

UNITED TEACHERS LOS ANGELES
Bargaining Proposal
July 19, 2017

Health and Human Service Professionals

Article 1: RECOGNITION

1.0 The Unit: Pursuant to applicable California statutes and regulations, UTLA has been certified as the exclusive representative for the following employees of the District:

Included: Certificated employees, except those excluded in Section 1.1 who are in the broad classification of Teacher; Instructor; Library Media Teacher; counselor; Adviser; Audiologist; Audiometrist; Hygienist; Non-Classroom Assignment, Preparation Table; Non-school Assignment, Preparation Table; Nurse; Optometrist; Psychologist; Social Worker; Teacher-Adviser; Teacher-Counselor; Therapist; or Driver Safety Instructor.

Proposal: The parties shall agree to revise Section 1.0 of the Recognition article to accurately reflect the entire certificated bargaining unit.

Article IX: Hours, Duties and Work Year

3.5 Non-Classroom Teachers: For purposes of this Article, the term “non-classroom teacher” refers to those full-time employees whose classroom teaching assignment, if any, is fewer than three periods per day in secondary, ~~or~~ less than half-time in elementary, or itinerant health and human service professionals.

- a. All Itinerant employees paid on the Special Services Salary Table, including but not limited to School Psychologists, PSA counselors, Psychiatric Social Workers, all Related Service Providers, and audiologists, are to have a daily scheduled obligation of eight hours (exclusive of duty-free lunch). This obligation ~~may occasionally~~ shall include off-site time when it is determined that the work can appropriately be performed off-site, that the employee is not needed for other responsibilities ~~on site, or that work site poses a safety risk after school hours. Additionally, all itinerant employees shall not be responsible for before, during, or after school supervision of students, except on an emergency basis. Budgetary or lack of staffing is not considered emergency basis.~~ In order to maintain the integrity of their respective program, itinerant employees shall not be responsible for before, during, or after school supervision of students, except on an emergency basis. Lack of staffing shall not be considered an emergency.
- b. ~~Also subject to the hours and duties provisions of subsection a are~~ Non-classroom teachers assigned to a school site and paid on the Preparation Salary Table (including, but not limited to, nurses, counselors, “in house deans”, coordinators, and advisers) who either (1) are assigned to a location other than a school site, or (2) accept a position which includes extra pay for hours and/or duties which are related to, or an extension of, their basic non-classroom assignments: who do not receive any extra pay (see e., above) shall observe on-site hours which are to be not less than the hours observed by the teachers on the site, and shall only be required to remain on-site as necessary to perform the assigned duties of the position and the professional obligations of Section 4.0 which are appropriate to their work.
- g. If an itinerant is required to work outside of their assigned annual basis and hours, they shall select between paid time at regular rate or compensatory time off with no requirement to make up time for direct pupil services.

Article IX-B Professional Development

7.0 Each itinerant shall be provided up to two (2) release days to complete continuing education requirements for gaining/maintaining licensure.

Article X- Educator Development, Support and Evaluation

4.1 Individual performance objectives and overall performance expectations shall relate to, but not necessarily be limited to, the following:

- f. For non-teaching employees such as counselors, psychologists, PSA counselors and other Related Service personnel, objectives shall be comparable to the above, but are to be related to the standards of their respective professions.

Article XI: Transfers

1.3 ~~Compliance with SB 1665 (Scott Bill): Notwithstanding any other provision of this Agreement:~~

- ~~a. All voluntary transfers of teachers to a K-12 school ranked in deciles 1 to 3, inclusive, on the Academic Performance Index shall comply with section 35036 of the Education Code.~~
- ~~b. No priority will be given to a request for a voluntary transfer by a certificated person after April 15 of the school year prior to the school year in which the transfer would become effective if other qualified applicants have applied for positions requiring certification qualification at the receiving school.~~

Health and Human Service Professionals/Itinerant Educators:

- a. For the purpose of itinerants, "transfer" refers to an employee or administrative initiated change in school assignment or program within one's unit. Transfer may also refer to an employee initiated request for assignment within one's class code resulting in a change of basis.
- b. For transfers resulting in a change of basis where interviews are being held for positions, an interview panel including 2 district appointees and 3 UTLA appointees shall jointly chair the panel and have final decision making.

6.1 Displacement-Non school-based Support Service Personnel and itinerants and Driver Safety Instructors: In any situation where a unit of geographic area of office-based support service personnel, and ~~itinerants or Driver Safety Instructors~~ is deemed over-staffed, displacement and transfer to another geographic area or office shall be by District seniority ~~unless the responsible administrator determines that a special need exists analogous to 6.0e.~~

NEW ARTICLE

Establishment of a Workload/Assignment Committee for Itinerant Employees

1.0 A Workload/Assignment Taskforce will be comprised of an equal number of District Department leaders and UTLA designees. The Taskforce would develop reasonable caseloads/workloads and job duties for each discipline based on a weighted model. This includes determining what assignments are available for the coming year, a preference form, how assignments are made, and an appeals process. Specifics for this workload/assignment taskforce are to be developed by each job category and have final decision making upon agreement. LAUSD and the UTLA-Health & Human Services Committee Chair shall equally collaborate, plan, and co-chair this committee.

- 2.0 The District will review on a quarterly basis itinerant caseloads and make adjustments to ensure equitable workloads. The following factors shall be taken into consideration when ensuring equitable workloads: identified needs on student IEPs, needs of the population, age, number of students, number of assigned schools.
- 3.0 Itinerant Providers shall not be required to make up hours for lost student services resulting from utilization of contractual or statutory leave, student absences, or other reasonable absences such as state and/or district exams or field trips.
- 4.0 This Taskforce will establish a process to meet once every 60 days or as needed to resolve concerns related to unreasonable and /unequitable workloads.

Definitions:

Workload- refers to all activities required and performed by the ~~school-based~~ service provider. This includes the caseload (e.g., number of individual students served), but also refers to all activities that are necessary and important to support students' educational programs, implement best practices for itinerant services, ensure compliance with educational mandates and fulfill the responsibilities that are associated with working in a school or clinic setting.

Caseload- the number of children provided direct services.

Crisis- an event or circumstances involving a student or students severe enough to keep an itinerant service provider ~~psychologist~~ past their contracted work day or hours; including but not limited to suicide, grief counseling, suicide risk, threat, assessment, and other high at-risk issues, etc.

Article XXXI: Miscellaneous

2.0 Facilities for Support Services Employees

~~The District and UTLA recognize that in many schools the facilities available to visiting employees (such as school psychologists, elementary counselors, nurses, audiometrists, audiologists and PSA Counselors) have been considered inadequate by the visiting employees. The District shall upon request consult with UTLA regarding these problems.~~

Each itinerant shall be assigned a confidential workspace(s) as appropriate to meet the requirements of the assignment. Equal access to a room key, parking key, and restroom key as appropriate for their assignment shall be provided. Appropriate is defined to mean each employee provided a room shall have access to a workstation, including but not limited to access to copiers, updated computers/laptops, telephones, current assessment materials necessary to carry out the employee's required tasks, and secure storage space within the room for student data, employee work documents and personal effects. Each school shall have transparency in the distribution of supplies, materials and workspace that includes scoring software, computers, and adequate test equipment.