**ITA/IUSD**

**Negotiations Update**

**⯁ June 6, 2011⯁**

***A Joint Communiqué from the***

***ITA and IUSD Bargaining Teams …***

***Our teams continue to meet to discuss the implications of California’s volatile and unpredictable budget outlook. On a positive note, the governor’s May Revise, released on May 16th, proposes that California schools receive “flat” funding for the 2011/12 fiscal school year. Unfortunately, this is based on an optimistic assumption that tax extensions will receive legislative approval AND will be approved by voters in the fall. If these taxes are not extended, IUSD and other school districts across the state could be facing the possibility of an “all cuts” budget. This could reduce K-12 education spending by another $5 billion. As such, though we are encouraged by the news that state revenues have increased, there remains significant uncertainty about California’s fiscal stability. The District and ITA will continue to monitor this environment and have agreed to set additional bargaining sessions once an agreement has been reached on the State Budget.***

***With all this in mind, we intend to begin the year with a 183-day calendar and have also identified some tentative dates that could possibly become furlough days if necessary.***

**Negotiations Topics**

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| --- | --- |
| * Coaching Shares * Compensation * Class Size * Disciplinary Process * “Early Out” Wednesdays * Elementary Art Instruction * Evaluation * Health Benefits * IEP time | * Middle School Late Starts * Parent/Guardian Complaints * PAR * RTI * Shared Contracts * Staffing Surplus * Summer School * Teachers Over Contract |

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We met again on May 31, 2011 and continued to engage in dialogue about the topics in order to brainstorm and discuss a wide variety of Options to address them. Again, we have agreed to postpone our focus on money-related topics until we have more information on the State budget.

**An Explanation of our Process: Option Designs**

Designs represent the bargaining teams’ level of confidence with the option(s) currently being considered in order to reach agreement on each issue. Each Design level reflects a firmer commitment to the proposed option(s). Depending on constituent feedback, options may not necessarily transition through each of these levels:

* + **Straw**: These options represent the **first phase**. They are the initial options that we feel have potential for reaching agreement. We “loop out” these options so that **all constituents have an opportunity to provide feedback** that will be considered in future bargaining sessions.
  + **Stick**:Some of these options will be new and others are Straw Design options that have been modified after collecting and reviewing constituent feedback and other information. Others may be existing MOUs for the current 2010/11 school year that we feel are appropriate to move into the contract for 2011/12.
  + **Brick**: These will come AFTER we collect feedback on the Straw and Stick Designs we are presenting here. Other information (i.e. fiscal) may also need to be reviewed and discussed. This phase represents a fairly firm confidence in the option and typically leads to a tentative agreement.

