

Enforcing Our New Victories from Home



Our union has reached an agreement with LAUSD about how distance learning will take place during school closures and how our work will be impacted. This is a guide for chapter leaders and members to understand and enforce our new victories.

| What Our Agreement Says | What It Means for Us | How to Enforce |
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| <p style="text-align: center;"><u>Salary & Healthcare</u></p> <p>“UTLA Bargaining Unit Members will have no loss of regular base pay or benefits during the school closure. All contractual differentials shall continue to be paid for the second semester of the 2019-2020 school year.”</p> | <ul style="list-style-type: none"> • Educators will have no loss of regular pay or benefits during the school closure. • All contractual differentials will be paid for the second semester of the 2019-20 school year. • Teachers will continue to receive auxiliary pay based on performing duties virtually or otherwise. • National Board Certified Teachers will continue to receive the 7.5% differential by conducting distance learning. For the other 7.5%, NBCTs not able to reach the 92 hours this year will receive a portion of the 7.5% equal to the percentage of NBC hours already accumulated and can make up the difference for the remaining portion of the 7.5% differential in the 2020-21 school year. | <ul style="list-style-type: none"> • Any member who believes they are not receiving the correct pay should contact their school administrator first, and then the Personnel Specialist for their area. |
| <p style="text-align: center;"><u>Work Day</u></p> <p>“On average, unit members shall provide 240 minutes of instruction and student support to students per day. The 240 minutes shall be inclusive of planning, office hours, required professional development, faculty, department and grade level meetings.”</p> | <ul style="list-style-type: none"> • The work day for all UTLA members is flexible and should total on average 240 minutes. • Teachers shall create, share, and follow a regular weekly schedule of instruction, student support, and three office hours per week. | <ul style="list-style-type: none"> • Chapter Chairs should respond to any request from an administrator that violates the agreement by asking them to put the request in writing. <p style="text-align: right;"><i>WORK DAY CONTINUED NEXT PAGE</i></p> |

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| <p style="text-align: center;"><u>Work Day CONTINUED</u></p> <p>“Unit members may be required to participate in one faculty meeting, grade level meeting, or department meeting per week at the direction of the school principal, for a maximum of one hour and within the time of their contractual workday.”</p> | <ul style="list-style-type: none"> Members can be required to participate in only one one-hour faculty meeting, grade level meeting, or department meeting per week, to be held during the contractual workday. | <ul style="list-style-type: none"> If what the administrator writes does not include a directive, then no member is obligated to follow it. Chapter Chairs should work with their CAT teams to ensure that members do not follow the administrator’s request. If the administrator says that it is a directive, contact your Area Rep immediately. |
| <p style="text-align: center;"><u>Distance Learning</u></p> <p>“ ‘Distance learning’ means instruction in which the student and instructor are in different locations. Methods could include on-line instruction, printed instructional materials, phone calls, emails, text reminder applications, video conferencing and other means of communication. The use of live video is encouraged, but shall not be mandatory.”</p> <p>“Unit members who do not have personal equipment (e.g. laptop) that can be used for Distance Learning or contacting parents and students shall make a request to their site administrator or supervisor.”</p> | <ul style="list-style-type: none"> The use of live video lessons is encouraged but not mandatory. Other engagement options include recorded video, live audio, recorded audio, and written guidance. Teachers will provide distance learning, with some combination of screen time, homework, reading, and related activities based on the pedagogical discretion of each educator. Teachers who do not have personal equipment (e.g., laptop) for distance learning or contacting parents and students shall make a request to their site administrator or supervisor. | <ul style="list-style-type: none"> Chapter Chairs should respond to any request from an administrator that violates the agreement by asking them to put the request in writing. If what the administrator writes does not include a directive, then no member is obligated to follow it. Chapter Chairs should work with their CAT teams to ensure that members do not follow the administrator’s request. If the administrator says that it is a directive, the Chapter Chair should contact their Area Rep immediately. |
| <p style="text-align: center;"><u>Evaluations</u></p> <p>“If the steps of the evaluation process up to and including the Formal Observation were completed prior to March 13, 2020, the administrator will issue the Final evaluation to the employee. If the steps of the evaluation process were not completed to that stage, by March 13, 2020, the employees will be re-rostered for evaluation for the 2020-2021 school year unless mutually agreed upon by both parties.”</p> | <ul style="list-style-type: none"> If an administrator held all steps leading up to and including the Formal Observation by March 13, the evaluation is final and will be given to the member. If those steps were not completed by March 13, the evaluation will be done next year, unless both the member and the administrator agree to move forward and complete the evaluation for this year. | <ul style="list-style-type: none"> If an administrator does not follow the agreement, the member should immediately contact their Chapter Chair and Area Representative with the relevant correspondence. |

