

Previous Proposals

Initial UTLA proposal: 7/19/17

LAUSD counterproposal: 11/13/17

**UNITED TEACHERS LOS ANGELES**  
**Bargaining Proposal**  
**March 1, 2018**

NEW ARTICLE

**SPECIAL EDUCATION**

- 1.0 The District shall adhere to the Special Education class size caps in Appendix A.
- a. The Special Education Division shall provide a monthly class size/case load report to UTLA for bargaining unit positions under the supervision of the Special Education Division.
- 2.0 When a Special Education class has exceeded the cap by two or more students, the teacher shall notify the Special Education Administrator. Within ten (10) workdays of the notification, the District shall remedy the situation, after consultation with the affected teacher, by taking one of the following actions:
- a. The transfer of excess student(s) to another class.
- b. The opening of an additional class if sufficient students are available.
- c. The assignment of additional aide(s) to the class.
- 3.0 In accordance with California Education Code 56195.8 (c), the maximum class size/caseload for an RSP teacher shall be 28.
- 4.0 All Special Day Classes shall be limited to no more than 2 consecutive grade levels. Students enrolled in Special Day Classes shall be provided with an educational program for the same length of time as the regular school day for a chronological peer group unless otherwise authorized and indicated on the Individualized Education Program (California Education Code, Title 5, Section 3431).
- 5.0 Special Education Facilities: When locating and utilizing classrooms and facilities for Special Education, the District shall avoid segregation of students with disabilities from students located in the general education program. When applicable, local school leadership councils will determine how to comply with the above at each local site.
- 6.0 Special Education Moving Assistance: For Special Education teachers that change their teaching location and/or room assignment during the school year, the District shall have sole responsibility for moving all specialized furniture, equipment, and supplies to the new location and/or room.

- 7.0 IEP Meetings: IEP meetings shall be held at the student's local school site.
- 8.0 Assessment: Upon request, special education teachers shall be given up to two full release days per semester, at no loss of pay, to complete a federally mandated assessment for students in their class/caseload.
- 8.1 The IEP Team may select a minimum of one district assessment of choice based upon student needs as determined by the educator. Such selection will be reflected on FAPE 2 and/or section K of the IEP for each type of assessment.
- 9.0 Special Education Trainee/Paraprofessional Interview Process: When special education trainee/assistant positions are to be filled by interview, the teacher affected has the right to participate in the interview process.
- 9.1 Special Day Classes shall have a minimum of one (1) paraprofessional at all times during the instructional day without encroachment.
- 10.0 Continued Assignment of Paraprofessional to a Teacher: At the conclusion of each school year, the teacher (or other bargaining unit member) may request that the same paraprofessional be assigned to the teacher for the following year. The continued assignment of a paraprofessional shall be reasonably determined by the affected teacher, with the concurrence of the site administrator. If the local administrator does not concur with the assignment, the teacher may request a meeting with the site administrator to discuss the issue. If such a meeting occurs, the site administrator or designee shall then reasonably determine the assignment. The above procedures are (1) applicable only when budget and program design indicate that the paraprofessional position in question is to be ongoing into the next year, and (2) do not guarantee the paraprofessional any particular longevity in assignment.
- 11.0 Special Education Interns
- a. All probationary special educators shall be assigned a Mentor Teacher in order to provide observations, assistance and guidance. Such Mentor services shall include observation of the probationary special educator and/or demonstration lessons.
  - b. Probationary Special Educators should be provided, along with a mentor, documented guidance, assistance, and support including, but not limited to, a mentor teacher, opportunities to observe other special education classes, and opportunities to attend conferences and trainings at District expense.
  - c. In order to permit probationary special educators to concentrate upon their basic assignments and continuing education, they shall not be assigned adjunct duties and/or auxiliary jobs. Probationary Special Educators shall not be assigned jobs such as coaching or coordinating, except with written approval of the site administrator.
  - d. Probationary Special Educators shall not be expected to teach outside of the credential field in which they are currently assigned.
  - e. For salary purposes, Interns shall be rated-in under Article XIV, Section 5, and paid the regular salary rate.

12.0 Special Education Resources Notebook: All District Special Educators shall be provided with a an electronic copy of the Special Education resource notebook containing all pertinent Division bulletins. All additional bulletins shall be emailed to District Special Educators upon release.

13.0 Increased Special Education Funding: UTLA and the District shall work collaboratively to achieve increased funding for special education services in LAUSD.

