

**COUNTER PROPOSAL OF THE  
FRESNO UNIFIED SCHOOL DISTRICT  
TO THE FRESNO TEACHERS ASSOCIATION**

**FEBRUARY 13, 2014**

**ARTICLE 20 - HOURS - BARGAINING UNIT MEMBERS**

1. DEFINITIONS

- 1.1 Work Day: Unit members shall have a work day of no less than 8 hours (480 minutes) in which to perform their on-site and off-site professional responsibilities.
- 1.2 Duty Day: Unit members are required to be on duty at their worksites for 7.5 hours (450) per day, during which 7 hours (420 minutes) will be utilized for student instruction, preparation for instruction, lunch and if applicable, advisory.
- 1.3 Professional Learning/Accountable Communities: To enhance opportunities for ongoing professional development and promote meaningful collaboration among stakeholders, unit members will participate in Professional Learning/Accountable Communities for a total of 54 hours per school year. Every effort shall be made between site administration and the staff to seek mutual solutions that best meet student needs when planning the use of the 54 hours. Any time allocated to Professional Learning/Accountable Communities after 7 hours (420 minutes) shall be credited toward the completion of the 54 hours.
- 1.4 Duty Free Lunch: Unit members shall have a duty free lunch of at least 30 minutes per day.

2. PROFESSIONAL RESPONSIBILITIES

- 2.1 Professional Responsibilities: Within the 8 hour (480 minutes) work day, unit members are responsible for student instruction and other professional duties including, but not limited to:
  - 2.1.1 Any instructional planning beyond the preparation time that is allocated within 7 hours (420 minutes) as stated in 1.2 above, which may include, but is not limited to, goals and objectives for the year's instructional program, preparing appropriate daily lesson plans and long-range plans for his/her classroom teaching, and preparing and selecting instructional materials.
  - 2.1.2 Reviewing and evaluating the work of pupils

- 2.1.3 Communicate regularly with parents/guardians in order to keep them aware of goals and objectives for students, progress of their student in pursuit of objectives, special accomplishments of their student, and unsatisfactory performance and behavior of their student
- 2.1.4 Preparation for and communicating and conferring with pupils, parents, staff and administrators
- 2.1.5 Pursuing specific objectives and goals based on an assessment of student needs in relation to school and District goals
- 2.1.6 Maintaining appropriate records
- 2.1.7 Supervising pupils both within and outside the classroom on an equitable basis as delineated elsewhere in this article
- 2.1.8 Supervising instructional aides, when assigned
- 2.1.9 Participating in staff development programs, in-service meetings, and professional activities related to their assignment [except as set forth in 2.2.2 below]. Mileage allowance shall be provided teachers who must travel to required meetings.
- 2.1.10 Attending faculty, departmental and grade-level meetings ~~called or approved scheduled~~ by the site administration in ~~conformance with the following provisions: [FORMERLY SECTION E]~~ collaboration with teachers not exceeding a total of 8 hours per school year and excluding time allocated for Professional Learning/Accountable Communities. Notwithstanding the above, principals shall have the right to convene meeting at any time when necessitated by emergencies after obtaining clearance from the appropriate Division Superintendent or designee and upon providing notice of such meetings at the earliest feasible time. [FORMERLY SECTION E.3]
- 2.1.11 Independent study and otherwise keeping current with developments within their areas or subjects of assignment
- 2.1.12 Assuming reasonable responsibility for the proper use and control of District property, equipment, material and supplies

2.2 Additional Professional Responsibilities. In addition to the professional responsibilities set forth in 2.1 above, unit member have other assigned duties which may extend beyond the 8 hour (480) minute work day, including, but not limited to the following:

