

PREVIOUS PROPOSALS:

07/19/17 – UTLA Initial
11/30/17 – District Counter
02/15/18 – UTLA Counter

DISTRIBUTED TO UNION

MAY 24 2018

115

**LOS ANGELES UNIFIED SCHOOL DISTRICT
BARGAINING PROPOSAL TO UNITED TEACHERS LOS ANGELES
MAY 24, 2018**

ARTICLE XI-B

MASTER PLAN PROGRAM

1.0 Minimum Requirements for Participation in the Master Plan Program:

The District shall determine from time to time (a) whether and to what extent a given school is to participate in the District's Master Plan Program; (b) the levels of skills and training required in order to be eligible to participate in the Master Plan Program at any given location; and (c) whether any individual employee meets those program requirements.

1.1 ~~In order to be considered eligible to participate for eligibility to participate in a District approved Master Plan Programs in languages other than English, all employees except those with bilingual certification as defined in Section 3.1 are required to have the appropriate Single Subject or Multiple Subject Credential with one of the following certifications issued by the California Commission on Teacher Credentialing:~~

- a. Bilingual/Crosscultural Specialist Credential
- b. Multiple Subjects Teaching Credential with an embedded Bilingual Authorization
- c. Multiple Subjects Teaching Credential with Bilingual Crosscultural, Language and Academic Development (BCLAD) Emphasis
- d. Single Subject Teaching Credential with an ebedded Bilingual Authorization
- e. Single Subject Teaching Credential with Bilingual Crosscultural and Academic Development (BCLAD) Emphasis
- f. Bilingual Crosscultural Language and Academic Development (BCLAD)
- g. Bilingual Certificate of Competency (BCC)

~~successfully completed a minimum of 4 semester units (as defined in Article XV) of coursework in language development methods and culture, either through District training resources or through District approved university coursework. This same coursework will normally prepare the employee for passage of the State administered BCLAD methodology and culture of emphasis test~~

~~components and eligibility for receipt of the \$51040 stipend (\$25570 for each component) incentive of Section 2.0 of this Article; but even if the BCLAD test component is not taken or is not passed, completion of the coursework is essential. Coursework completed under the previous bilingual plan (or passage of the BCC culture and methodology test components) counts toward this requirement.~~

~~1.2 — In order to permit employees who have not yet met this requirement the time to do so, there shall be a two-year grace period for each employee. At the conclusion of the two-year period an employee who has not satisfied the above coursework requirement will be deemed ineligible for further participation in the Master Plan Program.~~

~~2.0 — Culture and Methodology Incentive Stipends: Teachers who are monolingual or are not fluently bilingual have a role within the Master Plan Program. The following stipends (one-time incentive payments) will be offered to all qualified K-12 and pre-kindergarten employees serving in Master Plan programs, to promote the acquisition of training leading to successful passage of each of two State-administered examination components (culture of emphasis and methodology) of the BCLAD Examination. All participating Master Plan employees, including monolingual teachers, are eligible for these stipends. The stipends total \$540 for each employee as follows:~~

~~a. — A stipend of \$270 per component shall be paid for verification of successful passage of each of the two BCLAD/ examination components (culture of emphasis and methodology). This stipend applies to Master Plan employees who at any prior time passed the BCLAD/BCC examination component(s).~~

~~b. — Those who immediately qualify for a differential under Section 3.0 below and who have previously passed the two examination components shall have the first \$540 received under the differential program deemed to be compensation for their prior passage of the two required components.~~

~~Those who have received stipend payment for passage of the two components, and who then subsequently qualify for any of the differentials described in Section 3.0 below, shall have their prior \$540 stipend payment deemed to be an advance on their first differential payment.~~

~~c. — Those who possess A-level language proficiency, and are participating in a Master Plan Program, but have not yet passed one or two of the required examination components, will be permitted to commence receipt of the differentials described in Section 3.0 below, but such employees must verify passage of the two examination components within two-years of commencing receipt of the differential in order to retain their salary differential (Section 3.0 and 3.3c below) beyond that grace period date.~~

~~d. — Restoration of Eligibility for A-Level Differentials: A-level employees who become ineligible for further differential payments~~

~~because of not having passed both the culture and the methodology exams as set forth in Section 2.0c and 3.3b may become eligible again in the differential payment cycle following the one in which they verify passage of the required component(s), providing all other requirements are met.~~

2.0 [HOLD]

