

## **GRIEVANCE SETTLEMENT AGREEMENT**

**April 21, 2022**

*Secondary Class Size 2021-2022*

The San Diego Unified School District ("District") and the San Diego Education Association ("SDEA"), collectively referred to as the "Parties," have reached this Grievance Settlement Agreement ("Agreement").

WHEREAS, the Parties desire to resolve this grievance amicably and avoid costs associated with arbitration;

WHEREAS, the Parties' Collective Bargaining Agreement identifies class sizes for secondary students in Article 13.3.

WHEREAS, the District continually monitors the class size since the beginning of the 2021-22 school year and has worked with schools to make system corrections and provide support;

WHEREAS, final teacher allocations were based on students enrolled at a school site as of September 17, 2021; teachers were transferred and new positions were created as needed to comply with the class size requirements of Article 13;

WHEREAS, the COVID- 19 pandemic has reduced the availability of employees throughout the county of San Diego including our District schools;

Accordingly, the Parties mutually agree to resolve the remaining dispute, without reaching the merits of the grievance, with the terms set forth below:

### **Remediation of Class Size Overages**

1. Monthly Stipend for Class Size Overages or in Lieu of Allocation Due to Insufficient Staff (October 2021- June 2022).
  - a. Educators will be paid one (1) hour at the Additional Hourly Classroom Assignment, Appendix A, Section 7.013 rate per week for each student over class size as follows:
    - i. When an individual teacher's academic class is thirty- seven (37) or more students.
    - ii. When a physical education teacher's class exceeds 50 students in an eight (8) week period or if the class exceeds sixty (60) pupils per period.
  - b. For the purposes of this Agreement, "insufficient staff" is defined as District's inability to assign or hire a teacher or, obtain a visiting teacher to cover a long-term absence, or remediate the class size overages through a site remedy.
2. **Payment to unit members.**
  - a. Employees who are over class size as defined in Sections 1.a and 1.b of this Agreement from October 1, 2021 through June 14, 2022 must complete Class Size Overage Reporting Form and submit to their time keeper at their school site in order to receive this payment. Payments submitted by the payroll deadline will be paid in the month the form is submitted.
3. Any unit member denied payment per section 2 of this agreement, but who can demonstrate they meet the terms of this Agreement, shall provide proof to the District by June 30, 2022 via this [21-22 Class Size/ Caseload Notification Form](#). In consultation with SDEA, if the District finds

the proof satisfactory, the District will notify the individual and will process the monthly payment.

4. Any unit member who received a monetary settlement on a class size overage grievance, at the site level, shall receive the difference between the two settlements, in the event this settlement agreement is for a greater remuneration than the compensation provided by the site level grievance. If the unit member accepts this settlement, non-monetary remedies will cease effective May 1, 2022.
5. The District will continue to recruit credentialed candidates to fill vacancies, pursuant to Ed. Code Section 44920.
6. This settlement agreement was drafted in good faith based on the class size data, staffing information, and contractual provisions at the time of the Agreement.

This Agreement settles this grievance in its entirety as of the date of this fully executed Agreement.

This Agreement is non-precedential and only addresses the allegations and facts of this grievance.

For the purposes of this Agreement, there is no prevailing party.

Acacia Thede  
Acacia Thede (Apr 21, 2022 16:39 PDT)

Apr 21, 2022

Acacia Thede  
Chief Human Resource Officer  
San Diego Unified School District

Date

Abdul Sayid  
Abdul Sayid (Apr 27, 2022 10:57 PDT)

Apr 27, 2022

Abdul Sayid  
Executive Director  
San Diego Education Association

Date