

POSTED: 11/27/19

**LOS BANOS UNIFIED SCHOOL DISTRICT
GOVERNING BOARD OF EDUCATION
SPECIAL MEETING**

**Los Banos Unified School District Boardroom
1717 S. 11th Street, Los Banos, CA 93635
Monday, December 2, 2019
9:00 A.M.**

AGENDA

The District welcomes Spanish speakers to Board meetings. Anyone planning to attend and needing an interpreter should call 826-3801, 48 hours in advance of the meeting, so arrangements can be made for an interpreter.

El Distrito da la bienvenida a las personas de habla hispana a las juntas de la Mesa Directiva. Si planea asistir y necesita interpretación llame al 826-3801, 48 horas antes de la junta, para poder hacer arreglos de interpretación.

I. **OPENING BUSINESS**

A. **Call Public Session to Order**

B. **Roll Call**

Margaret Benton	Anthony Parreira
Luis Castro	Anahi Rodriguez
Ray Martinez	Marlene Smith
Gary Munoz	

II. **Pledge of Allegiance**

III. **Approval of Agenda**

Motion by _____ Seconded by _____

Proposed Action: Approve Agenda

IV. **Public Forum:**

Members of the community may address specific items on the agenda once they are on the floor or prior to the Board going into closed session. The Board President will recognize individuals who wish to speak. Speakers are limited to three (3) minutes, with the total time for public input at twenty (20) minutes per agenda item. [BB 932]

V. **New Business**

A. **Tentative Agreement Between the LBTA and LBUSD – Transfer Language
Grasslands Elementary**

It is recommended that the Board approve the Tentative Agreement between the Los Banos Teachers Association (LBTA) and the District for transfer language that will be applied to all transfers of certificated staff to Grasslands Elementary.

Motion By _____ Seconded By _____

Proposed Action: Approve

B. Career Technical Education Facilities Program (CTEFP) Funding Application

It is recommended the Board approve the application for CTEFP funding from the State Allocation Board.

Motion By _____ Seconded By _____

Proposed Action: Approve

VI. Adjournment

Americans with Disabilities Act Assistance: Auxiliary aids and services include a wide range of services and devices that promote effective communications to individuals with disabilities. If you require such assistance, please notify the Office of the Superintendent at 826-3801 as soon as possible. Every effort will be made to give primary consideration to expressed preferences or provide equally effective means of communication to ensure equal access to District programs and events.

Board Reference Material

SUBJECT TITLE: Tentative Agreement Between the Los Banos Teachers Association and the Los Banos Unified School District – Transfer Language Grasslands Elementary

REQUESTED ACTION:

Action X

Discussion/Information

RECOMMENDATION:

It is recommended that the Board approve the Tentative Agreement between the Los Banos Teachers Association (LBTA) and the District for transfer language that will be applied to all transfers of certificated staff to Grasslands Elementary.

BACKGROUND INFORMATION:

The Tentative Agreement is an outcome of “effects bargaining” related to the opening of Grasslands Elementary. The language provides the specific effects upon certificated staff when the new elementary opens and those wishing to transfer to Grasslands Elementary are selected to do so. The new elementary will provide relief for the overcrowding experienced at several of the existing elementary sites. When students move to the new site, teachers will be needed which will create vacancies across the district. The tentative agreement will provide the specific steps that will be followed when the vacancies occur.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is an operational activity and does not support a specific Board Goal.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None identified.

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

Additional certificated staff are not being hired for Grasslands Elementary. The site will be staffed by existing certificated staff currently teaching at sites across the district.

ORIGINATOR: Mark Marshall, Ed.D., Superintendent
Date: December 2, 2019

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is entered between the Los Banos Unified School District (“District”) and the Los Banos Teachers Association (“LBTA”) regarding the certificated staffing of the Grasslands Elementary School opening in August of 2020.

The District is anticipating to staff Grasslands Elementary School with four teachers per grade level, one special education teacher and additional certificated support positions as determined by the District (Resource Teacher, Intervention, etc.);

The opening of Grasslands Elementary School requires establishing new boundaries for all elementary schools which will result in the shifting of students and staff District-wide. The District has provided LBTA with an impact report detailing the projected staffing implications for each school site on October 17, 2019.

