

AGENDA
ELK GROVE UNIFIED SCHOOL DISTRICT
Special Meeting of the Board of Education
Conference Room D, Education Center
9510 Elk Grove-Florin Road
Elk Grove, CA 95624
May 15, 2014
4:30-7:30 p.m.

Item

Time – Approximate

NOTICE

Members of the public will be provided an opportunity to directly address the governing board about the item described in this notice prior to consideration of the item. If you wish to address the Board, please do so when the item is called. Presentations will be limited to a maximum of three (3) minutes, with a total of thirty (30) minutes designated for public comment on an item. Time limitations are at the discretion of the President of the Board of Trustees. Individuals with questions or comments on general school district issues may address those issues at a regularly scheduled meeting.

Call the Meeting to Order

Public Hearing/Action Items

1. Consideration and Public Notice of Elk Grove Education Association (EGEA) Initial Proposal to the District Regarding Collective Bargaining for the 2014-2015 School Year.
2. EGBERT Revised Release and Settlement Agreement Between Elk Grove Unified School District and Elk Grove Education Association Signed On April 29, 2014

Discussion/Action Items

3. LCAP Budget Priorities

Adjournment

AMERICAN WITH DISABILITIES COMPLIANCE NOTICE

In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board Secretary, Arlene Hein, at (916) 686-7700. Notification of at least 24 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodation, auxiliary aids or services.

DOCUMENT AVAILABILITY

Documents provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in District office located at 9510 Elk Grove-Florin Road, Elk Grove, CA during normal business hours.

Board Agenda Item

Subject:

Department: Human Resources

Consideration and Public Notice of Elk Grove Unified School District's (EGUSD) Initial Proposal to EGEA regarding Collective Bargaining for the 2014-2015 School Year

Action Requested:

The Elk Grove Unified School District Governing Board is asked to review the Elk Grove Unified School District (EGUSD) initial proposal to Elk Grove Education Association (EGEA) for 2014-2015 collective bargaining.

Discussion:


Pursuant to Government Code Section 3547, the following are stipulated for negotiations between a bargaining unit and the District.

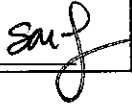
1. The District's initial proposal is officially presented at a public meeting of the Governing board for public notice; and
2. A public hearing is conducted to receive public input regarding the District's initial proposal.

EGUSD's initial proposal is attached.

It is recommended that after the closure of the public hearing, the Board take action to approve the District's initial proposal to EGEA.

Financial Summary:

Prepared By: _____ Division Approval: _____ Glen De Graw 

Prepared By: _____ Superintendent Approval: _____ Steven M. Ladd, Ed.D. 

2014-2015 INITIAL PROPOSALS
FROM
ELK GROVE UNIFIED SCHOOL DISTRICT
TO
ELK GROVE EDUCATION ASSOCIATION

It is the intention of the District to continue to use the Interest Based Bargaining model for collective bargaining. The Local Control Funding Formula (LCFF) and Local Control Accountability Plan (LCAP) legislation represents a major overhaul to the state funding system for public education in California and the District. This legislation impacts the interests and principles that are addressed in this initial proposal including the District's continued interest in establishing budget priorities that are consistent with the District's LCAP and that are in support of the District mission to ensure student achievement and elimination of the achievement gap.

The District has an interest in meeting the statutory requirements of a fiscally solvent multi-year budget based upon the following assumptions:

- The budget will maintain a positive certification
- The budget will address and reduce the existing deficit
- Negotiated Agreements will address total compensation, including:
 - Annual step and column raises
 - Annual District payments to the independent employee retirement trust (EGBERT)
 - Annual Employer cost of 80% to 85% of medical premium costs and Dental, Vision, and Life Insurance premiums
- The budget will fund the rising cost of operations (fuel, utilities, textbooks, supplies and materials, instructional and business operations, technology.)
- Compliance with LCAP

The District has an interest in negotiating the following topics:

1. Total Compensation - Salary and Benefits (Reopened by EGEEA)

The District wishes to maintain a total compensation package that is commensurate to that of comparable local districts while maintaining the fiscal stability of the District and compliance with its LCAP. The District recognizes the cost of health and welfare benefits as an integral part of the total compensation package to be considered in conjunction with salary.

2. Class Size/Staffing Ratios/Reduction of Offloads (Article 14-Hiring Ratio)

3. Hours and School Schedules (Article 8)
 - a) The District has an interest in providing all students with equitable opportunities to enroll in electives and advanced coursework.
 - b) The District also has an interest in discussing professional development.
4. Parent and Student Communication (Article 10-Working Conditions)
5. Transfers and Reassignments (Article 11-Transfers)

ELK GROVE UNIFIED SCHOOL DISTRICT

Agenda Item No: 2

Board Agenda Item

Supplement No. _____

Meeting Date May 15, 2014

Subject:

Department: Human Resources

EGBERT Revised Release and Settlement Agreement between Elk Grove Unified School District and Elk Grove Education Association signed on April 29, 2014.

Action Requested:

The EGBERT Revised Release and Settlement Agreement between the Elk Grove Unified School District (EGUSD) and the Elk Grove Education Association (EGEA) was signed on April 29, 2014. The Board of Education of EGUSD is asked to conduct a Public Hearing to present the agreement reached through negotiations. The Board President should announce and open the public hearing with a request for anyone who wishes to speak to the proposal to please come forward. After listening to any speakers, the Board President should close the public hearing. After closing the public hearing, the Board is asked to take action to approve the agreement.