- 2.2.1 Back to school night, parent conferences and report card preparation ~~program development, professional growth activities, and student supervision (including supervision at co-curricular or extra-curricular activities)~~
- ~~2.4.2 Attending faculty, departmental, and grade level meetings called or approved by the site administration in conformance with the following provisions:~~
- 2.2.2 Consistent with 1.3 above, participate in Professional Learning/Accountable Communities to meet team and site needs for professional learning. The majority Professional Learning/Accountable Communities time will be utilized to seek solutions for student learning challenges consistent with an accountable community model. Site administration and the staff will collaborate on scheduling time for Professional Learning/Accountable Communities which may begin at any time after the 7 hours (420 minutes) set aside for student instruction, preparation for instruction, lunch and if applicable, advisory.
- 2.2.3 Supervision of co-curricular or extra-curricular duties, which shall be defined as those assigned duties which are in addition to the supervision duties enumerated 2.1.7 above and elsewhere in this article, but excluding duties performed by teachers in fulfillment of extra pay for extra service contracts. Any assignment of co-curricular or extra-curricular supervision duties shall conform to the following:
- 2.2.3.1 Such duties must be in connection with the program in the school of the teacher's primary assignment.
- 2.2.3.2 Such duties will be equitably distributed among the certificated school staff.
- 2.2.3.3 Such duties shall be reasonable in number and duration.
- 2.2.3.4 After procedures at the school site have been exhausted, the School Building Committee may request that the Division Office review co-curricular or extra-curricular duties in terms of reasonable number and duration.
- 2.3 All other bargaining unit members, other than hourly employees, not specifically covered within this article, shall work a professional work day of not less than 480 minutes (8 hours), including a thirty (30) minute duty-free lunch period.

~~1.6 — Preparation time, as delineated in this article, is to be used for professional duties including but not limited to preparation for class and conferences with parents, students, and staff members. — during this time, it is anticipated that each teacher shall make appropriate daily and long range plans for his/her classroom teaching, which include goals and objectives for the year's instructional program.~~

~~1.7 — Teachers may be required to attend in-service meetings which occur during the professional work day. — In service meetings outside the professional work day shall be voluntary. — Mileage allowance shall be provided teachers who must travel to required inservice meetings.~~

### 3. LEGALLY MANDATED INCREASES IN INSTRUCTIONAL TIME

3.1 In the event that State or Federal legislative action mandates any increase in instruction time, the District shall increase unit members' instructional time to the extent necessary to conform with such legislative mandate in accordance with the following provisions:

3.1.1 If such increase is decided and mandated to be effected during a school year, this article shall be reopened for negotiations for the subsequent school year;

3.1.2 If such increase is mandated effective at the beginning of a school year, then this article and the article on "Salary" shall be reopened for negotiations at the earliest feasible time in preparation for implementation of such legislative mandate.

### 4. SECONDARY SCHOOLS WORK DAY

#### 4.1 Instructional Time Secondary Classroom Teachers

4.1.1 Unit members serving as full-time classroom teachers shall not be assigned instructional time that exceeds 1,400 minutes per week (50,400 minutes a year).

4.1.2 Of the 7 hours per duty day that must be utilized for the purposes set forth in 1.2 above, unit members serving as full-time classroom teachers may be assigned to perform advising duties.

4.1.2.1 The advisory period shall be scheduled in accordance with the school site Advisory Committee's plan and may be made up of students not included in a teacher's regular assigned classes when approved by consensus of the faculty. It is expected that each secondary student shall be served in the manner that meets his/her needs in the above areas.

4.1.2.2 The advising duties shall not include:

- 4.1.2.2.1 Extensive follow-up, analysis and development of expectancies within the family system
- 4.1.2.2.2 Design and follow-up on behavior modification programs for individuals or groups of students
- 4.1.2.2.3 Assimilation of data from other staff for purposes of transmission to outside agencies or authorities
- 4.1.2.2.4 Design or implementation of disciplinary procedures beyond those commonly exercised by the classroom teacher
- 4.1.2.2.5 Counseling that would require assessments of future career potential with the student and/or his/her family

4.2 Non-Instructional Time

Non-instructional time is the additional time the teacher is required to be on duty beyond instructional time. This time is for preparation and those appropriate activities indicated in [Sections 2.1 and 2.2 above](#). Teachers shall be provided 480 minutes per week for preparation time within the work day in blocks no shorter than thirty (30) minutes with at least one block of forty-five (45) minutes per day within the work day. This shall not be construed so as to prevent a shortened day full preparation period of less than forty-five (45) minutes.