The intent of this MOU is to reduce or eliminate the number of involuntary transfers throughout the District and to minimize the impact on staff at existing elementary sites due to staffing needs at Grasslands Elementary;

Accordingly, the District and LBTA agree to the terms and conditions as follows:

- 1) The District shall fill the Grassland Elementary positions through two rounds of voluntary transfers.
 - a) The District shall post the new Grasslands Elementary positions on December 2, 2019.
 - b) To be eligible for voluntary transfer to Grasslands Elementary, unit members must be permanent status.
 - c) Applicants for the first round of voluntary transfers must submit their transfer request in writing via email to the Human Resources Department by December 11, 2019. Transfer requests must indicate the position(s) sought.
 - d) The administrative designee for Grasslands Elementary will review all transfer applications for the first round of voluntary transfers.
 - e) Eligible transfer applicants identified by the Grasslands Elementary administrative designee for the first round of transfers will be interviewed by a panel which will include at a minimum, the Grasslands principal and a representative from the Human Resources Department.
 - f) The principal at Grasslands Elementary will work collaboratively with the administrative staff at other LBUSD elementary sites when selecting transfer applicants following the interview process described above.
 - i) The Superintendent or his/her designated representative will consider requested placements, but may deny a transfer if, in his opinion, it is in the best interest of the District to deny the transfer.
 - ii) If the site administrator wishes to change a teacher’s requested grade level assignment, a meeting will be held with the teacher to review needs and reasons for the change. The teacher at this time may withdraw their voluntary request.
 - iii) Upon request, an applicant’s reason for denial of a transfer shall be supplied to them.
 - g) Once the initial openings are filled, a second round of voluntary transfers will take place, if necessary, using the same criteria established for the first round of transfer applicants. The District shall post any remaining open positions for the second round of voluntary transfers on January 13, 2020.

- 2) On or before February 7, 2020 unit members will be notified in writing of the status of their request for voluntary transfer.
- 3) Upon completion of the initial two rounds of voluntary transfers of Grasslands Elementary, all vacant District-wide elementary positions will be identified, including any new teacher positions necessitated by the opening of Grasslands Elementary.
 - a) The vacancies will be posted District-wide. The transfer process for the District-wide vacancies will follow current transfer and staffing procedures as outlined in Article X of the agreement except for the dates indicated in the Article.
- 4) After two rounds of voluntary transfers and district wide movement created from subsection 3 above, if there is overstaffing at other sites and still vacancies in grades K-6 at Grasslands Elementary, the District shall involuntarily transfer unit members to Grasslands Elementary in grades K-6 as set forth pursuant to the involuntary transfer procedure in subsection 7 below. The District will consult with LBTA prior to any involuntary transfers being made.
- 5) Should the opening of Grasslands Elementary and the transfer process set forth in this MOU result in overstaffing at Grasslands and/or District-wide as determined by the District, overstaffed positions may be eliminated through attrition.
- 6) Unit members shall not be transferred or reassigned arbitrarily, capriciously or without rational basis in fact.
- 7) If/when involuntary transfers must be made due to overstaffing at a site; the following procedure(s) will be followed:
 - a) Only teachers currently assigned to the affected grade level will be considered for an involuntary transfer. (For example: If the vacancy exists in a second grade classroom at the new school, only second grade teachers from the site(s) where overstaffing has now occurred due to the students moving to the new school will be considered for transfer.)
 - b) The teacher with the least amount of district seniority in the affected grade level will be displaced.
 - c) In the event that district seniority is equal, the teacher with the least amount of site seniority will be displaced.
 - d) In the event that district and site seniority are equal, the teacher with the least amount of grade level seniority will be displaced.
 - e) In the event that District, site and grade level seniority are all equal, the teacher with the later date of hire will be displaced. (Date of hire is defined as the date the teacher signed their first teaching contract with the District)
 - f) In all other situations, current contract language will apply.
 - g) Before the implementation of any involuntary transfer, the Superintendent or designee, shall meet with the teacher being transferred to review needs and reasons for such transfer.

FOR THE DISTRICT

FOR LBTA

Date

Date

Board Reference Material

SUBJECT TITLE: CTEFP Funding Application

REQUESTED ACTION: Action X Discussion/Information

RECOMMENDATION:

It is recommended the Board approve the application for Career Technical Education Facilities Program (CTEFP) funding from the State Allocation Board.

BACKGROUND INFORMATION:

The CTEFP will provide grants up to \$3 million per new construction project. The district must contribute an amount equal to the state-awarded grant.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

Board Goal #3: Create and sustain inspirational learning environments.

ALTERNATIVES/IDENTIFIED OPPOSITION:

No opposition identified.

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

If approved, the District may receive up to \$3,000,000 in state funds to use toward a new CTE building at the Loftin stadium.

ORIGINATOR: Dr. C. Sean Richey, Chief Academic Officer
Date: December 12, 2019