

GRIEVANCE SETTLEMENT AGREEMENT

April 27, 2021

Education Specialist Caseloads

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 has put in place a hard cap for the caseload of Mild/Moderate Education Specialists of 20 students;

Whereas, the District has continually monitored the caseloads of Education Specialists since the beginning of the 2020- 2021 school year and has worked with schools to make system corrections and provided support;

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

Caseload

1. **Education Specialist: Mild Moderate Teacher Allocations.** Education Specialist: Mild Moderate teacher allocations were based on student IEPs with a locked event in PowerSchool Special Programs as of October 17, 2020 who were enrolled at the school site and assigned to a case manager at the same school.
 - a. Schools were allocated based on a 20:1 ratio. If the number of students served by an Education Specialist: Mild/ Moderate teacher increased from the tentative allocation (number of teachers assigned to the site as of August 31, 2020), the allocation was proportionally increased.
 - b. Education Specialist: Mild Moderate teachers, who are hired for the purpose of maintaining the caseload cap, will begin their new assignments as soon as they complete and are cleared through the pre-employment processes. Positions filled via voluntary transfer began their new assignments on January 4, 2021.
2. **Remediation of Caseload Overages:**
 - a. Monthly Stipend (October 2020- June 2021).
 - i. Education Specialist: Mild Moderate Teachers. Mild Moderate Teachers will be provided with a monthly stipend of \$350.00 when the caseload is twenty one (21) or more students and the site caseloads are balanced.
 - ii. Education Specialist: Moderate Severe Teachers. Article 29 does not identify a hard cap for caseloads in these settings, but establishes an attempt to maintain a caseload of twelve (12). In recognition that teachers provided services to students, employees who had a caseload of more than twelve (12) will be provided with a \$350.00 monthly stipend when the site caseloads are balanced.
 - b. Monthly Stipend in Lieu of Allocation Due to Insufficient Staff (March 2021- June 2021).
 - i. Effective, March 1, 2021, Education Specialist, Mild- Moderate Teachers who are over caseload due to insufficient staffing shall be provided a \$700 monthly stipend if the caseloads are balanced at the site. Teachers eligible for this

**Education Specialist: Mild/ Moderate teachers include teachers who serve students in the mild- moderate programs in the District regardless of their job code.*

stipend are not eligible for the monthly stipend identified in 2.a. above. For the purposes of this Agreement, insufficient staff is defined as District's inability to assign or hire an Education Specialist to remediate the caseload overages.

- c. To ensure equity of these payments, the last school day of the month will be used to identify those teachers who were over caseload as established above. For the purposes of this section month is defined as any month where the case manager was over caseload for one or more days and the site was balanced.
 - d. The employees identified in Exhibit A were over caseload at the time of this agreement. The implementation of future payments will be reviewed on a monthly basis through June 2021.
3. This settlement agreement was drafted in good faith based on the caseload data, staffing information and contractual provisions at the time of the Agreement.
- a. Any unit member not identified by the District's database, but who can demonstrate they meet the terms of this Agreement, shall provide proof to the District by June 30, 2021 via this [Caseload Grievance 2020-2021 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.

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.

DocuSigned by:
Acacia Thede

April 28, 2021

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Acacia Thede

Date

Chief Human Resource Officer
San Diego Unified School District

DocuSigned by:

Abdul Sayid

April 28, 2021

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Abdul Sayid

Date

Executive Director
San Diego Education Association

Appendix A- 2020- 2021 Caseload Grievance Employee Payments

Employee ID	Work Location	Oct. 20	Nov. 20	Dec. 20	Jan. 21	Feb. 21	Mar. 21
133187	Alcott Elementary - 0004					X	X
171212	Alcott Elementary - 0004					X	X
154253	Audubon K-8 - 0009	X	X	X			
132677	Audubon K-8 - 0009	X	X	X			
156217	Baker Elementary - 0011	X	X	X	X		X
132036	Baker Elementary - 0011	X	X	X	X	X	
168208	Baker Elementary - 0011	X	X	X	X	X	X
178631	Burbank Elementary - 0039	X	X	X	X	X	
126044	Carson Elementary - 0055	X	X	X			
178346	Carson Elementary - 0055	X	X	X	X	X	
136309	Carver Elementary - 0057	X	X	X		X	X
159311	Challenger Middle - 0303	X	X	X	X		
135010	Challenger Middle - 0303	X	X	X	X		
157990	Challenger Middle - 0303	X	X	X	X		
108693	Challenger Middle - 0303	X	X	X	X		
129707	Challenger Middle - 0303	X	X	X	X		
175725	Chollas/Mead Elementary - 0063				X		
174343	Chollas/Mead Elementary - 0063				X		
142503	Correia Middle - 0304	X	X				
161979	Correia Middle - 0304	X	X				
172359	Correia Middle - 0304	X	X				
170866	Correia Middle - 0304	X	X				
128410	Correia Middle - 0304	X	X				
147655	Crawford High - 0334		X	X			
126869	Crawford High - 0334	X	X	X	X		
172407	Crawford High - 0334	X	X	X			
103192	Crawford High - 0334	X	X	X	X		
112781	Crawford High - 0334	X	X	X	X		
104521	Crawford High - 0334	X	X	X	X		
164379	Dingeman Elementary - 0086			X			

