

District response to SCTA May 2, 2023_Proposal to SCUSD
March 29, 2023
May 11, 2023

District changes to SCTA's proposal or new language proposed by the District are shown throughout in highlight.

The District continues to review this Article to ensure that it incorporates all changes agreed upon in the Tentative Agreements between the District and SCTA reached since the contract was last updated in 2011. The District also has an interest in working with SCTA to ensure that position titles are correct and consistent with current position titles.

ARTICLE 17 - CLASS SIZE

17.a The District's goal is that all class size maximums will be met by the end of the first week of school with students in order to enhance the educational process. Schools unable to meet maximums by this time are not subject to any grievances. School administrators must communicate the reason(s) to their supervisors for inability to meet maximums.

The parties may agree to discuss other issues.

17.1 Elementary Class Size Limitations

17.1.1 **[District is restoring to status quo except as noted]** At the kindergarten level, the maximum class size shall not exceed twenty-four (24) students per teacher. [Need to discuss TK], so long as LCFF Class Size Grade Span Adjustment (GSA) funds are in effect. If LCFF Class Size Grade Span Adjustment (GSA) funds are not continued, the class size maximum shall not exceed twenty-nine (29).

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17.1.2 **[District is restoring to existing language except as noted]** At grades 1- 3, the maximum class size shall not exceed twenty-four (24) students per teacher, so long as LCFF Class Size Grade Span Adjustment (GSA) funds are in effect. If LCFF Class Size Grade Span Adjustment (GSA) funds are not continued, the class size maximum shall not exceed twenty-eight (28).

17.1.3 At grades 4-6, the maximum class size shall not exceed thirty-three (33) students per teacher. **[District is restoring existing language]**

17.1.4 Instrumental music teachers will not be included in determining the staffing ratio in the elementary school.

17.1.5 The maximums established in Section 17.1 of this Article may be exceeded by mutual agreement between the site administrator and the affected teacher. **[District is restoring existing language]**

17.1.6 The District shall have 15 school days at the beginning of each school year to adjust classes to meet the maximums established in 17.1.1 through 17.1.3. Thereafter, maximums in any class may be exceeded by no more than three (3) students and only for a cumulative total of five (5) school days during any school year as required to

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meet student needs, except in those classrooms where the mandates set forth by the state do not allow for larger class sizes. In those instances where a class size exceeds the maximum, certificated staff shall be paid ninety dollars (\$90) per day for every day the class exceeds the maximum.

17.1.7 When two or more classes of the same grade level(s) are housed at the same school site, the enrollment difference between the smallest and largest classes shall not exceed ~~three (3) five~~ except by mutual agreement of the site administrator and the teachers involved. **[District agrees]**

17.2 Special Subject Teachers

17.2.1 Special subject teachers shall provide release preparation time for no more than ~~seventeen (17)~~ qualifying teachers per week excluding him or herself. Qualifying teachers means grades 1 through 6 classroom teachers, including special day class teachers (which shall include aide support). **[District is restoring to existing language]**

17.2.2 The maximum teacher load for special subject teachers shall not exceed 190 students per day. **[District agrees]**

17.3 Secondary Class Staffing Formula

17.3.1 7th and 8th Grades

One (1) teacher per ~~thirty-one (31)~~ students enrolled; which shall be computed on third-month projected enrollment. ~~add one~~ One (1) teacher shall be added for all fractional remainders over 0.50. **[District is restoring to existing language, except as noted]**

17.3.2 9th, 10th, 11th, and 12th Grades

One (1) teacher per ~~thirty-two (32)~~ students enrolled; which shall be computed on third-month projected enrollment. ~~add one~~ One (1) teacher shall be added for all fractional remainders over 0.50. **[District is restoring to existing language, except as noted]**

~~17.3.3 Secondary staffing shall be based upon third-month projections.~~ **[District agrees]**

17.3.4 The student/counselor* workload will be one (1) full-time counselor for each 375 students enrolled, based upon the projected third-month enrollment. Additional counseling service shall be provided on the basis of one (1) counseling hour for each sixty (60) students in excess of the 375/1 ratio, also based on the third-month projected enrollment. No more than fifty-nine (59) additional students shall be assigned to the total counseling staff at a school before additional counseling hours ~~shall be~~ are provided, except by mutual agreement between the site administrator and the counselor(s). **[District agrees]**

17.3.5 The student/counselor* workload in continuation high schools, independent study school (Capital City), Accelerated Academy, and the opportunity school will be one (1) full-time counselor for each 150 students enrolled, based upon the third-month projected enrollment.

