

# Colton Joint Unified School District

Student Services Center, Board Room, 851 South Mt. Vernon Ave., Colton, CA 92324



## Board of Education Special Meeting

### Agenda

Thursday, September 29, 2011  
at 5:30 p.m.

#### **Strategic Plan – Mission Statement**

The Mission of the Colton Joint Unified School District, a team of caring employees dedicated to the education of children, is to ensure each student learns the academic knowledge and skills necessary to thrive in college or in the workforce and be responsible, productive citizens by providing engaging, challenging, and enriching opportunities and specialized programs in a safe environment in partnership with students, families and our diverse communities.

**1.0 OPENING**

**1.1 Call to Order**

- Mrs. Patt Haro, *President*
- Mr. Robert D. Armenta Jr., *Vice President*
- Mr. Frank Ibarra, *Clerk*
- Mr. Randall Cenicerros
- Mr. Roger Kowalski
- Mrs. Laura Morales
- Mr. Pilar Tabera
  
- Mr. Jerry Almendarez
- Mr. Jaime R. Ayala
- Mrs. Ingrid Munsterman
- Mr. Mike Snellings
- Mrs. Bertha Arreguín
- Mr. Todd Beal
- Mr. Brian Butler
  
- Mrs. Jennifer Jaime
- Mrs. Janet Nickell
- Ms. Sosan Schaller
- Mr. Darryl Taylor
- Ms. Katie Orloff
- Ms. Jennifer Rodriguez

**1.2 Renewal of the Pledge of Allegiance.**

An interpreter is available for Spanish-speaking persons wanting assistance.

**2.0 SPECIAL PRESENTATIONS ~ None**

**3.0 SCHOOL SHOWCASE ~ None**

**4.0 PUBLIC HEARING ~ None**

**5.0 ADMINISTRATIVE PRESENTATIONS**

**5.1 Budget Study Session – Assistant Superintendent Ayala**

**6.0 PUBLIC COMMENT**

**6.1 Announcement Regarding Public Comment for Items on the Agenda and Items Not on the Agenda (Gov. Code 54954.3[a])**

The Board President clarifies the process regarding public comment and requests that the appropriate "Public Comment Card" be filled out. At the appropriate time during the Hearing Session, each speaker will be invited to the podium and should begin by stating his or her name and residing city. Board Bylaw 9323 states that "Individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item. The Board shall limit the total time for public input on each item to 15 minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add."

Blue card—Specific Consent, Action, Study & Information or Closed Session Item: Please list the specific agenda item number and subject

White card—Items/Topics Not on the Agenda: Please list topic / subject

**7.0 ACTION SESSION**

**A. Action Items**

On motion of Board Member \_\_\_\_\_ and \_\_\_\_\_, the Board approved Consent Items #A – 1 through #A – 2, as presented.

Page 3 A-1 Ratification of Memorandum of Understanding ("MOU") between the District and Association of Colton Educators ("ACE") Concerning Reappointments from the 2010-11 Certificated Layoff

Page 7 A-2 Approval of Purchase Orders

**8.0 ADMINISTRATIVE REPORTS ~ None**

**9.0 SUPERINTENDENT'S COMMUNIQUE**

**10.0 BOARD MEMBER COMMENTS**

Following action items: Board Room, Student Services Center, 851 S. Mt. Vernon Ave., Colton, California (Government Code 54950 et seq.)

**11.0 CLOSED SESSION**

**11.5 Conference with Labor Negotiator**

Agency:

Ingrid Munsterman, Assistant Superintendent, Human Resources Division

Employee Organizations:

Association of Colton Educators (ACE)

California School Employees' Assoc. (CSEA)

Management Association of Colton (MAC)

**12.0 ADJOURNMENT**

## BOARD AGENDA

SPECIAL BOARD MEETING  
September 29, 2011

### ACTION ITEM

**TO:** Board of Education

**PRESENTED BY:** Ingrid Munsterman, Assistant Superintendent, Human Resources Division

**SUBJECT:** Ratification of Memorandum of Understanding (“MOU”) between the District and Association of Colton Educators (“ACE”) Concerning Reappointments from the 2010-11 Certificated Layoff

**GOAL:** Personnel Development

**STRATEGIC PLAN:** Strategy #1 – Communication

**BACKGROUND:** The District engaged in a certificated layoff during the 2010-11 school year, to take effect upon the commencement of the 2011-12 school year in accordance with applicable education code provisions and board policy. The District included the “competency” criteria, “one year of full-time experience in the relevant subject matter area” in Resolution No.11-44, adopted March 3, 2011, which initiated the layoff. Said criteria is also included in Board Policy 4117.3.

The District and ACE have negotiated a Memorandum of Understanding whereby, after the ratification of the MOU, the District shall not require “one year of full-time experience in the relevant subject matter area” as a condition precedent to reappointment.

The MOU applies to reappointments made after the ratification of this Agreement. Any and all reappointments made prior to the ratification of this agreement shall remain in effect and the ACE expressly agrees that these reappointments were made in compliance with applicable law. No employee previously denied reappointment due to a failure to meet the “one year of full-time experience in the relevant subject matter area” shall have any right of action against the District as a result of this MOU.

**BUDGET IMPLICATIONS:** No impact to the General Fund

**RECOMMENDATION:** That the Board ratify the Memorandum of Understanding (“MOU”) between the District and Association of Colton Educators (“ACE”) Concerning Reappointments from the 2010-11 Certificated Layoff.

