

INTER-OFFICE CORRESPONDENCE
LOS ANGELES UNIFIED SCHOOL DISTRICT
Employee Performance Accountability

TO: Administrators

DATE: March 2014

FROM: **Field Directors**
Human Resources Representative

SUBJECT: **March 2014 UPDATE AND REMINDERS**

GENERAL INFORMATION:

1. CONTACTS FROM OUTSIDE ATTORNEYS

Whenever you receive a phone call or any written correspondence from any outside attorney representing a District employee at your site, **DO NOT RESPOND**. Please call the Office of General Counsel for assistance with the matter at (213) 241- 6601.

2. VACATION FOR (A-BASIS) STAFF

There is a procedure in the bargaining agreements for scheduling vacation for vacation-earning employees (A-basis administrators and all classified employees but **not** Teacher Assistants). The process begins with a communication from the administrator to affected staff, by March 15, which should list:

- Dates when employees must take vacation (for most employees, this includes winter and spring breaks, and for C-basis classified employees, this will utilize most of their vacation accrual).
- Dates when no employee may take vacation. [e.g., you may not want employees on vacation at the beginning or end of the school year]
- Dates when certain employees may or may not take vacation, including limits on number of days or the number of employees who will be approved at the same time.

The **second step** is that by April 15, employees shall respond to the administrator with requested vacation dates, taking into account the administrator's guidelines and their own vacation availability as well as the need to stay below their vacation cap. **Within 15 calendar days after that**, the administrator shall provide a written acknowledgment either approving or disapproving the requested days. The basis for any denial shall be included.

3. VACATION CAP

It is important that supervisors work with employees to have them take vacation to ensure that employees' vacation balances will not be over their cap. Scheduling employees' vacation time now for the coming months will provide the most flexibility and will ensure sufficient staffing of schools and offices.

To find out which employees are over the vacation cap, your timekeeper and/or approver can access and print a vacation statement at any time via BTS using the transaction code ZTMRVACBAL.

4. UNION RELEASE TIME FOR EMPLOYEES

The Office of Labor Relations will contact you if the District receives a union's request to release an employee for the purpose of conducting union business. If you receive a request directly from the union or employee, please contact the **Office of Labor Relations at (213) 241-7664**, so they can ensure that all proper steps have been taken.

5. EXTENDED LEAVES OF ABSENCE (WORKERS COMP OR ILLNESS)

It is the responsibility of the school-site administrator to follow up on any employee leave, whether Workers' Compensation or Illness. For Workers' Comp, you should be in contact with the LAUSD **Division of Risk Management and Insurance Services** at **(213) 241-3138** to keep apprised of the employee's claim status and/or possible return to work date. You can speak to a Return to Work Specialist at **(213) 241-7630** if an employee reports to work after a work related injury or surgery with medical restrictions. If you need additional assistance with a current claim or procedure, contact Linda Cass, LAUSD **Division of Risk Management and Insurance Services** at **(213) 241-3139**. For questions regarding the Family and Medical Leave Act (FMLA) and other protected leaves, call the FMLA main line at **(213) 241-3954**. The contact information, listed by area from the Risk Management website, is below.

Return to Work and Reasonable Accommodation			
ESC ISC, Early ED	Raul Noe	raul.noe@lausd.net	213-241-3996
ESC South	Trudy Aldridge	trudy.aldrige@lausd.net	213-241-3978
ESC West	Dina Bobadilla-Aguilar	d.bobadilla-aguilar@lausd.net	213-241-2668
ESC East	Rima Vosghanian	rima.vosghanian@lausd.net	213-241-2213
ESC North	Sonya Rivera	sonya.rivera@lausd.net	213-241-2820

For employees on an Illness leave of longer than twenty (20) days, formal leave of absence papers must be completed, submitted to CESB and approved. Employees who have not submitted those should not be time-reported after twenty days of absence. Your SAA can mail an employee a leave and FMLA packet if it is anticipated an employee may possibly be off longer than twenty (20) days.

The Leave of Absence Packet for **Classified Employees** can be found on Personnel Commission web site under the "Forms" link. **Certificated employees** can find Leave of Absence paperwork under the "Forms" link on the Human Resources web site.

CERTIFICATED INFORMATION:

1. PERSONAL LEAVES UTLA CAMPAIGNING (UNPAID)

It has been brought to the District's attention that teachers are requesting unpaid leaves/absences from their principals to campaign for UTLA elected positions. As you know, campaigning for an elected UTLA office is not an option for a leave of absence, and principals do not have the authority to grant such leaves or authorize unpaid absences.

