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OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

To: Board of Education

From: Jacqueline Minor, General Counsel, Troy Christmas, Director, LMER *J.C.*

Meeting Date: June 13, 2012

Subject: “Sunshining” of the Oakland Education Association (OEA) Initial Proposals to the District

Action Requested: Conduct a Public Hearing on the Oakland Education Association initial proposals (attached) for a full Successor Agreement, effective July 1, 2012 through June 30, 2013, with the District.

Summary: Pursuant to Section 3547 of the Educational Employment Relations Act, before representatives of the District and OEA may begin negotiations for a new Agreement; the parties are required to present their initial proposals for public review and comments (“sunshining”) the proposals.

Fiscal Impact: Any tentative agreement will be within the District’s financial ability to cover the anticipated costs.

Recommendation: Conduct a Public Hearing on the Oakland Education Association initial proposals (attached) for a full Successor Agreement, effective July 1, 2012 2012 through June 30, 2013, with the District.

Attachments: OEA Initial Proposals

**OEA Sunshine Proposal
for July 1, 2012 through June 30, 2013**

Article 6 Association Rights

Article 6.1.5:

[NEW] The Association shall be given a list of all newly hired bargaining unit employees, with complete and correct contact information, by the second week of September.

[NEW] OUSD shall provide the OEA with a list of newly hired substitute teachers on a monthly basis, including dates of hire and all contact information. OUSD shall provide the OEA, on a regular basis, with a list of current employment of all OUSD substitute teachers.

Article 7 Employee Rights

[NEW] Subsection to 7.2.1.4 Site Professional Development Planning

To ensure that teachers are engaged in the planning of site professional development so that it meets their needs and informs their work with students, plans for professional development shall be either a) discussed and approved by the site's Faculty Council, or b) determined by a committee mutually agreed upon by the principal and the FC, and containing both administrators and faculty.

Article 9 Academic Freedom

[NEW] Section 9.3 Course Pacing Guides

9.3.1 Teachers shall be responsible for sequencing and pacing of material for any and all courses they teach.

9.3.2 Course pacing guides, where they exist, shall be recommended and optional *guides*, not mandatory timelines.

9.3.2.1 To allow teacher initiative and flexibility in sequencing and pacing, pacing guides will not be tightly coupled to mid-semester benchmark examinations. In particular:

9.3.2.1.1 District-wide formative assessments will be constructed modularly, so that teachers using alternative sequences may administer modules appropriately corresponding to their sequence, and assessments will come at the end of the trimester in elementary schools.

9.3.2.1.2 In secondary schools, there will be a maximum of one district-wide benchmark assessment per course per semester, and any such examination would come at the end of a semester.

9.3.2.1.3 In elementary schools, the state test shall be the only required assessment for the third trimester.

Article 10 Hours of Work

Bargain the impact of larger reading class sizes.

[NEW] Subsection 10.6 General Provisions: Collaboration Time

Teachers and support staff discussing curriculum and students responses to it must be at the center of any strategy for curricular improvement. At least one in each four

(once a month for sites with 4 PD sessions) of the mandated Professional Development sessions for unit members shall be collaboration time for unit members.

[NEW] Subsections 10.6 General Provisions: Testing Paperwork and Procedures

Lesson preparation, study, student evaluation, conferences, etc., are to be conducted during those periods of time so scheduled. Teachers shall have the flexibility as to the location at the site to perform such functions, provided that such performances do not interfere with their regularly assigned duties and that of others at the site. IEP conferences will be scheduled during the regular working day. ~~whenever possible.~~
[Up to 2 hours of substitute coverage will be provided for general education and special education teachers for each such meeting.]

Additional hours required for added testing paperwork shall be carried out during the school day by providing substitute coverage for those hours.

Teachers shall not be required to alter any testing materials marked by students or to use procedures not specifically prescribed in the testing manual.

Add resolution of the grievance regarding test bubbling into the contract.

[NEW] Subsection: 10.9 Transitional Kindergarten

Bargain the conditions for the new transitional kindergarten classes.

Article 11.16.1 Personal Leave

Requests for absence without loss of pay and without cost of substitute deducted for urgent personal business to a maximum of five days each year ~~may~~ [shall] be granted by the Superintendent.

[NEW] Such leaves may be extended beyond one day only with the consent in advance of the principal or other supervisor.

