



LYNWOOD UNIFIED SCHOOL DISTRICT

11321 Bullis Road, Lynwood, California 90262 (310) 886-1600

CALL AND NOTICE OF SPECIAL MEETING OF THE LYNWOOD UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION TUESDAY, NOVEMBER 16, 2010 – 6:00 P.M.

Pursuant to Government Code Section 54956 and Education Code Section 35144, the Special Meeting of the Lynwood Unified School District Board of Education will be held on Tuesday, November 16, 2010 at 6:00 p.m. at the Education Center, Room B-105 and B-106, 11321 Bullis Road, Lynwood, California, 90262.

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE TO THE FLAG
5. PUBLIC INPUT

DISCUSSION/APPROVAL AGENDA

4. GOVERNING BOARD

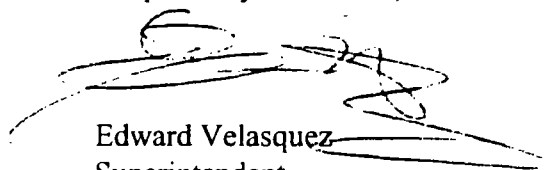
#4.1 Request Approval of the Special Meeting Agenda of November 16, 2010
Motion _____ Second _____ Vote _____

#4.2 Request Approval of Memorandum of Understanding Between the Lynwood Unified School District (LUSD) and Lynwood Teachers Association (LTA) Tentatively Agreed on October 29, 2010
Motion _____ Second _____ Vote _____

#4.3 Request Approval of Resolution No. 10-11/20, To Authorize Entering Of An Agreement With Public Agency Retirement Services (PARS) To Implement A Supplemental Teacher Early Retirement Incentive Program
Motion _____ Second _____ Vote _____

5. ADJOURNMENT

Respectfully Submitted,


Edward Velasquez
Superintendent

BOARD OF EDUCATION

José Luis Solache
President

Oscar Espinoza
Vice President

Maria G. Lopez
Clerk

Rachel Chavez
Member

Alfonso Morales, Esq
Member

Edward Velasquez
Superintendent and Secretary to the Board

LYNWOOD UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION AGENDA

DESIRED ACTION: ☐ CLOSED SESSION ☒ OPEN SESSION
☐ Consent ☒ Discussion ☐ Information ☐ Restricted

TO: Board of Education BOARD MEETING DATE: November 16, 2010
FROM: Edward Velasquez SCHOOL/DEPARTMENT: Superintendent's Office
Superintendent

AGENDA ITEM: APPROVAL OF THE SPECIAL MEETING AGENDA OF
NOVEMBER 16, 2010

BACKGROUND INFORMATION:

Request approval of the agenda for the special meeting of November 16, 2010.
The agenda has been duly posted per legal requirements.

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☒ New Contract/Item ☐ Renewal Contract/Item

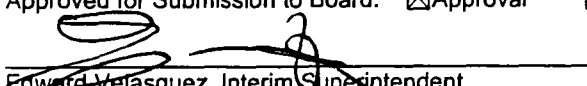
Financial Implications ☐ Yes ☐ No ☒ NA
Are funds for this item included in the 2010-11 Budget? ☐ Yes ☐ No ☒ NA

\$ N/A N/A N/A
(Amount) (Name of funding source and/or location) (Funding account number)

Original budgeted amount \$ N/A Balance after expenditure: \$ N/A
Are additional staff positions requested? ☐ Yes ☐ No ☒ NA

Number of Staff needed N/A Total cost of staff position(s) \$ N/A

Approved for Submission to Board: ☒ Approval ☐ Denial


Edward Velasquez, Interim Superintendent

Certification Requested Yes x No
Superintendent's Office Certification: _____

LYNWOOD UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION AGENDA

DESIRED ACTION: ☐CLOSED SESSION ☒OPEN SESSION
☐Consent ☒Discussion ☐Information ☐Restricted

TO: Board of Education BOARD MEETING DATE: September 28, 2010
FROM: Edward Velasquez SCHOOL/DEPARTMENT: Superintendent's Office
Superintendent

AGENDA ITEM: REQUEST APPROVAL OF MEMORANDUM OF UNDERSTANDING
BETWEEN THE LYNWOOD UNIFIED SCHOOL DISTRICT (LUSD)
AND LYNWOOD TEACHERS ASSOCIATION (LTA) TENTATIVELY
AGREED ON OCTOBER 29, 2010

BACKGROUND INFORMATION:

Lynwood Teachers Association (LTA) President Delilah Outley has informed the District that LTA Membership has ratified the attached Tentative Memorandum of Understanding by a Vote of 60% approval.

