

Board Office Use: Legislative File Info.	
File ID Number	17-0231
Introduction Date	2-8-17
Enactment Number	
Enactment Date	



LABOR MANAGEMENT & EMPLOYEE RELATIONS

Memo

To Board of Education

From Marion McWilliams, General Counsel
Jenine Lindsey, Director of Labor Strategy

Board Meeting Date February 8, 2017

Subject **“Sunshining” of the Oakland Unified School District (“District”) Initial Proposals (IP) to the Oakland Education Association (“OEA”)**

Action Requested Conduct a Public Hearing on the District’s initial proposals (attached) for a full Successor Agreement, effective July 1, 2017.

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 to anticipated costs.

Recommendation Conduct a Public Hearing on the District’s initial proposals (attached) for a full Successor Agreement, effective July 1, 2017.

Attachments

- District Initial Proposals



**OAKLAND UNIFIED SCHOOL DISTRICT
INITIAL PROPOSALS TO THE
OAKLAND EDUCATION ASSOCIATION
FOR A SUCCESSOR AGREEMENT TO THE 2014-2017 CONTRACT**

PRESENTED TO THE GOVERNING BOARD ON FEBRUARY 8 AND 22, 2017

Our Mission

The Oakland Unified School District (“OUSD”) will build a Full Service Community District focused on high academic achievement while serving the whole child, eliminating inequity, and providing each child with excellent teachers, every day.

Our Plan

OUSD’s Local Control Accountability Plan includes six goals attached to strategies and measurable outcomes. These goals provide the foundational basis for the initial proposals submitted for successor contract negotiations. Goal #1 Graduates are college and career ready; Goal #2 Students are proficient in state academic standards; Goal #3 Students are reading at or above grade level; Goal #4 English learners are reaching English fluency; Goal #5 Students are engaged in school everyday; and Goal #6 Parents and families are engaged in school activities.

Our Initial Proposals

OUSD submits this initial proposal to the Oakland Education Association (“OEA”) for a successor collective bargaining agreement (“CBA”) between OUSD and OEA. OUSD will seek to update contract language that is outdated and/or unclear in order to ensure the most operationally effective agreement possible. Additionally, OUSD proposes to modify, amend, or terminate the following sections of the CBA:

1. Article 1 Agreement
 - Revise term of the agreement. The District wishes to pursue another three year agreement similar in nature to the 2014-2017 agreement.

2. Article 10 Hours of Work
 - Clarify and update language as needed for outdated “Buyback Days.” (Article 10.1.2.)
 - Eliminate language regarding expedited arbitration of calendar (10.1.7)
 - Establish flexibility for teacher work hours - beginning and ending times. (Article 10.2.1)
 - Eliminate outdated language on 2005-2006 preparations. (10.5.1.1)
 - Examine OEA/OUSD Educational Enhancement/Intervention Program (EEIP) for alignment with LCAP in support of English learners, foster youth and low-income students. (10.5.4)
 - Amend language on conference periods to provide for block schedules in secondary (Article 10.6.3)
 - Establish flexibility to reallocate regular site responsibilities for special education teachers as time dedicated to IEP-related activities. (10.6.6.4)
 - Revise Teacher Commitment Program to create alignment with LCAP in support of English learners, foster youth and low-income students. (Article 10.7)

3. Article 11 Leaves
 - Update language to be consistent with AB 375 and AB 2393. (Article 11.2.2)



4. Article 12 Assignment/Transfer/Vacancy/Consolidation Policy
 - Adjust timelines and process for voluntary transfer phases to increase efficiency.
5. Article 13 Performance Evaluation
 - Move Teacher Growth and Development System (TGDS) from pilot to permanent contract language.
6. Article 14 Grievance Policy
 - Clarify existing language and make adjustments to support timely resolution of problems and promote efficient processing of grievances.
7. Article 15 Class Size and Caseloads
 - Explore changes to current language to allow for more flexibility in configurations of daily instructional schedules in secondary schools.
 - Expand the grace period for balancing class size to capture student enrollment data. (Article 15.2)
 - Strengthen the OEA/District joint review of caseloads on a monthly basis and ability to provide supports. (Article 15.10.4)
8. Article 21 Special Services and Specialized Assignments
 - Clarify SDC teacher responsibilities regarding IEP compliance. (21.13.8)
 - Eliminate or modify language as appropriate to emphasize providing the least restrictive educational environments for all students as prescribed by law. (Article 21.15)
 - Negotiate one consistent and competitive rate for substitute teachers and revise the process of removing substitutes from the database. (Article 21.18.2)
9. Article 24 Compensation
 - OUSD proposes to continue a shared revenue model approach to compensation, with appropriate modifications that take into account budgetary and operational constraints.
 - Explore conditions under which years of experience for initial placement on the salary schedule for new hires may be granted for outside professional experience in hard to fill positions and/or for individuals holding a Career Technical Education Credential.
 - Require the use of direct deposit to increase operational efficiency. (New)
10. Article 25 Peer Assistance and Review
 - Bolster Peer Assistance and Review program and the process of referral through evaluation.
11. Article 26 Contract Waivers
 - Negotiate a less rigid waiver process to provide more autonomy to school communities.
12. Article 27 Specialized Programs
 - Clarify existing language around specialized programs.
13. Article 28 Restructured Schools
 - Clarify existing language around specialized programs.

The District reserves the right to add, delete, modify or amend proposals consistent with the requirements of the Educational Employment Relations Act (EERA).