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17.4 **Secondary Class Size Limitations (Overages)**

17.4.1 ~~The District shall have 15 school days at the beginning of each school year to adjust classes to meet the maximums established in 17.3.1 through 17.4.8. [The District agrees with this change] Thereafter, maximums in any class may be exceeded by no more than three (3) students and only for a cumulative total of five (5) school days during any school year as required to meet student needs, except in those classrooms where the mandates set forth by the state do not allow for larger class sizes. In those instances where a class size exceeds the maximum, certificated staff shall be paid ninety dollars (\$90) per day for every day the class exceeds the maximum.~~

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Adjustments to maximums must be made by the fourth week of the new school year. Adjustments during the school year are to be made after maximums have been exceeded for ten (10) consecutive days, after which the District has an additional 10-day period to take whatever action is necessary to alleviate the excess.

Thereafter, in those instances where a class size still exceeds the maximum, certificated staff shall be paid ninety dollars (\$90) per day for every day the class exceeds the maximum.

17.4.2 When two (2) or more sections of classes having the same course content are scheduled to meet during the same period, the enrollment difference between the smallest and the largest classes will not exceed ~~three (3) five (5)~~, except by a mutual agreement of the site administrator and the teacher(s) with a class(es) having an enrollment difference in excess of ~~three (3) five (5)~~.

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17.4.3 **Maximum class size in the areas of English, social studies, mathematics and science shall be thirty-five (35) students per period. [District is restoring to existing language]**

17.4.4 Maximum class size for proficiency and developmental classes shall be twenty (20) students per period. Staff allocation for proficiency classes shall be computed separately from the ratios shown in Sections 17.2.1 and 17.2.2 of this Article.

17.4.5 Class size maximums and/or maximum pupil loads shall be proportionate for teachers assigned to subject areas with and without maximums and/or with differing maximums.

17.4.6 The maximum teacher load in the secondary schools shall be limited to 170 pupil contacts per day. Exceptions to this maximum are permissible with mutual agreement between the teacher and principal. The requirements of this section **are waived for Kit Carson International Academy and are subject to the MOU, (June 2015) between the parties, Middle School because of special program requirements.**

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17.4.6.1 The maximum student load for physical education and music teachers beginning with **the third school month** will be 220. ~~The District shall have 15 school days to meet this maximum.~~ Class sizes for physical education teachers in middle and high schools will be based on a proportional level of 44 as maximum per period. Physical education teachers with fewer than five (5) periods will have the maximum student load total (220) reduced by the proportional level. (Example: $44 \times 5 = 220$. If teacher has only four (4) classes the total student load would be $44 \times 4 = 176$). The

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parties agree that the actual number of students in any particular class may fluctuate slightly but that no single class will have more than forty-eight (48) students with the single exception of pre-designated PE Athletic classes only during sixth period (and if absolutely necessary, fifth period) at High Schools which may have no more than fifty-five (55) students. **[District is restoring existing language]**

~~17.4.6.2 The maximum student load for teachers of performance-based music classes shall be 220. [District agrees]~~

17.4.7 ~~The maximum District average class size ratio for secondary ELL classes shall be 20:1 for levels I and II and 27:1 for other levels. Reasonable effort will be made to balance classes within the school. The maximum site class size ratio for secondary ELD I, II, and III courses shall be 20:1. as well as. The maximum site class size ratio for ELD content-area courses shall be 27:1.~~ The District will share ELD class size information with SCTA.

17.4.8 **[Some of this language appears in 17.3.4—should that section be deleted?]** The student/counselor* workload will be one (1) full-time counselor for each 375 students enrolled. Additional counseling service shall be provided on the basis of one (1) counseling hour for each sixty (60) students in excess of the 375/1 ratio. No more than fifty-nine (59) additional students shall be assigned to the total counseling staff at a school before additional counseling hours shall be provided, except by mutual agreement between the site administrator and the counselor(s). At school sites with more than 1 counselor, the assigned student to counselor ratio will not exceed a difference of 5 students between counselors, except by a mutual agreement between the site administrator and the counselor.

After the grace period, in those instances where a counselor workload still exceeds the maximum, certificated staff shall be paid ninety dollars (\$90) per day for every day the workload exceeds the maximum. **[District agrees except as noted above]**

17.5 In addition to the foregoing limitations, students shall not be regularly placed in a classroom in larger numbers than the capacity of the teaching facilities or basic work stations available where a student normally spends the majority of the class time performing the operational functions necessary to meet performance objectives and goals of the course.