Discussion:

Financial Summary:

The District will pay to the EGBERT Trust, the amount of one million, four hundred and fifty thousand dollars (\$1,450,000) on or before December 31, 2014 which is in full and complete satisfaction of Paragraph 3 of the 2009 Settlement Agreement.

Prepared By: _____ Division Approval: Glen De Graw *GDG*

Prepared By: _____ Superintendent Approval: Steven M. Ladd, Ed.D. *SML*

REVISED
RELEASE AND SETTLEMENT AGREEMENT
BETWEEN
ELK GROVE UNIFIED SCHOOL DISTRICT
AND
ELK GROVE EDUCATION ASSOCIATION
April 28, 2014

Elk Grove Unified School District ("District") and the Elk Grove Education Association ("EGEA"), collectively referred to as the "Parties," agree as follows:

RECITALS:

A. On July 30, 2009 and August 3, 2009, EGEA and the District, respectively, entered into a Release and Settlement Agreement (hereafter referred to as the "2009 Settlement Agreement").

B. Paragraph 3 of the 2009 Settlement Agreement required the District to pay the amount of Five Hundred Fifty Thousand dollars (\$550,000) to the EGBERT trust for each of the 2008-09, 2009-10, 2010-11 fiscal years, totaling one million, six hundred and fifty thousand dollars (\$1,650,000), contingent upon the receipt by the District of deficit reduction payments from the State of California.

C. Paragraph 5 of the 2009 Settlement Agreement required the District to pay the amount of Five Hundred Fifty Thousand dollars (\$550,000) to the EGBERT trust for each fiscal year, beginning in the 2011-2012 fiscal year and continuing thereafter.

D. The District has fully executed its obligations to pay into the EGBERT trust for each fiscal year through and including fiscal year 2013-2014 pursuant to Paragraph 5 of the 2009 Settlement Agreement, and hereby acknowledges its continuing obligation pursuant to Paragraph 5 of the 2009 Settlement Agreement to pay five hundred and fifty thousand dollars (\$550,000) to the EGBERT trust each fiscal year going forward.

E. Pursuant to the parties' September 27, 2013 Tentative

Agreement, section 7, the District made a two hundred thousand dollar (\$200,000) payment toward the one million, six hundred and fifty thousand (\$1,650,000) owed pursuant to Paragraph 3 of the 2009 Settlement Agreement in February 2014. This payment reduced the one million, six hundred and fifty thousand dollars (\$1,650,000) value described in Paragraph 3 of the 2009 Settlement Agreement down to one million, four hundred and fifty thousand dollars (\$1,450,000).

F. Beginning with the 2013-14 school year, the State of California enacted the Local Control Funding Formula ("LCFF") which eliminated the deficit factor, the source of the deficit reduction payments, beginning in the 2013-2014 fiscal year. (See Ed. Code, § 42238.146.)

G. The Parties agree that it is in their collective interest to pay the Paragraph 3 District contribution to the EGBERT trust and modify the terms of the 2009 Settlement Agreement with regard to Paragraph 3 in light of the change in law represented by the LCFF.

H. Pursuant to Paragraph 14 of the 2009 Settlement Agreement, the Parties are permitted to modify the original terms of the 2009 Settlement Agreement or supersede its provisions by written instrument executed by the District and the EGEA.

NOW, THEREFORE, in consideration of the terms and conditions of this Agreement, the Parties agree as follows, subject to ratification by the Governing Board of the District and EGEA:

AGREEMENT:

1. The District will pay to the EGBERT Trust, the amount of one million, four hundred and fifty thousand dollars (\$1,450,000) on or before December 31, 2014 which is in full and complete satisfaction of Paragraph 3 of the 2009 Settlement Agreement.

2. Nothing in this Agreement supersedes, waives, and/or modifies current or future provisions of the collective bargaining

agreement between the parties regarding other negotiated allocations to EGBERT. Additionally, except as expressly done herein, this Agreement does not supersede, waive and/or modify any obligations of the District to pay EGBERT pursuant to Paragraph 5 of the 2009 Settlement Agreement.

3. This Agreement fully completes all of the District obligations to the EGBERT Trust pursuant to Paragraph 3 of the 2009 Settlement Agreement.

4. The Parties each agree to execute such further documents and take such further actions as may be reasonably necessary or appropriate to effectuate the terms of this Agreement.

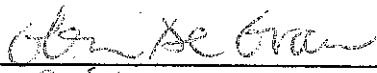
5. The Parties each acknowledge and agree that they have been represented by independent counsel of their own choice regarding this Agreement and that before executing this Agreement they have had sufficient opportunity to investigate the facts and obtained the advice of such counsel. The Parties shall each bear their own costs and attorneys' fees.

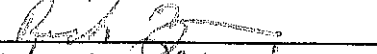
Dated: April 29, 2014

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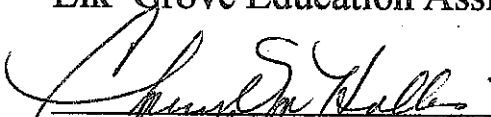
Elk Grove Unified School District

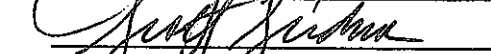
Elk Grove Education Assn.





Karen Besendes





Cheryl M. Hall