

# UNITED TEACHERS LOS ANGELES

## Bargaining Proposal

July 19, 2017

### ARTICLE XI-B MASTER PLAN PROGRAM

Master Plan Program is defined as Dual Language, Maintenance, Transitional and English Immersion or equivalent, heretofore known as Master Plan Program.

1.0 Minimum Requirements for Participation in the Master Plan Program: The District shall determine from time to time (a) whether and to what extent a given school is to participate in the District's Master Plan Program; (b) the levels of skills and training required in order to be eligible to participate in the Master Plan Program at any given location; and (c) whether any individual employee meets those program requirements.

~~1.1 In order to be considered eligible to participate in the Master Plan Program, all employees except those with shall have a bilingual authorization, A level fluency, CLAD or equivalent, certification DHH credential, or ASLPI Certification, including all those in special education as provided in Section 3.1 through 3.11. as defined in Section 3.1 are required to have successfully completed a minimum of 4 semester units (as defined in Article XV) of coursework in language development methods and culture, either through District training resources or through District approved university coursework. This same coursework will normally prepare the employee for passage of the State administered BCLAD methodology and culture of emphasis test components and eligibility for receipt of the \$540 stipend (\$270 for each component) incentive of Section 2.0 of this Article; but even if the BCLAD test component is not taken or is not passed, completion of the coursework is essential. Coursework completed under the previous bilingual plan (or passage of the BCC culture and methodology test components) counts toward this requirement.~~

1.2 In order to permit employees who have not yet met this requirement to participate in the Master Plan Program, the time to do so, there shall be a two-year grace period for each employee. At the conclusion of the two-year period an employee who has not satisfied the above ~~coursework~~ requirement will be deemed ineligible for further participation in the Master Plan Program.

~~2.0 Culture and Methodology Incentive Stipends: Teachers who are monolingual or are not fluently bilingual have a role within the Master Plan Program. The following stipends (one-time incentive payments) will be offered to all qualified K-12 and pre-kindergarten employees serving in Master Plan programs, to promote the acquisition of training leading to successful passage of each of two State administered examination components (culture of emphasis and methodology) of the BCLAD Examination. All participating Master Plan employees, including monolingual teachers, are eligible for these stipends. The stipends total \$540 for each employee as follows:~~

2.0 Coverage for Master Plan Programs: When certificated coverage is provided to teachers in a Master Plan program by substitutes, coaches, coordinators, etc. for IEP's, assessments, PD release, etc., such coverage shall contribute to the 50% work requirement to qualify said employees with the appropriate credentials, for a differential.

a. ~~A stipend of \$270 per component shall be paid for verification of successful passage of each of the two BCLAD/ examination components (culture of emphasis and methodology). This stipend applies to Master Plan employees who at any prior time passed the BCLAD/BCC examination component(s).~~

b. ~~Those who immediately qualify for a differential under Section 3.0 below and who have previously passed the two examination components shall have the first \$540 received under the~~

differential program deemed to be compensation for their prior passage of the two required components. Those who have received stipend payment for passage of the two components, and who then subsequently qualify for any of the differentials described in Section 3.0 below, shall have their prior \$540 stipend payment deemed to be an advance on their first differential payment.

- e. ~~Those who possess A level language proficiency, and are participating in a Master Plan Program, but have not yet passed one or two of the required examination components, will be permitted to commence receipt of the differentials described in Section 3.0 below, but such employees must verify passage of the two examination components within two years of commencing receipt of the differential in order to retain their salary differential (Section 3.0 and 3.3e below) beyond that grace period date.~~
- d. ~~Restoration of Eligibility for A Level Differentials: A level employees who become ineligible for further differential payments because of not having passed both the culture and the methodology exams as set forth in Section 2.0e and 3.3b may become eligible again in the differential payment cycle following the one in which they verify passage of the required component(s), providing all other requirements are met.~~

3.0 Master Plan Salary Differentials: ~~Effective July 1, 2001, Any teacher employee who has ever received a BCLAD/BCC and or A Level differential through the Master Plan Program, at anytime during their LAUSD career shall, if still qualified, during the period from April 1, 1998 through June 30, 2001 shall, if qualified (see Sections 3.1 – 3.7), be eligible to receive the following annual maximum differentials if assigned to and delivering an appropriate Master Plan Program requiring the BCLAD/BCC and or A Level Fluency appropriate credential as provided in section 3.1 through 3.11. Fifty per cent (50%) of the annual bilingual differentials will be paid each semester. Employees in a Model A program are not eligible for a bilingual differential~~