**ACTION:** On motion of Board Member \_\_\_\_\_ and \_\_\_\_\_, the Board ratified the above recommendation as presented.

## MEMORANDUM OF UNDERSTANDING

### REAPPOINTMENT OF LAID OFF WORKERS/APPLICATION OF COMPETENCY

This Memorandum of Understanding (“MOU”) is entered into by and between the Colton Unified School District (“District”) and the Association of Colton Educators (“Association”) (collectively, the “Parties”).

WHEREAS, the District engaged in a certificated layoff during the 2008-2009 school year, to take affect upon the commencement of the 2009-2010 school year in accordance with applicable education code provisions and board policy; and

WHEREAS, the District engaged in a certificated layoff during the 2010-2011 school year, to take affect upon the commencement of the 2011-2012 school year in accordance with applicable education code provisions and board policy; and

WHEREAS, the District included the “competency” criteria, “one year of full-time experience in the relevant subject matter area” in 2008-2009 in Resolution No. 09-12, adopted February 19, 2009, which initiated the layoff; and

WHEREAS, the District included the “competency” criteria, “one year of full-time experience in the relevant subject matter area” in 2010-2011 in Resolution No.11-44, adopted March 3, 2011, which initiated the layoff. Said criteria is also included in Board Policy 4117.3;

WHEREAS, the District has applied this “competency” criteria for the purposes of bumping and reappointment pursuant to Education Code sections 44956 and 44957;

WHEREAS, the Association has challenged the use of the competency criteria for the purposes of rehire;

WHEREAS, the District contends that the use of said “competency” criteria is legal and in full compliance with the relevant Education Code provisions; and

WHEREAS, notwithstanding this disagreement, the Parties wish to resolve this matter without litigation.

NOW THEREFORE, the Parties hereto agree as follows:

1. For the purposes of rehire only, and commencing after the ratification of this MOU by the District Governing Board, the District agrees to apply the following competency criteria:

- (A) Possession of a valid credential in the relevant subject matter area.
- (B) Academic training as evidenced by “highly qualified” status under the No Child Left Behind Act.

- (C) An appropriate EL authorization (to the extent required by the position).

The District shall not require "one year of full-time experience in the relevant subject matter area" as a condition precedent to reappointment.

2. This MOU shall apply to reappointments from the layoffs initiated during the 2008-2009 school year and the 2010-2011 school year made after the ratification of this MOU.


3. Any and all reappointments made prior to the ratification of this MOU shall remain in effect and the Association expressly agrees that these reappointments were made in compliance with applicable law. No employee previously denied reappointment due to a failure to meet the "one year of full-time experience in the relevant subject matter area" shall have any right of action against the District as a result of this MOU.

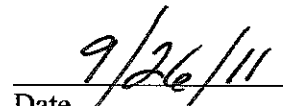
4. This MOU is unique unto its own circumstances and shall in no way set a precedent for any other employee in the future and furthermore, no party hereto shall cite this MOU or its terms as past practice for any purpose in the future.

5. This MOU resolves any and all disputes regarding the reappointment of laid off workers that occurred before the ratification of this MOU.

6. This MOU is subject to ratification by the District Governing Board.

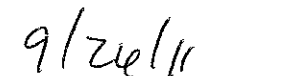
**FOR THE DISTRICT:**

  
Ingrid Munsterman, Assistant Superintendent  
Human Resources Division

  
Date

**FOR THE ASSOCIATION:**

  
Karen Houck, President

  
Date



**BOARD AGENDA**

**REGULAR MEETING  
September 29, 2011**

**ACTION ITEM**

**TO:** Board of Education

**PRESENTED BY:** Jaime R. Ayala, Assistant Superintendent, Business Services Division

**SUBJECT:** Approval of Purchase Orders

**GOAL:** Student Performance / Personnel Development

**STRATEGIC PLAN:** Strategy #1 – Communication

**BACKGROUND:** Purchase orders in excess of \$10,000 are presented to the Board of Education for approval.

On January 13, 2011 the Board approved the acceptance of American Recovery and Reinvestment (ARRA) Act of 2009 Enhancing Education Through Technology (EETT) Competitive Grant Funds for the 2009-10 and 2010-11 school years. The total award was \$500,000.

The grant was written to purchase computers and other technology for all secondary schools to support students’ achievement, attendance, graduation rate and meeting college entrance requirements.

This purchase order represents the final purchase of computers for all secondary schools and meets the grant requirements that all funds be obligated by September 30, 2011.

**BUDGET IMPLICATIONS:** General Fund 01 Expenditures: \$ 45,736.86  
Total Expenditures: \$ 45,736.86

**RECOMMENDATION:** That the Board approve Purchase Orders in excess of \$10,000 for a total of \$ 45,736.86

**ACTION:** On motion of Board Member \_\_\_\_\_ and \_\_\_\_\_, the Board approved purchase orders as recommended.

<u>P.O.</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>RESOURCE</u>	<u>RESOURCE DESCRIPTION</u>	<u>AMOUNT</u>
021457	Dell	Tech Eq./Proj. Cent. Adm.	4048	NCLB: ARRA TTL II,PT D, TECH ED.	\$45,736.86
<b>TOTAL</b>					<b>\$45,736.86</b>