### ARTICLE XVIII

~~7.0 Special Education: The District shall make a reasonable effort to maintain special education class size as indicated in Appendix A for the term of this Agreement. In schools having two or more classes of the same category, class sizes will be based on the average of those classes in the school rather than by individual classes. The Special Education Division's monthly class size reports shall be provided to the Class Size Task Force and made available for inspection by any employee or UTLA representative. When a special education class has exceeded the norm by two or more students, the teacher may notify the Special Education Coordinator. Within fifteen (15) workdays of the notification, if the condition persists, the District shall make a reasonable effort to remedy the situation, after consultation with the affected teacher, by means such as the following:~~

- ~~a. the transfer of excess student(s) to another class or school site, or~~
- ~~b. the opening of an additional class if sufficient students are available, or~~
- ~~c. the assignment of additional aide(s) to the class. Upon request, the District shall advise the teacher, in writing as to the reason and anticipated duration of the excess student(s), and as to any efforts being taken, to remedy the situation.~~

### ARTICLE XXXI

~~4.0 Special Education Facilities: When locating and utilizing classrooms and facilities the District shall make a reasonable effort to avoid segregation of handicapped and special education students from regular program students.~~

~~5.0 Special Education Moving Assistance: In case of required change in teaching location and/or room assignment for SDC teachers and RST's, during the school year, the District shall provide reasonable assistance for moving heavy equipment and supplies.~~

~~6.0 IEP Meetings: Except in unusual circumstances, IEP meetings shall be held at the student's local school site.~~

~~6.1 Special Education Trainee/Assistant Interview Process: When special education trainee/assistant positions are to be filled by interview, local schools shall develop their own procedures for special education teacher participation.~~

- 7.0 ~~Special Education Resources Notebook: Special Education Department chairs shall be provided with a copy of the Special Education resource notebook containing all pertinent Division bulletins.~~
- 8.0 ~~Continued Assignment of Aides and Teacher Assistants to a Teacher: At the conclusion of each school year, the teacher (or other bargaining unit member) may request that the same Aide or Teacher Assistant be assigned to the teacher for the following year. A continued assignment of Aides or Teacher Assistants shall be reasonably determined by the local school administrator with the concurrence of the affected teacher. If the affected teacher does not concur in the assignment, the Aide or Teacher Assistant may request a meeting with the site administrator and teacher to discuss the issue. If such a meeting occurs, the school administrator or designee shall then reasonably determine the assignment. The above procedures are (1) applicable only when budget and program design indicate that the Aide/TA position in question is to be ongoing into the next year, and (2) do not guarantee the Aide/TA any particular longevity in assignment.~~
- 9.0 Access to School Facilities: Employees shall have equal access to all telephones, restrooms, lounges and lunch areas with the understanding that such access rights must be exercised in a reasonable manner. Employees shall also have equal access to on-site parking spaces, except that parking spaces are to be reserved as follows:
- a. ~~For identified handicapped staff members and for handicapped visitors as provided by law. All staff members and visitors with disabilities as provided by law.~~
  - b. For the school nurse, near the school entrance.
  - c. No more than two spaces in elementary, three spaces in secondary, and three spaces in adult schools shall be reserved for staff having official school business requiring individuals to leave the school premises and return during school hours on a specific day.
- 10.0 ~~House Leaders: House leaders at the Middle School shall be permanent teacher if practicable.~~

## **APPENDIX A -- SPECIAL EDUCATION**

~~BULLETIN NO. 29 (Rev.)—December 1, 1981~~

~~SUBJECT: OPTIMUM CLASS/CASELOAD NORMS AND PROCEDURES TO OPEN, CLOSE OR RELOCATE SPECIAL EDUCATION SPECIAL DAY OR RESOURCE SPECIALIST CLASSES~~

~~I. Optimum Class/Caseload Norms~~

~~II. Procedures to Open, Close or Relocate Special Education Special Day or Resource Specialist Classes~~

~~(This revision supersedes the bulletin of the same number issued on December 10, 1980. The content has been updated to reflect changes in recent legislation and District procedures. Note especially those changes in the optimum class/caseload norm table in ATTACHMENT A.)~~

## ~~I.—OPTIMUM CLASS/CASELOAD NORMS~~

~~As a result of recent legislation (SB 1870, July 28, 1980), the California State Education Code has eliminated previous State mandated special education class sizes and Designated Instruction and Services (DIS) caseload norms. The Resource Specialist program is an exception, with a norm range of 24-28 pupils.~~

