

**SIERRA SANDS UNIFIED SCHOOL DISTRICT**

**Board of Education  
Special Concurrent Meeting**

**December 20, 2012  
Ridgecrest City Council Chambers  
100 West California Avenue  
*www.ssusdschools.org***

*We, the members of the Board of Education of the Sierra Sands Unified School District, are committed to providing the highest quality education in a safe environment to all K-12 students. We believe the school shares with the family, church, and community the responsibility for developing life-long learners who are responsible, productive*

**A G E N D A**

CALL TO ORDER AND PLEDGE TO THE FLAG

7:00 P.M.

Amy Covert  
Judy Dietrichson  
Bill Farris, Vice President/Clerk  
Tim Johnson, President  
Tom Pearl  
Kurt Rockwell  
Michael Scott

Joanna Rummer, Superintendent

1. ADOPTION OF AGENDA

8. PERSONNEL ADMINISTRATION

8.3 Ratification of a Memorandum of Understanding between the California School Employees Association, Chapter 188 and the Board of Education Regarding CALPERS Contributions.

3. ADJOURNMENT

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BACKGROUND INFORMATION: In 1991, Sierra Sands negotiated an agreement with CSEA regarding employee contributions to PERS. At that time, in lieu of a raise, it was agreed that the district would pay the employees share of PERS contribution not to exceed 7%. The district has continued to maintain this contribution, even though the PERS contribution language is not mentioned in the CSEA Collective Bargaining Agreement. Because of the recent passage of the Pension Reform Act of 2013, new laws that govern Employer-Paid Member Contributions go into effect on January 1, 2013. In order to meet these new requirements, the district and the California School Employees Association, Chapter 188, have agreed that this longstanding practice and agreement will remain in effect until June 30, 2015, unless the parties agree otherwise through the negotiations process.

CURRENT CONSIDERATIONS: CSEA and the District reached a tentative agreement on a memorandum of Understanding regarding CALPERS contributions for the remainder of the contract agreement. A copy of the agreement is attached.

FINANCIAL IMPLICATIONS: None

SUPERINTENDENT'S RECOMMENDATION: Ratify the memorandum of Understanding between the California School Employees Association, Chapter 188 and the Board of Education regarding CALPERS Contributions as presented.

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
SIERRA SANDS UNIFIED SCHOOL DISTRICT  
AND  
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 188**

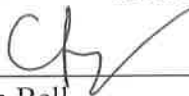
The Sierra Sands Unified School District ("District") and the California School Employees Association, Chapter 188, ("CSEA," collectively with the District, "Parties") hereby memorialize the Parties' longstanding practice related to Public Employment Retirement System ("PERS") contributions. The Parties agree that, with the exception of the Parties' past practice related to PERS contributions described herein, this Memorandum of Understanding is non-precedential and establishes no past practice. With the exception of the terms noted herein and any other currently effective memoranda of understanding, all other terms of the July 1, 2008 – June 30, 2015 Collective Bargaining Agreement remain unchanged.

The Parties agree as follows:

1. Pursuant to the Parties' longstanding practice, the District will continue to fund one-hundred percent of each CSEA bargaining unit member's PERS contribution. Any agreement between the Parties that is, or may be, in existence is hereby superseded to the extent it is contrary to this Memorandum of Understanding.
2. The District will continue contributing one-hundred percent of each CSEA bargaining unit member's PERS contribution to the period specified in Paragraph 4 below, unless and until the Parties agree otherwise through the negotiations process.
3. Notwithstanding anything to the contrary in Paragraph 2 above, if any portion of the Parties' longstanding practice is unlawful and/or unenforceable as it relates to some or all CSEA bargaining unit members, the Parties agree the District's contribution will be revised downward to the maximum lawful District contribution for each unit member and each unit member will be required to fund the remaining portion of the total contribution without the need for further negotiations.
4. This longstanding practice and Memorandum of Understanding will remain in effect until June 30, 2015, unless the Parties agree otherwise through the negotiations process.

**Agreed:**

**FOR THE DISTRICT**

  
\_\_\_\_\_  
Ernie Bell  
Assistant Superintendent  
Human Resources

Date: 12/18/12

**FOR CSEA**

  
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Randy Coit  
CSEA  
President, Negotiations Chairman

Date: 12-18-12