**CHART #1 IS REVISED – CHART #2 UNDER SECTION 3.0 IS DELETED**

| <u>CERTIFICATION/FLUENCY</u>                       | <u>PROGRAMS</u>   | <u>AMOUNTS</u> |
|--|---|----------------|
| BCLAD/BCC/DHH or equivalent                        | Dual Language, Maintenance, Transitional                            | \$5,000        |
| BCLAD/BCC/DHH or equivalent                        | EI at beginning through intermediate advanced levels or equivalent  | \$3,000        |
| A-Level Fluency/ASLPI Certification                | EI at beginning through intermediate advanced levels or equivalent  | \$3,000        |
| HHS Special Education/BCLAD                        | 50% or more services provided to ELs in their primary language      | \$5,000        |
| HHS Special Education/BCLAD                        | Less than 50% of services provided to ELs in their primary language | \$3,000        |
| Non-Classroom, Itinerant, or Non-School Employees  | 50% or more services provided to ELs in their primary language      | \$5,000        |
| Non-Classroom, Itinerant, or Non-School Employees  | Less than 50% of services provided to ELs in their primary language | \$3,000        |
| Substitutes with BCLAD/BCC                         | 100 days or more in a DLP, maintenance, or transitional class       | \$5,000        |
| Substitutes with BCLAD/BCC                         | 50-99 days or more in a DLP, maintenance, or transitional class     | \$3,000        |
| English Only Team Teacher in Dual Language Program | Dual Language   | \$3,000        |

~~\* As used throughout this Article, the term "CAP Receiver" or "PHBAO/CAP Receiver" is intended to refer solely to those schools, which are designated, as part of the Student Integration Plan, to receive LEP-ELL students transported from overcrowded PHBAO schools.~~

Newly hired teachers with a district hire date on or after July 1, 2001 and current teachers who did not receive a BCLAD/BCC and/or A-Level differential during the period of April 1, 1998 through June 30, 2001, shall, if qualified (see Sections 3.1—3.7), be eligible to receive the annual maximum differentials if assigned and delivering an appropriate Master Plan Program requiring the BCLAD/BCC and/or A-Level Fluency. Fifty per cent (50%) of the annual bilingual differentials will be paid each semester. Employees in a Model A program are not eligible for a bilingual differential.

~~As provided in Section 2.0, the first \$510 allocated to each employee who qualifies for the above differentials shall, on a one-time basis, be dedicated to payment of the \$510 total (or \$255 per component) culture and methodology incentive stipends. By the same token, employees who would otherwise qualify for the above differentials, but have not yet passed the two required culture and methodology components, will have the first \$510 (or \$255) of differential payment withheld pending passage of the tests.~~

3.1 Qualifications for BCLAD/BCC-Level Salary Differential: To qualify for the BCLAD/BCC-level differential as set forth in Section 3.0 or in the ESL differential of Section 3.4c, employees must meet the qualifications of Section 3.4 and also must possess and have registered, prior to assignment to the Master Plan Program, one of the following credentials:

- a. Bilingual/Cross Cultural Specialist Credential or equivalent;
- b. Multiple Subjects Teaching Credential with Bilingual Cross-cultural Emphasis or with Bilingual, Cross-cultural, Language and Academic Development (BCLAD) Emphasis or equivalent;
- c. Single Subject Teaching Credential with Bilingual Cross-cultural Emphasis or with Bilingual, Cross-cultural, Language and Academic Development (BCLAD) Emphasis or equivalent;
- d. Bilingual Certificate of Competence (BCC) or equivalent;
- e. Bilingual, Cross-cultural, Language and Academic Development (BCLAD) Certificate or equivalent;
- f. Bilingual Certificate of Assessment Competence or equivalent (only for school psychologist and speech and language teachers);
- g. Deaf or Hard and Hearing Credential.

3.2 Qualifications for Alternative Certification Employees: Alternative certification employees, including but not limited to those who hold an emergency permit, pre-intern, university, or district Intern certificate, waiver, exchange or sojourn credential will be eligible for a bilingual differential only at the A-level rate, providing they have District A-level proficiency and meet all other requirements relating to that differential category, including those in an alternate pathway to BCLAD or Bilingual emphasis credential or equivalent.

3.3 Qualifications for A-Level Salary Differential & ASLPI Differential:

- a. To qualify for the A-Level differential, as set forth in Section 3.0 employees must possess and have registered, prior to assignment to the program evidence of passage of the District Fluency Examination at A level, or evidence of passage of the BCLAD/BCC language component. A-level employees must also meet the qualifications as set forth in Sections 3.3b and 3.4.

