

PREVIOUS PROPOSALS/RESPONSES:

09/15/17 – UTLA Initial Proposal

11/2/17 – District Response

**LOS ANGELES UNIFIED SCHOOL DISTRICT
RESPONSE TO UNITED TEACHERS LOS ANGELES
PUBLIC SCHOOL ACCOUNTABILITY PROPOSAL OF SEPTEMBER 15, 2017**

JANUARY 12, 2018

STATEMENT OF INTENT

As laid out in its November 2, 2017 response, the District believes UTLA's School Accountability proposal falls outside the scope of bargaining. Further, the District believes the parts of the proposal related to school authorization and co-location are not compliant with state law. While maintaining its position that the entire proposal falls outside the scope of bargaining, the District makes the following statement of intent:

The District, as part of its current oversight processes and its commitment to transparency, obtains the following information from LAUSD-authorized charter school operators:

- Number of student suspensions;
- Number of students based on race/ethnicity, gender, age, grade level, free/reduced meal status, disability status, ELL students and foster children;
- Total number of students enrolled per grade and per class;
- Average daily classroom attendance per grade per class.

Upon request, the District shall provide to UTLA on an annual basis the above listed information as received from its authorized charter operators.

PREVIOUS PROPOSALS:
9/15/17 – UTLA Initial

**LOS ANGELES UNIFIED SCHOOL DISTRICT
RESPONSE TO UNITED TEACHERS LOS ANGELES
GREEN SPACES ON CAMPUSES PROPOSAL OF SEPTEMBER 15, 2017**

JANUARY 12, 2018

On September 15, 2017, UTLA put forth a “green spaces on campus” proposal. The parties are in agreement that school greening projects enrich and strengthen our campus environment. In affirming the fundamental and importance of green spaces, LAUSD has taken the following actions:

The Los Angeles Unified School District won the California Department of Education Green Ribbon Schools Award for Environmental Excellence; and additionally was nominated for the United States Department of Education District Sustainability Award 2016. One of our Sustainability Initiatives Unit (SIU) focus areas is Campus Ecology. Campus Ecology looks at the different types and benefits of Schoolyards, and categorizes them by features for the integration of curriculum.

The District types of gardens include: SEEDS, Nature Explorer, Community, Demonstration, Edible, Pollinator, and Native gardens. They function as outdoor classrooms and learning centers that promote healthy and imaginative activities, enriching the students’ ecological and social behaviors. Our gardens feature a variety of elements such as: eco-systems demonstration, bio-swales, infiltration galleries, native planting, seating, stage areas, edible raised beds, and play areas. In an effort to support and expand the number of sustainable school greening projects throughout the District, LAUSD’s Board of Education approved the Sustainable Environment Enhancement Developments for Schools (SEEDS) Program in June 2013.

Our school design guide requires a 30% minimum greening space for all new projects. The greening space is designed in coordination with the site administrators by the design team. The design team always identifies and promotes green opportunities to enrich our schools with every modernization or repair project.

Shared use of school facilities is one way to address the growing obesity rates in urban communities. Shared use provides opportunities for students and families to engage in physical activity by maximizing safe, attractive recreation space. Under the jurisdiction of the Los Angeles Unified School District (LAUSD), the Leasing and Space Utilization (LASU) Department and the Joint Use Bond Program help create partnerships to provide communities with greater access to safe spaces.

As part of the Los Angeles County Department of Public Health’s *Choose Health LA!*, the Alliance for a Better Community (ABC) launched the J.U.G.A.R. (Joint Use Generating Activity and Recreation) initiative to increase access to safe spaces for physical activity through the expansion of shared use agreements in the Los Angeles Unified School District. This distinct program has engages community members, schools

administration and community based organizations to support services that promote physical activity and improve health outcomes for students and families.

Bargaining demands related to public policy advocacy are outside the scope of bargaining and are, indeed, prohibited by the Education Employment Relations Act ("EERA"). EERA specifically details those subjects that are within the scope of bargaining: "The scope of representation shall be limited to matters relating to wages, hours of employment and other terms and conditions of employment. 'Terms and conditions of employment' means health and welfare benefits . . . , leave, and transfer and reassignment policies, safety conditions of employment, class size, procedures to be used for the evaluation of employees, organizational security . . . , procedures for processing grievances . . . , the layoff of probationary certificated school district employees . . . and alternative compensation or benefits for employees adversely affected by pension limitations . . ." Gov Code § 3543.2(a)(1). EERA also explicitly provides that "[a]ll matters not specifically enumerated are reserved to the public school employer and may not be a subject of meeting and negotiating, except that this section does not limit the right of the public school employee to consult with any employees or employee organization on any matter outside the scope of representation." Gov Code § 3543(a)(4)(emphasis added).

While green space is not enumerated as a subject of bargaining and so EERA precludes the parties from meeting and negotiating about it, this does not preclude the parties from working collaboratively on these issues, and the parties intend to do so.