

**Paradise Unified School District
Minutes of August 19, 2008**

- I. OPEN SESSION**
The regular meeting of the Board of Trustees of the Paradise Unified School District was called to order by President Tim Titus at 5:30 p.m. at the Paradise Unified School District Office. Regular meeting
- II. ROLL CALL**
All members were present: Tim Titus, Gary Manwill, Michael Greer, Donna Nichols and Bob DiPietro. Five members
- III. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION** Pledge
- IV. PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS**
- V. CLOSED SESSION:** Closed session
- A. Conference with labor negotiator (Government Code §54957.6):
1. Certificated negotiations
 2. Classified negotiations
- B. Personnel issues (Government Code §54957):
1. Employee Discipline/Dismissal/Release
- C. Conference with real property negotiator (Government Code §54956.8)
- D. Conference with legal counsel regarding existing/anticipated litigation (Government Code §54956.9)
- VI. RECONVENE OPEN SESSION** Open session
- Open session was reconvened at 6:25 p.m.
- VII. PLEDGE OF ALLEGIANCE** Pledge of Allegiance
- The Pledge of Allegiance to the flag was given.
- VIII. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**
- B.1 Two classified employees were dismissed, by a 5 – 0 vote of the Board. Employee dismissal
- IX. CELEBRATIONS/RECOGNITION**
- X. REPORTS AND PRESENTATIONS**
- A. 2007/2008 API/AYP
Susan Davis stated that the API/AYP reports were not yet available. The item will be brought back in September. API/AYP report postponed
- XI. PUBLIC COMMENTS**
- Glen Stankis presented a memo to the Board titled, “10 Commandment Posters Requested in Sixth Grade Classrooms”, and read it in its entirety. Comment re: poster request
- Glen Stankis asked the Board if school board candidates will receive the same packets that the Board is receiving. Mr. Bylund told Mr. Stankis the District would provide agenda packets for school board candidates. Request for agenda packets
- XII. CONSENT ITEMS**
- A. Approve bid/award for two Special Ed buses Special Ed buses
- B. Approve fundraising requests by: Fundraising requests
1. Paradise Elementary School second grades to hold a job-a-thon on September 5, 2008, to raise funds for classroom supplies, field trips and curriculum
 2. Pine Ridge School to sell Dutch Mill Flower bulbs, in order to raise funds for

- field trips, end of year activities, graduation, awards assemblies, etc.
- 3. Paradise Elementary Parent Club to hold an ice cream social on September 12, 2008, to support various classroom supplies and events throughout the year.
- 4. For Paradise Elementary third grades to hold a jog-a-thon in September or October, 2008, to raise funds for field trips

C. Approve Board meeting minutes for Special Board meeting of July 8, 2008, and regular Board meeting of July 15, 2008.

Board minutes

D. Approve payroll and vendor claims for July, 2008

Payroll and vendor claims

Mr. Greer moved, Dr. DiPietro seconded, to approve all items on the consent agenda. Motion carried.

Consent agenda approved

XIII. ACTION ITEMS

A. Grievance presentation

Grievance presentation

PCEA grievance rep, Chris Bolschazy handed out packets to each Board member. He introduced Keith Lockwood, PCEA consultant. Mr. Bolshazy stated that the PCEA Executive Board wanted to insure that information was disseminated before the Board makes a decision. He brought up grievances that were filed by PCEA members in 1995, 2002 and 2004, who he claims were denied contractual benefits. He went over details and requested that the Board hear the history of the action that has taken place since 2002.

Mr. Bolschazy then read a synopsis of what point in the grievance process PCEA is at now. He read Grievance #040203, level 4, Board of Trustees. PCEA attached all documents for the Board to review. The main argument revolves around PCEA, PUSD contract language, Ed Code provisions and the Garcia Decision. PCEA contends while the Ed Code §45137 covers working beyond contracted time, it must be decided on the current contract between PCEA and PUSD. He stated all benefits are to be prorated for hours worked, not just contracted time. He described specific incidents that took place that fell into this description. He stated that if an employee works for 19 days in a row, those hours and should become part of their contract and must be applied according to the MOU.

Mrs. Nichols asked Mr. Bolschazy to explain the specific remedy PCEA is requesting.

Mr. Manwill asked which benefits the employees are not getting if they work above their contracted hours.

Mr. Bolschazy stated that they're not getting PERS, health benefits, dental and vision, sick day accrual, etc.

Mr. Bolschazy stated that the proposal from PCEA is to request time off for PCEA members of one additional local holiday and three floating days to be taken one per year in three consecutive years, in lieu of paying off employees.