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☒ New Contract/Item ☐ Renewal Contract/Item

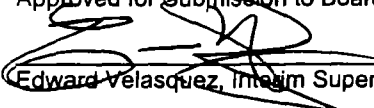
Financial Implications ☒ Yes ☐ No ☐ NA
Are funds for this item included in the 2010-11 Budget? ☒ Yes ☐ No ☐ NA

\$ _____
(Amount) (Name of funding source and/or location) (Funding account number)

Original budgeted amount \$ N/A Balance after expenditure: \$ N/A
Are additional staff positions requested? ☐ Yes ☐ No ☒ NA

Number of Staff needed NA Total cost of staff position(s) \$ NA

Approved for Submission to Board: ☒ Approval ☐ Denial


Edward Velasquez, Interim Superintendent

Certification Requested Yes x No
Superintendent's Office Certification: _____

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Lynwood Unified School District Lynwood Teachers Association Memorandum of Understanding – October 29, 2010 (Revised)

The MEMORANDUM OF UNDERSTANDING (MOU) IS MADE BY AND BETWEEN THE Lynwood Unified School District, as school District duly formed and existing under the laws of the State of California ("LUSD") and the Lynwood Teachers Association, a duly recognized bargaining unit ("LTA"), with reference to the following:

WHEREAS, on September 23, 2010 and October 18, 2010, representatives from LUSD and LTA (collectively the PARTIES) met to discuss, amongst other things, an Early Retirement Program, Furlough Days, Retiree Health Benefits and Bilingual Allocations.

WHEREAS, student enrollment is significantly down for the 2010-2011 school year and is expected to drop again in the 2011-2012 school year.

WHEREAS, based on current enrollment, LUSD may be overstaffed by approximately 40-60 teachers.

WHEREAS, the PARTIES desire to save money, avoid teacher layoffs, and its attendant legal costs

WHEREAS, the Federal Education Jobs Funds are being utilized for the intent that they were distributed to Local Education Agencies.

NOW, THEREFORE with references to the recitals above, which are incorporated herein and made a part of this MOU, LUSD and LTA hereby agree as follows:

1. **Retirement Incentive: The "PARS 70/70 Program" shall include the following:**
 - a. A minimum of 70 active employees participating in the program within the areas of needed reductions.
 - b. An incentive of 70% of the employees' current salary to be paid out in a minimum of 5 optional choices, with the individual option selected by the LTA retiree..
 - c. The program shall be open to employees age 55 and older by June 30, 2011.
 - d. Employees between the ages of 55 and 60 shall receive up to five (5) years of medi-gap health coverage.
 - e. Employees must retire and enter into STRS by June 30, 2011.
 - f. Employees must announce their intent to retire in writing to the District by January 31, 2011 in order for employees to receive a signing bonus of \$1200 which will be paid in the final month of the 2010-11 school year.
 - g. The PARTIES agree that the health benefits afforded retirees shall be for the individual employee only. All retirees retiring on or after December 31, 2010 shall not receive more in health benefits than an active employee receives (Articles 9.10, 9.12).
2. **Furlough Days: The PARTIES agree to implement two (2) furlough days for the 2010-2011 school year. Further the PARTIES agree to five (5) furlough days for the 2011-2012 school year. The dates of the furlough days for 2010-11 shall be March 31, 2011 and April 11, 2011. The dates of the furlough days for 2011-12 shall be determined by the PARTIES by February 28, 2011. The 2010-11 salary schedule for all LTA members shall be reduced by 1.0% and applied to the January-July paychecks. Each furlough day shall be worth .5% when used to reduce the work year as well as when the days are reinstated.**
 - a. **Service Credit:** The parties realize that in the past, service credit was not appropriately applied. Because a change of base year was not submitted to the county as the furloughs were applied in the past, this caused a problem with full credit with STRS. Since this happened to a number of Districts, there is proposed legislation to fix this for all Districts that were affected. For the implementation of the 2010-11 and 2011-2012 furlough days, the reduction in salary will be equally distributed across the remaining school year(s) so that full STRS credit will be guaranteed for each school year.
 - b. In the event the 2010-2011 school year General Fund Unrestricted Unaudited Actuals (to be adopted no later than September 15, 2011) has a fund balance of 5% or above, money above a

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- 5% balance, equivalent to the cost of 1 day furlough for all LUSD employees, shall be used to reinstate one (1) day.
- c. In the event the District realizes the equivalent of the cost of 2 furlough days beyond a 5% positive fund balance as stated in 2a above, two (2) days shall be reinstated.
 - d. In like manner, funds above a 5% fund balance, as stated in 2a above, shall be used to reinstate as many furlough days as can be fully funded until all furlough days have been reinstated.
 - e. In the event the UA Unrestricted Ending Balance is below 5%, then for each .5% below the 5% level, an additional furlough day, up to a maximum of two (2) days, shall be applied to the 2011-12 school calendar, with a commensurate reduction in the salary schedule.
 - f. The dates and types (student or non-student) of all reinstated or additional furlough days shall be identified by both PARTIES immediately after adoption of the Unaudited Actuals.
 - g. The district shall comply with all CalSTRS requirements to ensure that the furloughed year is credited as a full year of service for LTA employees.
3. **Bilingual Allocations: The PARTIES realize that the authority to designate classes as a "Bilingual Class" resides with the District Administration. Further, it is the intent of the District to limit the designation of bilingual classes.**
- a. Language pertaining to Bilingual Stipends shall be removed through mutual consent through this MOU (Articles 8.15, 8.15.1).
4. All provisions of this MOU shall expire 8/31/12 with the exception of the following unless agreed upon, in writing, for renewal by both parties:
- a. Retirement Incentive: ~~(1-9)~~ (1-9) *Amo*
 - b. Bilingual Allocations: (3)
5. The body of this MOU fully expresses all understandings of the PARTIES concerning all matters covered and shall constitute the total MOU. No addition to or alteration of, the terms of this MOU, whether by written or verbal understanding of the PARTIES, their officers, employees or agents, shall be valid and effective unless made in the form of a written amendment to this MOU which is formally approved and executed by the PARTIES in the same manner as the MOU.
6. This MOU is offered and entered into as a package. It is understood that it needs to be approved as a whole package.
7. This MOU shall become effective immediately only upon passage of a ratification vote by both PARTIES.