17.6 Special Education Class/Caseload Size Maximums

17.6.1 Based on each students' IEP, the District will provide a continuum of services for ~~special education~~ students receiving special education services that will meet the educational requirements of students with special needs ~~students~~ while providing those services in the Least Restrictive Environment in accordance with state and federal law. The class size maximums for special education shall be as specified by ~~the California State Legislature and/or Department of Education state and federal law requirements~~, except for the following limitations agreed upon by the

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parties. Students with special needs will be provided with appropriate supports as informed by students' IEPs and as outlined below: [District agrees]

a. The maximum case load for each Special Day Class (SDC) Mild/Moderate teacher at the elementary level and the secondary level shall be 13. [District restoring existing language except as noted]

b. The maximum case load for each SDC/Mild/Moderate teacher at the secondary level shall be 16. [District restoring existing language]

b. The maximum case load for each SDC/Moderate/Severe teacher at the elementary and secondary level shall be 13. [District restoring existing language]

b.

e. Elementary SDC teachers shall be limited to teaching a maximum of two (2) three (3) grade levels at the elementary level.

c.

d. Adjustments to maximums set forth above at the elementary and secondary level must be made at the beginning of each school year within 15 school days.

e.

e. Resource Specialist adult/student ratios shall be consistent with Education Code section 56362 (currently a maximum caseload of twenty-eight students for every resource specialist). [District agrees as modified]

f. The maximum case load for teachers participating at John Morse Therapeutic Center in all grades shall be 10 to 1.

g. For teachers/providers with "pending" initial status student assessments (attached plans on SEIS), these pending cases will be considered to be part of the teacher/providers' caseloads for purposes of this article. If eligibility is not found, the student will be dropped from his/her caseload the day of the IEP non qualification.

h. The maximum class size for RSP and SDC teachers shall not exceed their caseload maximums.

f. Co-teaching among special education and general education teachers will occur with the agreement of the assigned teachers. No special education teacher will be assigned to co-teach with more than two general education teachers. No general education teacher will co-teach with more than one special education teacher. The method of co-teaching shall be determined by the co-teachers.

i.

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j. The maximum case load for teachers participating in Co-Teaching (equal partnership of special education and general education teachers) Inclusive Practices (combination of RSP and SDC students) at the elementary and secondary level shall be 25. Each co-taught class will have a maximum student enrollment be loaded with a maximum of 1/3 students with IEPs; remaining 2/3 students without IEPs.

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~~k. Special education and general education teachers who co-teach shall be granted a second daily prep period. The District will make every reasonable effort to coordinate a prep period of the special education and general education teachers who co-teach together.~~

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ki. General education classes will have a maximum student enrollment be loaded with a maximum of 1/3 students with IEPs or with 504s; remaining 2/3 students without IEPs (maximums excludes students with speech and language only IEPs). However, this provision shall not prevent any student from being placed in the least restrictive environment, and if that requires exceeded the above-referenced maximums, it will be treated like a class size overage for compensation purposes.

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l. The timeline for adjustments to maximums in special education classes shall be the same as for general education classes.

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m. Case-loads above the maximum during these "grace" periods set forth above -are not violations of this Agreement and no penalty shall be imposed on the District for exceeding the maximums during these periods.

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n. In the event that the District assigns a case load above the applicable maximum outside of the "grace" periods set forth above, the District shall compensate the teacher involved at the rate of \$20 per student per day above the maximum, up to a maximum of \$100 ninety dollars (\$90) per day. The District shall not exceed the maximum outside of the unfunded "grace" periods for more than thirty (30) school days. Under no circumstances shall there be more than five (5) students over the maximum. [District restoring existing language]

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o. Specialized Health Care: Specialized health care (e.g., catheterizations, gavage feeding suctioning) should be provided by qualified designated personnel as defined in the Education Code and recommended by the credentialed school nurse. Certificated instructional staff shall not be required to perform these services.

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~~When licensed medical personnel are not available, special education students unable to self-administer their medication shall have their medication, except for certain medications such as insulin, administered by qualified designated personnel, as defined by Ed Code, trained and supervised by a credentialed school nurse.~~

p. [Need to discuss when educators have classes have more than one class code per period.]

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g. ~~All special education teachers shall be given four (4) release days for planning, preparing and developing IEPs.~~

17.6.2.1 Aide Support

a. ~~For SDC classes with Mild/Moderate classes disabilities shall have two one~~
~~five (5) hour or one~~ six (6) hour aide. **[District restoring existing language, except as noted]**

~~a.~~

b. ~~For SDC Moderate/Severe classes with Moderate/Severe disabilities shall~~
have two six (6) hour aides. **[District agrees]**

~~b.~~

c. ~~At least 80% of the~~ RSP teacher within the District shall be provided with an instructional aide. **[EC 56362] [District restoring existing language]**

d. ~~Classroom teachers who have an aide assigned to assist with students of special needs students shall direct those aides, consistent with a student's IEP.~~

~~e. For every two (2) Speech Language Pathologists (LSHS), there shall be one (1) Speech Language Pathology Assistant assigned.~~

~~f. The District shall provide an instructional aide for each general education classroom.~~

~~d.~~

17.6.2.2

Teachers in a Co-Teaching ~~partnerships~~ or ~~Inclusive Practices~~ assignment shall participate in 14 hours of district-sponsored professional learning and will be provided release time or compensated at their contracted hourly rate.

