

**Settlement Agreement  
Between  
Alameda Unified School District  
and  
Alameda Education Association**

**June 12, 2012**

After Fact Finding, the Alameda Unified School District (“District”) and the Alameda Education Association (“AEA”), collectively “the parties,” met on June 11, 2012 to resolve re-opener negotiations on class size and agree to the terms and conditions specified in this Settlement Agreement (“Agreement”).

**K-3 Class Size**

Except as set forth herein, K-3 class size shall be up to 25:1. This language shall remain in effect until the parties complete negotiations for a successor collective bargaining agreement to the 2006-2009 Contract (“Contract”).

The parties recognize that at the time they reached this Agreement, it was not possible to accurately predict state funding for school districts for the 2012-13 and successive school years. In light of this uncertainty, the parties have agreed that maintenance of K-3 class sizes of 25:1 is contingent on state funding. It is the intention of the parties to protect the fiscal condition of the District and K-3 class sizes in the case of revenue fluctuations due to the State Budget.

Upon adoption of the annual State Budget and the completion of the November 2012 election, the funded Base Revenue Limit per unit of ADA (BRL/ADA) shall be calculated based on the Second Interim Financial Report which is due on or before March 15<sup>th</sup> each year. On or before March 1, the District will provide to AEA written notice of its calculation of the funded BRL/ADA for each fiscal year in which this Agreement remains in effect.

- a. If the AUSD Funded BRL/ADA is greater than or equal to \$5,226.64, then K-3 class sizes shall be staffed at a ratio of no greater than 25 students per teacher.
- b. If the AUSD Funded BRL/ADA is less than \$5,226.64, then the District may staff K-3 class sizes at a ratio of no greater than 32 students per teacher.

“Base Revenue Limit per Unit of ADA” (BRL/ADA) as used herein refers to the District’s actual unrestricted ongoing funded Base Revenue Limit per unit of average daily student attendance including the AB 851 add-on amount, after all deficit factors have been applied, including but not limited to, deficit reduction, equalization, and any other ongoing unrestricted changes to the state school funding.

In calculating funded BRL/ADA for purposes of this Agreement, the parties shall only use changes to the Base Revenue Limit which do not result from supplanting of other revenue sources (e.g., "sweeping" categorical funds, weighted student formula, or some other change in funding). The parties recognize that this language anticipates that the State school finance system remains as prescribed in current law. If there is a significant change in the State school finance law after June 12, 2012, and the District determines that as a result of the change, K-3 Class Sizes will increase above 25:1 under the terms of this Agreement, the District will provide written notice of its determination to AEA by March 1, 2013. The parties agree to meet by March 9 and discuss the impact of this change in funding to ensure that this Agreement is implemented properly.

It is the intent of the parties that class size language will revert to the language in the 2006-2009 Contract upon completion of negotiations for a successor agreement unless the parties have negotiated otherwise.

### **Work Year for 2012-2013**

For the 2012-2013 school year only, unit members will work and be paid for 186 days which shall consist of the following: 180 days of instruction or “student days,” 3 work days, and 3 professional development. For at least one professional development day, the agenda and focus of learning shall be co-constructed and mutually agreed upon by site leaders and unit members assigned to the site.

For future bargaining, the work year is as set forth in the Contract. This Agreement shall not establish a precedent for future bargaining between the parties as to the work year.

### **Calendar**

**2012-2013 Calendar.** The parties agree to the attached 2012-2013 calendar.

2013-2014 Calendar. The parties agree to each appoint two representatives to an advisory committee on the 2013-2014 calendar. The committee shall recommend at least two 2013-2014 calendars to each party's bargaining team no later December 1, 2012. In the event the parties are unable to successfully negotiate a 2013-2014 calendar by January 1, 2013 for ratification by unit members and the Board of Education, AEA will submit the attached calendars for the 2013-2014 school year to its membership for a vote. AEA will then present one of the calendars for the 2013-2014 school year to the Board of Education for adoption no later than January 31, 2013.

For future bargaining, the calendar guidelines are as set forth in the Contract. This Agreement shall not establish a precedent for future bargaining between the parties as to the Calendar.

**Term**

This Agreement represents the entire agreement between the parties in settlement of 2011-12 reopeners contract bargaining, including the Fact Finding process, and completes the parties' bargaining obligations pursuant to Government Code Section 3450, *et. seq.* This Agreement is subject to ratification by both parties.

