

Regulation 0401.80-AR-01 Professional Negotiations

On a biennial basis, the local education organization (LEO) shall provide proof that the LEO represents the majority (fifty percent (50%) plus one (1)) of the professional personnel for negotiations.

The LEO shall do its best to provide proof to the Superintendent or designee on or before April 1, 2024, and on or before April 1 in each subsequent even numbered year.

The method used to collect the evidence of representation shall be agreed upon between the LEO and the Superintendent or designee prior to the collection of this evidence. Regardless of the method used to collect this evidence the following standards shall be followed:

1. Upon request from the LEO, the Superintendent or designee will provide a list of professional personnel that are employed during the collection period with a physical count of total personnel.
2. The active collection period will begin on or after March 1st of the request year.
 - a. There will not be a need to request signed cards from dues paying certificated teacher members of the association.
 - b. In anticipation of a request for proof of representation, the Association may seek signed cards in advance of the active collection period addressed above. However, such collection shall be consistent with the provisions of this Administrative Regulation.
3. The LEO will be allowed to utilize West Ada School District email to request proof of representation.
4. The LEO will be allowed to collect proof of representation on West Ada property under the following circumstances:
 - a. If the person collecting the proof is a West Ada School District employee, all efforts to collect proof shall follow the guidelines identified in the Negotiated Agreement, Article XI: Association Rights Items A, B, C & D.
 - b. Individuals collecting proof shall follow the guidelines identified in the Negotiated Agreement, Article XI: Association Rights Items A, B, C & D.

- c. If a professional personnel indicates they do not wish to address or discuss the subject, the Individual(s) collecting proof shall cease communications regarding the subject with the professional personnel.

The evidence for representation shall consist of the following:

1. A professional personnel signature on a physical card or an electronic survey, with a statement that contains language that is substantially similar to the following:

I hereby designate and authorize the LEO, its agents, or representatives, to act for me pursuant to Idaho Code 33-1271 through 33-1276, as my exclusive representative for the purposes of negotiations with respect to the development of a Negotiated Agreement between the Board of Trustees of Joint School District No. 2 (West Ada School District) and the LEO. I hereby revoke every other designation or authorization, if any, previously made by me for such purposes. It is also understood that this authorization shall remain in full force and effect for the subsequent two (2) years

2. Identification of the Professional Employee Name and Employee ID
3. In the event a physical card is used, an independent person(s) shall be utilized to compile the results from the physical cards
4. In the event an electronic survey is used, the LEO may submit the detailed results of this survey to the Superintendent or designee to calculate the representation percentage

In the event the evidence provided to the Superintendent or designee does not substantiate that the LEO represents a majority of the professional personnel for negotiations, the LEO will be provided a ten (10) working day period to gather additional evidence. In this instance, the April 1 date identified above will be extended by ten (10) working days (cure period).

If after this extension period the LEO cannot substantiate that the LEO represents a majority of the professional personnel, the Superintendent and/or designee will make a recommendation as to a representative process for the establishment of salary and benefits for the next ensuing school year.
