

ARTICLE 21

ELEMENTARY AND SECONDARY EDUCATION ACT

21.1 Definitions

21.1.1 “Instructional Leadership Team” (ILT) refers to a team of staff members, the majority of which are CUTA unit members from staff at a school site that has been designated for Program Improvement under Elementary Secondary Education Act (ESEA).

21.1.2 “Program Improvement”(PI) refers to sanctions on a school site or sanctions on the District under ESEA.

21.2 Instructional Input

21.2.1 To address PI issues at an individual school site, the input of teachers, administrators, and other educational professionals is key to effecting change.

21.2.2. **Instructional Leadership Team**

- A. If a school site reaches PI status, the District will form an Instructional Leadership Team (ILT).
- B. The majority of voting members on the ILT shall have been nominated by, and elected by the CUTA unit members at the site in a manner consistent with 21.2.2.D.
- C. The composition of the ILT will be as follows:
 - 1. At K-6 elementary schools:
 - a. two unit members from primary grades (K-3),
 - b. two unit members from intermediate grades (4-6),
 - c. one unit member from special programs or a Title One Teacher (if applicable),
 - d. and one unit member from support services, such as Reading Recovery, Library Media, RSP, EL, or Speech, etc. and
 - e. CUTA shall have the discretion to appoint one unit member from the site as an *ex officio* (non voting) member.
 - 2. At a junior high school site:
 - a. one(1) unit member from each of the four (4) core content departments.

- b. one (1) unit member representing elective courses,
- c. one(1) unit member from support services such as library media, counselor, speech or nurse, and
- d. CUTA shall have the discretion to appoint one unit member from the site as an *ex officio* (non voting) member.

3. At a comprehensive high school site:

- a. one(1) unit member from each of the four (4) core content departments.
- b. one (1) unit member representing elective courses,
- c. one(1) unit member from support services such as library media, counselor, speech or nurse, and
- d. CUTA shall have the discretion to appoint one unit member from the site as an *ex officio* (non voting) member.

D. Voting members of the ILT shall be selected as follows:

- 1. The process for choosing the unit member representatives shall be by secret ballot among the unit members at the site.
- 2. The District shall designate the administrative members of the team (e.g., administrators, psychologists, etc.).
- 3. The administrative members and the bargaining unit members of these teams will mutually agree upon the designation of other individuals to be named as a member of the team (i.e. parents, students, and others in the school community).

21.2.3 ILT Responsibilities

A. It is the role of the ILT to make recommendations for appropriate action(s) based upon a consideration of factors such as:

- 1. reviewing data on student achievement,
- 2. developing and reviewing intervention activities for students,
- 3. identifying and implementing a new instructional focus,
- 4. targeting instructional needs of students as determined by assessment data,

5. supporting staff development for teachers and aides as aligned with the new instructional focus, and
 6. conducting a data-driven program evaluation annually focusing on student achievement.
- B. The ILT shall develop and recommend a budget for the expenditure of State/Federal dollars allocated to the school site as a direct result of the school being identified as PI.

21.3 In year three (Corrective Action)

- 21.3.1 The ILT will develop and recommend to the Board of Education appropriate corrective measures for implementation that includes at least one of the following:
- A. Implementing a new curriculum;
 - B. decreasing management authority at the school level;
 - C. restructuring the internal organizational structure of the school;
 - D. requesting the assistance of an outside expert;

21.4 In year four (Restructuring)

- 21.4.1 The ILT will develop and recommend to the Board of Education a major restructuring governance plan to be implemented in year five (5).
- 21.4.2 The parties acknowledge that the ILT will not make recommendation concerning:
- A. reopen school as a charter;
 - B. replace all or most staff including principal;
 - C. contract with outside entity to manage school; or
 - D. state takeover (not an option in California).

21.5 School Board

- 21.5.1 If a school reaches Corrective Action (Year 3), the decision regarding the course

of corrective action taken by the District shall be determined by the School Board from among the options set forth in the statute after consideration of the recommendations of the ILT.

- 21.5.2 If a school reaches Restructuring (Year 4), the decision regarding the plan for alternative governance of the school taken by the District shall be determined by the School Board in accordance with the options set forth in the statute after the consideration of the recommendations of the ILT.

21.6 Modifications of Hours of Employment

To create time for unit members to work on PI tasks:

- 21.6.1 In PI schools that do not have sufficient instructional minutes to create a shortened day, the ILT may recommend lengthening the student day at those schools for the purpose of providing other shortened student days for unit members to work collaboratively on ILT tasks for the duration of their normal workday on a full student day. This recommendation is subject to the approval of CUTA and the District.
- 21.6.2 In PI schools that have sufficient instructional minutes to create a shortened day, the ILT shall have the ability to designate shortened student days for unit members to work collaboratively on ILT tasks for the duration of their normal workday on a full student day. This recommendation is subject to the approval of CUTA and the District.
- 21.6.3 Except as required by law, there shall be no after school programs run by unit members on the shortened day.

21.7 Compensation

- 21.7.1 A unit member who is elected to an Instructional Leadership Team shall receive a stipend. The stipend shall be at a factor of .032 of Schedule W-EPISA.
- 21.7.2 A unit member who is required by the site administrator to participate in professional development in support of PI, outside of the workday or work year shall be paid at their hourly rate.

21.8 General Provisions

- 21.8.1 No ILT shall:
- A. Be vested with the power to hire, fire or evaluate unit members. These responsibilities are, and shall remain, the sole responsibility of the District,
 - B. Engage in collective bargaining or have the authority to address employment matters.

21.8.2 The Association has the right to consult on the definition of educational objectives, the determination of the content of courses and curriculum, the selection of textbooks, and Board actions, or changes in written Board Policies and/or written Administrative Rules and Regulations which affect unit members covered by the terms of this agreement. The parties acknowledge that certain Board actions may be required by statute and are not within the discretion of the District.

21.8.3 Each teacher shall teach the District essential standards appropriate to their assignment and shall choose instructional techniques to facilitate student academic learning. A teacher's choices shall be measured against the CUSD Rubric Supporting the California Standards for Teaching Professionals.

This sub-article (21.8.3) shall be a pilot for 2006-07 and 2007-08 and establish no precedent after June 30, 2008. This sub-article shall be a mandatory re-opener for 2008-09.

21.8.4 At the request of either party, CUTA and the District agree to mutually open any articles of the current contract that are impacted by the District's requirement to comply with the ESEA.

21.8.5 Annual Parent Notification

A. Except as required by statute:

1. The District shall not initiate the release of the name(s) or grade level(s) of teachers who are deemed to be highly qualified.
2. The District shall not initiate the release of the name(s) or grade level(s) of unit members who are not considered highly qualified.

B. If the District receives a request from a parent for information about the professional qualifications of a unit member, the District shall only provide information about the following:

1. whether the unit member has met state qualifications and licensing criteria for the grade levels or subject area taught;
2. whether the unit member has an emergency waiver certification;
3. the degree(s) and certification held by the unit member and subject area for each degree or certification(s).

C. The District shall notify the Association and unit member in writing about any parental request for information about the unit member's

qualifications prior to the release of that information.

- 21.8.6 The provisions of this Article shall only apply to Program Improvement activities pursuant to the ESEA.
- 21.8.7 The provisions in 21.7.2, 21.8.3, and 21.8.5 of this Article shall be applied equitably to all unit members engaged in applicable site level or District program improvement measures.