

**MEMORANDUM OF UNDERSTANDING BETWEEN
WILLIAM S. HART UNION HIGH SCHOOL DISTRICT AND
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION AND ITS WILLIAM S. HART
CHAPTER #349
REGARDING THE CLASSIFIED SCHOOL EMPLOYEE SUMMER ASSISTANCE
PROGRAM**

In full and final resolution of the parties' obligations to meet and negotiate under the relevant provisions of the Education Employment Relations Act (Gov. Code, §§ 3543 *et seq.*) concerning those matters within the scope of representation raised by Assembly Bill ("AB") 1808 (Education Omnibus Trailer Bill), which legislation became law on June 27, 2018, the William S. Hart Union High School District ("District") and the California School Employees Association, Chapter #349 ("CSEA") (collectively referred to herein as the "Parties") hereby agree as follows:

I. Summer Assistance Benefits for Classified Employees

- A. The District agrees to participate in the Classified School Employee Summer Assistance Program ("the Program") pursuant to the provisions of AB 1808 for the 2019-2020 school year only and extend this salary benefit option to the CSEA bargaining unit.
- B. The District will notice the CSEA bargaining unit by January 1, 2019, that it has elected to participate in the Program for the 2019-2020 school year. Such notice shall include relevant details regarding unit member eligibility, applicable timelines, and notification deadlines, employees shall receive payment(s) withheld plus the state matching funds during the summer recess period. The summer recess payments are to be made in either one or two payments, as specified by the classified employee at the time of enrollment.
- C. Unit member eligibility for the Program shall be determined in accordance with AB 1808. Specifically, a unit member must meet all of the following requirements:
 - 1. Be employed by the District for fewer than 12 months per fiscal year;
 - 2. Have worked for the District for at least one year at the time the unit member elects to participate in the Program; and
 - 3. The unit member's regular annual pay at the time of enrollment is no more than two times the full-time pay of a classified employee, paid at the state minimum wage for the entire school year. For purposes of determining regular annual pay, the District shall exclude any pay received by the unit member during the summer recess period of the previous year.
- D. No later than March 1, 2019, eligible unit members must notify the District in writing on a form prescribed by the California Department of Education ("CDE"), that the

unit member wishes to participate in the Program for the 2019-2020 school year. In that notice, the unit member must specify all of the following:

1. The amount to be withheld from the monthly paychecks, which may be up to 10% of his or her monthly pay; and
 2. Whether the unit member wishes to have the withheld amounts paid out during the 2020 summer recess period in one or two payments.
- E. By April 1, 2019, the District shall notify the CDE that it has elected to participate in the Program, specify the number of classified employees that have elected to participate, and estimate the total amount to be withheld from participating classified employee paychecks for the 2019-2020 school year.
- F. By May 1, 2019, the CDE shall notify the District in writing of the estimated amount of state match funds a participating unit member can expect to receive as a result of participating in the Classified School Employee Summer Assistance Program. If the funding provided is insufficient to provide one dollar for each one dollar that has been withheld from participating unit member monthly paychecks, the CDE shall notify the District of the expected prorated amount of state match funds that each participating unit member can expect to receive.
- G. By June 1, 2019, the District shall notify participating unit members regarding the estimated amount of state match funds a participating unit member can expect to receive, based on the information provided by the CDE.
- H. Participating unit members must notify the District no later than 30 calendar days after the start of the school year if they elect to either: (1) withdraw from the Program, or (2) reduce the amount to be withheld from his or her paycheck. The Parties agree that the "start of the school year" for this purpose is defined as August 13, 2019, unless otherwise defined by CDE guidance or subsequent modifications to AB 1808.
- I. If an eligible unit member separates from employment during the 2019-2020 school year, the unit member may request to receive any pay previously withheld from his/her paycheck pursuant to the Program. If this occurs, the unit member is not entitled to receive any state match funds.
- J. During the 2019-2020 school year, the District shall deposit the amounts withheld from participating unit members monthly paychecks, according to each unit member's choices within its general fund, using California School Accounting Manual Resource Code 7415 (Classified School Employee Summer Assistance Program).

- K. On or before July 31, 2020, the District shall request payment from the CDE on a form developed by the CDE for the amount of classified employee pay that has been deposited in the Classified School Employee Summer Assistance Program Fund.
- L. The state match funds shall be considered wages for purposes of payroll and all other applicable taxes, and will be subject to all legally required withholdings. However, the state match funds received by eligible unit members under the Program are not considered compensation for purposes of determining retirement benefits for the California Public Employees' Retirement System or the California State Teachers' Retirement System, as set forth in AB 1808.
- M. Participating unit members are allowed to apply for, and if selected, work summer school during the summer in which this benefit is earned.
- N. During summer recess in 2020, the District shall pay participating unit members from the Classified School Employee Summer Assistance Program Fund the amounts withheld according to each unit member's choices, plus the expected state match funds, in one or two payments in accordance with the unit member's selected payment option.
- O. If any CDE guidance and/or modifications to the relevant provisions of AB 1808 conflict with the provisions of this Agreement, the Parties shall comply with the CDE guidance and/or modifications to AB 1808.
- P. Any and all required participation/notice forms developed by the CDE for purposes of participation in the Program shall be provided to bargaining unit members as soon as possible but in no event later than 10 business days prior to the corresponding form submission deadline. If the CDE publication date for such forms occurs less than 10 business days prior to the relevant deadline, the District shall provide the form as soon as possible after publication by the CDE.

IT IS SO AGREED:

Dated: 2-11-19

FOR CSEA:

Jessica Morrow
Labor Relations Representative
Jessica Morrow

Katherine Hefferon
Chapter President CSEA Hart 349
Katherine Hefferon

FOR THE DISTRICT:

Michael Vierra
Assistant Superintendent, Human Resources
Michael Vierra, Ph.D.