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| <p style="text-align: center;"><u>Professional Development</u></p> <p>“Required professional development shall be limited to Distance Learning strategies and use of technology during the month of April. Any required professional development shall be no longer than one hour and will take the place of any faculty/department/grade level meeting scheduled for the same week.”</p> | <ul style="list-style-type: none"> • Required PD will be limited to distance learning strategies and use of technology during the month of April. • Any required PD must be no longer than one hour. No other mandatory staff meeting can happen in the same week. • LAUSD will offer optional training in using live video for instruction. | <ul style="list-style-type: none"> • If an administrator schedules a PD in violation of the agreement, the Chapter Chair should respond and explain that it is a violation. • If the administrator insists, the Chapter Chair should request a written directive and contact their Area Rep immediately. |
| <p style="text-align: center;"><u>Grading & Assessments</u></p> <p>“Secondary and Primary teachers shall adhere to the marking practices as outlined below:</p> <ol style="list-style-type: none"> 1. Students will not receive a lesser grade than their grade as of March 13, 2020. 2. Teacher discretion to give students a higher grade.” | <ul style="list-style-type: none"> • In recognition of the gap in home learning resources, students will be “held harmless” and will not receive a lesser grade than their grade as of March 13. • Teachers have the discretion to give students a higher grade than they would have gotten as of March 13. • State and district assessments scheduled for after March 13 have been suspended. | <ul style="list-style-type: none"> • Chapter Chairs should respond to any request from an administrator that violates the agreement by asking them to put the request in writing. • If what the administrator writes does not include a directive, then no member is obligated to follow it. Chapter Chairs should work with their CAT teams to ensure that members do not follow the administrator’s request. • If the administrator says that it is a directive, the Chapter Chair should contact their Area Rep immediately. |
| <p style="text-align: center;"><u>HHS Members</u></p> <p>“On average, unit members who are not TK-12 teachers shall provide 240 minutes of student support services per day.”</p> <p>“Psychiatric Social Workers, Pupil Services Attendance Counselors, and School Psychologists shall provide appointments for students with social emotional and/or behavioral needs as deemed necessary by the district, as well as communicate with families to provide support.”</p> | <ul style="list-style-type: none"> • As with classroom teachers, the work day for HHS staff should total on average 240 minutes. • To provide students and parents with consistency and avoid scheduling conflicts, UTLA members who are not teachers will create, share, and follow a regular weekly | <ul style="list-style-type: none"> • Chapter Chairs should respond to any request from an administrator that violates the agreement by asking them to put the request in writing. <p style="text-align: right;"><i>HHS CONTINUED NEXT PAGE</i></p> |

