

**TENTATIVE AGREEMENT BETWEEN THE  
SIERRA SANDS UNIFIED SCHOOL DISTRICT AND THE  
DESERT AREA TEACHERS ASSOCIATION**

May 23, 2018

Except as agreed herein, all language currently contained in the collective bargaining agreement between the Sierra Sands Unified School District ("District") and the Desert Area Teachers Association ("DATA") is intended to remain in full force and effect.

ARTICLE VII

CLASS SIZE

A. At the kindergarten/TK level, the class size goal is twenty-eight (28) students or less. The maximum class size shall be thirty-two (32) students. This paragraph does not constitute a "collectively bargained alternative annual average class enrollment" as that phrase is used in Education Code Section 42238.02.

B. At grades 1-5, the class size goal is twenty-eight (28) students or less. The maximum class size shall be thirty-two (32) students. This paragraph does not constitute a "collectively bargained alternative annual average class enrollment" as that phrase is used in Education Code Section 42238.02.

C. At grades 6-12, each teacher shall have a maximum class size of thirty-five (35) students with a goal of thirty (30) students or less. 6<sup>th</sup> grade core classes shall have a maximum class size of thirty-two (32). The following are exceptions to Paragraph C:

1. English classes (grades 6-12) shall have a maximum class size of thirty (30) students.

2. Math classes (grades 6-12) shall have a maximum class size of thirty (30) students, commencing in the 2019-2020 school year.

2.3. Music and other courses when normally carried out in large group instruction.

3.4. The goal for class sizes in those classes specifically created for purpose of intervention is twenty (20) students with a maximum class size of twenty-five (25) students.

4.5. Mesquite Continuation High School shall be staffed according to law. Staffing decisions for each school year shall be based on enrollment at the end of the fourth (4<sup>th</sup>) month (P-1) of the previous school year.

5.6. Physical education class size shall not exceed forty (40) students per class for grades 6-12.

D. Elementary combination classes shall not exceed the following maximums:

1. Combination classes of two (2) grade levels with one (1) teacher shall not exceed thirty (30) students.

2. For classes of more than two (2) grade levels and one (1) teacher, the maximum is twenty-three (23).

E. Special education class sizes shall be as determined by applicable state and federal laws and regulations. Special day classes whose limits are not determined by state or federal laws or regulations shall have a maximum of sixteen (16) students. In the event that the class size is exceeded by more than four (4) students, corrective action shall be limited to Sections a. and b. of K. 1., below, unless mutually agreed to by the teacher and site administrator.

1. The principal and teacher shall mutually agree as to whether a mainstreamed student will be counted for class size limit purposes. If agreement is not reached, then a panel consisting of the Superintendent or designee, a regular education teacher selected by the principal, and a special education teacher selected by the receiving teacher shall

make the determination.

F. For the Severely Handicapped Class (DCH), one (1) additional paraprofessional shall be provided any time attendance in this program exceeds seven (7) students and only for the period this limit is exceeded. The District shall make every effort to ensure continuity by assigning individuals familiar with this program.

G. Speech therapist caseloads shall be limited to fifty-five (55), and their ~~ease-load~~ caseload overages at all grade levels shall be paid at a rate of three dollars and seventy five cents (\$3.75) per day per student, except students designated as "watch and consult." Resource specialist caseloads shall be limited to twenty-eight (28) students and their ~~ease-load~~ caseload overages at all grade levels shall be paid at a rate of two dollars and fifty cents (\$2.50) per day per student, except students designated as "watch and consult."

H. Classes with limited work stations or requiring specialized equipment, a laboratory approach, special safety precautions, or any other conditions which affect the health or safety of the environment will be assigned, upon bi-annual approval of the Superintendent or designee, the number of students that can be accommodated and adequately supervised. Such classes may include, but are not limited to laboratory science, industrial arts, home economics, and art. A committee consisting of the affected site administrator, Assistant Superintendent of Human Resources, Director of Facilities and Maintenance, applicable Department Chair or Middle School Department Liaison, a District Safety Committee representative (not assigned to the affected school), and a DATA representative shall bi-annually inspect and/or review these classes and make a recommendation to the Superintendent by March 1 of every other year.

I. Team teaching classes will be based on multiples of the appropriate maximums.

J. The District agrees to make reasonable efforts to balance class sizes at each grade level within plus or minus two (2) students of the District average. Individual class size maximums may be exceeded:

1. During the first three (3) weeks of the students' school year and the first three (3) weeks of the second semester of grades 6-12.

2. With the agreement of the affected teacher; such agreement shall not be precedential.

3. With the agreement of two-thirds (2/3) majority, or the nearest available lower fraction above fifty percent (50%), of the affected department in middle and high schools.

K. In the event the class size maximums are exceeded for a period of ten (10) consecutive school days and no adjustment has been made, the school shall notify the teacher. Once class size maximums have been exceeded as described above, any additional student exceeding the class size shall be counted beginning with the fifth (5th) day of enrollment. On the last day of each semester, as established in the academic calendar, the school shall provide the teacher with the number of days of class overages per semester in letter format.

1. The District shall take appropriate corrective action, which may include any of the following:

a. Redistribution of pupils;

b. The hiring of additional full- or part-time teachers or aides;

c. Absent action described in a. and b. above, teachers who have classes which exceed the maximums, except during the period specified in Paragraph J. 1., above, shall be paid effective the first day the class size was exceeded ~~ten~~ twelve

dollars and fifty cents (~~\$10~~ 12.50) per pupil per day at the K-5 level, and two dollars and fifty cents (\$2.50) per pupil per period at the 6-12 level. The two dollars and fifty cents (\$2.50) per pupil per period may not accrue to more than ~~ten~~ twelve dollars and fifty cents (~~\$10~~ 12.50) per pupil per day for any teacher at the 6-12 level. Records for payments to teachers based on these stipends shall be kept in the District Office. Payment will be made semi-annually, within four (4) weeks of the end of each semester.

d. Other solutions mutually acceptable to the employees and the District.

L. Elementary classes that reach an enrollment of eight (8) English Learner (EL) students who have been identified as Levels 1 or 2 (ie, "less than reasonable fluency" per the California English Language Development Test (CELDT) will be labeled as combination classes. The designation will then continue until the end of that school year except when the number of EL students falls below five (5). If all the EL students are assigned to one class at a grade level, every effort will be made to assign other special needs students to the other class (es). If all teachers at a grade are receiving EL students, all other special needs students will be equitably distributed.

1. Teacher assignment to the EL cluster will be voluntary and made prior to the beginning of school. If no teacher volunteers, EL students will be equitably placed among teachers at the grade level where there is no volunteer.

2. If all teachers at a grade level are receiving EL students, all other special needs students will be equitably distributed.

M. Teachers must be qualified to provide English Language Development (ELD)

instruction by virtue of holding a California required credential or certificate for such service such as CTEL, authorization embedded in the credential, CLAD, BCLAD, SDAIE, LDS, or BCC or be currently enrolled in an appropriate training program that will be completed within two (2) years of notification by the District.

**FOR THE DISTRICT**

*Dave Ostash*

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Dave Ostash  
Assistant Superintendent, Human  
Resources  
Sierra Sands Unified School District

Date: 6/6/18

**FOR THE ASSOCIATION**

*Vanessa Vaughn-Springs*

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Vanessa Vaughn-Springs  
President, Desert Area Teachers  
Association (DATA)

Date: 6/8/18

*Carolyn Hiatt*

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Carolyn Hiatt  
Negotiations Chairperson, Desert Area  
Teachers Association (DATA)

Date: 6/6/18