5. ELEMENTARY SCHOOLS WORK DAY

5.1 Instructional Time Traditional Schedule (180 days)

Instructional time is the time the teacher is working directly with assigned students in an instructional setting. Full-time classroom teachers' yearly instruction time shall not be less than the following:

- Kindergarten = 47,700 minutes
- Grades 1-6 = 55,800 minutes
- Grades 7-8 = 55,800 minutes (when part of an elementary school)

5.2 Preparation Time

Each school schedule shall provide weekly preparation time for all elementary teachers within the duty day in accordance with the provisions of [Sections 2.1 and 2.2](#) of this article and in accordance with the following provisions:

- 5.2.1 Only one before/after school up to fifteen (15) minute student supervision duty assignment per week may be counted as preparation time provided weekly within the duty day.

5.2.2 Grades 1-6 (and 7-8 when part of an elementary school except Baird, Bullard Talent, Carver, Lawless, and Hamilton): Teachers will be provided a 45 minute block of time for preparation and planning during the Duty Day as per the following:

5.2.2.1 The preparation time set forth herein shall be provided on at least 156 days out of the traditional 180 day schedule

5.2.2.2 A 45 minute block of preparation time would not be provided on up to 24 days for matters such as, but not limited to the following:

5.2.2.2.1 Early release that is scheduled for parent/student/teacher conferences (not to exceed five days).

5.2.2.2.2 On the last day of school if it is a shortened day.

5.2.2.2.3 Up to 18 days out of the traditional 180 day schedule on which the District may schedule longer block of time (approximately 90 to 105 minutes) by combining remaining time during the Duty Day (without a 45 minute block of preparation time) and time allocated from the ~~27 hours/semester~~ fifty-four (54) hours per year pursuant to Section ~~2(E)~~ 1.3 of this Article. The content covered during such blocks of time shall be at the direction of the District for matters such as, but not limited to, professional learning, grade level collaboration, mandated inservice training, and the "roll-out" of new curricular materials, such as new textbook adoptions etc.

5.2.3 The following is a sample schedule for illustrative purposes only:

**Sample Schedule: Regular School Day**

8:15 Student Start Time - 2:20 Student End Time

8:05 Teacher Start Time - 3:~~50~~5 Teacher End Time = ~~7.5~~ 7.5 Hours ~~Duty Day~~

	8:05 – 3:05	
Schedule	Instructional Minutes	Non-Instructional/Prep Time
8:05		10 minutes (NI)
8:15 – 10:15	120 minutes	
10:15 (Recess)		15 minutes(NI)
10:30 Instruction Begins		

10:30 – 11:50	80 minutes	
11:50 (Lunch)		30 Lunch + 10 minutes (NI)
12:30 Instruction Begins		
12:30 – 2:20	110 minutes	
2:20 – 3:05		45 minutes (Prep)
<b><u>3:05 -3:35</u></b>		<b><u>30 minutes (Prof. Resp.)</u></b>
<b>Total</b>	<b>310 minutes</b>	<b><u>140</u> <del>80</del> minutes</b>

**Sample Schedule: Non-Individual Preparation Days**

<b>8:05 – 4:05 (1 hour of the <del>27 hours semester</del> <u>54 hours per year</u>)</b>		
<b>Schedule</b>	<b>Instructional Minutes</b>	<b>Non-Instructional/Prep Time</b>
8:05 – 8:15		10 minutes (NI)
8:15 – 10:15	120 minutes	
10:15 (Recess)		15 minutes(NI)
10:30 Instruction Begins		
10:30 – 11:50	80 minutes	
11:50 (Lunch)		30 Lunch + 10 minutes (NI)
12:30 Instruction Begins		
12:30 – 2:20	110 minutes	
2:20 – 4:05 Under the direction of the District	No individual prep-time on these days	<del>Includes, but not limited to:</del> Professional Learning/ <u>Accountable Communities</u> <del>Collaboration, Grade Level Meeting, Roll Out, Mandated In-service, Etc.</del> <b>105 minutes [One hour credit toward 54 hours]</b>
<b>Total</b>	<b>310 minutes</b>	<b><u>170 minutes</u></b>

5.2.4 Grades 7 and 8 at Baird, Bullard Talent, ~~Carver, Lawless,~~ and Hamilton will follow the contractual hours requirements regarding teacher instructional time and departmentalized configuration of the student instructional day that apply to secondary schools. The one variation is Bullard Talent where the secondary requirements have been applied to

grades 6 through 8. Nothing herein affects or in any way modified the instructional hours of teachers or configuration of the student instructional day at a kindergarten through grade 8 schools that operate as elementary schools at all grades, such as Sunset.