Keith Lockwood stated that the proposal will not create any double time, any overtime, or extraneous holiday pay. It will be part of a written agreement that specifies exactly how to resolve disparities and will not create another dispute. He feels the matter should be resolved without going to arbitration.

Mr. Chris Keiner, attorney for Paradise Unified School District stated that the district and PCEA has always had an outstanding relationship and will continue to have this relationship. To say that there were delays and broken promises is not true. Mr. Keiner stated that the District is in compliance with Ed. Code. That is reflected in the 1995 settlement. He stated that Chris Bolschazy asked the Board to block out the 19 day rule. Therein lies the problem as in 1995, the settlement agreement between the District and PCEA which states, "employees who work

extra time now included in their regular (contract) work hours shall have the extra time included in the prorate calculations of Districts Health Insurance contributions when the extra time is not less than 30 minutes per day in excess of the part-time assignment for not less than 20 consecutive working days. The purpose of this section is to allow the District to continue to use current employees for short term extra work without incurring extra medical benefit costs that would be saved by using substitutes.”

Mrs. Nichols asked if the purpose of the agreement was to allow use of current employees for extra work, without incurring extra medical benefit costs?

Mr. Keiner stated that yes, this is accurate. He stated that the District has in the past, discussed the idea of additional holidays. That broke down because PCEA requested as part of that settlement to create a floating employee, which would be someone who would do short term additional work and receive benefits. But, it was against the 1995 settlement as well as the Education Code. The proposal from the District was to consider the additional holidays as long as PUSD went back to the 1995 settlement. That was not acceptable.

Mr. Keiner suggested that PUSD has explored the idea of additional holidays and of using our employees for the additional work. But, there are other options:

1. Enforce the 20 day rule
2. Stop using our employees for the additional time
3. Worst case scenario is that a third party rules against the District for \$180,000, which will cost the employees.

Keith Lockwood stated that relevant to the initial settlement to this dispute in 1995 the proposition was that PCEA would comply with the 19 day rule, and would do what Ed Code requires. The key element was the additional cost and the discussion PCEA had with the District. They didn't want the District to have to pay medical benefits for a person who is off work as well as the person who is taking care of the job for them. PCEA did not agree to someone who is put on a time sheet when they are not replacing someone else (which would not be doubling up on the benefits).

Mr. Titus stated that the contract is very clear. He read the portion of the contract which explains the 1995 contract change.

Chris Bolschazy stated that when that was negotiated it was intended for those doing something out of their job description, they could be paid straight pay. People who work in their job classification and are working extra hours in their job classification are not being compensated properly. He stated that the current contract is what takes precedence over the settlement agreement.

Mr. Keiner stated that the language was clear and took the process back to Ed Code and included anyone who worked extra time.

Mrs. Nichols moved, Mr. Greer seconded, to deny the grievance and continue the issue through arbitration. Motion carried.

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| B. | Approve 403(b) compliance; Resolution #08/09-4 | Resolution #08/09-04
approved |
| | Mrs. Nichols moved, Mr. Greer seconded, to approve Resolution #08/09-4, regarding 403(b) compliance. Motion carried. | |
| C. | Approve third party administrator for 457(b) Deferred Compensation Plans; Resolution #08/09-3 | Resolution #08/09-03
approved |
| | Mrs. Nichols moved, Dr. DiPietro seconded, to approve Resolution #08/09-3 | |

