

MEDIATED AGREEMENT
between the
FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
and the
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION,
AMERICAN RIVER CHAPTER #528

The Folsom Cordova Unified School District ("District") and the California School Employees Association, American River Chapter #528 ("CSEA") (collectively hereinafter referred to as "the parties") have reached a mediated settlement agreement ("Agreement") to resolve all bargaining up through and including through the 2012/2013 school year.

I.
RECITALS

1. The DISTRICT and CSEA are parties to a Collective Bargaining Agreement ("CBA") which expires on June 30, 2013.
2. The parties have been engaged in reopener negotiations for the 2012/2013 school year since approximately February 28, 2012.
3. On or about October 26, 2012, the Public Employment Relations Board ("PERB") declared that the parties were at impasse.
4. The parties wish to fully and finally resolve all bargaining, and all issues arising out of bargaining, up through and including the 2012/2013 school year.

II.
TERMS AND CONDITIONS

1. The preceding recitals are incorporated as though fully set forth below.
2. The terms of the existing CBA shall continue without change except that all currently valid ratified agreements and MOU's, shall be added to the CBA to reflect the Tentative Agreements. The District agrees to post the CBA on the website and to print a hard copy of the CBA for any bargaining unit member who requests one.
3. Health and Welfare Benefits
 - a) If the District's BRL for the 2012/2013 school year is at least \$5,230, the medical cap as set forth in Article X (Section K) of the CBA will be increased by \$25 per

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[Signature]

month for each eligible full-time unit member enrolled in a medical plan (pro-rated for less than full time) at the time of ratification of this Agreement.

- b) If the District's BRL for the 2012/2013 school year is greater than \$5,230, the Parties agree to meet and negotiate regarding the cap provided to unit members.

4. Layoff

- a. By Board Resolution No. 06-07 12-32, the District reduced classified services effective December 1, 2012. The District shall not implement the Resolution except for the 13.5 FTE Special Education Instructional Aides.
- b. There will be no additional layoffs/reductions in the classified service for the 2012/2013 school year except:
 - 1) 10.0 FTE Bilingual/ESL Instructional Assistant; and
 - 2) 15.0 FTE Special Education Instructional Aides SH/SED.

5. Bilingual/ESL Instructional Assistant

- a. The District currently maintains the classification of Bilingual/ESL Instructional Assistant (BEIA). The Parties acknowledge that the District shall abolish BEIA and establish:
 - 1) BEIA Armenian (Attachment A)
 - 2) BEIA Russian (Attachment B)
 - 3) BEIA Spanish (Attachment C)
 - 4) BEIA Ukrainian (Attachment D)
- b. The newly established BEIA classifications shall be placed at range 11.
- c. Upon ratification of this Agreement by both Parties, incumbents in the classification of BEIA ("incumbents"), will be placed in a new BEIA classification based upon the unit member's current assignment.
- d. Seniority Date
 - 1) The unit member's seniority date in the new BEIA classification shall be his/her original seniority date in the abolished BEIA classification.
 - 2) The unit member shall also maintain status of prior service in all other new BEIA classifications in which the District has determined that he/she

is qualified. The unit member's seniority date shall be his/her original seniority date in the abolished BEIA classification.

- 3) In the event of layoff within the new classifications, incumbents shall have bumping rights into the classification of Special Education Instructional Assistant provided he/she has passed the District proficiency test.
- a. The District will make at least one training session regarding proficiency tests available to incumbents within three months of ratification of this Agreement. The training will be offered free of charge but will be unpaid.
 - b. There is no limit on the number of time incumbents may take the proficiency test.
 - c. The District will make practice tests available to incumbents upon request.

6. All bargaining shall be fully and finally resolved through the 2012/2013 school year.

7. The Parties agree that, upon ratification of this Agreement, all PERB actions arising from or based upon the negotiation process for the 2012/2013 school year shall be withdrawn. Further, the Parties agree that no such PERB actions shall be filed.

8. Upon signing this Agreement, the Parties agree to place impasse mediation in abeyance until December 31, 2012. Ratification of this Agreement by both parties shall be deemed a withdrawal from the impasse process.

FOR THE FOLSOM CORDOVA
UNIFIED SCHOOLDISTRICT

By: Cathy Runnels

Date: 12/12/12

FOR THE CALIFORNIA SCHOOL
EMPLOYEES ASSOCIATION

By: Wendy Luthke

Date: 12/12/12

ATTACHMENT A
ARMENIAN BILINGUAL/ESL INSTRUCTIONAL ASSISTANT

DEFINITION

A Bilingual/ESL Instructional Assistant, under teacher supervision, is to provide assistance to the teacher or counselor in serving the educational and personal needs of bilingual students; to provide instructional assistance in teaching English as a second language to individual students or groups of students; to assist Spanish bilingual students with other academic subjects as needed.