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| <p style="text-align: center;"><u>HHS Members CONTINUED</u></p> <p>“Counselors shall provide appointments for students to address Academic, Career, and Social/Emotional development.”</p> <p>“Designated Instructional Services (DIS) providers will provide support through Distance Learning.”</p> <p>“[For all classifications] appointments can be conducted virtually or by phone, upon issuance of formal guidelines for one-on-one unit member-student engagement by the district.”</p> | <p>schedule of services and office hours per week.</p> <ul style="list-style-type: none"> • Psychiatric Social Workers, Pupil Services and Attendance Counselors, School Psychologists, and Counselors will provide appointments and work with students virtually or by phone, after the district issues guidelines for one-on-one student engagement. • Speech and Language Pathologists (SLP) and Designated Instructional Services (DIS) will provide support, which may include a combination of direct services, collaboration, and/or consultation. Appointments scheduled can be conducted virtually or by phone, after the district issues guidelines for one-on-one student engagement. • Home visits by UTLA members, including HHS staff, are voluntary. | <ul style="list-style-type: none"> • If what the administrator writes does not include a directive, then no member is obligated to follow it. Chapter Chairs should work with their CAT teams to ensure that members do not follow the administrator’s request. • If the administrator says that it is a directive, the Chapter Chair should contact their Area Rep immediately. |
| <p style="text-align: center;"><u>Special Education</u></p> <p>“Resource Specialist Teachers (RST) and Inclusion Teachers will work collaboratively with core content teachers through any combination of direct services, collaboration and/or consultation to adapt lessons according to the student’s Individualized Education Program (IEP).”</p> <p>“Special Education teachers of students with moderate to severe disabilities will provide continuity of learning through a variety of distance learning resources as appropriate so that students with moderate to severe disabilities have access to the same learning opportunities as other students, to the extent practical.”</p> | <ul style="list-style-type: none"> • UTLA and LAUSD will continue to discuss how to provide equitable and appropriate education for students with disabilities and immediately implement any clear guidelines regarding IEPs that come from the state or federal government. • Resource Specialist Teachers (RSTs) and Inclusion Teachers will work collaboratively with core content teachers to adapt lessons according to the student’s IEP. • Special Education teachers of students with moderate to severe disabilities will provide | <ul style="list-style-type: none"> • Chapter Chairs should respond to any request from an administrator that violates the agreement by asking them to put the request in writing. • If what the administrator writes does not include a directive, then no member is obligated to follow it. Chapter Chairs should work with their CAT teams to ensure that members do not follow the administrator’s request. <p style="text-align: right;"><i>SPEC ED CONTINUED NEXT PAGE</i></p> |

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| <p style="text-align: center;"><u>Special Education CONTINUED</u></p> <p>“LAUSD and UTLA agree to ensure that student Individualized Education Programs (IEPs) are implemented to the maximum extent possible [or feasible], ensuring accessibility and providing identified accommodations.”</p> | <p>continuity of learning through a variety of distance learning resources as appropriate.</p> <ul style="list-style-type: none"> • Absent a waiver of IDEA laws and regulations, the district acknowledges the need for flexibility in the service delivery module during the school closures. LAUSD and UTLA agree to ensure that student IEPs are implemented to the maximum extent possible. | <ul style="list-style-type: none"> • If the administrator says that it is a directive, the Chapter Chair should contact their Area Rep immediately. |
| <p style="text-align: center;"><u>Substitutes</u></p> <p>“Day-to-day substitutes will be compensated during the District closure based on the current year work pattern.”</p> <p>“Substitutes who are able to work will accept assignments from the District.”</p> | <ul style="list-style-type: none"> • Substitutes will be compensated during the district closure based on the current work year pattern. Compensation will range from 3 to 6 hours per day. • Substitutes who were scheduled to work or had assignments in SmartFind will be compensated for the days they were scheduled to work or for 3 to 6 hours per day—whichever is greater. • Substitutes on long-term assignments who are currently earning the extended rate will continue to receive the extended rate. • Substitutes who are currently enrolled in healthcare will maintain their benefits until August 31. | <ul style="list-style-type: none"> • Any substitute who believes they are not receiving the correct pay or benefits should contact the LAUSD Substitute Unit. |

Key Points to Remember

- Chapter Chairs should respond to any unreasonable request from an administrator by asking them to put the request in writing. If what the principal says is not a directive, then members do not have to comply. Each chapter should work together to ensure that no member follows an unreasonable request that is not a directive.
- If an administrator puts a directive in writing that is unreasonable or violates our agreement, contact your Area Representative immediately to make a plan for how to push back.
- Chapter Action Teams (CATs) are our best tool to keep our chapters organized. Make sure that you are working with your school's existing CAT on the implementation and enforcement of our new agreement or building a CAT at a ratio of one CAT member for every 10 members, to help with communication, contract enforcement, and organizing.

It is each member's responsibility to stand together with their co-workers and ensure that our rights are respected!