

THE ADVOCATE

SAN DIEGO EDUCATION ASSOCIATION

SDEA

San Diego Education Association

Educators are fighting for a union contract to

Recover, Rebuild, Rise Together!

Fully staff schools to recruit new educators and stop burnout

Pay and benefits to stop the staffing shortage

- Educator pay raises that keep up with cost of living increases
- Keep fully-paid family healthcare and improve dental and vision care
- Extend summer healthcare benefits to temporary teachers so they don't leave SDUSD for more competitive districts
- COVID retention bonus
- Hiring incentive to recruit special educators
- Wage parity for JROTC instructors and compensation for all VAPA extended day work

Make educators' work and family lives better

- More paid planning time so teachers can do our best teaching, including more preparation time for elementary teachers
- Fewer non-essential meetings so educators have more planning time
- Transfer rules that are fairer to educators and make schools more stable for students, including eliminating the elementary "TK-3 or 4-6" rule
- Improve rate for off-hours training workshops
- Expanded maternity and paternity leave

Equitable access to education

- Broadband home internet available for all students
- Access to technology devices for all students and educators
- Access to free and efficient public transportation for all students

Resources that address the impact of the pandemic on students

- Lower class size so elementary teachers can give students more one-on-one attention to overcome pandemic learning loss
- 3-5-year-old Universal TK students must continue to have both a TK Teacher and an Early Childhood Education Teacher in their classrooms
- More counseling services to meet students' increased mental health needs
- Hire more paraeducators so students with IEPs get the support they're entitled to
- Support for special education assessments so no student has to wait
- Close loopholes that allow SDUSD to overload special educators' caseload
- Strengthen SDUSD's online and independent study programs
- Invest in staffing to advance restorative practices, Ethnic Studies, Community Schools, supports for multilingual learners and student physical health
- Expand access to after school opportunities

Clean and safe schools

- Hire more custodial and maintenance staff to fulfill SDUSD's promise to keep our schools safe, clean and pest-free
- Lower class size in Physical Education classes to ensure safe supervision of students in the gym, on the field, and in the locker room
- Keep COVID air quality measures in place with portable and HVAC filters

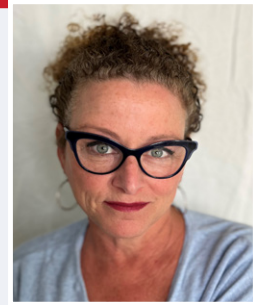
SDEA PRESIDENT



KYLE WEINBERG

LETTERS IN SOLIDARITY

SDEA VICE PRESIDENT



LISA MORRIS

— What it will take to — RECOVER, REBUILD & RISE TOGETHER!

We are excited to welcome back every SDEA educator! We hope you all had a relaxing and rejuvenating summer break. It was much needed after the last school year where we all pushed ourselves to the limits to support our students as we collectively navigated the continuing impact of this pandemic. As we prepare to begin a new school year, it is important for us to remember where we've come from and where we are going.

On June 9th, an [agreement](#) was reached between your SDEA bargaining team and SDUSD for a 4.5% retention bonus for all educators for the 2022-23 school year as well as transfer and hiring bonuses for special education and nurses. This will address the unprecedented staffing shortages that stretched our school sites thin as we picked up the slack for vacancies that extended throughout the school year. These are one-time bonuses paid with expiring federal COVID relief funds intended for hiring and retaining staff and we will have to fight in the fall for across-the-board raises on our salary schedule.

In September, we will resume negotiating with the District on allocating the [historic increase in state education funding](#) toward further improvements in ongoing pay, our working conditions and student learning conditions. Our demands are the product of the priorities expressed in over 140 SDEA bargaining input sessions and are reflected in our Recover, Rebuild and Rise Together bargaining platform on the cover of this issue of the SDEA Advocate. To achieve these demands, we will need to band together as SDEA educators with parent, student and community leaders

to mobilize our combined power to win the schools and communities that our students deserve.

On the political front, SDEA endorsed school board candidates - former teacher Shana Hazan in subdistrict B and UCSD lecturer Dr. Cody Petterson in subdistrict C, both SDUSD parents - finished first in their respective June primary elections with commanding leads. Kudos to all the SDEA members who put in the work and helped to get out the vote for our endorsed candidates. Member involvement in the November general election will be critical as educators continue the work of maintaining our pro-union and pro-public education school board.

