



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 9.2

**Meeting Date:** October 6, 2016

**Subject:** Consideration and Public Notice of the District's and Sacramento City Teachers' Association's (SCTA) Initial Proposals Regarding Certificated Unit Collective Bargaining 2016-2019 Successor Agreement Negotiations

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**Division:** Human Resource Services

**Recommendation:** Consideration and Public Notice of the District's and Sacramento City Teachers' Association's (SCTA) Initial Proposals Regarding Certificated Unit Collective Bargaining 2016-2019 Successor Agreement Negotiations.

**Background/Rationale:** Under the Educational Employment Relations Act (EERA), the District and employee organizations shall publicly present their initial proposals related to collective bargaining, which shall thereafter be public records (Government Code § 3547). The purpose of this item is to provide public notice of the District's and Sacramento City Teachers Association's initial proposals related to collective bargaining of a successor agreement for the 2016-17, 2017-18, and 2018-19 school years. After the public has had an opportunity to review and provide comment, the Board of Education adopts the initial proposals.

**Financial Considerations:** None

**LCAP Goal(s):** Safe, Emotionally Healthy and Engaged Students

**Documents Attached:**

1. Public Hearing Notice
2. Executive Summary
3. SCUSD's and Sacramento City Teachers Association's Sunshine Proposals – October 6, 2016

**Estimated Time of Presentation:** 2 minutes

**Submitted by:** Cancy McArn, Chief Human Resources Officer

**Approved by:** José L. Banda, Superintendent

**Sacramento City Unified School District**

Consideration and Public Notice of the District's and Sacramento City Teachers' Association's (SCTA) Initial Proposals Regarding Certificated Unit Collective Bargaining Agreement Negotiations.

**NOTICE OF PUBLIC HEARING**

The Sacramento City Unified School District hereby gives notice that a Public Hearing will be held as follows:

**Topic of Hearing:**

Consideration and Public Notice of the District's and Sacramento City Teachers' Association's (SCTA) Initial Proposals Regarding Certificated Unit Collective Bargaining 2016-2019 Successor Agreement Negotiations.

Copies of this program may be inspected at:

**Serna Educational Center  
5735 47<sup>th</sup> Avenue  
Sacramento, CA 95824**

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**HEARING DATE:** Thursday, October 6, 2016

**TIME:** 6:30 p.m.

**LOCATION:** Serna Educational Center  
5735 47<sup>th</sup> Avenue  
Sacramento, CA 95824

**FOR ADDITIONAL INFORMATION CONTACT:** SCUSD Human Resource Service Department  
(916) 643-7474

# Board of Education Executive Summary

## Human Resource Services

### Consideration and Public Notice of the District's and Sacramento City Teachers' Association's (SCTA) Initial Proposals Regarding Certificated Unit Collective Bargaining 2016-2019 Successor Agreement Negotiations

October 6, 2016 Board Meeting



#### I. OVERVIEW / HISTORY

Pursuant to the Educational Employment Relations Act (EERA), the District and employee organizations shall publicly present their initial proposals related to collective bargaining, which shall thereafter be public records (Government Code § 3547). The purpose of this item is to provide public notice of the District's initial proposals to the Sacramento City Teachers Association related to collective bargaining of a successor agreement for the 2016-17, 2017-18, and 2018-19 school years.

#### II. DRIVING GOVERNANCE

Government Code section 3547 requires that all initial proposals of the exclusive representatives and the public school employers that relate to matters within the scope of negotiations be presented at a public meeting. It further prohibits negotiation on such proposals until after the public has had an opportunity to be informed of the proposal and provide any comments, and the proposal has been adopted by the Governing Board. Since this matter involves a successor contract, and to allow the Board an opportunity to provide comment, the District's initial proposal for a 2016-2019 successor agreement was first presented to the Board at a public meeting on September 15, 2016 for a first reading. The District's initial proposal is now presented to the Board at this public meeting on October 6, 2016 for final approval and "sunshining." In addition, SCTA's initial proposal is also now presented to the Board for "sunshining."