3.0 Master Plan Salary Differentials: Effective July 1, 2001, any teacher who had received a BCLAD/BCC and or A-Level Master Plan Program differential during the period from April 1, 1998 through June 30, 2001 shall, if qualified (see Sections 3.1 - 3.7), be eligible to receive the following an annual maximum differentials of \$5,406 if assigned and delivering an appropriate approved Master Plan Program requiring the BCLAD/BCC and or A-Level Fluency a bilingual authorization issued by the California Commission on Teacher Credentialing. Fifty per cent (50%) of the annual bilingual Master Plan Program differentials will be paid each semester. ~~Employees in a Model A program are not eligible for a bilingual differential.~~

Certification/Fluency	Waivered to Basic or Dual Language Program		Model B	
	PHBAO/CAP	*Non PHBAO/CAP	PHBAO/CAP	*Non PHBAO/CAP
BCLAD/BCC	\$5,1406	\$1,060	N/A	N/A
A-Level Fluency	\$2,704	\$510	N/A	N/A

~~* As used throughout this Article, the term "CAP Receiver" or "PHBAO/CAP Receiver" is intended to refer solely to those schools, which are designated, as part of the Student Integration Plan, to receive LEP-ELL students transported from overcrowded PHBAO schools.~~

Newly hired teachers with a district hire date on or after July 1, 2001 and current teachers who did not receive a BCLAD/BCC and or A-Level Master Plan Program differential during the period of April 1, 1998 through June 30, 2001, shall, if qualified (see Sections 3.1 - 3.7), be eligible to receive the following an annual maximum differentials of \$3,392 if assigned and delivering an appropriate approved Master Plan Program requiring the BCLAD/BCC and or A-Level Fluency a bilingual authorization issued by the California Commission on Teacher Credentialing. Fifty per cent (50%) of the annual bilingual Master Plan Program differentials will be paid each semester. ~~Employees in a Model A program are not eligible for a bilingual differential.~~

Certification/Fluency	Waivered to Basic or Dual Language Program		Model B	
	PHBAO/CAP	Non PHBAO/CAP	PHBAO/CAP	Non PHBAO/CAP
BCLAD/BCC	\$3,060	\$612	N/A	N/A
A-Level Fluency	\$1,530	\$306	N/A	N/A

~~As provided in Section 2.0, the first \$510 allocated to each employee who qualifies for the above differentials shall, on a one-time basis, be dedicated to~~

payment of the \$510 total (or \$255 per component) culture and methodology incentive stipends. By the same token, employees who would otherwise qualify for the above differentials, but have not yet passed the two required culture and methodology components, will have the first \$510 (or \$255) of differential payment withheld pending passage of the tests.

3.1 Qualifications for BCLAD/BCC Level Master Plan Program Salary Differential: To qualify for the BCLAD/BCC-level Master Plan Program Salary differential as set forth in Section 3.0 or in the ESL differential of Section 3.4e, employees must meet the qualifications of Section 3.4 and also must possess and have registered, prior to assignment to the Master Plan Program, one of the certifications bilingual authorizations issued by the California Commission on Teacher Credentialing as listed in Section 1.1.

- a. ~~Bilingual/Cross-Cultural Specialist Credential;~~
- b. ~~Multiple Subjects Teaching Credential with Bilingual Cross-cultural Emphasis or with Bilingual, Cross-cultural, Language and Academic Development (BCLAD) Emphasis;~~
- c. ~~Single Subject Teaching Credential with Bilingual Cross-cultural Emphasis or with Bilingual, Cross-cultural, Language and Academic Development (BCLAD) Emphasis;~~
- d. ~~Bilingual Certificate of Competence (BCC); or~~
- e. ~~Bilingual, Cross-cultural, Language and Academic Development (BCLAD) Certificate.~~
- f. ~~Bilingual Certificate of Assessment Competence (only for school psychologist and speech and language teachers.)~~

3.2 Qualifications for Alternative Certification Employees: Alternative certification employees, including but not limited to those who hold an emergency permit, pre-intern, university, or district Intern certificate, waiver, exchange or sojourn credential will be eligible for a bilingual differential only at the A-level rate, providing they have District A-level proficiency and meet all other requirements relating to that differential category.