DISTINGUISHING CHARACTERISTICS

Positions are usually short term involving hourly working schedules on school days only. These positions are subject to special Federal or State funding. Positions in this class are distinguished from those of the Teacher Aide classes by the requirement for bilingual fluency in an appropriate language or instruction and/or experience in ESL techniques, and the ability to work effectively with limited English students.

ESSENTIAL FUNCTIONS

(Any one position may not include all of the duties listed, nor do the listed examples include all tasks which may be found in positions of this class.)

May provide, at the direction of the teacher, English as a second language instruction to the bilingual student and/or instruction in other academic areas as needed at various school sites.

Performs a variety of record keeping functions including student performance in English as a second language.

Keeps teacher apprised of students' academic performance.

Assists with the administering of bilingual performance language dominance test, and end of year program evaluation.

May on occasion assist student with personal health care.

Assists students with routine studies.

May on occasion help parents comply with school requirements.

Performs related duties as required.

QUALIFICATIONS**Knowledge of:**

Any combination of knowledge, ability, experience, and education which demonstrates capability to perform the duties of this position; successful completion of District Instructional Assistant Proficiency Test; basic English language; basic academic skills (reading, math, spelling); games, arts and crafts and other activities suitable for children;

Ability to:

Work effectively with a wide variety of personalities and situations requiring tact, judgment and poise; work effectively with bilingual students; work harmoniously with students, faculty, school, and District.

EXPERIENCE

Experience as a leader in children's activities, or school experience, is desirable but not required.

EDUCATION

Completion of the equivalent of the twelfth grade is desirable. Primary language fluency or training and/or experience acceptable for substitution for primary language ability: 15 hours or 1 semester unit in English-as-a-second-language instruction; and 15 hours or 1 semester unit in the cultural backgrounds of the LEP (limited English speaking) students.

OR 1 semester experience (minimum of 3 hours/day) working with LEP students in an ESL situation.

Approved: 3/15/83; Revised 7/96

Folsom Cordova Unified School District

Class Specification

ATTACHMENT B
RUSSIAN BILINGUAL/ESL INSTRUCTIONAL ASSISTANT

DEFINITION

A Bilingual/ESL Instructional Assistant, under teacher supervision, is to provide assistance to the teacher or counselor in serving the educational and personal needs of bilingual students; to provide instructional assistance in teaching English as a second language to individual students or groups of students; to assist Russian/Ukrainian bilingual students with other academic subjects as needed.

DISTINGUISHING CHARACTERISTICS

Positions are usually short term involving hourly working schedules on school days only. These positions are subject to special Federal or State funding. Positions in this class are distinguished from those of the Teacher Aide classes by the requirement for bilingual fluency in an appropriate language or instruction and/or experience in ESL techniques, and the ability to work effectively with limited English students.

ESSENTIAL FUNCTIONS

(Any one position may not include all of the duties listed, nor do the listed examples include all tasks which may be found in positions of this class.)

May provide, at the direction of the teacher, English as a second language instruction to the bilingual student and/or instruction in other academic areas as needed at various school sites.

Performs a variety of record keeping functions including student performance in English as a second language.

Keeps teacher apprised of students' academic performance.

Assists with the administering of bilingual performance language dominance test, and end of year program evaluation.

May on occasion assist student with personal health care.

Assists students with routine studies.

May on occasion help parents comply with school requirements.

Performs related duties as required.

QUALIFICATIONS

Knowledge of:

Any combination of knowledge, ability, experience, and education which demonstrates capability to perform the duties of this position; successful completion of District Instructional Assistant Proficiency Test; basic English language; basic academic skills (reading, math, spelling); games, arts and crafts and other activities suitable for children;

Ability to:

Work effectively with a wide variety of personalities and situations requiring tact, judgment and poise; work effectively with bilingual students; work harmoniously with students, faculty, school, and District.

EXPERIENCE

Experience as a leader in children's activities, or school experience, is desirable but not required.

EDUCATION

Completion of the equivalent of the twelfth grade is desirable. Primary language fluency or training and/or experience acceptable for substitution for primary language ability: 15 hours or 1 semester unit in English-as-a-second-language instruction; and 15 hours or 1 semester unit in the cultural backgrounds of the LEP (limited English speaking) students.

OR 1 semester experience (minimum of 3 hours/day) working with LEP students in an ESL situation.