#### III. BUDGET

None

#### IV. GOALS, OBJECTIVES, AND MEASURES

In June 2016, the District and SCTA reached a Tentative Agreement that closed contract negotiations for the 2015-16 school year. That Tentative Agreement also extended the termination date of the current contract from June 30, 2016 to December 1, 2016, to allow the parties additional time to negotiate a successor agreement for the 2016-17, 2017-18, and 2018-19 school years. Accordingly, the parties agreed to begin negotiations for that successor agreement shortly after the commencement of the 2016-17 school year, with the goal of reaching an agreement by December 1, 2016. The parties also agreed that in the event a successor agreement is not finalized by December

## Board of Education Executive Summary

### Human Resource Services

#### Consideration and Public Notice of the District's and Sacramento City Teachers' Association's (SCTA) Initial Proposals Regarding Certificated Unit Collective Bargaining 2016-2019 Successor Agreement Negotiations

October 6, 2016 Board Meeting



1, 2016, the current contract may be extended by mutual agreement until negotiations are concluded.

Consistent with the Tentative Agreement, the District and SCTA are presenting their initial proposals for “sunshining” to begin negotiations for a successor agreement. The District’s Board of Education is required to hold a public hearing on the District’s and SCTA’s initial proposals.

#### V. MAJOR INITIATIVES

College, Career and Life Ready Graduates  
Safe, Emotionally Healthy and Engaged Students  
Operational Excellence

#### VI. RESULTS

The District intends to work with SCTA in good faith to negotiate over those items included in the District’s initial proposal and any initial proposal submitted by SCTA.

#### VII. LESSONS LEARNED / NEXT STEPS

Approve the District’s initial proposal.

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT**

**BOARD OF EDUCATION**

**October 6, 2016**

**SUNSHINING OF DISTRICT'S INITIAL PROPOSAL TO THE  
SACRAMENTO CITY TEACHERS ASSOCIATION (SCTA) AND SCTA'S INITIAL  
PROPOSAL TO THE DISTRICT  
FOR A 2016-2019 SUCCESSOR AGREEMENT**

**[FINAL]**

**(2016-2019 Labor Negotiations)**

The current master agreement for the certificated employee bargaining unit represented by the Sacramento City Teachers Association (“SCTA”) expires on December 1, 2016. A copy of that master agreement is available for viewing on the District’s web site at [www.scusd.edu](http://www.scusd.edu).

Pursuant to Government Code section 3547, the District’s and SCTA’s initial bargaining proposals for a 2016-2019 successor agreement are required to be presented at a public meeting where members of the public may comment prior to commencing negotiations. The District’s initial proposal for a 2016-2019 successor agreement was presented to the Board of Education (“Board”) for a first reading at a public meeting on September 15, 2016. The District’s initial proposal is now presented to the Board at this public meeting on October 6, 2016 for final approval and “sunshining.” Thereafter, the Board will also “sunshine” SCTA’s initial proposal for a 2016-2019 successor agreement at this public meeting on October 6, 2016. (SCTA’s Initial Proposal is attached hereto as “Exhibit A.”) Thereafter, the Parties will commence negotiations for a 2016-2019 successor agreement on October 11, 2016.

**ACTION BY THE BOARD OF EDUCATION AS FOLLOWS:**

The Board hereby presents the District’s initial proposal for public comment, and thereafter adopts the following initial proposal for a 2016-2019 successor agreement. It is the Board’s intent that the District work collaboratively with SCTA’s negotiations team to reach a fair and equitable agreement that protects the interests of students, parents/guardians, unit members, and the District.

**ARTICLE 1: RECOGNITION**

Propose amendments, including but not limited to modifying the unit, and/or petitioning the PERB, to remove substitute teachers for lack of sufficient commonality of interests.

## **ARTICLE 2: DEFINITIONS**

Propose amendments, including but not limited to updating terms resulting from negotiations as the Parties may deem necessary.

## **ARTICLE 3: EFFECT OF AGREEMENT**

Propose amendments, including but not limited to reviewing all Tentative Agreements entered into by the Parties during the term of the preceding collective bargaining agreement and incorporate any agreed upon changes to the successor contract along with any other revisions as may be agreed upon by the Parties.