- b. A-level teachers must, within two years of commencing receipt of the differential, verify passage of the ~~two~~ BCLAD/BCC or equivalent test components (culture and methodology) as set forth in Section ~~2.0e~~ 1.2.
- c. For special provisions relating to certain Secondary Teachers of ESL classes see 3.4c. below.

3.4 Additional Qualifications for Both BCLAD, BCC, DHH, and ~~Level~~ and A-Level Salary Differentials in a Master Plan Program:

- a. Elementary teachers must, ~~in a Waivered to Basic, Dual Language, or Model B program,~~ deliver an appropriate ~~Master Plan Program~~ of instruction on a daily basis using the primary language of the LEP-EL students whose number must be a minimum of ~~one-third~~ one-fourth of the total classroom enrollment, or when providing instruction to any percentage of newcomers. The differential shall be pro-rated in the case of part-time assignments and for those assigned more than 20 days but less than a semester.
- b. Secondary teachers must, ~~in a Waivered to Basic, Dual Language or Model B program,~~ provide appropriate instruction on a daily basis using the primary language of the EL students for a minimum of three academic instructional periods a day in which classes are comprised of 25% or more EL students and/or any percent of newcomers in order to receive the full differential. If any students leave during the semester and any percentage of ELs/newcomers remain, the teacher will continue to be eligible for a differential. The differential shall be pro-rated for those assigned fewer than three qualifying periods and for those assigned more than 20 days but less than a semester. ~~In a secondary Waivered to Basic or Model B academic period, if one or two students of the total enrollment are not identified as English Language Learners, the teacher shall not lose eligibility for a differential.~~ If students re designate-reclassify during the semester and remain in the classroom, the teacher shall remain not be deemed ineligible for a differential. In the event that ~~more than two students are not identified as English Language Learners and an employee is deemed results in non-eligible-eligibility~~ results in non-eligible-eligibility for a differential, the affected employee can request a review process pursuant to section 4.0 below.
- c. The foregoing notwithstanding, Secondary BCLAD/BCC, DHH, or equivalent, ~~and~~ A-level, and ASLPI teachers, who are available to teach classes in the primary languages of EL students, but who have instead been assigned to ESL classes for a minimum of three instructional periods a day, shall be eligible for a salary differential which is to be 50% of the differential they would receive if they were assigned to teach classes in the primary language. This differential shall be pro-rated as provided in Section 3.4 b above.
- d. Special Education (elementary and secondary) teachers must meet the qualifications as set forth above and provide appropriate Master Plan services for a minimum of fifty percent (50%) of the employee's work day. The corresponding pro-ration rules shall apply.
- e. ~~Pre-kindergarten~~ ETK and Transitional Kinder teachers must meet the qualifications for elementary teachers as set forth above to receive a differential.
- f. A substitute with a BCC/BCLAD or A Level who provide instruction in a class requiring that authorization, and provided 100 days of service will receive \$5,000. Service provided for 50-99 days will receive \$3,000.

3.5 ~~Non-Classroom, Itinerant, or Non-School Employees, and Health and Human Services Employees:~~ Effective July 1, 2001, Any non-classroom, Itinerant or non-school employee or who had received a BCLAD/BCC and/or A Level differential during the period from April 1, 1998 through June 30, 2001 shall, if qualified (see Sections 3.1—3.7), be eligible to receive the following differentials if assigned

and delivering an appropriate Master Plan Program requiring the BCLAD/BCC and or A level Fluency:

### **Eliminate Chart**

~~A newly hired non-classroom, Itinerant or non-school employee with a district hire date on or after July 1, 2001, shall, if qualified (see section 3.1-3.7), be eligible to receive the following differentials if assigned and delivering appropriate Master Plan Program instruction requiring the BCLAD/BCC and or A Level Fluency:~~

