between the teachers' union and the school district, and past contract provisions, which may still be in effect.

Contracts analyzed for this study were provided by the State of New York Public Employee Relations Board. Our sample for this analysis is 263 contracts, which were in effect in July 2007 or later. We also have information on teacher salary schedules for around 300 contracts. Characteristics of school districts in the sample are compared to districts not in the sample and we find very few differences in terms of enrollment, demographics, financial indicators, teacher characteristics, or district classification. In other words, our sample of districts appears fairly

representative of other districts in the state. (New York City is excluded from the analysis because of the complexity of its contract and size of its teaching force.)

### *Key Findings*

Variation in contract provisions is examined across all districts. The sample and comparisons are made across district enrollment size and across need/resource capacity categories. A few of the findings include:

- **Compensation.** We coded teacher salary schedules and examined the salary increases associated with more experience or more education. Regarding experience, the average district provides approximately the same salary bonus for a year of experience for veteran teachers as for novice teachers. While this may reflect actual productivity increases, it does not match patterns for teacher attrition, which are highest during the first five years of teaching. High need districts, which may have the most difficulty recruiting and retaining teachers, are less apt to frontload their salary increases for experience, than low need districts. We also find significant variation across contracts in salary increases associated with more education. For example, some districts reward a teacher substantially more for going from a BA to MA than going from a MA to PhD, while for other districts the opposite is the case. Even within the same contract there can be significant differences in salary increases associated with educational attainment for different levels of experience. It is not clear if this variation reflects legitimate differences in teacher productivity or local labor markets, or is primarily a historical artifact from past contracts.
- **Health insurance.** The fastest growing compensation cost for school districts is health care benefits. While it is not possible using the contract to assess the cost of different district health care plans, we do find that approximately one-third of districts provide choices of health care plans and that district premiums average between 85 and 95 percent. Over 50 percent of districts provide health care benefits for retirees that appear to be close to those offered current employees. While not possible in this study, evaluating differences in costs associated with retiree health care provisions is an important topic for future research given the large future liabilities that these benefits may represent for school districts.
- **Teacher assignments and working conditions.** With the exception of lengths of school day and year, we found significant differences in the working condition and teacher assignment provisions covered in teacher contracts. Relatively few contracts impose firm class size limits (or limits on total students per teacher) but a number of contracts discuss class size guidelines. These findings raise the question of whether districts with class size guidelines in their contract actually have discretion in setting class sizes or do class size guidelines act as de facto limits.
- **Leaves.** While almost all contracts talk about sick leave (and most talk about personal days), there is a fair amount of variation across contracts in the total paid leave days provided teachers and in the allowable accumulation of sick leave (and personal leave) days. Close to 30 percent of districts do not appear to set any limit on accumulation, while other districts set limits below 200 days. Since the future liabilities associated with accumulated sick leave could be significant; more needs to be known about the cost implications of different strategies for managing accumulated sick leave.