## **ARTICLE 4: GRIEVANCE PROCEDURES**

Propose amendments, including but not limited to revising timelines and the grievance process.

## **ARTICLE 5: HOURS OF EMPLOYMENT**

Propose amendments, including but not limited to revising instructional minutes and day schedules.

## **ARTICLE 6: EVALUATION**

Propose amendments, including but not limited to revising evaluation tools and process.

## **ARTICLE 7: ASSIGNMENTS**

Propose amendments, including but not limited to revising reopener notice requirements and the Liaison Committee.

## **ARTICLE 8: TRANSFERS**

Propose amendments, including but not limited to revising timelines and process.

**ARTICLE 9: LEAVES OF ABSENCE**

Propose amendments, including but not limited to updating leaves of absence consistent with legal requirements.

**ARTICLE 10: PERSONNEL FILES**

Propose amendments, including but not limited to revising procedures for placing derogatory materials in personnel files.

**ARTICLE 11: SAFETY CONDITIONS**

Propose amendments, including but not limited to revising employee reimbursements.

**ARTICLE 12: COMPENSATION**

Propose to negotiate in good faith over compensation within the limits of available financial resources, while maintaining a sustainable budget and fiscal solvency. The District may propose other amendments to this Article.

**ARTICLE 13: EMPLOYEE BENEFITS**

Propose to negotiate in good faith over employee benefits within the limits of available financial resources, while maintaining a sustainable budget and fiscal solvency. The District may propose other amendments to this Article.

**ARTICLE 14: PERSONAL AND ACADEMIC FREEDOM**

Propose amendments, including but not limited to eliminating redundant language.

**ARTICLE 15: SUBSTITUTES**

Propose amendments, including but not limited to revisions consistent with the District's proposal for Article 1, above.

**ARTICLE 16: LIAISON COMMITTEE**

Propose amendments, including but not limited to revising terms as the Parties may deem necessary.

**ARTICLE 17: CLASS SIZE**

Propose amendments, including but not limited to revising terms involving loads, formulas, limitations, and specialized programs.

**ARTICLE 18: ORGANIZATIONAL RIGHTS**

Propose amendments, including but not limited to revising terms involving the use of District mail services.

**ARTICLE 19: DISTRICT RIGHTS**

Propose amendments, including but not limited to clarifying management rights and prerogatives over matters outside of the scope of bargaining.

**ARTICLE 20: MENTOR TEACHER**

Propose amendments, including but not limited to revising terms involving the Mentor Teacher Program.

**ARTICLE 21: ORGANIZATIONAL SECURITY**

Propose amendments, including but not limited to revising terms involving processing agency fees.

**ARTICLE 22: PROFESSIONAL GROWTH PROGRAM RELATED TO THE REQUIREMENTS FOR RENEWAL OF CLEAR TEACHING CREDENTIALS**

Propose amendments, including but not limited to updating terms involving the Professional Growth Program.

**ARTICLE 23: CLASSROOM TEACHER INSTRUCTIONAL IMPROVEMENT PROGRAM**

Propose amendments, including but not limited to updating terms involving the Classroom Teacher Instructional Improvement Program.

**ARTICLE 24: SITE-BASED DECISION-MAKING**

Propose amendments, including but not limited to revising terms as the Parties may deem necessary.

**ARTICLE 25: SUCCESSOR AGREEMENT**

Propose amendments, including but not limited to revising the timelines for commencing successor contract negotiations.

**ARTICLE 26: DURATION**

Propose amendments, including but not limited to updating the term of the successor contract.

**MISCELLANEOUS: COMPREHENSIVE CONTRACT REVIEW**

The District proposes a comprehensive review of **ALL ARTICLES, APPENDICES, AND ATTACHMENTS** to identify any language and/or document that is outdated, obsolete, or no longer applicable to further update the successor contract for the benefit of unit members and their supervisors. To this end, the District further proposes to review all Tentative Agreements entered into by the Parties during the term of the preceding collective bargaining agreement and incorporate any agreed upon changes to the successor contract along with any other revisions as may be agreed upon by the Parties.

