

Board Office Use: Legislative File Info.	
File ID Number	10-2071
Introduction Date	8/11/10
Enactment Number	18-1517
Enactment Date	8-11-10



OAKLAND UNIFIED  
SCHOOL DISTRICT

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# Memo

To

Board of Education

From

Anthony Smith, PhD, Superintendent

Board Meeting  
Date

August 11, 2010

Subject

Memorandum of Understanding Between Oakland Unified School District (OUSD) and Oakland Education Association – Agreement Regarding Reduction in Particular Kinds of Service of Childhood Development Centers Passed June 23, 2010

## Action Requested

Approval of the MOU between Oakland Unified School District and Oakland Education Association to retain some personnel in short-term, categorically-funded positions in the Childhood Development Centers (CDC)

## Background

On July 23, 2010, in response to the State's budget cuts to the Early Childhood Education program, the Governing Board passed Resolution Nos. 0910-0250 and 0910-0251 which effectuated a layoff of personnel in the District's Childhood Development Centers. The effective date of the personnel reductions and site closures was scheduled to be August 1, 2010. The CDC programs for school-age children were anticipated to close due to elimination of State funding.

## Discussion

*One paragraph  
summary of the  
scope of work.*

After the passage of Resolutions Nos. 0910-0250 and 0910-0251, it was determined that \$400,000 in one-time, restricted Title I stimulus funds from professional development could be reallocated to the CDC programs. Such a reallocation enabled CDC to continue the school-age programs through the end of August when school-age students will start school and have access to after-school programs. Because the prior Resolution anticipated that the effective date of the personnel layoff would be August 1, this Resolution is needed to continue the employment of some "highly qualified" CDC permit teachers for a longer period. Also, given the categorical funding source, CDC permit teachers are required to possess a bachelor's degree to qualify for the categorical positions.

This Resolution is an Agreement between OUSD and OEA regarding the manner in which CDC permit teachers will be called back for these categorically funded positions. Under the current analysis, the Early Childhood Education department anticipates that categorical funding will enable it to hire seven (7) CDC permit teachers for fiscal year 2010-2011 and that nine (9) additional teachers will be needed for the time period August 1 to August 31, 2010.

**Recommendation**

Approval by the Board of Education of the MOU between OUSD and OEA regarding reductions in service in CDCs.

**Fiscal Impact**

Funding resource name: Title I Stimulus

**Attachments**

- MOU between Oakland Unified School District and Oakland Education Association Regarding Reductions In Service in Childhood Development Centers (CDC).

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
OAKLAND UNIFIED SCHOOL DISTRICT (OUSD) AND OAKLAND  
EDUCATION ASSOCIATION (OEA)**

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**AGREEMENT REGARDING REDUCTION IN PARTICULAR KINDS OF  
SERVICE OF CHILDHOOD DEVELOPMENT CENTERS PASSED JUNE 23,  
2010**

Oakland Unified School District (OUSD) and Oakland Education Association (OEA) agree to the following as it relates to Resolution Nos. 0910-0250 and 0910-0251 passed by the Governing Board:

For the reduction of particular kinds of service of childhood development centers (CDC) passed by the Governing Board on June 23, 2010, the following persons possessed program director permits or the functional equivalent thereof as of the date of the passage of the Resolution: (1) Stella Collins; (2) Lisa Matthews; and (3) Relena Ellis and the layoff notices of such persons will be rescinded.

Since the passage of Resolution Nos. 0910-0250 and 0910-0251, non-recurring categorical funds have been allocated by OUSD to the Early Childhood Education program to reduce the impact of the State's budget cuts to the program. To be qualified to render services in these categorically funded programs, CDC permit teachers must possess a bachelor's degree and the appropriate credential. In addition, as set forth in Resolutions Nos. 0910-0250 and 0910-0251, in light of the reduced personnel, the District has a high need for persons who are qualified and competent to open and close centers. Therefore, CDC permit teachers who are on the reemployment list and who have bachelor's degrees and site supervisor permits will be eligible for reemployment in these categorically funded positions in order of seniority. In the event that all CDC permit teachers with bachelor's degrees and site supervisor permits are recalled, and there is additional funding to recall more teachers, CDC permit teachers will be recalled strictly by their seniority date.

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Seven (7) categorically funded positions are currently anticipated to be funded for the 2010-11 fiscal year. The individuals who will be recalled for these positions are, in the following order, Joyce Bines-Holmes, Janet Bremond-Jones, Geraldine Courtney, Gloria Ramos, Patricia Taper, Monie Lau, and Judy Lee. Nine (9) additional categorically funded positions are anticipated to be funded until August 31, 2010. The individuals who will be recalled for these positions are, in the following order, Anne Marie Adams, Miriam McCurtis, Sonya Lyons-Sumler, Sandra Ball, Hilda Andrade, Juhl Bhatnagar, Faye Lucas, Tuyet Tran and

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Irma Fammons-Wilson. All other teachers to be recalled for either the 2010-11 fiscal year or for any portion thereof will be recalled as set forth in the paragraph above.


This MOU will become effective retroactive to August 1, 2010, so that all teachers recalled to positions for the 2010-11 fiscal year or for the month of August will be paid at their regular salary rate beginning August 1, 2010, and not at the substitute rate.

This MOU resolves any and all claims or grievances between the parties relating to the reduction of particular kinds of service of childhood development centers (CDC) passed by the Governing Board on June 23, 2010. This MOU only applies to this reduction and shall not have any precedential effect on any other matter or be deemed to be part of a past practice of either party.


By: Oakland Education Association

  
Memo Durgin, Executive Director

Dated: 8/4/10

  
Helena Ellis

Dated: 8/4/10

  
Stella Collins


Dated: 8/4/10

By: OAKLAND UNIFIED SCHOOL DISTRICT

  
Gary Yee  
President of the Governing Board

8/12/10

Dated: \_\_\_\_\_

  
Edgar Rakestraw,  
Secretary to the Governing Board

8/12/10

APPROVED AS TO FORM:

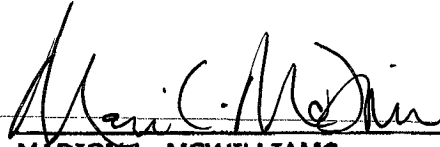


BEESON, TAYER & BODINE



SARAH SANDFORD-SMITH  
ATTORNEYS FOR OEA

OAKLAND UNIFIED SCHOOL  
DISTRICT



MARION L. MCWILLIAMS  
DEPUTY GENERAL COUNSEL



**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
OAKLAND UNIFIED SCHOOL DISTRICT (OUSD) AND OAKLAND  
EDUCATION ASSOCIATION (OEA)**

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SERVICE OF CHILDHOOD DEVELOPMENT CENTERS PASSED JUNE 23,  
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By: Oakland Education Association

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Memo Durgin, Executive Director

Dated: \_\_\_\_\_

\_\_\_\_\_  
Relena Ellis

Dated: \_\_\_\_\_

\_\_\_\_\_  
Stella Collins

Dated: \_\_\_\_\_

By: OAKLAND UNIFIED SCHOOL DISTRICT

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Gary Yee,  
President of the Governing Board

Dated: \_\_\_\_\_

\_\_\_\_\_  
Edgar Rakestraw,  
Secretary to the Governing Board

LEGISLATIVE FILE

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BEESON, TAYER & BODINE

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SARAH SANDFORD-SMITH  
ATTORNEYS FOR OEA

OAKLAND UNIFIED SCHOOL  
DISTRICT

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MARION L. MCWILLIAMS  
DEPUTY GENERAL COUNSEL