~~In order to provide guidelines for pupil placements and for the opening and closing of classes, optimum class/caseload norms have been developed (see ATTACHMENT A).~~

~~Optimum class norms may be exceeded by two pupils on a temporary basis when necessary to provide services to individuals with exceptional needs.~~

~~Note that pupils enrolled in Special Day Classes shall be provided with an educational program for the same length of time as the regular school day for a chronological peer group unless otherwise authorized and indicated on the Individualized Education Program (California Administrative Code, Title 5, Section 3431).~~

## ~~II.—PROCEDURES TO OPEN, CLOSE OR RELOCATE SPECIAL EDUCATION SPECIAL DAY OR RESOURCE SPECIALIST CLASSES~~

~~A.—Region coordinators, special education, or principals, special education schools, shall initiate/complete a "Request to Open, Close or Relocate Special Education Special Day or Resource Appendix A—Special Education Specialist Classes" form (Form No. SE 18, Revised 11/81). Quantities of the form are provided to the administrative area offices and special schools for that purpose.~~

~~B.—Area Coordinator, Counseling and Psychological Services, shall inform Area Coordinators, Special Education, when there is an identified need for additional classes.~~

~~C.—Program Coordinators, Special Education, shall be notified to provide technical assistance or to facilitate consolidation of pupils from two or more classes.~~

~~D.—A request to open a Special Day Class may not be based on an initial enrollment of less than one-half the optimum class cap (see ATTACHMENT A).~~

~~E.—Area Coordinators, Special Education, shall obtain the approval signature of the Area Superintendent; principals, Special Schools, shall obtain the approval signature of the Director, Special Schools. The Assistant Superintendent, Division of Special Education, shall approve or disapprove the request. A copy of the request, indicating approval or disapproval, shall be returned to the initiator. If approved, the Division of Special education shall send copies to appropriate offices.~~

~~For assistance, please call Al A. Casler, Administrator, Special Education Programs in Regular Schools, at 625-6705, or Victor A. Signorelli, Director of Special Schools, at 625-6703.~~

~~APPROVED: JOSEPH P. LINSOMB, Associate Superintendent, Instruction  
DISTRIBUTION:~~

Class/Caseload Categories	SERVICE SITES			
	Regular School	Special School	Through 8 Years	9 Years and above
<b>SPECIAL DAY CLASSES</b>				
Assessment Service		x	12	12
Autistic	x	x	8	6
Blind/Partially Seeing	x	x	8	10
Deaf/Blind		x	3	5
Deaf/Hard of Hearing	x	x	6-8	8-10
Developmentally Handicapped		x	10	10
Educable Retarded	x		12 or 14*	12 or 14*
Learning Handicapped (EH)	x	x	12	12
Multihandicapped	x	x	6	8
Noncategorical	x	x	8	12
Orthopedic/Other Health Impaired	x	x	12	16
Seriously Emotionally Disturbed	x	x	8	8
Severe Disorders of Language/Aphasia	x		6	8 or 10**
Teleclass	n/a	n/a	20	20
Trainable Mentally Retarded		x	12	12
RESOURCE SPECIALIST PROGRAM	x			24-28
<b>DESIGNATED INSTRUCTION AND SERVICES</b>				
Adaptive Physical Education	x	x		70
Audiology	x	x		115
Counseling	x	x		22
Deaf/Hard of Hearing	x	x		12
Home Hospital	n/a	n/a		10
Language/Speech Development & Remediation	x	x		55
Orientation & Mobility Instruct. for Blind	x	x		12
Physically Handicapped In Regular Class	x	38		
Specialized Driver Training		x		x 10
Visually Handicapped	x	x		12
Vocational Education for the Handicapped	x	x		75

\*12 if a 4 year age span    \*\*10 if a secondary level aphasia class

- (a) ~~If optimum class cap is exceeded by two for a temporary period of time which exceeds one month, a referral may be made to the Area Coordinator, Special Education, who may contract the Assistant Superintendent, Special Education, for assistance. (refer to 7.0)~~
- (b) ~~Maximum age is to high school completion or to 22 years of age. Pupils who have not met their prescribed course of study or regular or differential proficiency standards may remain in school through age 21. Any pupil who becomes 22 while participating in a program may continue participation for the remainder of the then current school year.~~