**Straw Designs for Your Review**

* **Compensation and Benefits** 
  + **Story:** 
    - Significant fiscal challenges at the State level
    - Uncertain as to the potential impact on IUSD
  + **Option:** 
    - Wait for more information and clarification on State budget
    - Identify the following dates as “placeholders” in the event furlough days are negotiated:
      * May 29th to June 1st (tentative) and/or
      * June 18th to June 21st (tentative)
* **Elementary Art Instruction**
  + **Story:** 
    - District has transitioned from use of art specialists to Arts Advantage.
    - Some teacher/sites are having challenges with implementation.
  + **Option:** 
    - Identify ways to support and build capacity in teachers to implement this program and provide art instruction.
* **Class Size**
  + **Story:** 
    - Budget reductions have generated larger class sizes across the district.
    - Many teachers are concerned about the impact of these increases and their impact.
    - The City/IPSF Class Size Support funds are used with District Tier III funds to add certificated FTE at the secondary level and instructional assistant support at the elementary level.
  + **Option:** 
    - Continue the use of City/IPSF and Tier III funds to provide support at both secondary and elementary levels.
    - Identify additional ways to support teachers and classrooms.
* **PAR**
  + **Story:** 
    - State budget crisis diverted these funds to Tier III.
    - District and ITA continue to believe that it is important that we provide support to teachers in need.
  + **Option:** 
    - Allow existing PAR committee to request District funding on an “as needed” basis to support teachers.
* **RtI**
  + **Story:** 
    - Some teacher/sites are having challenges with implementation.
  + **Option:** 
    - District office sent out a survey to collect feedback on challenges, recommendations, and best practices.
    - Feedback will help guide the design of a support plan for 2011/12.
* **Disciplinary Process**
  + **Story:** 
    - Concern that teachers may not receive timely documentation of warning or disciplinary notices.
  + **Option:** 
    - Communicate the concern to administration and provide support and training as necessary to ensure appropriate and timely communications.
* **Teachers Over Contract (TOC)**
  + **Story:** 
    - Many sites allow the use of resources to purchase release days.
    - Some teachers prefer to remain in class and be paid the sub rate for release time.
    - Practice of providing sub rate compensation for unused comp days already exists.
  + **Option:** 
    - TOC resources may be used to create comp days and/or pay a substitute rate ($95/day) to the teacher, up to a maximum of ten (10) days per year.
* **Observation Notes**
  + **Story:** 
    - Current language implies that teacher “may” be allowed to have evaluator’s observation notes prior to a meeting about an observation.
  + **Option:** 
    - Change language to “shall”.
* **Elementary Shared Contracts**
  + **Story:** 
    - Current contract language specifically references that shared contracts may be supported for a maximum of three (3) years.
    - District considers share contracts to be a form of “leave of absence” but that it should not impact a teacher’s ability to access other leave provisions (i.e. medical, child care, etc.)
  + **Option:** 
    - Clarify that working in a shared contract does not eliminate the ability to use leave provisions as described in Article 19.
* **IEP Time**
  + **Story:** 
    - Many sites have adopted practices that support the management of IEPs.
  + **Option:** 
    - Develop a committee to determine best practices in supporting teachers.
* **Middle School Late Start**
  + **Story:** 
    - Discrepant practices exist at each of the sites for the use of this time.
    - Differences have created a sense of inequity.
  + **Option:** 
    - Establish that each site shall build in a minimum of one (1) “late start” every six (6) weeks for the purposes of grading. Dates would be during the week before grades are due.
* **Coaching Shares**
  + **Story:** 
    - There are different levels of compensation based on criterion.
    - Concern that information in the Coaches Handbook has not been updated or sufficiently disseminated.
    - Concern that the rationale for compensation has not been evaluated in years.
  + **Option:** 
    - Wait until the district has a better understanding of the impact of the ACLU lawsuit on the programs before moving forward with any further discussions or actions.
    - Include the specific criterion that is used to determine compensation in the contract.
* **Surplus Language**
  + **Story:** 
    - Need to clarify the number of exemptions K-8 school sites have when in surplus.
  + **Option:** 
    - Clarify that K-8 schools have two (2) exemptions when in surplus.
* **Summer School/Intersession** 
  + **Story:**
    - Summer school has been reduced and condensed to one high school site.
    - Contract currently supports that % of students in the class from each site is a factor in determining who is hired for a specific summer school class.
    - Lack of alignment of the teacher “hourly rate of pay” with summer school rate of pay creates confusion.
    - Concern that teachers being documented for poor performance still retain priority for summer school assignments.
  + **Option:** 
    - Remove % of students as a criteria for hire.
    - Include unit members with 0 to 5 years of experience with the unit members with 6 to 10 years of experience, increasing the “0 to 5 years group from $30.00/hour to $32.00/hour. This would not take effect until the summer of 2012.
    - Increase Hourly Rate from $31.50/hour to $32.00/hour.
    - Teachers being documented or evaluated for poor performance may be excluded from summer school hiring consideration.
* **Parent/Guardian Complaints**
  + **Story:** 
    - Interpretation of contract language (Article 22) and the definition of a “complaint” are in dispute.
    - A grievance has been filed and is pending arbitration.
  + **Option:** 
    - District legal counsel will work with ITA representative to determine potential contract language resolutions.

**Stick Designs for Your Review**

* **Observation Forms**
  + **Story:** 
    - School sites have piloted several different observation forms over the last few years.
    - New forms provide a “box” that informs a teacher if performance is unsatisfactory.
  + **Option:** 
    - New forms will become part of the observation process for all schools. Teachers will be allowed to choose which of these new forms they would like their evaluator to use when they are on an evaluation cycle.
* **Early Out Wednesdays (Elementary)**
  + **Story:** 
    - In the current 2010/11 school year, an MOU established the need to identify a minimum of ten (10) “Early Out Wednesdays” throughout the year that are to be used at the discretion of the unit member. These dates would be collaboratively determined by the principal and staff.
    - The district has the need for some days to be identified in the event of a district-wide training. This is currently not reflected in the MOU.
  + **Option:** 
    - Move this MOU language into the contract.
    - Add that the second Wednesday of each month shall be reserved in the event it is needed for District use.

**Next Steps**

* + Gather data and feedback on the Designs from all constituent groups
  + Evaluate Design options based on feedback and data
  + Establish future negotiation dates after receiving a State Budget

**Resources**

[IUSD Budget Watch](http://newsflash.iusd.org/category/budget/)

[IUSD Base Revenue Limit vs. Salary Settlements](http://intranet.iusd.org/hr/documents/BaseRevenueLimitvs.SalarySettlements.pdf)

[IUSD Budget Reductions – 7 Year History](http://intranet.iusd.org/hr/documents/BudgetReductions7yearhistory.pdf)

[IUSD Budget Update Presentation 4/12/11](http://intranet.iusd.org/hr/documents/BudgetUpdatePresentation4-12-11.pdf)

[School Services of California – *Ask SSC….How Far Back in Time Could We Go?*](http://intranet.iusd.org/hr/documents/SSCArticle4-01-11.pdf)

[School Services of California – *Governor Signs $11.2 Billion in Budget Solutions, Budget Remains $12.6 Billion Out of Balance*](http://intranet.iusd.org/hr/documents/SSCArticle_24-01-11.pdf)

[School Services of California - *No June Election, When Will We Know What to Plan For?*](http://intranet.iusd.org/hr/documents/H__SSCFiscalReportprint.pdf)

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