Approved: 3/15/83; Revised 7/96
Folsom Cordova Unified School District

Class Specification

ATTACHMENT C
SPANISH BILINGUAL/ESL INSTRUCTIONAL ASSISTANT

DEFINITION

A Bilingual/ESL Instructional Assistant, under teacher supervision, is to provide assistance to the teacher or counselor in serving the educational and personal needs of bilingual students; to provide instructional assistance in teaching English as a second language to individual students or groups of students; to assist Spanish bilingual students with other academic subjects as needed.

DISTINGUISHING CHARACTERISTICS

Positions are usually short term involving hourly working schedules on school days only. These positions are subject to special Federal or State funding. Positions in this class are distinguished from those of the Teacher Aide classes by the requirement for bilingual fluency in an appropriate language or instruction and/or experience in ESL techniques, and the ability to work effectively with limited English students.

ESSENTIAL FUNCTIONS

(Any one position may not include all of the duties listed, nor do the listed examples include all tasks which may be found in positions of this class.)

May provide, at the direction of the teacher, English as a second language instruction to the bilingual student and/or instruction in other academic areas as needed at various school sites.

Performs a variety of record keeping functions including student performance in English as a second language.

Keeps teacher apprised of students' academic performance.

Assists with the administering of bilingual performance language dominance test, and end of year program evaluation.

May on occasion assist student with personal health care.

Assists students with routine studies.

May on occasion help parents comply with school requirements.

Performs related duties as required.

QUALIFICATIONS

Knowledge of:

Any combination of knowledge, ability, experience, and education which demonstrates capability to perform the duties of this position; successful completion of District Instructional Assistant Proficiency Test; basic English language; basic academic skills (reading, math, spelling); games, arts and crafts and other activities suitable for children;

Ability to:

Work effectively with a wide variety of personalities and situations requiring tact, judgment and poise; work effectively with bilingual students; work harmoniously with students, faculty, school, and District.

EXPERIENCE

Experience as a leader in children's activities, or school experience, is desirable but not required.

EDUCATION

Completion of the equivalent of the twelfth grade is desirable. Primary language fluency or training and/or experience acceptable for substitution for primary language ability: 15 hours or 1 semester unit in English-as-a-second-language instruction; and 15 hours or 1 semester unit in the cultural backgrounds of the LEP (limited English speaking) students.

OR 1 semester experience (minimum of 3 hours/day) working with LEP students in an ESL situation.

Approved: 3/15/83; Revised 7/96
Folsom Cordova Unified School District

Class Specification

ATTACHMENT D
UKRANIAN BILINGUAL/ESL INSTRUCTIONAL ASSISTANT

DEFINITION

A Bilingual/ESL Instructional Assistant, under teacher supervision, is to provide assistance to the teacher or counselor in serving the educational and personal needs of bilingual students; to provide instructional assistance in teaching English as a second language to individual students or groups of students; to assist Spanish bilingual students with other academic subjects as needed.

DISTINGUISHING CHARACTERISTICS

Positions are usually short term involving hourly working schedules on school days only. These positions are subject to special Federal or State funding. Positions in this class are distinguished from those of the Teacher Aide classes by the requirement for bilingual fluency in an appropriate language or instruction and/or experience in ESL techniques, and the ability to work effectively with limited English students.

ESSENTIAL FUNCTIONS

(Any one position may not include all of the duties listed, nor do the listed examples include all tasks which may be found in positions of this class.)

May provide, at the direction of the teacher, English as a second language instruction to the bilingual student and/or instruction in other academic areas as needed at various school sites.

Performs a variety of record keeping functions including student performance in English as a second language.

Keeps teacher apprised of students' academic performance.

Assists with the administering of bilingual performance language dominance test, and end of year program evaluation.

May on occasion assist student with personal health care.

Assists students with routine studies.

May on occasion help parents comply with school requirements.

Performs related duties as required.

QUALIFICATIONS

Knowledge of:

Any combination of knowledge, ability, experience, and education which demonstrates capability to perform the duties of this position; successful completion of District Instructional Assistant Proficiency Test; basic English language; basic academic skills (reading, math, spelling); games, arts and crafts and other activities suitable for children;

Ability to:

Work effectively with a wide variety of personalities and situations requiring tact, judgment and poise; work effectively with bilingual students; work harmoniously with students, faculty, school, and District.

EXPERIENCE

Experience as a leader in children's activities, or school experience, is desirable but not required.

EDUCATION

Completion of the equivalent of the twelfth grade is desirable. Primary language fluency or training and/or experience acceptable for substitution for primary language ability: 15 hours or 1 semester unit in English-as-a-second-language instruction; and 15 hours or 1 semester unit in the cultural backgrounds of the LEP (limited English speaking) students.

OR 1 semester experience (minimum of 3 hours/day) working with LEP students in an ESL situation.

Approved: 3/15/83; Revised 7/96