AEA:

District:

---

---

---

---

---

---

---

---

---

---

---

---

---

---

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**2013-2014 ALTERNATIVE 1 DRAFT CALENDAR**  
**Attachment B to 6.12.12 Settlement Agreement / Pending Board Approval 6.26.12**

MONTH	M	T	W	Th	F	TEACHING DAYS	CUMULATIVE TEACHING DAYS	
<b>AUG 2013</b>	5	6	7	8	9	5	5	
	12	13	14	15	16			Aug 22: Staff Development Day
	19	20	21	(22)	(23)			Aug 23: Teacher Work Day
	26	27	28	29	30			<b>Aug 26: First Day of School</b>
<b>SEP 2013</b>	2	3	4	5	6	20	25	Sep 2: Labor Day Holiday
	9	10	11	12	13			
	16	17	18	19	20			
	23	24	25	26	27			
	30							
<b>OCT 2013</b>		1	2	3	4	22	47	Oct 11: Staff Development Day
	7	8	9	10	(11)			
	14	15	16	17	18			
	21	22	23	24	25			
	28	29	30	31				
<b>NOV 2013</b>					1	15	62	Nov 11: Veteran's Day
	4	5	6	7	8			Nov 25-29: Fall Break
	11	12	13	14	15			Nov 28: Thanksgiving Day
	18	19	20	21	22			
	25	26	27	28	29			
<b>DEC 2013</b>	2	3	4	5	6	15	77	Dec 23-Jan 3: Winter Break
	9	10	11	12	13			Dec 24: Christmas Eve
	16	17	18	19	20			Dec 25: Christmas Day
	23	24	25	26	27			Dec 31: New Year's Eve
	30	31						
<b>JAN 2014</b>			1	2	3	19	96	Jan 1: New Year's Day Holiday
	6	7	8	9	10			Jan 20: Martin Luther King, Jr. Holiday
	13	14	15	16	17			
	20	21	22	23	24			
	27	28	29	30	31			
<b>FEB 2014</b>	3	4	5	6	7	18	114	Feb 14: Lincoln's Day Holiday
	10	11	12	13	14			Feb 17: President's Day Holiday
	17	18	19	20	21			
	24	25	26	27	28			
<b>MAR 2014</b>	3	4	5	6	7	20	134	Mar 14: Staff Development Day
	10	11	12	13	(14)			
	17	18	19	20	21			
	24	25	26	27	28			
	31							
<b>APR 2014</b>		1	2	3	4	17	151	Apr 14-18: Spring Break
	7	8	9	10	11			Apr 20: Easter (Sunday)
	14	15	16	17	18			
	21	22	23	24	25			
	28	29	30					
<b>MAY 2014</b>				1	2	21	172	May 26: Memorial Day Holiday
	5	6	7	8	9			
	12	13	14	15	16			
	19	20	21	22	23			
	26	27	28	29	30			
<b>JUN 2014</b>	2	3	4	5	6	8		<b>Jun 11: Last Student &amp; Teaching Day</b>
	9	10	11	(12)	13			Jun 12: Teacher Work Day
	16	17	18	19	20			

K-12 teachers may schedule the second workday during the week prior to the opening or during the week after the closing of school

○ = Legal Holiday

□ = Local Holiday

( ) = Non-Student Day

**2013-2014 ALTERNATIVE 2 DRAFT CALENDAR**  
**Attachment C to 6.12.12 Settlement Agreement / Pending Board Approval 6.26.12**

MONTH	M	T	W	Th	F	TEACHING DAYS	CUMULATIVE TEACHING DAYS	
<b>AUG 2013</b>	5	6	7	8	9	5	5	Aug 21: Staff Development Day Aug 22: Staff Development Day Aug 23: Teacher Work Day <b>Aug 26: First Day of School</b>
	12	13	14	15	16			
	19	20	(21)	(22)	(23)			
	26	27	28	29	30			
<b>SEP 2013</b>	2	3	4	5	6	20	25	Aug 26: First Day of School Sep 2: Labor Day Holiday
	9	10	11	12	13			
	16	17	18	19	20			
	23	24	25	26	27			
	30							
<b>OCT 2013</b>		1	2	3	4	22	47	Oct 11: Staff Development Day
	7	8	9	10	(11)			
	14	15	16	17	18			
	21	22	23	24	25			
	28	29	30	31				
<b>NOV 2013</b>					1	17	64	Nov 11: Veteran's Day Nov 27-29: Fall Break Nov 28: Thanksgiving Day
	4	5	6	7	8			
	11	12	13	14	15			
	18	19	20	21	22			
	25	26	27	28	29			
<b>DEC 2013</b>	2	3	4	5	6	15	79	Dec 23-Jan 3: Winter Break Dec 24: Christmas Eve Dec 25: Christmas Day Dec 31: New Year's Eve
	9	10	11	12	13			
	16	17	18	19	20			
	23	24	25	26	27			
	30	31						
<b>JAN 2014</b>			1	2	3	19	96	Jan 1: New Year's Day Holiday Jan 20: Martin Luther King, Jr. Holiday
	6	7	8	9	10			
	13	14	15	16	17			
	20	21	22	23	24			
	27	28	29	30	31			
<b>FEB 2014</b>	3	4	5	6	7	18	116	Feb 14: Lincoln's Day Holiday Feb 17: President's Day Holiday
	10	11	12	13	14			
	17	18	19	20	21			
	24	25	26	27	28			
<b>MAR 2014</b>	3	4	5	6	7	21	137	
	10	11	12	13	14			
	17	18	19	20	21			
	24	25	26	27	28			
	31							
<b>APR 2014</b>		1	2	3	4	17	154	Apr 14-18: Spring Break Apr 20: Easter (Sunday)
	7	8	9	10	11			
	14	15	16	17	18			
	21	22	23	24	25			
	28	29	30					
<b>MAY 2014</b>				1	2	21	175	May 26: Memorial Day Holiday
	5	6	7	8	9			
	12	13	14	15	16			
	19	20	21	22	23			
	26	27	28	29	30			
<b>JUN 2014</b>	2	3	4	5	6	8		<b>Jun 6: Last Student &amp; Teaching Day</b> Jun 9: Teacher Work Day
	(9)	10	11	12	13			
	16	17	18	19	20			