17.6.2.3

Teachers shall participate in IEP meetings in accordance with requirements set forth in IDEA [CFR 300.321 Individualized Education Plan (IEP Team)]. Site administrators will provide release time during the school contract day or compensate teachers at their contracted hourly rate for IEPs held before or after the contract day.

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17.7 ESOL and Basic Education Class Size Limitations

17.7.1 Whenever the attendance in any given ESOL or basic education class reaches thirty-five (35) students for five (5) consecutive days after the fourth week in any given quarter or semester, the site administrator will reduce the size of such class to twenty-five (25) by one of the following methods whenever possible:

a. Move the excess students to another class.

b. Hire additional personnel. [District agrees to keep this language in]

17.8 School Nurses* [District restoring existing language]

17.8.1 The District shall maintain the present level of health services at a minimum of thirty-five (35) positions conditional upon the following:

— Maintenance of the present level of general funding.

— Constancy of categorical funding available for health services.

17.8.3 Additional nursing time may be purchased by special projects and other categorical programs.

17.9 Speech and Language Specialists

17.9.1 Language, Speech and Hearing Specialists (LSHS) caseload: Elementary or Secondary: caseload is 55 students (inclusive of a maximum of five [5] speech improvement students). [District agrees to keep this language in]

17.9.1.1 Language, Speech and Hearing Specialists (LSHS) caseload: Preschool only (3-5 years): caseload is 40 students (inclusive of a maximum of five [5] speech improvement students). [District agrees to keep this language in]

17.9.1.2 ~~School age and preschool: the caseload shall be reduced proportionally to reflect the number of preschoolers assigned to Language, Speech and Hearing Specialists. [provides further clarification of 17.9.1 and 17.9.1.1] [District would like to discuss this further with SCTA]~~

17.9.2 Sections 17.1.6 and 17.1.7 of this Article are understood to apply to the implementation of the above student/ speech and language specialist ratio. ~~The District shall have 15 days at the beginning of each school year to adjust classes to meet the maximums established in 17.9.1 through 17.9.2.~~

~~Section 17.6.1(k) of this Article applies to student/speech language specialist ratio. In those instances where the District assigns a case load that exceeds the maximum (outside of the grace period set forth above in the preceding paragraph, certificated~~

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~~staff shall be paid ninety dollars (\$90) per day for every day the case load exceeds the maximum.~~

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~~The District will make every effort to avoid exceeding the maximum.~~

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17.10 Vocational Specialists

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17.10.1 The case load for vocational specialists will be 125 students to one (1) specialist calculated on the ten-month average enrollment. ~~For purposes of these calculations, each ROP student will count as one-half (1/2).~~

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17.11 Child Development ~~ren's Centers~~ Non-management Certificated Personnel

17.11.1 Children's ~~Development Centers~~ adult/student ratios shall be based upon ratios established by federal and state requirements.

~~17.11.2 The District shall maintain a staffing level of at least four (4) social workers for the Child Development program.~~

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~~[Additional proposal to follow regarding school age.]~~

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17.12 Librarians

17.12.1 For the secondary school sites, no fewer than one (1.0) FTE librarian position shall be assigned to each of the following high school sites: (1) John F. Kennedy; (2) C.K. McClatchy; (3) Rosemont; (4) Luther Burbank; and (5) Hiram Johnson, with the remaining librarian positions distributed as mutually determined by the Parties. **[District is restoring existing language]**

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~~For the 2013-14 school year, the District shall employ no fewer than eleven and three fifths (11.6) FTE librarians, one of whom shall be a District-wide Librarian, at the District's secondary school sites.~~

17.14 Program Specialist

17.14.1 There shall be one Program Specialist for each ~~1100 special education student with an IEP,~~ or fraction thereof. Each Program Specialist will have a caseload of ~~no more than 1000-1100~~ students. **[District is restoring existing language]**

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~~17.15 Psychologists~~

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~~There shall be one Psychologist for every five hundred (500) students or fraction thereof. No Psychologist will be assigned to more than two (2) separate school sites.~~

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~~17.16 Behavior Intervention Specialist~~

~~No Behavior Intervention Specialist shall be assigned to more than five (5) separate schools.~~

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~~17.17 Intervention Specialist~~

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~~Each elementary school shall be staffed with a minimum of one (1) Intervention Specialist. [position description to be negotiated.]~~

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~~17.18. Community Schools Specialist. Each SCUSD Community School shall have a Community Schools Specialist, who shall be a member of that school's Community Schools Implementation Team, consistent with the Community Schools MOU Proposal. [See attached.] [District will respond to separate proposal from SCTA on this one]~~

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