Article 12 Assignment/Transfer/Vacancy/Consolidation Policy

Discuss Assignment/Transfer/Vacancy/Consolidation Policy

Article 13 Performance Evaluation

Discuss Performance and Evaluation.

Article 15 Class Size and Caseloads

We will discuss class size reduction at the elementary level.

15.6 Categories-Secondary Schools-Maximum Class Sizes

Music ~~52x5=260~~ [40x5=200]

Physical Education ~~52x5=260~~ [40x5=200]

[NEW] Subsection to 15.9 Combination Classes at Elementary Schools

Every effort will be made to avoid combination classes in elementary schools.

Teachers of combination classes shall be released during the school day on a regular basis to a) prepare the second set of required curricula, or b) be given curricular flexibility to design a single curriculum appropriate for all the students.

Combination classes shall have at least 3 fewer students than other classes in the affected grade levels in order to promote targeted instruction in both grade levels.

[NEW] Add Subsection to 15.10 Potential Staffing Allocation and Class Size Reduction:

Class Size Maximums in Decile 1 and 2 Schools

In decile 1 and 2 schools, class size maximums shall be returned to 20 for elementary schools and maximum student contacts to $25 \times 5 = 125$ for secondary schools.

Special Education – Maximum Class Sizes or Caseloads Special Education classes and/or specialist caseloads shall not exceed the following maximums, which apply to all pupils for whom ongoing direct services or consultation is provided. Any changes in designation and/or categorization of special education programs and/or classes in the District shall be negotiated with the OEA with input from affected teachers. No changes shall be made in Special Education job descriptions or job titles without negotiation with the OEA and input from affected teachers.

Special Day Classes – Class Sizes and Teacher Caseloads

Pre-school:

Intensive – 8 pupils

Non-intensive – 10 pupils

K-12:

Severely handicapped – 8 pupils

Language disordered – 10-12 pupils

Mild to Moderate/Non-severely handicapped- 10 -12 pupils

Emotionally Disturbed – 8 pupils

Hearing Impaired- 8 pupils

Non-categorical mixed – 8 pupils

Visually impaired – 8 -10 pupils

Autistic – 6 pupils

Inclusion—8-10 pupils

Resource Specialist

Special education resource specialists will be assigned to no more than 2 school sites at a time.

Resource Specialist Caseload- 20 pupils

Resource Specialist Class size- 12 pupils

(Replace Article 21.14.4 – RSP Caseload Limits)

Designated Instructional Services (DIS)

Language and Speech- 45 pupils

Adaptive PE – 55 pupils

[NEW] Amend Section 21.2.1 Counselors

The Association and Employer mutually recognize the critical importance of a working collaboration to ensure effective interventions and counseling support for students at the secondary level. The secondary site allocation for counselors shall be

based upon a ~~District-wide~~ [School-wide] ratio of ~~700:1~~ [500:1]. [Each secondary school shall have at least one counselor.]

Section 21.18 Substitute Teachers

[NEW] Amend by adding to Article 21.18.4: Substitutes shall be eligible to purchase health care after the first day if they worked 45 days the previous year.

Article 24 Compensation

Bargaining unit members shall receive at least a 4% raise.

[NEW] The District will spend at least 55% of the expenses of education on classroom expenditures as outlined in CA State Education Code 41372.

24.1.5 Substitute Salary Increases

Adjust existing rate structure to be consistent with adjustments to classroom teacher salaries.

Change current requirement that substitutes begin each school year at the daily rate so that substitutes retain the extended long-term rate for the year following that in which they qualify for it.

24.2 General Provisions for Placement on Teachers' Salary Schedule

24.2.5 A unit member with fully verified non-certificated previous non-teaching experience in a field directly related to his/her certificated assignment shall be granted salary schedule credit. Credit will be granted on the basis of one (1) step for each two (2) years of acceptable experience, up to a maximum of five (5) ~~years~~ [steps] on the salary schedule. Application for such credit may be made upon application for initial employment, or at any time during the unit member's employment.

Article 25 PAR (Peer Assistance Review)

[NEW] Subsection to Article 25: New Teacher Support

Any unit member new to a school site shall be matched, where possible, with a unit member in the same circuit or department, with experience at the site, as a "site buddy" and they shall be each be compensated per diem for up to ten hours of documented meeting time during the first semester so that the new unit member can be informed about the procedures, projects, events, etc. of the site, and about the materials and resources, programs, and advice that might be available to enhance their teaching.