The District further reserves the right to present any other proposals in accordance with the requirements of the Educational Employment Relations Act, (EERA) California Government Code Section 3540 *et seq.*

**Response To SCTA Initial Proposal**

The District will consider and bargain in good faith over proposals included in the SCTA initial proposal for 2016-2019 successor contract negotiations, attached hereto as “Exhibit A.”

APPROVED:

AYES:

NOES:

ABSTAIN:

ABSENT:

Action was taken to adopt this District Initial Proposal for 2016-2019 successor contract negotiations with SCTA on October 6, 2016.

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Superintendent

**EXHIBIT A**



**Sacramento City Teachers Association (SCTA)  
October 6, 2016**

**Sunshining of the Association’s Initial Proposal to the Sacramento City Unified School District for a Successor Agreement to the 2014-2016 Collective Bargaining Agreement Between the Parties**

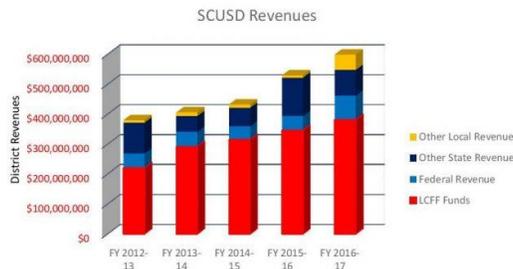
The current collective bargaining agreement between the Sacramento City Teachers Association (hereafter “SCTA”) and the Sacramento City Unified School District (SCUSD) expired on June 30, 2016 and was extended by mutual agreement between the parties to December 1, 2016. A copy of the agreement can be found at [www.sacteachers.org](http://www.sacteachers.org).

The parties are scheduled to commence bargaining for the successor agreement on October 11, 2016.

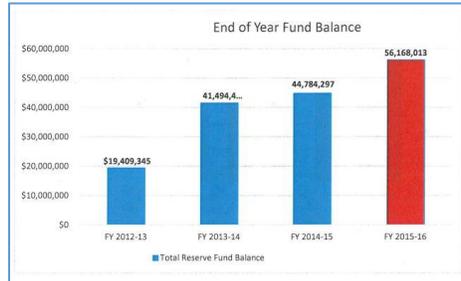
The District is in the best financial position it has been in its history.

In its approved budget for 2016-17, the District begins the fiscal year with at least \$56 million in its unreserved fund, \$5 million higher than what was projected earlier in the year. That means the District ended 2015-16 spending approximately \$14 million less than what it budgeted to spend, while students attended classes often without a fully credentialed teacher leading instruction.

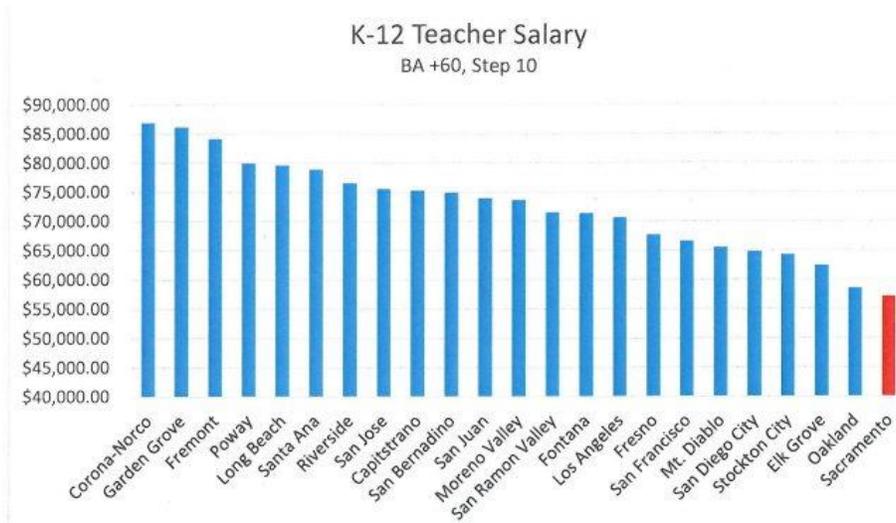
The District's total revenues in 2016-17 will increase to at least \$599,668,880, an additional \$70,127,083. This is an increase of 13.2% since fiscal year 2015-16. Since fiscal year 2012-13, the District's annual total revenue has increased by \$219,772,202, or by 57.9%.