Article XII, section 17.0, Personal Leave (unpaid): An unpaid leave shall be granted to a permanent employee for a period not to exceed 52 consecutive calendar weeks. Except as provided below, for **a specific personal reason satisfactory to the District...**(reasons may be found on page 123 of the Collective Bargaining Agreement)

All employees seeking personal leaves must follow the district process to submit a "leave" form to HR, then wait for a response from the District. Taking unpaid absences without being on a District-approved leave is not allowed.

2. ASSISTANCE AND GUIDANCE FOR TEACHERS

If you are anticipating that a permanent teacher will be receiving a "Below Standard" evaluation, please contact your Field Director Office of Employee Performance Accountability as soon as possible.

3. BELOW STANDARD WARNING

Employees who will be receiving an Overall "Below Standard" evaluation should be given notice via a Conference Memo following a classroom observation (end of December for multi-track schools, January for single track schools). Administrators are to provide written recommendations and assistance for improvement, and must also give warning as to the consequences of failure to improve. This notice is to be given with sufficient time for employee to implement the assistance provided. Please forward this conference memo with the warning to your Employee Performance Evaluation Field Director. **(Article X, Section 5.0)**

4. POOL TEACHER EVALUATIONS

Evaluations must be done for pool teachers who have been assigned to your site for one semester or more. If a pool teacher was transferred to your site, the evaluation should be done in conjunction with input from the previous school(s). Pool teachers defaulted to a school site to meet reasonable accommodations may be evaluated at the principal's discretion, in consultation with your Instructional Director. It is especially critical to issue an evaluation for those probationary pool teachers who will be eligible for permanent status. Call your Employee Performance Accountability Field Director if you are unsure about this process. **(Article X, Section 5.0)**

5. SUBSTITUTE TEACHER EVALUATIONS

Substitute teachers who are continuously assigned to the same location for more than 20 days shall be evaluated not less than once each semester on a 1022 form. **(Article X, Section 8.0)**

6. SUBSTITUTE TEACHER –PROFESSIONAL DEVELOPMENT TUESDAYS

Substitute teachers have the right to work a full day on Professional Development Tuesdays. They are expected to be time reported for the same number of hours as the employee for whom they are substituting. Schools are encouraged to include substitutes in staff meetings and professional developments.

7. FINAL STULL EVALUATION COMPLETION DATES

Be sure to take note of the following *deadlines for issuance of final evaluations*:

A-Basis Deadline:	May 30, 2014
Single Track Deadline:	May 5, 2014
Four-Track	
Track A Deadline:	May 23, 2014
Track B Deadline:	May 23, 2014
Track C Deadline:	May 23, 2014
Track D Deadline:	April 4, 2014

Remember that a teacher receiving a “Below Standard” evaluation must have received a **warning notification**. Teachers receiving “Needs Improvement” comments must have been provided with written assistance and guidance.

When a Final Evaluation Report is marked “Below Standard Performance,” the evaluator shall specifically describe in writing the area of below standard performance, together with recommendations for improvement, and the assistance given and to be given. **(Article X- 6.0)**

** For UTLA-Represented Employees, the Final Evaluation Report must be issued no later than the above dates (30 calendar days prior to the employee’s last regularly scheduled school day – Article X, Section 6.0).

** For AALA-Represented Employees, the Final Evaluation Report must be issued no later than **May 10, 2014. (Article VII, Section 4.0)**

8. ASSIGNMENT OF CLASSES (MATRIX)

The 2014-2015 “Suggested Time Sequence for Staffing” is attached. You must assess the percentage of permanent and non-permanent teachers at your site in order to equitably spread permanent and non-permanent teachers across tracks and grade levels. Please review the timelines appropriate to your school schedule and begin the necessary preparations. (See Attachment 1) **(Article IX –A)**

9. FULL TIME COORDINATOR SELECTION PROCEDURE

The selection process must be conducted in the spring semester prior to the preparation of the matrix of classes. If the candidate that the site administrator puts forward for confirmation is not confirmed by a majority vote, the site administrator and chapter chair shall immediately inform the faculty members that the coordinator position is still vacant. If the non-confirmed candidate received 40% - 50% of the votes, that candidate and the other interested candidates may submit statements of interest within 24 hours in a single-track school or 72 hours in a multi-track school. The site administrator and chapter chair shall seek

to mutually agree upon the coordinator selection from among those candidates who submitted statements of interest. If no agreement is reached mutually, a two-member team from the District/UTLA Dispute Resolution Panel will resolve the issue. Also, all coordinators are elected for two years – except if it is the first term of the confirmed coordinator. **(Article IX-A)**