**SPECIAL DAY CLASSES Cap Sizes and Paraprofessional Ratios**

<b><u>Type of Special Day Class</u></b>	<b><u>Student Eligibility</u></b>	<b><u>Class Caps</u></b>	<b><u>Student/Paraprofessional Ratios</u></b>
<u>Autism Mild to Moderate</u>	<u>Autism (Core Curriculum)</u>	<u>10</u>	<u>5:1</u>
<u>Autism Moderate to Severe</u>	<u>Autism (Alternative Curriculum)</u>	<u>8</u>	<u>4:1</u>
<u>Deaf and Hard of Hearing</u>	<u>Deafness or Hard of Hearing</u>	<u>6 (thru 8 years)</u> <u>8 (9 years and up)</u>	<u>3:1 (thru 8 years)</u> <u>4:1 (9 years and up)</u>
<u>Visually Impaired</u>	<u>Blindness or Visual Impaired</u>	<u>6 (thru 8 years)</u> <u>8 (9 years and up)</u>	<u>3:1 (thru 8 years)</u> <u>4:1 (9 years and up)</u>
<u>Preschool for All Learners</u>	<u>Developmentally delayed, Multiple Disabilities, Other Health Impairment, Speech or Language Impairment</u>	<u>10</u>	<u>5:1</u>
<u>Emotional Disturbance</u>	<u>Emotional Disturbance</u>	<u>8 (thru 8 years)</u> <u>6 (9 years and up)</u>	<u>4:1 (thru 8 years)</u> <u>3:1 (9 years and up)</u>
<u>Intellectual Disability Moderate</u>	<u>Intellectual Disability (Alternative Curriculum)</u>	<u>10</u>	<u>5:1</u>
<u>Intellectual Disability Severe</u>	<u>Intellectual Disability (Alternative Curriculum)</u>	<u>8</u>	<u>4:1</u>
<u>Multiple Disabilities</u>	<u>Established Medical Disability and Traumatic Brain Injury</u>	<u>6</u>	<u>3:1</u>
<u>Specific Learning Disability*</u>  <u>*If the majority of students, (50%+1) have an eligibility of Autism in a specific class, then the class becomes an Autism Class with proper ratios</u>	<u>Other Health Impairment, Specific Learning Disability, Autism</u>	<u>10</u>	<u>10:1</u>
<u>Orthopedic Impairment</u>	<u>Orthopedic Impairment</u>	<u>6</u>	<u>3:1</u>

## Appendix A- Special Education

### DESIGNATED INSTRUCTION AND SERVICES

<u>Adaptive PE</u>	<u>70 students</u>
<u>Audiology</u>	<u>80 students</u>
<u>PSA counselor, school based</u>	<u>No more than 3 school sites</u>
<u>PSA Counselor, specialized unit</u>	<u>Max 75 caseload</u>
<u>Deaf/Hard of Hearing</u>	<u>12 students</u>
<u>Home Hospital</u>	<u>10 students</u>
<u>Language/Speech</u>	<u>55 students</u>
<u>Language/Speech 3-5 years</u>	<u>40 students</u>
<u>Orientation and Mobility</u>	<u>12 students</u>
<u>Visually Impaired</u>	<u>12 students</u>
<u>Psychiatric Social Workers providing ERICS counseling</u>	<u>25 maximum</u>
<u>Psychiatric Social Workers</u>	<u>No more than 10 school sites</u>
<u>Psychiatric Social Workers providing PUC counseling</u>	<u>40 maximum</u>
<u>Psychiatric Social Workers providing ERICS/PUC counseling</u>	<u>30 maximum</u>
<u>Occupational Therapist</u>	<u>16 school based direct student contact/treatment hours</u>
<u>School Psychologists, general education school</u>	<u>ratio not exceed 750:1</u>

- (a) Maximum age is to high school completion or to 22 years of age. Pupils who have not met their prescribed course of study or regular or differential proficiency standards may remain in school through age 21. Any pupil who becomes 22 while participating in a program may continue participation for the remainder of the then current school year. (California Education Code 56026 (c)(4))
- (b) For designated instruction and services, if optimal caseloads are exceeded by 2 for a period of time which exceeds one month, a referral may be made to the Workload/Assignment committee. The Committee may refer the issue to the Assistant Superintendent for Special Education or the Executive Director for Student Health & Human Services.