The District is in a much stronger position than it was prior to the Great Recession of 2008. But rather than spending its increased revenue on ensuring that students have a fully credentialed teacher in the classroom, the District seems more concerned with building up its reserve fund. Its \$56 million unrestricted fund is more than five times higher than the minimum recommended by the State of California.



Unfortunately, when compared to the other 22 school districts in the state that have an enrollment of 30,000 students or more, Sac City spends 16%--or almost \$700--less on teachers, but 4.3% more on administrators' pay.



Our proposals address more than salaries and benefits of educators. With its strong and secure financial status, the District is positioned to take the steps that will reverse years of declining enrollment to make Sac City THE Destination District for California and our Region.



## SCTA Proposals to SCUSD 10-6-16

Our proposals reflect the once-in-a-lifetime opportunity to make those necessary and long overdue changes.

Many SCTA members are not only educators in the District, but also parents of SCUSD students and often former Sac City students themselves. We view this bargaining through the multiple lenses of educators, parents, students and the broader community.

*Because the contract has not been updated in years and there are a number of updates, housekeeping corrections, and the need to incorporate a number of operative and relevant memoranda of understandings that have been reached by the parties, the Association will be making proposals on every section of the contract.*

In addition to the updates and changes suggested above, the Association intends to bargain in good faith with representatives of the District to reach an agreement that puts our District on the pathway to becoming THE Destination District for California.

### **Article 1: Recognition**

Propose changes including but not limited to those that reflect and update the various classifications represented by the Association and include language that incorporates the obligation of the District to notify in writing and bargain in good faith regarding changes and their effects prior to implementation.

### **Article 2: Definitions**

Propose changes including but not limited to those that may require the updating and inclusion of current definitions included in this section.

### **Article 3: Effect of Agreement**

Propose changes including but not limited to those that may incorporate previously agreed upon changes that are not incorporated into the current printed version of the agreement and other changes that may be agreed upon by the parties.

### **Article 4: Grievance Procedure**

Propose changes including but not limited to those that revise the grievance procedure that provide for a more expeditious handling of grievances and other improvement that may make the grievance procedure more effective.

### **Article 5: Hours of Employment**



## SCTA Proposals to SCUSD 10-6-16

Propose changes including but not limited to those that incorporate changes as result of the implementation of collaborative time, as well as changes related to the calendar, the instructional minutes, the service day, preparation time, distribution of yard duty and other special assignments. Proposals may also address the inability of numerous bargaining unit employees to take relief and lunch breaks without interruption.

### **Article 6: Evaluations**

Propose changes including but not limited to those that revising the evaluation process and the development and implementation of a Peer Assistance Review program

### **Article 7: Assignments**

Propose changes including but not limited to those that revise how assignments are made.

### **Article 8: Transfers**

Propose changes including but not limited to those that the process for posting and filling of vacancies.

### **Article 9: Leaves of Absence**

Propose changes including but not limited to those that update current practices as well as incorporation of changes set forth in recent legislation, e.g. AB 375.

### **Article 10: Personnel Files**

Propose changes including but not limited to those that reflect changes based on technology and other matters.

### **Article 11: Safety Conditions**

Propose changes including but not limited to those that improve safety and school climate for educators and students.

### **Article 12: Compensation**

Propose changes including but not limited to those that better position Sac City to recruit and retain educators who reflect the diversity of our student population and takes steps to ensure that every student has the opportunity to learn from highly qualified, credentialed educators.

### **Article 13: Employee Benefits**



## SCTA Proposals to SCUSD 10-6-16

Propose changes including but not limited to those that better position Sac City to recruit and retain educators who reflect the diversity of our student population and takes steps to ensure that every student has the opportunity to learn from highly qualified, credentialed educators, while honoring the commitment from the District to provide retirement security for educators.