### **Eliminate Chart**

- a. Non-classroom\* employees serving at a single school location must provide appropriate service on a daily basis in the primary language of the ELL students participating in a Master Plan Program for a minimum of fifty percent (50%) of the employee's work day.
- b. Itinerant employees serving at multiple locations shall be eligible for a pro-rated combined (~~all-District amount plus PHBAO/CAP Receiver~~) amount as follows:
  - (1) First, calculate the percentage of the employee's total work assignment ~~which is in PHBAO/CAP Receiver schools~~ (e.g., if 4 out of 5 days, the factor would be 80%). In order to qualify for any differential, this factor establishes the maximum differential possible. ~~The non-PHBAO/CAP Receiver services are not to be considered further, regardless of their nature.~~
  - (2) Next, calculate the percentage of ~~the PHBAO/CAP Receiver~~ services which are rendered to EL students/ parents and which require utilization of the students' primary language. The employee is responsible for maintaining accurate daily records (logs, contact forms, etc., as directed) and preparing appropriate and accurate summary reports documenting the nature and extent of such services. The records must reflect the language status of the person served, and the length of time the employee utilized the primary language. These records and reports are subject to supervisory approval and subsequent audit. Services to EL persons, which do not require utilization of the primary language, do not count toward this calculation. If the factor calculated pursuant to this paragraph is 50% or more, the employee shall receive the percentage of the differential established in paragraph 1 above.
- c. Non-school employees must participate in the Master Plan Program and utilize the primary language for a minimum of fifty percent (50%) of their workday. Calculations for these employees shall be determined pursuant to paragraph b. above.

3.6 Date of Eligibility for Salary Differentials: Employees who meet the qualifications for salary differentials as of Norm Day of each semester, and who thereafter continue in the same assignment, shall be paid the appropriate differential. Employees who meet the qualifications after Norm Day and who thereafter continue in the same assignment, shall be paid the appropriate differential upon verification of eligibility. Such differential payments shall be subject to pro-ration, as set forth above. Whenever a school becomes newly eligible for the salary differential program, the eligible employees shall immediately become subject to the salary differential, consistent with the above pro-ration rules.

~~3.7 Condition Precedent: Payment of the PHBAO/CAP Receiver portion of the Master Plan salary differentials is contingent upon State funding reimbursement (at the 80% level) through an approved expansion of the District's State mandated Student Integration Program. In the event that any costs do not so qualify the program may be suspended or terminated immediately, and the program shall immediately be subject to reopened negotiations.~~

3.8 The District and the UTLA Article XXX Bilingual Subcommittee shall continue to discuss issues and concerns related to the Master Plan including classroom organization, at least six time a year.

3.9 Committee Review: The existing District Bilingual Ad Hoc Committee shall review The Master Plan and create a method of evaluating the effectiveness of The Plan. The Committee will jointly determine the details of the review and evaluation. A joint report completed by the District and UTLA of the outcome of this review and evaluation shall be completed and distributed to the District and UTLA.

3.10 Availability of Competency Exams: The District and the UTLA Article XXX Bilingual Subcommittee shall collaborate to provide opportunities for individuals to take the District fluency exams that are necessary to comply with the Master Plan qualifications. Outreach from the District and UTLA shall include printed and electronic media.

3.11 Elementary and secondary monolingual teachers with a CLAD teaching EL's in the Master Plan Program and EI classes of Early or Early-Intermediate CELDT (or equivalent) levels must be provided with a paraprofessional who is fluent in the students' primary language.

4.0 Special Dispute Resolution Process for Secondary Teachers: Effective July 1, 2001, ~~A~~ a secondary teacher providing Master Plan instruction in a ~~Waivered to Basic or Model B Master Plan Program~~ requiring ~~100%~~ 25% English Learners, who was deemed not eligible for a differential ~~due to having more than two students who are not English Language Learners,~~ may request a joint LAUSD/UTLA Differential Review. The Differential Review committee shall consist of two members. Both UTLA and LAUSD shall recommend one designee to serve on the Differential Review Committee. If an acceptable resolution is not reached through the Differential Review Committee, the teacher may appeal to the Local District Superintendent. The Local District superintendent, in conjunction with a designee from Human Resources Division shall review the appeal on a case-by-case basis and the decision will be final and binding on a onetime non-precedent setting basis.

5.0 District obligation to provide opportunity and access for employees to meet the requirements of the Master Plan Program specified in Section 1.1:

The District will maintain an employee Training Program with the following goals:

- a. employee language acquisition in the home languages of LAUSD students
- b. bilingual methodology and preparation for competency exams
- c. cross cultural methodology/competency

This program will provide coursework, training opportunities, professional development, and in class meetings to all interested employees, with preference to:

- a. classroom teachers in schools with Master Plan programs
- b. other school employees serving such schools
- c. classroom teachers in other District schools
- d. other school based employees
- e. all other District employees

The District will provide appropriate staff, as well as access to existing District facilities, in order to implement said classes. This program will sunset on June 30, 2022, and is subject to renewal through mutual agreement.