Lynwood Unified School District

By: [Signature]

Name: EDUARDO VELASQUEZ

Title: SUPERINTENDENT

Date: 10/29/10

Lynwood Teachers Association

By: [Signature]

Name: [Signature]

Title: President LTA

Date: 10/29/10

LYNWOOD UNIFIED SCHOOL DISTRICT

BOARD OF EDUCATION AGENDA

DESIRED ACTION: ☐ PRESENTATION ☐ CONSENT ☒ DISCUSSION/APPROVAL ☐ INFORMATION
☐ CLOSED SESSION ☒ OPEN SESSION

TO: Edward Velasquez
Superintendent of Schools

BOARD MEETING DATE: November 16, 2010

FROM: Peter Wong
Interim Chief Business Official

SCHOOL/DEPARTMENT: Fiscal Services

AGENDA ITEM: RESOLUTION 10-11/20 TO AUTHORIZE THE ENTERING OF AN
AGREEMENT WITH PUBLIC AGENCY RETIREMENT SERVICES (PARS) TO
IMPLEMENT A TEACHERS' SUPPLEMENTAL EARLY RETIREMENT
INCENTIVE PROGRAM

BACKGROUND INFORMATION:

The District and the Lynwood Teachers' Association have reached an agreement to implement a supplemental early retirement incentive program. The intent of this program is to achieve certain fiscal and operational objectives.

Staff recommends the adoption of the resolution to authorize the entering of an agreement with PARS to implement the supplemental early retirement program.

☐ Renewal or Returning Contract/Item

☒ New Contract/Item

Financial Implications

☒ YES

☐ NO

Are funds for this item included in the 2010-11 budget?

☐ YES

☐ NO

\$9,963 per retiree per year for 5 year
(Amount)

Education Job Fund and General Fund (Savings from reduced teachers' salary)
(Name of funding source and/or location)

(Funding account number)

Original budgeted amount\$ _____ Balance after expenditure\$ _____

Are additional staff positions requested?

☐ YES

☒ NO

Number of staff needed _____ Total cost of staff position(s)\$ _____

Recommended for _____

☒ Approval

☐ Denial

Edward Velasquez, Superintendent

Superintendent's Office Certification: _____

Cert. Req. YES _____ No _____

BOARD RESOLUTION # 10-11/20

**LYNWOOD UNIFIED SCHOOL DISTRICT
LOS ANGELES COUNTY, CALIFORNIA**

WHEREAS it is determined to be in the best fiscal interest of the District and its employees to provide a retirement incentive offer to eligible employees who wish to voluntarily exercise their option to separate from District Service;

WHEREAS there is no cash option available to employees in lieu of this retirement incentive offer;

WHEREAS Public Agency Retirement Services (PARS) has made available to the District a Supplementary Retirement Plan, a retirement incentive program supplementing STRS/PERS, and qualifying under the relevant sections of Section 403(b) of the Internal Revenue Code;

WHEREAS the District, pursuant to applicable policy and/or a collective bargaining agreement, desires to adopt the Supplementary Retirement Plan and to fund the incentive through nonelective employer, post-employment contributions to the PARS designated 403(b) provider.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The Governing Board of Trustees of the District hereby adopts the PARS Supplementary Retirement Plan, as part of the District Retirement Program, effective November 17, 2010; and
2. In order for the District to reach stated fiscal goals, a minimum number of participants must enroll in the retirement incentive plan. If a minimum is not reached, the District may withdraw the retirement incentive. If the District withdraws the retirement incentive, resignations may be rescinded; and
3. The Board of Trustees of the District hereby appoints the Chief Business Official, or his/her successor or his/her designee as the District's Plan Administrator; and
4. The District's PARS Plan Administrator is hereby authorized to execute the contracts, custodial agreement facilitating the payment of contributions to the 403(b) arrangement, and other legal documents related to a trust or the plan on behalf of the District and to take whatever additional actions are necessary to maintain the District's participation in the plan and to maintain compliance of any relevant regulations issued.

AYES:

NOES:

ABSENT:

ABSTAIN:

**STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

Edward Velasquez, the Secretary of the Board of Trustees of the Lynwood Unified School District of Los Angeles County, California, hereby certifies that the above foregoing resolution was duly and regularly adopted by said District at a regular meeting thereof held on the November 16, 2010, and passed by a _____ vote of said Board.

IN WITNESS WHEREOF I have hereunto set my hand and seal this November 16, 2010.

Secretary of the Board