

Shoreline Education Association

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CONTRACT WAIVER REQUEST

Please read all instructions thoroughly before completing this form!

1. A WAIVER is required prior to any exception to or alteration of any clause in the current Collective Bargaining Agreement between the Shoreline School District and the Shoreline Education Association and for any number of people covered by that Agreement.
2. Making a request for a waiver does not guarantee approval. The request process has two major stages: the building agreement stage and the SEA consideration stage. The District may also choose to deny a waiver request, even if approved by SEA.
3. Approval is for ONE year unless otherwise requested and approved. Re-approval may be requested when the waiver expires.
4. An SEA Contract Waiver Approval/Denial form will be signed by the SEA President and sent to the building staff making the waiver request, with a copy to the District.

Contract Waiver Request Procedures

I. STAFF AGREEMENT PROCEDURE, FORMS, & DEADLINES: All parts of the Waiver Request process must be completed, timelines followed, and documentation attached. Any SEA member may request a waiver and initiate this process.

1. Contract Waiver Request must include the following:
 - a) Name of School Building and Principal
 - b) Name of SEA Building Representative(s) and/or Name of the SEA Member Requesting the Waiver
 - c) Contract Section(s)
 - d) Waiver Requested & Year Requested For
 - e) Rationale for Waiver
 - f) Voting Procedure Followed (either by vote or consensus)
 - g) Dated Signatures of Building Representatives and Principal
2. Three working days advance notice must given of the staff meeting at which the Waiver Request will be discussed. (*Copy of meeting notice must be attached.*)
3. A staff meeting is required to present and discuss a statement of the specific issue and section of contract for the waiver request. (*Copy of agenda and minutes must be attached.*)
4. Three working days advance notice must be given of a vote OR consensus process. **Only SEA members** may participate and vote. (*Copy of notice must be attached.*)
5. Agreement is either by Vote or Consensus. See definitions* at the end of this section. (*Copy of ballots, tally sheet, or signature sheet must be attached.*)
6. Copies of the Waiver Request must be sent via district mail or US mail to SEA and to the Shoreline School District Human resources Director.

7. The SEA copy of the Waiver Request must be received and considered by the SEA Executive Board prior to the regularly scheduled SEA Representative Council Meeting it is to be considered at.

***Definitions:**

VOTE: 80% 'YES' Vote of the Certificated staff involved is required for Approval of Request. Only SEA members may vote. When consensus fails to bring agreement, the required vote of a group or faculty will be approval by 80% of the total staff involved in order to have a contract waiver considered.

OR

CONSENSUS: Sufficient consensus for requesting a contract waiver is defined as a meeting of the minds where every SEA member is given the opportunity to participate in the discussion and decision. Everyone may not like the decision, but everyone is willing to live with it..

II. PROCEDURE FOR CONSIDERATION OF WAIVER REQUEST BY SEA:

EXECUTIVE BOARD PROCESS:

1. Contract Waiver Request form and supporting documentation received by SEA President.
2. Waiver Request put on agenda of regularly scheduled Executive Board Meeting.
3. Executive Board discusses Waiver Request considering the following factors among others:
 - a. Was the waiver procedure followed?
 - b. Is the waiver request clear and specific?
 - c. What are the pros and cons of the waiver?
 - d. What are the potential precedents, which could be set by this waiver?
4. Executive Board votes on Do Pass or Do Not Pass recommendation for Representative Council.

REPRESENTATIVE COUNCIL PROCESS:

1. Waiver Request put on Representative Council Agenda.
2. Executive Board member(s) share reasons for Do Pass or Do Not Pass recommendation.
3. Representative Council discusses Waiver Request considering the following factors among others:
 - a. Was the waiver procedure followed?
 - b. Is the waiver request clear and specific?
 - c. What are the pros and cons of the waiver?
 - d. What are the potential precedents, which could be set by this waiver?
4. Representative Council votes to approve or reject the request.

FURTHER ACTION:

1. Notification is sent to building staff making Waiver Request on the SEA Contract Waiver Approval/Denial form.
2. If approved by both SEA and the District, the waiver may be implemented immediately and for duration of the waiver agreement. (One year unless otherwise specified.)
3. If denied, building staff submitting the waiver request is informed in writing by the SEA President of rejection, including rationale for the rejection, and may choose one of the following courses of action:

Building staff may rewrite their waiver request following the waiver procedure, and re-submit it for reconsideration:

OR

Building staff can schedule an appeal of the decision at the next Rep Council meeting and present written and/or oral arguments for the Rep Council to consider.

Contract Waiver Request Form (Today's date _____)

I.1.a. School: _____ **Principal:** _____

I.1.b. SEA Building Representative(s) and/or SEA member requesting waiver:

I.1.c. Contract Section(s): _____

I.1.d. Waiver Requested & Year Requested for: (attach additional sheets if necessary)

I.1.e. Rationale for Waiver: (attach additional sheets if necessary)

I.1.f. Voting Procedure Followed (circle one): VOTE CONSENSUS

I.1.g. Signatures & Date:

Building Representative(s)

Principal

Date _____

I.2. Notice of staff meeting to discuss the Waiver Request was provided on:
_____ (Documentation of notice must be attached.)

I.3. Staff meeting to discuss the Waiver Request occurred on:
_____ (Documentation of notice must be attached.)

I.4. Notice of a vote or consensus process on the Waiver Request was provided on:
_____ (Documentation of notice must be attached.)

I.5. Vote or consensus process regarding the Waiver Request occurred on:
_____ (Documentation must be attached – see below.)

Vote/Consensus Documentation Required:

VOTE

- Copies of ballots or tally sheet.
- Number of total votes by SEA members.
- Number of Yes votes & percentage
- Number of No votes & percentage
- Number of abstentions

CONSENSUS:

- Signature page with signatures of all building SEA members.

I.6. Waiver Request and all documentation sent to SEA office and Shoreline Human Resources Director on: _____

I.7. (SEA Office Use Only) Date Received: _____
Date of next SEA Executive Board Mtng: _____
Date of subsequent Rep. Council Mtng. _____