

**Memorandum of Understanding
Between
The San Diego Unified School District
&
The San Diego Education Association
Regarding the Early Childhood Special Education Program
August 19, 2020**

Amended July 16, 2021

The San Diego Unified School District (“District”) and the San Diego Education Association (“SDEA”), collectively referred to as the “Parties,” have reached this Memorandum of Understanding (“MOU”) regarding the Early Childhood Special Education Program for the 2020-22 school years.

WHEREAS, the District has informed SDEA of its intent to modify the work of some Early Childhood Education Teachers through a pilot program in the 2020-2021 school year; and,

WHEREAS, the 2020-2021 Early Learning Plan has been completed, there are teachers in excess because some classrooms are moving and there are itinerant teachers who need to provide a preference for their assignment;

WHEREAS, the parties have reached this impacts and effects agreement to apply to the ECSE unit members of SDEA who will be impacted by the plan presented to the District Board on June 22, 2020;

NOW, THEREFORE, the Parties agree to the following:

1. Separate Setting TK-4 Full Day Classroom Caseload. For the 2020-21 **and 2021-22** school years, the District will be piloting full day settings at identified sites.
 - a. The caseload for these sites will be no more than twelve (12) students.
 - b. This caseload will be reviewed during the study year with considerations for safety, and IEP implementation, for the number of students assigned to the class.
2. 2020-2021 **and 2021-22** School Years ECSE Teacher Preparation Time:
 - a. ECSE Classroom teachers:
 - i. The preparation/conference period for full-time ECSE teachers shall be one (1) regular workday of a teacher's workweek, which is not devoted to the instruction of pupils, and which shall be used for the preparation of instructional materials, other instructional-related activities, and may be used for conferences and a reasonable number of meetings. Preparation time for Medically and Physically Challenged ECSE Classrooms will be provided by a teacher who is qualified to teach in the MPC setting.
 - ii. This preparation time for a classroom teacher shall be provided by Itinerant ECSE teachers who are assigned in an itinerant position.
 - b. ECSE itinerant teachers:
 - i. Shall be considered itinerant assignment positions as defined in Article 12, Section 12.1.9 of the current collective bargaining agreement; Itinerant ECSE teachers shall be assigned to the Early Learning Program Department for the 2020-2021 **and 2021-22** school years.
 - ii. Shall be entitled to the same amount of preparation time as defined in 2.a above.

1. Employees who work part-time will have their preparation hours reduced proportionately.
 2. The parties agree to meet and review itinerant pairings on an annual basis.
- iii. Itinerant ECSE teachers providing preparation time shall not be assigned more than 4 school sites.
 - iv. These teachers will only be used for preparation time and not asked to cover other classes that may be experiencing a vacancy.
 - v. The Itinerant ECSE Teacher shall be required to request a visiting teacher to work in their absence.
 1. The classroom teacher shall be given one release day if the Itinerant ECSE Teacher's visiting teacher assignment is not filled.
 - vi. Beginning with the **2021-22 school year**, the procedures outlined for Itinerant Unit Member Preference (currently Section 12.16 of the Collective Bargaining Agreement) shall be applied for future placement of said Itinerant ECSE Teachers.
 - vii. During periods of Online Instruction, Itinerant ECSE Teachers, instead of providing preparation time, shall collaborate with their assigned ECSE classroom teachers to provide SAI support and services including:
 1. Developing, adapting and supporting online learning in alignment with the student's stated goals.
 2. Serving as ECSE inclusion consultants for general education teachers at their assigned sites.
 3. Support the centralized Early Learning Department and the enrollment process by reading student IEPs to facilitate enrollment.
 4. Support in the transition of IFSPs to IEPs.
 5. IMTSS Support
 - a. Any ECSE teacher who wishes to release their assignment shall notify District Human Resources by August 19, 2020. The District will provide a list of vacant positions on August 20, 2020.
 - i. Current itinerant ECSE teachers who do not release their assignment shall be placed in an ECSE Itinerant Preparation Time position.
 - ii. No later than August 20, 2020, the Human Resource Services Division shall identify all available ECSE positions. These positions shall be filled as follows:
 1. Human Resources will notify employees of the staffing process and timeline via the employee's district email on August 21, 2020
 2. Human Resources shall implement an electronic process that allows the relevant ECSE unit members to rank all available ECSE positions in order of preference.
 3. Human Resources shall assign these ECSE unit members in seniority order according to preference.
 4. Unit members shall have forty-eight (48) hours to rank the available positions.

5. If a unit member does not submit a preference form by the deadline or all of their preferences are taken by more senior unit members, the unit member will be assigned to a vacancy by Human Resources. A unit member who was excessed or has released their assignment shall be required to accept a position for which they are qualified and assigned based on this process.
- b. ECSE Unit Members who were not notified of their excess status prior to the start of May 2020 Post and Bid shall also be afforded priority consideration in May 2021 Post and Bid for all positions such unit members are qualified and credentialed. To exercise priority consideration, the unit member shall follow the standard procedure for bidding on the position and shall email the Human Resources Director that the unit member is exercising their priority consideration. The email must include the job posting number and indicate in the subject area "Priority Consideration - ECSE."
5. Early Childhood Special Education Workgroup
 - a. Per the Board approved plan, the Parties agree to convene an Early Childhood Special Education Workgroup to review the topics identified for the Study Years; 2020-2021 and 2021-2022. The following topics will be studied:
 - i. Examine the special education inclusion grant parameters
 - ii. Review data and research best practices to make recommendations for ECSE classroom locations, length of the school day and instructional minutes within the Early Learning Continuum.
 - iii. Review data from the ECSE classrooms to make recommendations related to professional development, caseload, case management and options for four year old students.
 - iv. The Workgroup will meet monthly and will make recommendations to the Board of Education annually in December of each year of the pilot; **the parties may adjust these dates with mutual agreement.**
 1. The parties will then engage in impacts and effects bargaining as necessary beginning in January following each recommendation approved by the Board. Any decisional changes may not be implemented until the conclusion of the bargaining process outlined by EERA.
 2. SDEA will have four (4) representatives in this Workgroup; identified no later than October 1, 2020.

All components of the current Collective Bargaining Agreement between the SDEA and District not addressed by the terms of this agreement shall remain in full effect. This agreement is non-precedent setting.

The parties may amend, delete, or add to this agreement with mutual consent.

This MOU resolves the negotiable and grievable effects of the excess and itinerant unit member preference process outlined in Article 12 of the current collective bargaining agreement.

This MOU shall expire in full without precedent on June 30, 2022, unless extended by mutual written agreement.

FOR THE DISTRICT:

FOR SDEA:

Acacia Thede Aug 25, 2021
Acacia Thede (Aug 25, 2021 17:10 PDT)

Acacia Thede Date
Chief Human Resources Officer

Abdul Sayid
Abdul Sayid (Aug 24, 2021 19:14 PDT)

Abdul Sayid
Executive Director

Aug 24, 2021
Date









Amended ECSE Program Impacts and Effects Agreement 2021REVAT 7.16.2021

Final Audit Report

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