

# SUBSTITUTE INADEQUATE SERVICE REPORT (ISR)

*The purpose of this document is to assist substitutes and site chapter leaders in the possible issuance of an ISR to a substitute. It is advisable to review thoroughly the following information before proceeding in this matter. This document is outlined immediately below. In the first section, Frequently Asked Questions, italic reference to other section(s) of this document will be at the end of many answers.*

1. Frequently Asked Questions
2. Contract Articles & Sections
3. Informal Conference Email Samples
4. Links

## 1. Frequently Asked Questions

### 1. What is an ISR?

It is a District notice ('write-up') issued to a substitute based on alleged inappropriate conduct at a site (school). *Article X, 7.0/See: Links*

### 2. Is there a deadline for the issuance of an ISR?

Yes, an ISR must be issued within 10 working days after the date(s) of service at site of allegation, if no compelling reason(s). *Article X, 7.0*

### 3. How is ISR issued?

It is issued in person or by certified mail. *Article X, 7.0*

### 4. May possible ISR be pulled from being issued?

An administrator may choose to not issue an ISR on the condition that a substitute agrees to not return to the site. This resolution is not contractual nor district policy.

### 5. Will a substitute be notified before ISR is issued?

A site administrator must make a reasonable effort to schedule a meeting with substitute regarding the allegations prior to the issuance. *Article X, 7.0*

### 6. How will a substitute be notified of possible ISR issuance meeting?

An email, letter, phone call or in person notification is given to a substitute to invite to a conference with the intention of issuing ISR.

### 7. Does a substitute have a right to representation at a possible ISR issuance meeting?

Yes! The administrator must notify a substitute of right to a meeting with representation. *Article X, 7.0*

### 8. Will the site administrator schedule the possible ISR meeting with representation?

No! Substitute needs to seek and secure representation for this meeting.

**9. Who can be a representative at a possible ISR issuance meeting?**

A UTLA Representative (Chapter Chair or Vice-Chair) or a person of substitute's choice, as long as it is not another union's representative. *Article X, 7.0*

**10. Does the substitute have to inform the administrator if and who will be the representative?**

No, but it is best to be collaborative with administrator in responding about representative.

**11. When does the possible ISR issuance meeting occur?**

It should occur within 10 working days from date(s) of service at allegation site. However, compelling circumstances may extend the deadline. *Article X, 7.0*

**12. If ISR is issued, can a substitute grieve it?**

Yes, a substitute can grieve an ISR. The grievance procedure starts by requesting in writing (email!) for an Informal Conference with the administrator within 15 working days of the issuance. Or, if best, request to waive Informal Conference with administrator at the end of issuance meeting. If waiver is agreed, follow up with an email confirming the agreement immediately. *Article V, 7.0 a/See: Informal Conference Email Samples*

**13. What if a substitute does not request in writing an Informal Conference within 15 days of ISR issuance?**

Substitute loses contractual right to grievance procedure. *Article V, 7.0 a*

**14. Is it advisable for a substitute to submit a response within 10 working days of receiving ISR, as stated in this notice?**

If the issued ISR recommendation is either "Review service record for appropriate action" or "Separate from district employment", and/or this is 2<sup>nd</sup> ISR or more in 4 years, it may be advisable for substitute to submit a written response. *Article XIX, 5.6 b, 11.1*

**15. What is the advice on how a substitute writes a response to the ISR?**

It is recommended that the response be professional, factual, and concise.

**16. When must the Informal Conference be scheduled?**

It must be scheduled within 5 days of the written request. *Article V, 7.0 b*

**17. What is the goal at the Informal Conference?**

The advised goal is to attain a mutually acceptable resolution between substitute and administrator as an alternative to the ISR recommendation(s) and avoid a formal grievance. *Carl Joseph, UTLA Representation Coordinator*

**18. When must the administrator reply after an Informal Conference?**

The administrator must reply in writing within 5 days of the meeting. *Article V, 7.0 b*

**19. What if the Informal Conference is not scheduled after a written request OR there is no written reply after this conference OR ISR does not get removed after this conference?**

Failure by administrator to schedule informal conference, reply after it on time or to remove/modify ISR, can be challenged by substitute requesting to file a formal grievance by filling out a UTLA Grievance Information Sheet. See: *Links*

**20. What is the next step after filling out a Grievance Information Sheet?**

The next step is for substitute to contact UTLA, 213.487.5560, and ask for the Area Representative of the site of ISR issuance to follow up on the grievance status.