- 5.2.5 The School Building Committee may request that the Division Office review the scheduling of Duty Day at the school after conferring with the site administration.

### 5.3 Student Supervision

Teachers may be required to spend up to one fifteen (15) minute student supervision duty per week either before or after school with the following exceptions:

- 5.3.1 In schools of ten (10) or less teachers, student supervision time shall be equitably distributed.
- 5.3.2 Within schools maintaining a bus schedule with teaching staffs of less than twenty (20), such student supervision time shall be equitably distributed.
- 5.3.3 Kindergarten teachers' student supervision time shall consist of the following:
  - 5.3.3.1 Daily before/after school supervision of their assigned kindergarten students. It is understood that the kindergarten teacher has the option of conducting such supervision within the room while continuing preparation tasks necessary for insuring room/materials readiness for the commencement of instruction.
  - 5.3.3.2 It is understood that past practices are maintained with respect to teachers seeking cooperation from parents of kindergarten students with respect to avoiding early arrival/late departure.
- 5.3.4 Principals may require all teachers to provide morning student supervision beginning up to fifteen (15) minutes before the commencement of instruction during inclement weather.
- 5.3.5 Mid-morning and/or afternoon recess student supervision duty shall be equitably rotated among the teaching staff within grade levels (i.e., kindergarten, 1-3, 4-6).

## 6. ALTERNATIVE SCHEDULING

Alternative scheduling shall be defined as those secondary school programs that have a special scheduling modality other than the traditional school's seven (7) period day.



Schools having alternative schedules, as approved by the Board of Education, shall provide for an equitably adjusted schedule providing for totals of instructional minutes no more than the times delineated in this article. Teachers in alternative scheduling programs shall have a thirty (30) minute duty-free lunch, and have at least the equal of one forty-five (45) minute block of the professional work day per day. Other blocks of the professional work day shall be no shorter than thirty (30) minutes.

7. EXTENDED WORK YEAR

7.1 Application to Agreement:

7.1.1 The following working conditions shall apply at schools that have been designated as needing improvement either through the School Quality Improvement Index or by mutual agreement between the District and Association. The provisions set forth in this Section apply only to the schools covered herein, and except as specifically set forth below, the provisions of this Agreement shall continue to apply in the same manner as existed prior to the inclusion of this section.

7.2 Duty Year:

7.2.1 The duty year for all affected unit members at the designated schools may be increased by up to ten (10) days beyond the level set forth in Article 14. In such event, payment shall be increased to reflect the extended duty year so that affected bargaining unit members will continue to be compensated at their daily rate of pay. (Example: 185 days equals 1.0 factor and 195 days equals 1.054.)

7.2.2 These additional days shall be utilized by unit members to engage in activities that address and seek solutions to student learning problems consistent with an Accountable Community model. In addition to the professional responsibilities set forth in Article 52, section 1.1.2, such activities may include, but are not limited to professional learning, teacher planning/collaboration, targeted student support/intervention/pre-assessment, and development of transition programs.

7.3 Work Day

7.3.1 The instructional minutes for all affected unit members at the designated schools may be increased up to one-half (.5) hour within the work day set forth in section 1.1 above for the purpose of providing additional direct instruction to students.

7.4 Additional Staffing

7.4.1 For 2014-15, an additional 1.0 FTE certificated position will be added to the basic staffing formula at each of the 20 designated schools

7.4.2 For 2015-16, an additional 1.0 FTE certificated position will be added to the basic staffing formula at each of the 20 designated schools.

- 7.5 Due to the uncertainty and volatility of state and federal funding, the District reserves the right to modify or terminate Section 5 at its discretion in the event it determines there are insufficient funds to maintain the program at its current level as provided herein.