



Position Paper: Work Day of Bargaining Unit Members

We, as the leadership of the Livermore Education Association, encourage our members to read, understand and re-read on a regular basis this article in our contractual agreement with the Livermore Valley Joint Unified School District. It is important to be aware of any modifications to this Article as negotiated modifications may have a large impact on your working conditions.

Article 9 determines our work day. It determines our non-teaching duties as employees, how our school sites determine extracurricular activities and duties and how they are equitably distributed, how schools sites determine their schedule for the following school year, and how preparation periods work at our school sites.

ARTICLE IX: WORK DAY

- 9.1 Teachers and other employees as professional people, have a wide variety of responsibilities that cannot be limited to the formal hours of instruction in the classroom. All unit members are expected to fulfill their professional obligations.
- 9.2 It is reasonable to expect school personnel to be available to students, parents, and other community members just prior to and immediately following the hours of instruction and in general to carry out the duties and responsibilities as outlined in their job description.
- 9.3 The District may require unit members to perform annually the following non-teaching duties necessary to the operation of the site:
- Faculty meetings
 - Parent Conferences
 - Back-to-School Night
 - Yard, recess and bus duty
 - Department, curriculum and articulation meetings
 - School Site Council
 - Legally mandated activities, including but not limited to IEP, SST, and 504 meetings, WASC and PQR activities.
- 9.4 By September 30th of each school year, a meeting shall be scheduled for all staff including administration to determine:
- 9.401 What activities shall occur at the site. The staff shall determine the value of the activities to the school community.
- 9.402 Equitable distribution of activities at the site. After determining those activities which may occur, the staff shall determine a method for equitable distribution of those activities among the entire staff, taking into consideration other non-teaching responsibilities under 9.3. If too many people wish to perform the same activities, the staff shall come up with a method for tie-breaking.



- 9.403 If the process set forth in section 9.4.2 does not result in all valuable activities being covered, the Principal may ask the staff to reconsider how to have those activities covered.
- 9.404 If a new activity arises after the distribution of activities has occurred, the parties shall utilize the steps in sections 9.4.2 through 9.4.3 to value and distribute the activity.
- 9.5 In order to fulfill this responsibility all classroom teachers shall be available at the school site at least 30 minutes prior to the beginning of their first scheduled class or period. In those cases when the first class or period is scheduled prior to 8:00 a.m. the 30 minutes before class or period requirement may be administratively modified. However, such modification will not lengthen or shorten the teacher work day. Normally, the teacher will remain at work no fewer than six and one-half (6 and 1/2) hours excluding duty free lunch.
- 9.6 All other full-time employees shall have a work day consistent with that of the classroom teachers.
- 9.7 The principal or his/her designee may assign additional time in order to accomplish the responsibilities listed above. In exercising this management function the duties and the time shall be reasonable and in keeping with past practice.
- 9.8 Temporary adjustment in the above work day shall be approved by the immediate supervisor.
- 9.9 It is recognized that there may be some variances with this time. However, wide variances should be justified by the employee's immediate supervisor.
- 9.10 Part time/Itinerant Teachers
- 9.1001 Unit members who work at two sites shall have a meeting with the administrators from both sites to establish a schedule and calendar for the year related to the performance of non-teaching duties as set forth in 9.3.
- 9.1002 Part time members shall be entitled to prorate "their other non-teaching duties" in accordance with the percentage of time worked of a full-time equivalent. Part time teachers and their administrators may mutually agree that part time teachers will perform additional duties and that they will be compensated for those additional "other non-teaching duties" beyond their pro rata share of duties.
- 9.11 Substitute Service by Regular Teachers -- This section applies only to those emergency situations in which the District is unable to obtain substitute teachers. This section does not apply to field trips, outdoor education, or other nonemergency situations.
- 9.1101 Regular elementary classroom teachers shall be paid the special hourly certificated rate when directed by their Principal to be responsible for up to 16



students assigned to an absent classroom teacher. The special hourly certificated pay rate is doubled when there are 17 or more additional students.

Such service for 30 minutes or longer shall be paid as a whole hour. Service less than 30 minutes shall not be paid.

(Example: One hour and 30 minutes shall be paid as two hours of service. One hour and 29 minutes shall be paid as one hour of service.)

- 9.1102 Secondary employees called upon to substitute during their preparation period shall be paid the current special hourly certificated rate. The employee shall not be required to make up the additional class period to complete the school day requirement on site.
- 9.12 The District retains the right to configure the instructional day, including passing time and homerooms, within the limits stated in this Agreement. Scheduling of the school day shall be determined by the Principal with input from the School Site Council and the staff.
- 9.13 Kindergarten
- 9.1301 The teachers shall be notified each year by the Principal of the total number of instructional minutes required by State law. The following additional guidelines shall also apply:
- 9.1301.1 Configuration of the instructional day shall be determined by the school site staff for purposes of determining how schedules may be staggered or non-staggered in accordance with State law.
- 9.1301.2 Kindergarten teachers shall not be required to assist in grades 4 or 5, except at the option of the Kindergarten teacher.
- 9.14 Grades 1-3
- 9.1401 The teachers shall be notified each year by the Principal of the total number of instructional minutes required by State law. The following additional guidelines shall also apply:
- 9.1401.1 No day shall have fewer than 240 minutes.
- 9.1401.2 All stagger minutes shall be included within the calculation in accordance with State law.
- 9.1401.3 Up to fifty (50) minutes may be used for staggered reading time.
- 9.1401.4 Staggered reading time shall be included in the calculation of the total amount of instructional time as provided in E.C. 46205.



