

Executive Council Minutes
Open Session
January 26, 2009

Officers present: President Marc Houle, High School Vice President Bob Walker, Middle School Vice President Bob Ruark, Elementary Vice President Stephanie Martin, SPED Vice President Jan Van Horne, Secretary Naomi Lukaszewski, Treasurer Kelly Logan, 6-12 Director Candy Smiley, K-5 Director Karen Wusthoff

*PFT President, M. Houle was delayed due to attendance at the PPAP Governance Board Meeting.
 Director K. Wusthoff was delayed due to attendance at the PDAB Advisory Board Meeting.*

Reps: None

Meeting called to order: 4:15

Handouts: Dr. Phillips' Site Visits: Questions for Consideration
 EdSource Report: "Fiscal Crisis Meets Political Gridlock"
 Verification of Official Employment Information Letter

Agenda: No listed agenda

I. Minutes

- A. January 12 Executive Council: unanimously approved with amendments
- B. January 15 Representative Council: unanimously approved with amendments.

Open Session closed. Confidential Session opened: 4:20 p.m.

- Contract Negotiations
- State Budget Impact on PUSD

Confidential Session closed. Open Session resumed: 4:40 p.m.

II. Dr. Phillips' Site Visits

- A. PFT Preparation for teachers
 - 1. Recommend teachers meet with grade level colleagues and departments to discuss questions.
 - a. Enable teachers to reach consensus regarding issues
 - 2. Recommend teachers get classified point of view regarding cuts
 - 3. Provide "glossary of terms" e.g. "categorical funding"
 - 4. List departments, define and identify support services

Question: How is ROP funded?

Response: ROP says it has funding for "x" amount of teachers and then sites can hire teacher according to amount of funding available.

III. EdSource Report

- A. Informative report on current state budget situation
 - 1. Read for discussion at a later date.

Open Session closed. Confidential Session opened: 5:00 p.m.

PUSD Budget

Confidential Session closed. Open Session resumed: 5:40 p.m.

IV. Open Items

- A. Employee Information Verification Letter
 - 1. Will seek advice from legal counsel regarding whether or not document is legally binding and if a signed response is required whether or not recipient agrees with the information contained in the letter.
- B. 1st day of paid service & New Teacher Day attendance
 - 1. PFT needs to research in what year PUSD began paying for attendance at New Teacher Days.
 - 2. Teachers who attended New Teacher Day during their first year of service did not attend the following year. This sometimes resulted in a recorded probationary date that did not take their New Teacher Day attendance into account.

3. PFT needs to get advice from counsel regarding whether these dates can be changed and if not, what can be done to rectify the matter.

Question: If the situation arises where the dates cannot be changed and the group of teachers affected decide to file a class action lawsuit, will legal representation be provided by the union?

Response: No. Such a lawsuit would be a private tort case. Since it is not part of the collective bargaining agreement, it is “out of the scope”. We’ll check with our legal counsel to make sure but I believe our duty of representation is just through any hearings.

C. Board Resolution Credentials

Question: What weight is a Board Resolution Credential being given? Is it equal to a regular credential?

Response: The criteria for a Board Resolution to teach a content area are fairly stringent. There are a minimum number of Upper Division or Graduate units required or a major/degree in a related field.

- How quickly can a Board Resolution be granted? Is it possible to get one in order to avoid being laid off or being moved to the top for rehired consideration?
- We’ll need to check on that.

Secretary’s Note: A more precise reading of the criterion during the meeting revealed that having a related credential is sufficient grounds for approval. No explanation of what constitutes a related credential was provided. This allows for less strict criteria regarding the granting of Board Resolution Credentials.

D. Involuntary Transfers within subject/grade

Question: Aside from a transfer to another site, a teacher can be involuntarily placed in another position to teach a different grade level or subject. How does one move back?

Response: That’s under negotiation. Last year, the district’s position was that if you were moved due to the RIF (Reduction In Force) you would stay there until it was determined that none of the laid off personnel could take your original position.

- I was told that was based on Ed Code but I could not find anything in Ed Code to support that position.

E. Attendance Policy

1. While researching policy for a site with an issue, it was discovered that Attendance Policy is up to the teachers at the site.

Meeting adjourned: 6:15 p.m.

Next meeting: February 9, 2009

PFT Staff will be attending the District Recognition Dinner on February 2.

Submitted by Naomi Lukaszewski, PFT Secretary