In order to win a contract that addresses the impact of the pandemic on educators, students and their families, as well as elect school board members who will advance our priorities, we must strengthen our SDEA organizing muscles by implementing the following: 1) educating parents at every school about our contract bargaining platform, 2) working with families and community organizations to advocate for our shared priorities and 3) employing collective action throughout the school year to put pressure on the District to **do what is right for educators, students and the communities we serve**. There's no telling that the District will do what is right, so ensuring that SDEA members at each site and program are ready to fight for our platform will be critical!

TOGETHER WE ARE STRONGER!

KYLE WEINBERG
SDEA PRESIDENT

LISA MORRIS
SDEA VICE PRESIDENT

HUNDREDS OF TEMPORARY EMPLOYEES CONVERTED

Due to SDEA Investigation

In the 2021-2022 school year, SDUSD hired nearly 600 certificated employees on temporary contracts, which is normally 300-400 employees annually. This alarming rise set off warning bells for SDEA staff and leadership, and resulted in investigations into the district's hiring practices. In collaboration with SDEA's attorneys, SDEA staff and leaders reviewed the entirety of the temporary certificated workforce.

The district HR and Legal departments, knowing that SDEA staff and leaders were analyzing lists to verify the district's hiring practices, began converting hundreds of temporary employees to probationary employees. As they started this massive wave of conversions, SDEA staff and leaders became concerned that the district was not converting in accordance with the law.

Under Ed Code Section 44918 (and reinforced by the *Henderson v. Newport Mesa Unified School District* decision by the CA 4th District Court of Appeals in

2013), any temporary employee who meets certain criteria has preferential hiring rights for any probationary positions the district offers. These hiring rights are also known as "Henderson" rights.

A temporary employee must have worked for the school district for at least two years, and worked 75% of the workdays in each year. The law specifically states that the "employee shall receive first priority if the district fills a vacant position, at the grade level at which the employee served during either of the two years, for the subsequent school year. In the case of a departmentalized program, the employee shall have taught in the subject matter in which the vacant position occurs."

In January 2022, SDEA staff surveyed temporary employees, probationary employees, and substitutes about their employment history over the last three years to see if the district was actually following the law. This survey revealed that almost a dozen employees, and possibly more, had

their "Henderson" rights violated. These cases were presented by SDEA attorneys to SDUSD's HR and Legal team, and many were converted to probationary or permanent employees.

It is crucial that temporary employees be members of SDEA, so that when issues that fall under the scope of state law come into question, they can be represented by SDEA and have their rights enforced. Only dues-paying SDEA members get legal representation for matters under state or federal laws, and if these employees were not members, SDEA would not have been able to represent them and get them converted to more permanent positions. Of the nearly 600 employees hired as temps, over 200 were converted due to SDEA staff, leadership, and attorney action and investigations over the course of this past school year.

NOT A MEMBER? SIGN UP AT:
tinyurl.com/SDEAMembershipForm



**TOGETHER
WE ARE
STRONGER**

SDEA
San Diego Education Association

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You Got This

Your confidence shines through. So do these CTA benefits.



Special Enrollment Opportunity for Newly Hired CTA Members

If you're new at your district this year, you have a special opportunity to apply for CTA-endorsed Disability insurance and up to \$400,000 of Life insurance¹ from The Standard **with no health questions asked**.

DISABILITY INSURANCE can help protect your paycheck if you're out of work due to an injury, illness (including mental health conditions and substance abuse), pregnancy or childbirth. **LIFE INSURANCE** provides for your loved ones in the event of your passing. You also get additional features you can use now at no additional cost.

Offer expires 270 days from your first day on the job.

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¹ Coverage reduces to 65% of the amount in force at age 70, 45% of the amount in force at age 75 and 30% of the amount in force at age 80. Offer not available to retirees.

For costs and further details of the coverage and this enrollment opportunity, including exclusions, any reductions or limitations and the terms under which the policies may be continued in force, please contact The Standard at 800.522.0406. Standard Insurance Company, 1100 SW Sixth Avenue, Portland, OR 97204 GP190-LTD/S399/CTA.1 GP190-LIFE/S399/CTA.3 SI 20945-CTAvol (8/22)