- 9.1402 The number of stagger and non-stagger days shall be determined by the school site staff.
- 9.1403 There shall be at least two parent conference periods per year. Configuration of the parent conference periods shall be determined by the school site staff.
 - 9.1403.1 Student instructional time shall be 240 minutes, non-staggered time exclusive of lunch and recess.
 - 9.1403.2 There shall be four (4) days for "Parent Conferences" in the fall and four (4) in the spring, including kindergarten.
- 9.15 Grades 4-5 (Elementary Schools)
 - 9.1501 The teachers shall be notified each year by the Principal of the total number of instructional minutes required by State law. The following additional guidelines shall also apply:
 - 9.1501.1 No day shall have fewer than 240 minutes
 - 9.1501.2 There shall be at least two parent conference periods per year. Configuration of the parent conference periods shall be determined by the school site staff.
 - 9.1501.3 There will be three (3) reporting periods, fall, spring, and at the end of the year.
 - 9.1501.4 Student instructional time shall be 240 minutes, excluding lunch and recess.
 - 9.1501.5 There shall be eight (8) minimum days for "Parent Conference days" in the fall.
 - 9.1501.6 There shall be four (4) minimum days for "Parent Conference days" in the spring.
 - 9.1501.7 These days shall be used for conferences related to the promotion or retention of students, curriculum linkage testing, other problems that might affect student progress, and/or by teacher or parent request.
- 9.16 Grades 6-8 (Middle schools)
 - 9.1601 The teachers shall be notified each year by the Principal of the total number of instructional minutes required by State law. The following additional guidelines shall also apply:
 - 9.1602 The teachers shall be notified by the Principal of the allowable passing time each year.



- 9.1603 Homeroom periods may be counted as instructional time.
- 9.1604 The length and number of instructional periods for each school site shall be at the discretion of the local school site, with the approval of the Superintendent. Every teacher shall have a preparation period each day. Homeroom/advisory periods shall be at the discretion of the local school site with the approval of the Superintendent or designee and shall not result in an increase in the total number of instructional minutes.
- 9.17 Grades 9-12 (High schools)
 - 9.1701 The teachers shall be notified each year by the Principal of the total number of instructional minutes required by State law. The following additional guidelines shall also apply:
 - 9.1702 The teachers shall be notified by the Principal of the allowable passing time each year.
 - 9.1703 Homeroom periods may be counted as instructional time.
 - 9.1704 The length and number of instructional periods for each school site shall be at the discretion of the local school site, with the approval of the Superintendent. Every teacher shall have a preparation period each day. Homeroom/advisory periods shall be at the discretion of the local school site with the approval of the Superintendent or designee and shall not result in an increase in the total number of instructional minutes.
- 9.18 Variations in the length of the school day
 - 9.1801 With the approval of the Superintendent or his designee, the length of a school day may be different from the established day through a special request to the Superintendent's Designee.
 - 9.1802 The following serve as guidelines for establishing variations from the regular length of day:
 - 9.1802.1 Lack of school facilities.
 - 9.1802.2 Need to meet individual student needs that require a long term change in the length of the day.
 - 9.1803 A special request must be made by the site administrator that includes a justification for the requested change. The request must include the following information:
 - 9.1803.1 The student need(s) that necessitates a different instructional day.
 - 9.1803.2 The specific outcomes that are anticipated as a result of implementing a different instructional day.



- 9.1803.3 A list of alternatives that have been considered and a rationale for selecting the proposed schedule.
 - 9.1803.4 A description of the evaluation design to determine if the desired outcomes have been achieved.
- 9.19 The District shall provide three 40 minute preparation periods per week for regular classroom teachers in grades 1, 2, and 3, and two for science preparation teachers, excluding the first week of school. The District shall provide five 40 minute preparation periods per week for regular classroom teachers in grades not covered by the Class Size Reduction Program, excluding the first week of school. Preparation periods may be adjusted for minimum days. Preparation time for part-time science preparation teachers shall be pro-rated.
- 9.1901 Preparation periods on Monday or Friday, for teachers in grades covered by the Class Size Reduction Program, may be rotated from year to year and the method of that rotation shall be at the discretion of each school site.
- 9.20 The school site shall provide a break for the teachers on recess/playground duty so that they can attend to personal necessities.
- 9.21 Participation in any overnight education programs shall be voluntary and shall not be a requirement of the teaching assignment. Teachers shall not be expected to pay for the cost of the overnight trip, nor to organize fundraising activities for this program. Prior to scheduling any overnight activity, the teachers shall be involved in the planning and decision making of that activity.