10. DISPUTE RESOLUTION PROCEDURE FOR TRACK, for GRADE (ELEMENTARY), AND CLASS (SECONDARY) ASSIGNMENTS FOR PERMANENT TEACHERS

If differences arise as the result of the site administrator’s assignments of permanent teachers to track, grade (elementary), or class (secondary), the determination whether the assignment was inappropriate should be handled under the procedures of Article V-A (Alternate Grievance Procedure). If the matter needs to be submitted to an Alternate Grievance Panel, contact your Staff Relations Field Director who can provide you with the appropriate form(s). **Article IX-A, Section 2(e) and (f), UTLA**

11. ELECTION OF CERTIFICATED EMPLOYEE REPRESENTATIVES TO LOCAL SCHOOL LEADERSHIP COUNCIL

Secondary teachers’ elections are to be in April before the secondary master schedule is established; **elementary** teacher elections are to be in late spring after assignments for the next year have been tentatively set. **ARTICLE XXVII, 2.8, UTLA**

12. HALF-TIME LEAVE REQUESTS

Teachers on half time leaves must work half of **each** working day. Exceptions and variations on the “half of each working day” requirement for half-time leaves must have the recommendation of the immediate administrator and the approval of the Local District Superintendent. Teachers must submit half time leave applications to the Human Resources Specialist by **April 15, 2013** **Article XII, Section 21.0, UTLA**

CLASSIFIED INFORMATION:

1. ANNUAL PERFORMANCE EVALUATION DATES

Due dates for annual performance evaluations of permanent employees are listed on Attachment 2. Failure to meet specified timelines may invalidate an evaluation. Evaluation forms are available on the Personnel Commission website. If you anticipate issuing an employee a below standard rating in any area, please make sure you are documenting and addressing the issues with the employee now. It is recommended that you issue the evaluations for this school year by May 16, 2014. More detailed information on this topic will follow next month. (See Attachment 2)

2. TEACHER ASSISTANT: VERIFICATION OF ENROLLMENT AND UNITS COMPLETED IN COLLEGE COURSES

This is a bi-annual reminder that as a condition of employment, your Teacher Assistants must be continuously enrolled in and successfully pass college coursework. TAs should submit verification of enrollment in the current Winter/Spring semester/quarter, as well as confirmation of units completed and passed in the Fall semester/quarter. Those who do not submit the required verification by the beginning of March should be given a final reminder in writing. If verification is not submitted, per the Unit F contract, they may be terminated. Please note that course units for Non-Degree Track Teacher Assistants must be directly related to the employee’s service to the District and must be for the purpose of increasing the employee’s knowledge, understanding and skills related to the employee’s employment by the District. Please see Attachment 3 for additional information.

If any employee does not submit the information by Friday, March 14, 2014, contact your Sr. Human Resources Representative in the office of Employee Performance Accountability for assistance. (See Attachment 3)

3. CLOSING OF TEACHER ASSISTANT POSITIONS AT END OF YEAR

If you will need to close any Teacher Assistant positions (NOT Classified positions) due to budget at the end of the year, there is an order of lay-off in the Unit F contract that must be followed. It is not based primarily on seniority, nor are you able to choose Non-Degree Track TAs over Degree Track TAs. It is advised that you obtain transcripts from TAs now, as you are checking for college units completed (#2 above), because the total number of completed college units will be needed to determine the order of lay-off. We will have more information in the April update or contact your Sr. Human Resources Representative for assistance. **Unit F, Article X (Reduction in Force)**

4. CAMPUS AIDES AND SCHOOL SUPERVISION AIDES

Campus Aides are Classified employees who are represented by SEIU, Local 99 and are part of Unit B (Instructional Aides). Campus Aides with permanent status have the same rights as other Unit B employees with regards to progressive discipline. Campus Aides with restricted status have limited rights, but still follow the guidelines of progressive discipline.

School Supervision Aides are Classified employees who are also represented by SEIU, Local 99, however, these employees are part of Unit G (Playground Aides). School Supervision Aides are temporary employees and do not have due process rights.

For specific questions regarding evaluation and discipline processes for Campus Aides and/or School Supervision Aides, please contact your Sr. HR Representative.

If you have any questions about these items, or other contract or discipline issues, please contact **your Field Director** directly by email or phone regarding UTLA, or **your Senior HR Representative** directly by email or phone for Units D, B, F, G and S (clerical staff, paraprofessional and campus supervision employees, and the SAA).