### **Article 14: Personal and Academic Freedom**

Propose changes including but not limited to those that update the current language.

### **Article 15: Substitutes**

Propose changes including but not limited to those that may address substitute recruitment and deployment issues, including the creation of substitute positions that include benefited status.

### **Article 16: Liaison Committee**

Propose changes including but not limited to those that update the current language.

### **Article 17: Class Size**

Propose changes including but not limited to those that incorporate changes to class sizes that have already been implemented, but not reflected in contract language, as well as additional proposals to lower class sizes throughout all levels of the District. Proposals will also include but not be limited to creating and/or lower the student to educator ratio for program specialists, psychologists, social workers, school nurses, speech and language specialists, special education educators and counselors, among others, as well as staffing standards for librarians and other bargaining unit classifications.

### **Article 18: Organizational Rights**

Propose changes including but not limited to those that update the current language.

### **Article 19: District Rights**

Propose changes including but not limited to those that update the current language.

### **Article 20: Mentor Teacher**

Propose changes including but not limited to those that update the current language as well as those that incorporate current, ongoing negotiations related to induction and student teachers.



## SCTA Proposals to SCUSD 10-6-16

### **Article 21: Organization Security**

Propose changes including but not limited to those that include receiving accurate and timely information from the District.

### **Article 22: Professional Growth Program Related to Requirements for Renewal of Clear Teaching Credentials**

Propose changes including but not limited to those that update the current language.

### **Article 23: Classroom Teacher Instructional Improvement Program**

Propose changes including but not limited to those that update the current language.

### **Article 24: Site-based Decision Making**

Propose changes including but not limited to those that update the current language and improve upon current practices.

### **Article 25: Successor Agreement**

Propose changes including but not limited to those that update the current language.

### **Article 26: Duration**

Propose change included but not limited to those that the update the current language. The Association reserves the right to change and/or modify its proposal regarding the duration of the agreement based on discussions in this negotiation related to wages and other issues.

### **Appendix A:**

Propose changes including but not limited to those that update the current forms in use and that are useful to include in this section.

### **Appendix B: Salary Schedules**

Propose changes including but not limited to those that update the printed salary schedules, including those that are modified as a result of these negotiations, and also ensure that they are timely posted on the District's website.

### **Appendix C: Professional Improvement Plan**

Propose changes including but not limited to those that update this section.



### **Appendix D: Special Education – Student Inclusion**

Propose changes included but not limited to those that will guarantee to students the full range of services for those with special needs and that provide for the educating students in the least restrictive environment. To do so, proposals will address the need to provide resources and support for the expansion of an inclusionary practices model as well as the implementation of both early academic intervention (e.g. Response to Intervention [RTI] and behavioral intervention [restorative practices, Social and Emotional Learning, PBIS) models and programs.

### **Appendix E: Calendar**

Propose changes including but not limited to those that update the current contract, as well as to establish the calendar for 2017-18 and subsequent years.

### **Remaining Appendices:**

Propose changes including but not limited to those that updating current language, and removing section(s) that are out of date or no longer relevant.

### **Outstanding Grievances/Issues:**

The Association will make proposals on a number of grievances and issues that remain outstanding and unresolved.

### **Making Sac City the Destination District**

Toward this broader, more ambitious goal, which we share with the District and the elected board of education, the Association will propose changes designed to increase enrollment in the district and to improve the overall operational performance of the District, including but not limited the enrollment process, expansion and additional support for the Parent Teacher Home Visit project, expansion of Arts and Vocational training, and teacher-driven, state of the art professional learning and the elimination of unnecessary and duplicative testing that takes away valuable instructional time that should be devoted to students' learning. These proposals may be either incorporated into pre-existing articles of the contract, or may be better incorporated as stand alone, new sections, based on agreement between the parties.

***The Association reserves the right to amend, modify, delete and/or otherwise change these proposals at any time during the bargaining process in accordance with relevant state law.***