

Guide to Our Special Education Victories

Enforcing Article XXII of the Contract



Special Education now has its own article, Article XXII, in the Collective Bargaining Agreement, creating a pathway for improvements in future bargaining. The chart below will help us better understand the language we won and what enforcement at the school site looks like so that we can be vigilant in upholding our victories.

What It SAYS	What It MEANS	How to ENFORCE
<p>2.0 When a Special Education class exceeds the norm by 2 or more students, the teacher notifies the Special Education administrator. Within 10 days of the notification, the district shall remedy the situation.</p>	<p>Special education teacher must notify the site Special Education administrator. The district has 10 days from the date of the notification to remedy the situation: by transferring excess students, opening a new class, or assigning additional aide(s) to the class.</p>	<p>Special Education teacher must notify APEIS or principal in <u>writing</u>. As the 10-day limit approaches, Special Education teacher and Chapter Chair request a meeting in <u>writing</u> with administrator. If overage is not resolved after 10 days, the grievance process is initiated.</p>
<p>3.0 Per California Education Code Section 56195.8 (c), the maximum class caseload for an RSP teacher shall be 28.</p>	<p>The maximum class caseload for an RSP teacher shall be 28 students.</p>	<p>If maximum is exceeded, RSP teacher shall notify APEIS or principal in <u>writing</u> to request a meeting to reduce caseload. If caseload overage is not resolved, then the grievance process is not resolved.</p>
<p>5.0 District shall make a reasonable effort to integrate students with disabilities in general education program.</p>	<p>Expanded inclusion, or the integration of students with disabilities in general education classes, has begun or is being developed at 81 school sites.</p>	<p>Current inclusion schools have requested participation in this program. UTLA is currently in negotiations to ensure appropriate learning/teaching conditions at the 81 school sites.</p>
<p>7.0 If an administrator deems it necessary to temporarily reassign a paraprofessional from an assigned classroom, the administrator will advise the affected teacher prior to pulling the paraprofessional.</p>	<p>The administrator must notify the affected teacher before he/she moves a paraprofessional from an assigned classroom. However, the administrator decides if the <u>temporary</u> reassignment is necessary.</p>	<p>If no notification is made, the affected teacher requests in writing a meeting with the administrator to determine the temporary parameters of the reassignment. Chapter Chair should be included.</p>
<p>8.0 District and UTLA will continue discussions on restructuring the instructional delivery service model for students with disabilities. UTLA has the option to reopen negotiations on this restructuring as the district pilots a new instructional delivery service during the life of this agreement.</p>	<p>The district and UTLA are engaged in discussions on inclusion of students with disabilities in general education classes. UTLA has the right to reopen negotiations on the composition of Special Education classes, materials/resources, and training needed to implement Inclusion.</p>	<p>UTLA is actively engaged in discussions and negotiations with the district regarding Inclusion. The 81 current schools have voluntarily requested to participate in the Inclusion model.</p>