3.3 Qualifications for A-Level Salary Differential:

- a. ~~To qualify for the A-Level differential, as set forth in Section 3.0, employees must possess and have registered, prior to assignment to the program evidence of passage of the District Fluency Examination at A-level, or evidence of passage of the BCLAD/BCC language component. A-level employees must also meet the qualifications as set forth in Sections 3.3b and 3.4.~~

b. ~~A level teachers must, within two years of commencing receipt of the differential, verify passage of the two BCLAD/BCC test components (culture and methodology) as set forth in Section 2.0c.~~

c. ~~For special provisions relating to certain Secondary Teachers of ESL classes see 3.4c. below.~~

3.4 Additional Qualifications for Both BCLAD/BCC Level and A Level Salary Master Plan Program Differentials:

a. Elementary teachers must, in a ~~Waivered to Basic Transitional, Dual Language, or Model B Maintenance~~ program, deliver an appropriate Master Plan Program of instruction on a daily basis using the primary language of the LEP-ELL students whose number must be a minimum of one-third of the total classroom enrollment. The differential shall be pro-rated in the case of part-time assignments and for those assigned more than 20 days but less than a semester.

b. Secondary teachers must, in a ~~Waivered to Basic Newcomer-Primary Language or Dual Language, or Model B~~ program, provide appropriate instruction on a daily basis using the primary language of the ELL students for a minimum of three academic instructional periods a day in order to receive the full differential. The differential shall be pro-rated for those assigned fewer than three qualifying periods and for those assigned more than 20 days but less than a semester. In a secondary ~~Waivered to Basic Newcomer-Primary Language or Dual Language, or Model B~~ academic period, if one or two students of the total enrollment are not identified as English Language Learners, the teacher shall not lose eligibility for a differential. If students redesignate during the semester and remain in the classroom, the teacher shall not be deemed ineligible for a differential. In the event that more than two students are not identified as English Language Learners and results in non-eligibility for a differential, the affected employee can request a review process pursuant to section 4.0 below.

c. The foregoing notwithstanding, Secondary ~~BCLAD/BCC and A level teachers with a bilingual authorization~~ who are available to teach classes in the primary languages of ELL students, but who have instead been assigned to ESL classes for a minimum of three instructional periods a day, shall be eligible for a salary differential which is to be 50% of the differential they would receive if they were assigned to teach classes in the primary language. This differential shall be pro-rated as provided in Section 3.4 b above.

d. Special Education (elementary and secondary) teachers must meet the qualifications as set forth above and provide appropriate Master Plan Program services for a minimum of fifty percent (50%) of the employee's work day. The corresponding pro-ration rules shall apply.

e. ~~Pre-kindergarten Expanded Transitional Kindergarten (ETK) and Transition Kindergarten (TK)~~ teachers must meet the qualifications for

elementary teachers as set forth above and be teaching in an approved Master Plan Program.

3.5. Non-Classroom, Itinerant or Non-School Employees: Effective July 1, 2001, any non-classroom, Itinerant or non-school employee who had received a BCLAD/BCC and or A-Level bilingual Master Plan Program differential during the period from April 1, 1998 through June 30, 2001 shall, if qualified (see Sections 3.1 - 3.7), be eligible to receive the following differentials \$5,406 if assigned and delivering an appropriate Master Plan Program requiring a bilingual authorization as listed in Section 1.1. ~~the BCLAD/BCC and or A-Level Fluency:~~

Certification/Fluency	PHBAO/CAP	Non-PHBAO/CAP
BCLAD/BCC	\$5,100	\$1,020
A-Level Fluency	\$2,550	-\$510

A newly hired non-classroom, Itinerant or non-school employee with a district hire date on or after July 1, 2001, shall, if qualified (see section 3.1 -3.7), be eligible to receive the following differentials \$1,060 if assigned and delivering appropriate Master Plan Program instruction requiring a bilingual authorization as listed in Section 1.1. ~~the BCLAD/BCC and or A-Level Fluency:~~

Certification/Fluency	PHBAO/CAP	Non-PHBAO/CAP
BCLAD/BCC	\$1,020	\$204
A-Level Fluency	-\$510	\$102

a. Non-classroom* employees serving at a single school location must provide appropriate service on a daily basis in the primary language of the ELL students participating in a Master Plan Program for a minimum of fifty percent (50%) of the employee's work day.

b. Itinerant employees serving at multiple locations shall be eligible for a pro-rated differential based on the combined percentage of service time delivering appropriate Master Plan Program instruction requiring a bilingual authorization as listed in Section 1.1. ~~the BCLAD/BCC and or A-Level Fluency.~~ (all District amount plus PHBAO/CAP Receiver) amount as follows:

