

TULARE/KINGS COUNTIES PERSONNEL COMMITTEE
Board Room, Education Building
Tulare County Office of Education

October 6, 2006

Minutes

The Personnel Committee meeting was called to order at 8:33 a.m. Jeanne Nava welcomed those in attendance. Introductions were made around the table.

Members in attendance were:

Jeanne Nava	Craig Drennan	Janet Jones
Linda Hamilton	Jeanette McDonald	Terri Rufert
Rosamund Barteau	Andrew Bukosky	Cindy Gist
Fernie Marroquin	Ken Stovall	Patti Ernsberger
Michael Salcido	Bernadine Landeros	Marie Macedo
Tamara Ravalin	Cindi Costa	Rita Verde
Dennis Martinez	Dick Doepker	Linda Horsting
		Elsa DeWitt

Minutes Dennis Martinez moved to approve the minutes of the September 1, 2006, meeting; Craig Drennan seconded the motion. The minutes were approved as prepared.

Alert The California Public Employers Labor Relations Association (CALPELRA) will be conducting their 31st Annual Training Conference *You're A Star!!!* On November 15-17, 2006, in Monterey. Registration is taken online at www.calpelra.com.

The Labor Arbitration Institute will be presenting their *Labor Law and Labor Arbitration* in Los Angeles on January 24, 2007, and in Oakland on January 26, 2007. To register online, go to www.laborarb.com. For more information, call 507-663-1220.

School Services of California, Inc. will be conducting workshops on the following dates:

- *Building a Better Budget* on October 11th and November 15th (Fresno), October 13 (Garden Grove), October 26 (Sacramento), November 16th (Ventura);
- *Revenue Limit Workshop* on October 17 (Sacramento), November 1 (Rancho Cucamonga); November 7 (Santa Barbara);
- *Fiscal Aspects of Negotiations* on October 24 (Sacramento) October 27 (Pomona);
- *Special Education Funding* on October 30 (Sacramento), October 31 (Garden Grove).

To register online, go to www.sscal.com and click on "Workshops & Conferences."

Lozano Smith will be presenting *Negotiating in a Year of Plenty* at the Tulare County Office of Education on October 26, 2006. Call Jeanne Croson at 733-6322 to register.

A handout listing numerous CODESP trainings throughout the state this fall was provided.

A *School Services Fiscal Report* dated September 15, 2006, addressed the question of bargaining agreements and how they can be evaluated to ensure that they support the educational delivery needs of the school district. In addition to unit member compensation, there are other language items that are not direct compensation for employees that can have a significant impact on how the district is managed. These items include: hours of employment, evaluation of personnel, leaves of absence, class size, etc.

A *School Services Fiscal Report* dated September 15, 2006, revealed that the 2006-07 postretirement earnings limitation for STRS is \$27,060 which is \$880 lower than the 2005-06 amount due to inadvertently overstated average salaries. No recalculations or collections will occur.

One legislative change in regard to the STRS 12-month break exemption language was made. The period of 12 consecutive months begins from the effective date of the member's most recent retirement.

An employer is required by Education Code Section 22461 to inform STRS retired members who perform credible service as employees, employees of a third party, or independent contractors about the annual earnings limitation. Identified activities are listed in Education Code Section 22119.5. Questions in this regard should be directed to STRS staff at 800-228-5453.

A CalSTRS Long-Term Funding Strategy Fact Sheet was provided which indicated that the current funding status is 86 percent. The handout featured the Teachers' Retirement Board framework to develop a long-term funding strategy, plans to address the funding situation, and the principles of the long-term strategy which included: no changes to existing benefits guaranteeing the current annual 2 percent increase; an increase in member contributions of one half percent; an increase in the General Fund of up to 1.25 percent, etc.

Jeanne informed the group that NCLB hearings will be taking place on various dates and at different locations during the month of October. She encouraged those that are able to attend and give their input on the proposed changes.

