

**SACRAMENTO COUNTY SUPERINTENDENT OF SCHOOLS
10474 Mather Boulevard, P.O. Box 269003
Sacramento, CA 95826-9003**

TO: General Public

FROM: David W. Gordon, County Superintendent of Schools

**SUBJECT: Public Hearing – Employee Negotiations
Initial Proposal – SCOE**

Date: Tuesday, January 17, 2012

Time: 8:45 a.m.

**Location: Sacramento County Office of Education
Superintendent’s Conference Room
10474 Mather Boulevard
Mather, CA 95655**

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Except as modified below or in response to the interests of the SCOETA, SCOE proposes the continuation of the current collective bargaining agreement.

SCOE recognizes and appreciates that the only effective way to proceed into uncertain times is to strike a balance of interests between SCOE’s responsibilities and SCOETA’S unit members. But to quote Dickens, “It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness. . . .” In spite of shrinking resources, we are succeeding and improving our programs, improving the success of our students, and improving our bonds with school districts that need and want our assistance.

In spite of deep cuts in county office funding revenue limits, upwards of 20%, the partially realized specter of midyear cuts, and the continued uncertainty for 2012-13, SCOE has sheltered our programs and sought balance with work year reductions while mitigating the impact on individual teachers. SCOE will hope to protect the compensation of employees but can’t be assured that continued cataclysmic erosion of our funding base and the funding base of the school districts that we serve, coupled with the impact of our funding model will not require restructuring of Sly Park and continued focus on balancing revenue and expenditures in our court and community schools, but our interests include:

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1. Competitive pricing for districts to assure security of operation
2. Regular and orderly implementation of Human Resources policies and procedures in our programs
3. Balanced revenue and expenses
4. Layoff protection—inexperienced staff could be a problem
5. Competitive salary and benefits

More specific contract issues include visiting and revisiting contract language that has generated problems, ambiguity, or greater need for clarity:

SCOE wants to update titles in 2.02. Explore better ways of dealing with “Perm 5’s” (6.01 (c)). Need a form for Perm 5’s? SCOE wants to look at more flexible dates for those not being evaluated (Initial Conference Meeting Schedule), and clarify the repercussion for missing dates. Because of multiple site responsibilities and many demands on principal time, SCOE needs more time to complete the first observation or perhaps more focused ways to help teachers, more cooperation and feedback. When dealing with non-re-election, essentially a statutory process, SCOE wants to use the Education Code dates because our current date creates an artificial barrier. Our contract makes several references to standards for assessing teacher success; SCOE would like to revisit those to bring them in line with the revisions made in 2009. A copy of those revisions is on California Department of Education’s (CDE) website.

SCOE’s perimeter responsibility for our Probation partner’s positions on “complaints” and our collective bargaining agreement requires that we work on 7.00’s complaint procedures. We need to be more discriminating on the categories of complaints and complainants to assure statutory compliance with the Uniform Complaint Procedure, but both reduce the overall complexity and increase our flexibility.

Probation also pulled students out for lunch before we finished our summer program and it required us to adjust compensation and increase costs. We need to look at 8.06 through 9.01(b) to clarify and adjust to Probation’s demands. We also need to clarify sick leave for summer school 11.03 (l). Other issues for clarity would perhaps be helped with a “definitions” section, such as one for “immediate family” in 11.05. 11.07 discusses verification on frequent absences but is ineffective in identifying who needs poking on absences and those who have serious health issues. While discussion of personal necessity needs to be viewed through the prism of both institutional and personal need, we need to recognize that 11.13 and “No tell” days can inspire conflicting needs. In that same line, we need to clarify when 12.05’s two days apply. Currently it can be a nightmare in court and community and sometimes in SPED. See 12.01 as well for discussion.

While clarifying language, we need to revisit 15.03’s notification of personnel actions to the PAR Panel. Why? Why not? Perhaps, time permitting, we can streamline the entire

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PAR article since the funding has been reduced dramatically and it has, so far, not been a high utilization article.

15.03 requires notices of personnel action to PAR panel and seems unrelated to the purpose of the PAR Panel.

Along the line of dealing with dated language, we no longer monitor 150 clock hours and its original genesis in the Education Code has been revoked. (16.01 (B)). 16.02 and 23.08 are exactly the same, and one probably needs to go away in 16.02. There have been issues with 18.01, reimbursement for personal property and discussion with SCOETA, no doubt, could help. Other issues include the wrong forms and unknown profiles in 20.02, the disappointing results with 22.15, the noncompliance with 23.01's annual survey requirements, 23.04 (A), (B), (C)'s impact in a technological world. Since 24.02 is independently regulated by Government Code 12940 and DFEH's regulations, do we need it? What advantage does it provide for either of us? Does it restrict SCOETA's rights to "arbitration"? Lottery distribution is now regulated by statute and 25.01 should probably be gone.

SCOE recognizes the comfort that 26.01 and 26.02 provide to ROP teachers, but it goes without saying when a contract purports to give what it can't, it is problematic. Both 33.00 and 34.00 need to have outdated parts worked on and the agreed upon language from last year's agreement with SCOETA added. There may also be some need to clean up community school language based upon our new models and some necessity to review family benefits in light of our current agreements.

Surrounded by competing interests, SCOE cares deeply about those who assume responsibility for our students. Part of that caring requires that we remain competitive and adjust our expenditure profiles in ways that allow us to continue services. SCOETA has been a valued partner in that quest. One hope for SCOE is that with discussion and cooperation, we can achieve a three year agreement that continues to reflect our partnership in making our programs world class.