(1) ~~First, calculate the percentage of the employee's total work assignment which is in PHBAO/CAP Receiver schools (e.g., if 4 out of 5 days, the factor would be 80%). In order to qualify for any differential, this factor establishes the maximum differential possible. The non-PHBAO/CAP Receiver services are not to be considered further, regardless of their nature.~~

(2) ~~Next, calculate the percentage of the PHBAO/CAP Receiver services which are rendered to ELL students/ parents and which require utilization of the students' primary language. The employee is responsible for maintaining accurate daily records~~

~~(logs, contact forms, etc., as directed) and preparing appropriate and accurate summary reports documenting the nature and extent of such services. The records must reflect the language status of the person served, and the length of time the employee utilized the primary language. These records and reports are subject to supervisory approval and subsequent audit. Services to ELL persons, which do not require utilization of the primary language, do not count toward this calculation. If the factor calculated pursuant to this paragraph is 50% or more, the employee shall receive the percentage of the differential established in paragraph 4 above.~~

c. Non-school employees must participate in the Master Plan Program, hold a bilingual authorization as listed in Section 1.1 and utilize the primary language for a minimum of fifty percent (50%) of their workday. Calculations for these employees shall be determined pursuant to paragraph b. above.

3.6 Date of Eligibility for Salary Differentials: Employees who meet the qualifications for salary differentials as of Norm Day of each the Fall semester, and who thereafter continue in the same assignment, shall be paid the appropriate differential for both the Fall and Spring Semesters. Employees who did not meet the qualifications as of Norm Day of the Fall Semester but then meet the qualifications after Norm Day as of the 1st day of the Spring semester and thereafter continue in the same assignment, shall be paid the appropriate differential for the Spring Semester upon verification of eligibility. Employees are responsible to register these qualifications with the District. Such differential payments shall be subject to pro-ration, as set forth above. Whenever a school becomes newly eligible for the salary differential program, the eligible employees shall immediately become subject to the salary differential consideration, consistent with the above qualifications and pro-ration rules.

~~3.7 Condition Precedent: Payment of the PHBAO/CAP Receiver portion of the Master Plan salary differentials is contingent upon State funding reimbursement (at the 80% level) through an approved expansion of the District's State-mandated Student Integration Program. In the event that any costs do not so qualify the program may be suspended or terminated immediately, and the program shall immediately be subject to reopened negotiations. [HOLD]~~

3.8 The District and the UTLA Article XXX Bilingual Subcommittee shall continue to discuss issues and concerns related to the Master Plan including classroom organization.

3.9 Committee Review: The existing District Bilingual Ad Hoc Committee shall review The Master Plan and create a method of evaluating the effectiveness of The Plan. The Committee will jointly determine the details of the review and evaluation. A joint report of the outcome of this review and evaluation shall be completed and distributed to the District and UTLA.

~~3.10 Availability of Competency Exams: The District and the UTLA Article XXX Bilingual Subcommittee shall collaborate to provide opportunities for individuals to take the District fluency exams that are necessary to comply with the Master Plan qualifications.~~

3.11 Teacher Incentive: For the 2018-2019 and 2019-2020 school years, the District shall provide a one-time career incentive to teachers newly assigned to teach in a language other than English in a District authorized Transitional, Maintenance, Dual-Language or Newcomer program. The incentive of \$1,274 for one year (\$637 per semester) shall be provided to teachers for participating in bilingual program trainings, developing lesson plans and related activities to implement the program.

4.0 Special Dispute Resolution Process for Secondary Teachers: Effective July 1, 2001, A secondary teacher providing Master Plan instruction in a ~~Waivered to Basic or Model B~~ Qualifying Master Plan Program requiring 100% English Learners, who was deemed not eligible for a differential due to having more than two students who are not English Language Learners, may request a joint LAUSD/UTLA Differential Review. The Differential Review committee shall consist of two members. Both UTLA and LAUSD shall recommend one designee to serve on the Differential Review Committee. If an acceptable resolution is not reached through the Differential Review Committee, the teacher may appeal to the Local District Superintendent. The Local District Superintendent, in conjunction with a designee from Human Resources Division shall review the appeal on a case-by-case basis and the decision will be final and binding on a one-time non-precedent setting basis.