Employee ID	Work Location	Oct. 20	Nov. 20	Dec. 20	Jan. 21	Feb. 21	Mar. 21
167370	Dingeman Elementary - 0086	x	x	x	x		
159442	Encanto Elementary - 0093		x	x	x	x	x
113680	Encanto Elementary - 0093	x	x	x	x	x	x
115111	Euclid Elementary - 0095	x	x				
136920	Field Elementary - 0103	x					
177465	Field Elementary - 0103	x					
174961	Fletcher Elementary - 0105		x	x	x	x	x
100413	Florence Elementary - 0107	x	x	x			
175222	Franklin Elementary - 0113	x	x	x	x		
175857	Fulton K-8 - 0119	x	x	x	x	x	x
178840	Fulton K-8 - 0119			x	x	x	x
140867	Fulton K-8 - 0119	x	x	x	x	x	x
173848	Grant K-8 - 0127	x	x				
136715	Grant K-8 - 0127	x	x				
161311	Green Elementary - 0131						x
166884	Green Elementary - 0131						x
108024	Hage Elementary - 0134					x	x
122277	Hage Elementary - 0134					x	x
172460	Ibarra Elementary - 0150				x	x	x
159688	Ibarra Elementary - 0150					x	x
176476	Innovation Middle - 0343	x					
112487	Innovation Middle - 0343	x			x	x	
166247	Innovation Middle - 0343	x			x	x	
129995	Johnson Elementary - 0157	x					
170866	Johnson Elementary - 0157	x					
177882	Kearny Biomedical Sci & Tech - 3734	x					
161231	Kearny College Connections - 3735			x	x		
142246	Kearny College Connections - 3735		x	x	x	x	x
132978	Kearny Digital Media & Design - 3733			x			
142873	Kearny Digital Media & Design - 3733			x			
142873	Kearny Digital Media & Design - 3733		x				
174261	Kimbrough Elementary - 0162	x	x	x	x	x	

Employee ID	Work Location	Oct. 20	Nov. 20	Dec. 20	Jan. 21	Feb. 21	Mar. 21
127361	Language Academy - 0170		x	x	x	x	x
164277	Language Academy - 0170				x	x	x
164714	Language Academy - 0170			x	x	x	x
121236	Lincoln High - 3637	x	x	x	x		
137092	Lincoln High - 3637	x	x	x	x		
144506	Lincoln High - 3637		x	x	x		
131652	Lincoln High - 3637		x	x			
159498	Lincoln High - 3637		x	x			
103934	Lincoln High - 3637		x	x			
125789	Lincoln High - 3637		x	x			
104291	Lindbergh/Schweitzer Elem - 0175					x	x
108326	Logan Memorial Ed Campus - 0358						x
109762	Logan Memorial Ed Campus - 0358	x	x	x	x	x	x
176568	Logan Memorial Ed Campus - 0358		x	x	x	x	x
144439	Logan Memorial Ed Campus - 0358			x	x		
129588	Logan Memorial Ed Campus - 0358	x	x	x	x	x	x
160353	Logan Memorial Ed Campus - 0358	x	x	x	x	x	x
128132	Mann Middle School - 0312	x					
153259	Mann Middle School - 0312	x	x	x			
164392	Mann Middle School - 0312	x	x			x	x
140600	Mann Middle School - 0312	x	x				
172972	Mann Middle School - 0312	x	x	x		x	x
172252	Mann Middle School - 0312	x	x	x			
109139	Mann Middle School - 0312	x	x	x			
168942	Mann Middle School - 0312	x	x	x			
144443	Marvin Elementary - 0197					x	x
108991	Mason Elementary - 0199					x	x
151394	Mason Elementary - 0199			x	x	x	x
140160	Millennial Tech Middle - 0341	x	x	x	x		
176601	Millennial Tech Middle - 0341	x	x	x	x		
136499	Millennial Tech Middle - 0341	x					
168422	Mira Mesa High - 0349	x	x				