Legislation Review

Jeanne informed the group that the minimum wage will increase to \$7.50 per hour effective January 1, 2007; an additional increase to \$8.00 per hour will occur on January 1, 2008.

AB 2293 (chaptered) will become effective January 2007. This law provides that if an employer willfully makes a false statement of representation or willfully fails to report a material fact concerning the termination of an employee, the director shall assess a penalty against the employer in an amount not less than 2, nor more than 10 times the weekly benefit amount of that claimant.

SB 472 (chaptered) pertains to the Mathematics and Reading Professional Development Program which was due to become inoperable January 1, 2007. This bill extends the operation of the program until July 1, 2012.

SB 1292 (chaptered) allows provisions for a career technical teacher to obtain a CLAD certificate which enables them to conform with the Williams Act.

SB 1614 (chaptered) provides that the State Department of Education will develop the California Education Information System (CEIS) for the purpose of establishing and maintaining a basic, integrated, statewide information system for education. Each teacher will be assigned an identification number and will be able to be tracked from one source.

SB 1655 (chaptered) would prohibit a superintendent from transferring a teacher who requests to be transferred to a school offering kindergarten or any of grades 1 to 12, inclusive, that is ranked in deciles 1 to 3, inclusive, on the API if the principal of the school refuses to accept the transfer.

AB 2837 (chaptered) revises the authorization for providing speech pathology services to specify the qualifications required for a provider of these services. The bill gives the holder of a credential issued on or before January 1, 2007, the option of renewing the existing credential or updating the credential to satisfy the requirements of the bill. A speech pathologist will be required to hold a license in order to be eligible to bill for medical purposes.

Avoiding Retaliation Claims Jeanne provided two handouts on the topic of an employer being liable for retaliation even if the employee does not lose compensation, benefits, or privileges per a recent U.S. Supreme Court ruling in *Burlington Northern & Santa Fe Railway v. White*. The decision held that an employer's action is retaliatory if a reasonable employee would find the challenged action to be "materially adverse" in the sense that it would "dissuade a reasonable worker from making or supporting a charge of discrimination." Jeanne then provided a PowerPoint presentation on the subject.

PAR Panels Fernie Marroquin, Tulare Joint High School District, questioned those present on the status of their PAR programs since the funding has ceased and the language which may have been included in their bargaining agreements. Those present shared what their districts have done with the program. For those who are still providing assistance, most are paying their support providers with a stipend and a time sheet is submitted for payment.

Teacher Recruitment Center Linda Horsting, Teacher Recruitment Center Specialist, updated those present on the activities of the Teacher Recruitment Center. She provided a schedule/registration for CSET Prep Classes for the Multiple Subject, Single Subject English and Single Subject Math Exams.

Jeanne shared that Donna and Marvin were presently in Montana making presentations in university classes for math and science. They intend to conduct interviews using their polycom equipment which allows the interviews to be viewed here live. They are exploring the possibility of placing student teachers here in California with one of the deans that is receptive. For more information, contact the Teacher Recruitment Center at 624-1035.

Other Jeanne shared that Ventura COE is working with the CDE on the issue of HQT NCLB compliance for alternative education teachers.

Elsa DeWitt, Dinuba Unified, asked if those present could share the number of teacher work days and the number of hours in that day. A discussion ensued. It was decided that *Percent of Salary Increase Surveys* from previous years will be added once again to the Personnel Committee website for their historical value during negotiations.

The meeting was adjourned at 9:40 a.m. The next meeting will be held in the Board Room of the Tulare COE Education Building on **Friday, November 3, 2006**, at 8:30 a.m.

Meeting Dates for 2006-07

December 1, 2006	March 1, 2007 - Thursday
January 10, 2007 - Wednesday	April 13, 2007
February 2, 2007	May 4, 2007

Personnel Committee agendas, minutes and meeting handouts are posted on the TCOE HR Personnel Committee website . The website is as follows: <http://www.tcoe.org/HR/PersonnelCommittee>

**22nd Annual Tulare/Kings Counties
Teacher Recruitment Fair
March 3, 2007**