<p>9.0 When Special Education trainee/assistant positions are to be filled by interview, local schools shall develop their own procedures for Special Education teacher participation.</p>	<p>Local school sites shall develop and determine their own practice for including Special Education teachers in the interview process of Special Education trainee/assistant positions.</p>	<p>Special Education educators and chapter chairs shall meet with the principal to develop the local school site interview process for hiring special ed trainee/assistant positions.</p>
<p>10.0 At the end of each school year, with the concurrence of the affected teacher, the continued assignment of aides or teacher assistants shall be reasonably determined by the local school administrator. If the teacher does not concur with the assignment, the aide or teacher assistant may request a meeting with the site administrator and the teacher.</p>	<p>Assigning the same aide or teacher assistant to a teacher for the following school year shall be determined by the local school administrator. If a teacher does not agree, the aide or teacher assistant requests a meeting with the teacher and the administrator to discuss the issue; then the administrator determines the assignment.</p>	<p>At the end of the school year, a teacher should request in <u>writing</u> if he or she wishes to have the same aide(s) or teacher assistant(s) assigned to him or her. Teacher needs to be present at the meeting if requested by the affected aide or teacher assistant. If teacher disagrees with aide or teacher assistant assignment, schedule a meeting with the site administrator to discuss.</p>
<p>11.0 Special Education Department chairs shall be provided with a link to the Electronic Special Education Resource Notebook to access all pertinent Division bulletins.</p>	<p>District and/or administrator must provide Special Education Department chairs with a link to the Electronic Special Education Resource Notebook.</p>	<p>Elect a Special Education Department chair at the local school site. He or she needs to request in writing the link to the Electronic Special Education Resource Notebook.</p>
<p>12.0 District and UTLA will work collaboratively to obtain increased funding for Special Education students.</p>	<p>UTLA and the district acknowledge a need for higher IDEA funding as well as more state revenue.</p>	<p>UTLA members need to be actively involved in the Schools and Communities First campaign as well as the LAUSD school board races to elect members who will promote increased funding for our Special Education students.</p>
<p>13.0 Joint Workload/Caseload Committee for HHS and Special Education itinerant employees will meet quarterly and will discuss, explore options, and make recommendations to a. review caseloads and workloads; b. review services for students; c. recommend strategies in making up lost services hours; d. strategize to improve inclusion efforts; e. revise the evaluation system.</p>	<p>UTLA and the district will appoint up to 5 members each to the Workload/Caseload Committee for HHS and Special Education itinerant employees. This taskforce will not have the authority to engage in bargaining, in agreements, or in joint reports or recommendations. Instead, each group reports back to their own respective bargaining teams.</p>	<p>UTLA members will work with UTLA leadership to utilize the joint Workload/Caseload Committee to organize lower caseloads and essential supports for students.</p>

<p>14.0 Upon request, Special Education teachers shall be given up to one (1) full release day per semester to complete assessments for their students, at no loss of pay.</p>	<p>All Special Education teachers are to be given two release days (one per semester) in the school year to complete federally mandated assessments for students in their classes/caseload, at no loss of pay.</p>	<p>Special Education teachers must request in <u>writing</u> their one full release day <u>each</u> semester from the APEIS and/or the principal. Follow local protocol for substitutes.</p>
<p>15.0 Special Education Class Size and Designated Instructional Services Caseloads for SY 2019-2020 chart has been established to tighten language for enforcing class size and caseload reductions.</p>	<p>There is tighter language to enforce class size and caseload reductions and caps. Chart assigns class size based on type of Special Day Class and it assigns caseloads by designated instruction. <u>See chart below.</u></p>	<p>At Norm Day, chapter chairs track and report the total number of class size and caseload violations. If class norm is exceeded by 2 for a time period over one month, then refer to Area Coordinator, Special Education, for assistance.</p>

SPECIAL EDUCATION CLASS SIZES AND CASELOADS

Type of Special Day Class	Class Size Norms
Autism–General Education Curriculum (AUT C)	10
Autism–Alternate Curriculum (AUT A)	8
Deaf and Hard of Hearing (DHH)	6 (thru 8 years) 8 (9 years and up)
Visually Impaired (IV)	6 (thru 8 years) 8 (9 years and up)
Preschool for All Learners (PALs)	10
Preschool Collaborative Classroom (PCC) Early Education Centers	10
Preschool Collaborative Class with Expanded Transitional Kindergarten (ETK/PCC)	10
Preschool Comprehensive Program (PSC)	8
Emotional Disturbance (ED)	8
Intellectual Disability Moderate (IDM)	12
Intellectual Disability Severe (IDS)	10
Multiple Disabilities (MD)	8
Specific Learning Disability (SLD)	12

Designated Instruction and Services	Caseload
Adaptive PE	70 students
Audiology	80 students
Deaf/Hard of Hearing	35 students
Language/Speech	55 students
Orientation and Mobility	15 students
Visually Impaired	30 students