- regarding third party administrator for 457(b) Deferred Compensation Plans.
Motion carried.
- D. Second reading and approval of the following Board Policies and/or Administrative Regulation:
1. BP/AR 5131.7: Weapons and Dangerous Instruments
- Weapons and Dangerous Instruments policy
- Dr. DiPietro moved, Mr. Manwill seconded, to approve board policy and administrative regulation 5131.7 regarding Weapons and Dangerous Instruments.
Motion carried.
- E. Request for allowance of Attendance Because of Emergency Conditions: Form J-13A.
- Allowance of Attendance re: emergency conditions approved
- Mr. Greer moved, Dr. DiPietro seconded, to approve the request for allowance of attendance because of emergency conditions form as presented. Motion carried.
- F. Request by Beth Paterson to reduce her contract to 80% of FTE for the 2008/2009 school year
- Reduced workload request approved
- Mrs. Nichols moved, Dr. DiPietro seconded, to approve the request by Beth Paterson for a reduced work load. Motion carried.
- G. Variable Term Waiver Request
- Variable term waiver
- Mr. Greer moved, Mr. Manwill seconded, to approve the request for a variable term waiver. Motion carried.
- H. Approve Monthly Personnel Report
- New certificated employees:
Sandra Brown, Lisa Eckert, Joan Hasek, Yvonne Holland, Babette Jones, Lisa Mallicoat, Gretchen Peck, Ronald Pirrello, Ruschele Viotti, Loran Watson and Christine Williams.
- New certificated employees
- New classified employees:
Nancy Kotar, Dana Thompson, William Wallace, David Porter
- New classified employees
- New coaches:
Doug Carroll and Robert Greenlaw
- New coaches
- Changes in employment for certificated employees:
Reiner Light, Mary Rose Wallen-Monney, Carrie Brown, Heather Busk, Sabine Coffee, Nate Crawford, Todd Dowell, Jacky Hoiland, Lynne Janinis, Amy Keene, Cassandra Lashbrook, Kelly Levin, John Morelli, Gabby Perez, Jared Stearns.
- Changes in employment status for certificated employees
- Changes in employment for classified employees:
Bruce Baxter, Lori Canney, Justin Clark, Michelle Courville, Rusty Darting, Debbie Deitrick, Barbara Dougherty, Jessica Drivon, Marjorie Echols, Joan foster, Pam Hall, Dave Hurd, Laura Knifong, Anita Koehler, Lori Larson, Marie LeRossignol, Monique McDonald, Dena McNamara, Nevada Miller, Sandy Miller, Stana Miller, Frank Nelson, Melissa Nugent, Pam Parker, Carl Powell, Sarah Reynolds, Cheryl Stultz, Scott White
- Changes in employment status for classified employees
- Rehired Coaches:
John Parks, Jack Danielson, Lindsay Roberts, Robyn McMillin, Josh Leffler, Rick Prinz, Paul Orlando, Erik King
- Rehired coaches

Mr. Greer moved, Mr. Manwill seconded, to approve the monthly personnel report as presented. Motion carried.

- I. Request for Board to assign a board designee to be interviewed by independent auditors. Board designee assigned

The Board was in agreement to assign Bob DiPietro as the board designee to be interviewed by independent auditors.

XIV. INFORMATION AND DISCUSSION ITEMS

- A. District Income and Expense Report Income and Expense Report

Mrs. Stutznegger presented the Income and Expense Report.

Mr. Titus asked Mrs. Stutznegger if she would bring a 5 year projection to the September meeting.

- B. First reading of job description for Administrative Account Technician/Confidential Job description for Admin Account Tech

Mr. Changus explained need to change this position to a confidential position. The person in this position would be able to back-fill in accounts payable and payroll, which would allow sufficiency of the department to increase.

Mrs. Nichols asked to see a salary schedule that would include the proposed position.

Mrs. Stutznegger indicated that the position has not been upgraded, salary-wise.

- C. First reading of job description for Personnel Technician/Confidential Job description for Personnel Tech

Mr. Changus described that job responsibilities of the Personnel Technician have increased significantly. Because of overtime costs as well as paying substitutes to keep up with the workload, it would be comparable to hiring a part time person to fill the position.

XV. BOARD REPORT AND COMENTS

XVI. SUPERINTENDENT REPORT

Superintendent report

Mr. Titus asked that the Superintendent Report be scheduled at an earlier point in the agenda for the future.

Roger Bylund reported that he has met with many teachers and parents in his twelve days as Superintendent at Paradise Unified School District. He reported that the school year began very smoothly. One kindergarten class was added, one first grade class was added, as well as a first/second grade combination class. One extended day kindergarten class is now in operation at each elementary school. Several sections were added to Paradise High School. Mr. Bylund reported that he has visited some of the sites and plans to spend more time at each site soon.

Mr. Titus asked about parent response to full day kindergarten. Mr. Bylund replied that response was very positive, and that there is a waiting list at each site.

Mr. Bylund stated that agreements and understandings from last spring were reviewed. It is clear that funding is available for the position of athletic director, and a .2 position will be used for that purpose. He will bring to the next meeting the backfill for that position as well as the funding sources.

Mike Lerch, Principal of PHS stated there are people interested in the position, and it will be opened for interested people to apply.

Mr. Greer asked if there has been an increase in enrollment. Mr. Bylund stated that there was a decrease in enrollment, but not as much as had been anticipated. The decline was for 160 students instead of the predicted 200 students.

XVII. FUTURE BOARD ITEMS

Mr. Titus stated that a real focus for the Board is a revenue bond and a facilities bond. He stated that the Board would like to vote on this by June of next year. It is one area where the community is in strong support of. He asked Mr. Bylund to begin that process. Facilities bond

Mr. Bylund stated that the process has begun to select a firm to provide a facilities analysis, and are down to two firms and will provide a committee to choose between the two. The information will then go to the task force. He stated that one board member will be asked to sit in on the selection process.

Mr. Titus stressed the importance of updating the facilities in the district.

IX. ADJOURNMENT

Adjournment

The meeting was adjourned at 7:50 p.m.