**21. When must a formal grievance be filed?**

Grievance must be filed within 30 working days from ISR issued date. *Article V, 8.0*

**22. What are the possible ISR recommendations?**

The possible recommendations stated in the ISR Form are: No action requested, Do not be reassigned to this location, Review service record for appropriate action, and/or Separate from district employment. *Article XIX, 11.0/See: Links*

**23. What are possible consequences of 2 or more issued ISR's?**

A substitute may be lowered in the calling priority order of the substitute unit in addition to the ISR recommendation(s). *Article XIX, 5.6 b*

**24. How long can the District consider ISR(s) for discipline?**

The District can consider ISR(s) up to 4 years from issuance for discipline. *Article XIX, 11.1*

**25. What can a substitute do to possibly counter ISR(s) in the future?**

The District states Commendation Report Form(s) will assist a substitute's service record in reviewing for a recommendation. See: *Links*

## **2. Contract Articles & Sections**

### **Article V – Grievance Procedure**

#### **7.0 Informal Conference:**

a. Before filing a formal grievance, the grievant shall attempt to resolve a grievance by an informal conference with the grievant's immediate supervisor.

If a grievance does not relate to the immediate administrator and the remedy requested is not within the authority of the immediate administrator, the grievant may initiate the informal conference with the administrator who has such responsibility and authority.

Said conference shall be requested within fifteen (15) days of the occurrence of the act or omission giving rise to the grievance or of the date when the grievant could be reasonably expected to know of the act or omission which gives rise to the grievance.

b. A meeting between the grievant and the immediate administrator shall take place within five (5) days from written request for the informal conference.

The administrator shall reply in writing within five (5) days following the informal conference.

#### 8.0 Step One:

A formal grievance must be filed within thirty (30) days (as defined in Section 6.0) after the grievant or UTLA knew or reasonably should have known of the act or omission which gives rise to the grievance...

## **Article X - Educator Development, Support and Evaluation**

### 7.0 Inadequate Service by Substitutes:

The site administrator may, for cause, issue to a day-to-day substitute employee a notice of inadequate service.

Such a notice shall, absent compelling circumstances, be issued within ten working days after the date(s) of service, with a copy to the employee (either in person or by certified mail to the employee's address of record).

Prior to issuance of such a notice, the site administrator shall make a reasonable effort to contact and confer with the substitute regarding the allegations, and of the substitute's right to a meeting with representation.

Upon employee request, a meeting will be held to discuss the matter.

The employee may be accompanied by a UTLA representative or a person of the employee's choice, as long as that person is not a representative of another employee organization.

The timeliness of the employee's request for a meeting, or the non-availability of the employee or representative shall not delay issuance of the Inadequate Service Report beyond the ten working days period set forth above.

In addition to the grievance procedure, the employee may attach a written response to the report within ten working days from date received. The written response becomes a permanent part of the record.

## **Article XIX – Substitute Employees**

### 5.6 Standby Lists:

A substitute may be changed from any high priority to the substitute unit's "standby list" for any of the following causes:

b. Receipt of the second "Inadequate Service Report" in any one semester or traditional calendar summer recess period...

### 11.0 Evaluations and Inadequate Service Reports:

...When a substitute receives an Inadequate Service Report at a school, either the principal or the substitute may request that the substitute not be assigned to that particular school in the future.

11.1 An Inadequate Service Report shall not be considered for the purpose of disciplinary action after a period of four years from the date of issuance. However, the Report shall be retained by the District as required by law.

### **3. Informal Conference Email Samples**

#### **Request Sample**

Mr./Ms. (Site Administrator's Last Name),

This email is to request an Informal Conference, Article V, 7.0, on the ISR issued (date).  
I am available for this conference on (suggestion: 2 dates/times) (via Zoom and/or in person).

(Substitute's Full Name)  
(Employee Number)

#### **Waiver Sample**

Mr./Ms. (Site Administrator's Last Name),

Per our agreement, the Informal Conference, Article V, 7.0, will be waived on ISR issued (date).

(Substitute's Full Name)  
(Employee Number)

### **4. Links**

ISR Form

<https://achieve.lausd.net/site/handlers/filedownload.ashx?moduleinstanceid=2470&dataid=4441&FileName=HR%201079.pdf>

UTLA Grievance Information Sheet

<https://utla.net/app/uploads/2022/07/Grievance-Filing-Form-1.pdf>

LAUSD Commendation Report Form

<https://achieve.lausd.net/site/handlers/filedownload.ashx?moduleinstanceid=2470&dataid=4451&FileName=HR1081.pdf>

Contract

<https://www.utla.net/members/contracts>