Employee ID	Work Location	Oct. 20	Nov. 20	Dec. 20	Jan. 21	Feb. 21	Mar. 21
136665	Mira Mesa High - 0349	x	x				
150855	Mira Mesa High - 0349	x	x				
107287	Mira Mesa High - 0349	x	x				
122639	Mira Mesa High - 0349	x	x				
163114	Mira Mesa High - 0349	x	x				
155366	Mira Mesa High - 0349	x	x				
169019	Mira Mesa High - 0349	x	x				
100018	Mira Mesa High - 0349	x	x				
136605	Mission Bay High - 0350	x	x	x			
132640	Mission Bay High - 0350	x	x	x			
133240	Mission Bay High - 0350	x	x	x			
109525	Mission Bay High - 0350	x	x	x			
144522	Mission Bay High - 0350	x	x	x			
131933	Morse High - 0352	x					
117560	Morse High - 0352	x	x				
100555	Morse High - 0352	x	x				
105106	Morse High - 0352	x	x				
120162	Morse High - 0352	x					
152076	Morse High - 0352	x	x				
174914	Morse High - 0352	x	x				
104196	Morse High - 0352	x	x				
176479	Morse High - 0352	x	x				
177449	Mountain View School - 0138	x					
100305	Mt. Everest Academy - 0395					x	x
162595	Muirlands Middle - 0317					x	
108080	Oak Park Elementary - 0223						x
106548	Oak Park Elementary - 0223	x	x		x	x	x
118185	Pacific Beach Elementary - 0227		x	x	x	x	x
106720	Paradise Hills Elementary - 0229					x	x
164769	Perry Elementary - 0237	x	x	x	x		
173841	Perry Elementary - 0237		x	x	x		
103775	Pershing Middle - 0321	x	x	x			

Employee ID	Work Location	Oct. 20	Nov. 20	Dec. 20	Jan. 21	Feb. 21	Mar. 21
134058	Pershing Middle - 0321		x	x			
116476	Pershing Middle - 0321	x	x	x			
144363	Point Loma High - 0354	x	x	x			
115400	Point Loma High - 0354	x					
106748	Point Loma High - 0354		x	x			
167074	Point Loma High - 0354	x	x	x			
152304	Point Loma High - 0354	x	x	x			
144927	Point Loma High - 0354	x	x	x			
115617	Point Loma High - 0354	x	x	x			
175581	Rowan Elementary - 0249	x	x	x	x	x	
107556	Rowan Elementary - 0249	x	x				
168592	Rowan Elementary - 0249	x	x				
118532	San Diego Bus and Ldrship - 3749	x					
157222	San Diego Bus and Ldrship - 3749	x	x				
137177	San Diego Bus and Ldrship - 3749	x	x				
137177	San Diego Bus and Ldrship - 3749	x	x				
132606	San Diego Bus and Ldrship - 3749	x	x				
128581	San Diego Science & Technology - 3753		x	x			
166460	San Diego Science & Technology - 3753		x				
113501	San Diego Science & Technology - 3753		x				
148680	San Diego Science & Technology - 3753		x				
134588	San Diego Science & Technology - 3753		x				
151716	San Diego Science & Technology - 3753		x				
130398	Scripps Elementary - 0090	x	x				
167370	Scripps Elementary - 0090	x	x	x			
176386	Scripps Ranch High - 0359	x	x				
165275	Scripps Ranch High - 0359	x	x				
121261	Scripps Ranch High - 0359	x	x				
130548	Scripps Ranch High - 0359	x	x				
102127	Scripps Ranch High - 0359	x	x				
121496	Sequoia Elementary - 0253	x	x	x	x		
178857	Serra High - 0357						x

Employee ID	Work Location	Oct. 20	Nov. 20	Dec. 20	Jan. 21	Feb. 21	Mar. 21
117365	Serra High - 0357	x					
138462	Serra High - 0357	x	x				x
134905	Serra High - 0357	x	x				
131712	Serra High - 0357						x
109984	Serra High - 0357		x				
136733	Serra High - 0357	x	x				
168421	Sherman Elementary - 0259					x	x
178120	Sherman Elementary - 0259					x	x
105495	Sherman Elementary - 0259					x	x
162641	Sherman Elementary - 0259					x	x
176460	Sherman Elementary - 0259					x	x
148883	Spreckels Elementary - 0263						x
164308	Spreckels Elementary - 0263					x	x
132029	Sunset View Elementary - 0269					x	x
172933	Torrey Pines Elementary - 0279	x	x				x
176868	Torrey Pines Elementary - 0279	x	x				x
151357	TRACE - 0479	x	x	x	x	x	x
171414	Valencia Park Elementary - 0283					x	x
170258	Valencia Park Elementary - 0283						x
178126	Valencia Park Elementary - 0283					x	x
174672	Vista Grande Elementary - 0284	x	x	x			
136797	Whitman Elementary - 0295	x		x	x		