K-12 teachers may schedule the second workday during the week prior to the opening or during the week after the closing of school

○ = Legal Holiday      □ = Local Holiday      ( ) = Non-Student Day

**2013-2014 ALTERNATIVE 3 DRAFT CALENDAR**  
**Attachment C to 6.12.12 Settlement Agreement / Pending Board Approval 6.26.12**

MONTH	M	T	W	Th	F	TEACHING DAYS	CUMULATIVE TEACHING DAYS	
<b>AUG 2013</b>				1	2	0	0	
	5	6	7	8	9			
	12	13	14	15	16			Aug 28: Staff Development Day
	19	20	21	22	23			Aug 29: Staff Development Day
	26	27	(28)	(29)	(30)			Aug 30: Teacher Work Day
<b>SEP 2013</b>	2	3	4	5	6	20	20	Sep 2: Labor Day Holiday
	9	10	11	12	13			<b>Sep 3: First Day of School</b>
	16	17	18	19	20			
	23	24	25	26	27			
	30							
<b>OCT 2013</b>		1	2	3	4	22	42	Oct 18: Staff Development Day
	7	8	9	10	11			
	14	15	16	17	(18)			
	21	22	23	24	25			
	28	29	30	31				
<b>NOV 2013</b>					1	15	57	Nov 11: Veteran's Day
	4	5	6	7	8			Nov 25-29: Fall Break
	11	12	13	14	15			Nov 28: Thanksgiving Day
	18	19	20	21	22			
	25	26	27	28	29			
<b>DEC 2013</b>	2	3	4	5	6	15	72	Dec 23-Jan 3: Winter Break
	9	10	11	12	13			Dec 24: Christmas Eve
	16	17	18	19	20			Dec 25: Christmas Day
	23	24	25	26	27			Dec 31: New Year's Eve
	30	31						
<b>JAN 2014</b>			1	2	3	19	91	Jan 1: New Year's Day Holiday
	6	7	8	9	10			Jan 20: Martin Luther King, Jr. Holiday
	13	14	15	16	17			
	20	21	22	23	24			
	27	28	29	30	31			
<b>FEB 2014</b>	3	4	5	6	7	18	109	Feb 14: Lincoln's Day Holiday
	10	11	12	13	14			Feb 17: President's Day Holiday
	17	18	19	20	21			
	24	25	26	27	28			
<b>MAR 2014</b>	3	4	5	6	7	21	130	
	10	11	12	13	14			
	17	18	19	20	21			
	24	25	26	27	28			
	31							
<b>APR 2014</b>		1	2	3	4	17	147	Apr 14-18: Spring Break
	7	8	9	10	11			Apr 20: Easter (Sunday)
	14	15	16	17	18			
	21	22	23	24	25			
	28	29	30					
<b>MAY 2014</b>				1	2	21	168	May 26: Memorial Day Holiday
	5	6	7	8	9			
	12	13	14	15	16			
	19	20	21	22	23			
	26	27	28	29	30			
<b>JUN 2014</b>	2	3	4	5	6	8		<b>Jun 17: Last Student &amp; Teaching Day</b>
	9	10	11	12	13			Jun 18: Teacher Work Day
	16	17	(18)	19	20			

K-12 teachers may schedule the second workday during the week prior to the opening or during the week after the closing of school

○ = Legal Holiday

□ = Local Holiday

( ) = Non-Student Day