**SUGGESTED TIME SEQUENCE
Elementary/Secondary Staffing
For 2013-2014**

TASKS	SINGLE-TRACK	FOUR-TRACK
I. (a) +*Decision: Coordinator Position(s) in your School Plan (b) Selection of Coordinator(s) Election of Dean(s)	Month of March or prior to posting of Matrix	Month of March or prior to posting of Matrix
II. ** Election of Chapter Chair	Month of April	Month of April
III. (a) +***Post Matrix: Teachers Request Track, Grade level (elementary only), Department	Four weeks prior to selection	Four weeks prior to selection
IV. Contractual Date for Teacher Notification of Tentative Assignment	As soon as feasible, but not later than May 16	Not later than May 16 for Tracks A, B, C Not later than April 15 for Track D

+ Principal and UTLA Chapter Chair may jointly develop alternative dates

* Refer to Article IX-A, Sections 4.0-9.0

** Chapter Chair elections are to be conducted by UTLA. Any dispute should be referred directly to UTLA.

*** Refer to Article IX-A. Matrix must be posted approximately four weeks prior to the day teachers on any track or schedule finish service for the school year or four weeks prior to requesting classes.

@ "In order to provide adequate planning time, teachers shall be notified of tentative assignments as soon as feasible (at or before the end of the track, if applicable), but not later than June 1." (Article IX-A, Section 2.0)

Refer to Article XXVII, Section 2.8 (d) for specific dates of the Local School Leadership Council elections.

**OFFICE OF EMPLOYEE PERFORMANCE
ACCOUNTABILITY
ANNUAL PERFORMANCE EVALUATION DUE DATES
SCHOOL BASED CLASSIFIED EMPLOYEES
2013-14 SCHOOL YEARS**

For school based employees in the bargaining Units below, the contracts require that annual performance evaluations be issued no later than 20 working days prior to the end of the work year assignment. It is recommended you issue the evaluation by **Friday, May 16, 2014** to meet the deadline.

Unit B – Campus Aides, Education Aides, Instructional Aides, Special Education Trainees/Assistants, Early Education Center Aides, et al

Unit C – Building and Grounds Workers, Food Service Workers, Housekeepers, Microcomputer Support Assistants, et al

Unit F – Teacher Assistants

Unit S – School Administrative Assistant, Cafeteria Managers, Plant Managers

Employees in the bargaining Units below must have a performance evaluation at least once a year.

Unit D – Office Technicians, Office Computer Operators, Library Aides

Unit G – School Supervision Aides, Community Representative

Note: It is recommended that employee's performance evaluations be consistent with the Districts timeline as referenced in the above.

COLLEGE COURSE REQUIREMENTS FOR TAS

**References: Unit F Collective Bargaining Agreement
(On-line at LAUSD web site, under Offices, then Union Contracts)**

TA's Responsibility:

- **Degree-track:** Complete 12 qualifying college semester units annually (Commenced & successfully completed within school year July 1 – June 30). (Article VIII, Section 2.1)

Or

Non-degree track: Maintain continuous enrollment in a college course at all times during the school year (Aug. – June) Course units must be directly related to the employee's service to the District and must be for the purpose of increasing the employee's knowledge, understanding and skills related to the employee's employment by the District. (Article VIII, Section 3.1)

- Submit documentation at the beginning of each semester, but no later than each September 30 and March 31:
 1. Form 503-103 completed by the college/university and the employee as evidence of enrollment for current semester/quarter
Or other acceptable evidence of registration/enrollmentAND
 2. Evidence of completion of courses (e.g. transcript) from the previous semester/quarter

Administrator's Responsibility:

- Advise TAs at the beginning of each semester (i.e., in August and January) of the September/March deadlines and enforce deadlines.
- Keep completed 503-103 forms or other verification of enrollment and completion of units on file at school.
- Track completion of the qualifying units or course requirements.
- Track total # of units completed by each TA.
- Annually post TA Seniority list with the number of qualifying college units for each TA. Article X, Section 2.

TA's with Baccalaureate Degrees:

Per the Unit F Contract, Article VIII, Section 2.1, c:

Employees who have completed all educational requirements for a baccalaureate degree and California teaching credential may remain on the Degree Track provided they continue to meet the minimum Non-Degree Track course requirements and also participate in CBEST preparation classes. If the CBEST preparation class is a college course, it shall satisfy the Non-Degree Track course requirement for such employees. If they have completed CBEST, they may remain on the Degree Track provided they continue to meet the Non-Degree Track course requirements.